# 5.4 Biological Resources

The information in this section updates the biological resources analysis in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to biological resources. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. This section is based on review of information, in the biological resources analysis of the Southwest Village Specific Plan Biological Resources Technical Report (Appendix C, *Biological Resources Report for the Southwest Village Specific Plan*).

## 5.4.1 Existing Conditions

### 5.4.1.1 Vegetation Communities and Land Cover Types

#### a. Program-level

The program-level area includes Diegan coastal sage scrub, valley and foothill grassland, extensive agriculture—field/pasture, row crops, and disturbed habitat. Future Southwest Village Specific Plan (Specific Plan) development areas that include sensitive biological resources as defined by San Diego Municipal Code Section 113.0103 would require focused site-specific biological resources surveys to determine the vegetation communities present.

#### b. Project-level

General biological surveys were conducted between November 2017 and 2024. Seventeen vegetation communities/land cover types were identified within the project-level areas, 14 of which are considered sensitive: vernal pools (with and without fairy shrimp), mule fat scrub, southern willow scrub, disturbed riparian, disturbed wetland, tamarisk scrub, natural flood channel, maritime succulent scrub (Tier I), disturbed maritime succulent scrub (Tier I), native grassland (Tier I), Diegan coastal sage scrub (Tier II), disturbed Diegan coastal sage scrub (Tier II), and non-native grassland (Tier IIIB). Refer to Table 5.4-1, *Vegetation Communities/Land Cover Types within the Project-level Survey Areas (acres)* and Figures 5.4-1a-i, *Vegetation Communities/Land Use Types* for the distribution of vegetation communities and land cover types throughout the project-level areas.

**Table 5.4-1**
**Vegetation Communities/Land Cover Types within the Project-level Survey Areas (acres)[1,2]**

| Vegetation Communities/ Land Cover Types[3] | City of San Diego Tier | Phase 1 | Phase 2 | Beyer Boulevard | Phase 4 | Emergency Vehicle Access Road | Off-site Improvements | Remaining Project-Level Survey Areas | Total Acres |
|---|---|---|---|---|---|---|---|---|---|
| **Upland Vegetation Communities** | | | | | | | | | |
| Maritime Succulent Scrub | I | 4.72 | 6.51 | 13.88 | 2.38 | 0.87 | - | 178.54 | 206.89 |
| Disturbed Maritime Succulent Scrub | I | 5.15 | 1.58 | 1.85 | 0.53 | - | - | 55.00 | 64.12 |
| Native Grassland | I | - | - | - | 0.12 | - | - | - | 0.12 |
| Diegan Coastal Sage Scrub | II | 24.19 | 1.62 | 3.17 | 4.25 | 0.01 | - | 47.16 | 80.40 |
| Disturbed Coastal Sage Scrub | II | 8.19 | - | 0.62 | 1.29 | 0.83 | - | 5.60 | 16.53 |
| Non-native Grassland | IIIB | 42.14 | 57.26 | 2.48 | 3.81 | 0.16 | - | 66.91 | 172.76 |
| *Subtotal* | | *84.38* | *66.97* | *21.99* | *12.38* | *1.87* | - | *353.21* | *540.82* |
| **Wetland Vegetation Communities** | | | | | | | | | |
| Natural Flood Channel[4] | - | 0.14 | 0.08 | 0.05 | 0.18 | - | - | 1.51 | 1.97 |
| Mule Fat Scrub | - | 0.02 | - | 0.30 | 0.01 | - | - | 1.93 | 2.26 |
| Southern Willow Scrub | - | 0.32 | - | - | <0.01 | - | - | 0.21 | 0.53 |
| Tamarisk Scrub | - | - | 0.01 | - | - | - | - | 1.72 | 1.73 |
| Disturbed Riparian | - | 0.12 | - | - | - | - | - | - | 0.12 |
| Disturbed Wetland | - | 0.30 | 0.04 | <0.01 | - | - | - | 0.91 | 1.26 |
| Vernal Pool | - | 0.15 | 0.07 | 0.03 | - | 0.01 | - | 0.10 | 0.35 |
| Vernal Pool with Fairy Shrimp | - | 0.56 | 0.05 | 0.01 | <0.01 | - | - | 1.06 | 1.67 |
| *Subtotal* | | *1.62* | *0.23* | *0.41* | *0.20* | *0.01* | - | *7.44* | *7.43* |
| **Disturbed/Developed Vegetation Communities** | | | | | | | | | |
| Eucalyptus Woodland | IV | 0.13 | - | - | - | - | - | 1.01 | 1.14 |
| Disturbed Land | IV | 8.48 | 5.61 | 5.48 | 1.90 | 1.23 | 0.51 | 24.45 | 47.67 |
| Urban/Developed Land | - | 0.30 | - | 0.12 | - | 0.05 | 4.73 | 7.27 | 12.47 |
| *Subtotal* | | *8.92* | *5.61* | *5.60* | *1.90* | *1.28* | *5.23* | *32.73* | *32.73* |
| **Total** | | **94.92** | **72.80** | **28.01** | **14.48** | **3.16** | **5.23** | **393.38** | **611.99** |

[1] Source: Appendix C.

[2] Totals may not sum due to rounding. Phasing corresponds to grading phasing depicted in Figure 3-19, *Project-level Grading Phasing*.

[3] according to Holland (1986) as modified by Oberbauer (2008).

[4] Although ephemeral drainages are not considered a vegetation community, they are captured within the City's designation of "natural flood channel." Note that these are non-wetland waters not regulated by the City.

The upland habitats are considered sensitive under the City of San Diego's (City's) Biology Guidelines (City 2018), and mule fat scrub, southern willow scrub, disturbed riparian, disturbed southern willow scrub, disturbed wetlands, tamarisk scrub, vernal pools (with and without fairy shrimp), and non-wetland waters/streambed (natural flood channels), are also considered sensitive by the U.S. Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), and the City. An additional three non-sensitive vegetation communities/land use types occur within the project-level areas: eucalyptus woodland, disturbed land, and urban/developed land.

Existing conditions have changed since the FEIR was prepared. Based on site specific mapping within the project-level areas and familiarity with the area, other native upland and wetland vegetation communities are present, and most of the areas mapped as disturbed and valley and foothill grassland were re-mapped as non-native grassland. While previously reported in the FEIR, no freshwater marsh, native grassland, or agriculture has been observed in the project-level areas. Natural flood channel, southern willow scrub, tamarisk scrub, disturbed riparian, and disturbed wetland were observed during the biological surveys conducted between November 2017 and 2024 that were not reported in the FEIR.

### 5.4.1.2 Special-Status Plant Species

#### a. Program-level

The program-level area includes 26 special-status plant species either documented on-site or within one mile of the program-level area based on information obtained from the literature review, or identified as having a moderate or high potential to occur within the program-level areas.

Five species are state and/or federally listed: San Diego button-celery (*Eryngium aristulatum* var. *parishii*), Otay tarplant (*Deinandra conjugens*), spreading navarretia (*Navarretia fossalis*), thread-leaved brodiaea (*Brodiaea filifolia*), and California Orcutt grass (*Orcuttia californica*). Of these, one species, spreading navarretia, has U.S. Fish and Wildlife Service (USFWS)-designated critical habitat within the program-level area.

The other 21 species have a California Native Plant Society (CNPS) Rare Plant Ranking of 1B, 2, 3 or 4: ashy spike-moss (*Selaginella cinerascens*), bobtail barley (*Hordeum intercedens*), California box-thorn (*Lycium californicum*), golden-ray pentachaeta (*Pentachaeta aurea* ssp. *aurea*), graceful tarplant (*Holocarpha virgata* ssp. *elongata*), south coast salt scale (*Atriplex pacifica*), San Diego bur-sage (*Ambrosia chenopodiifolia*), San Diego County viguiera (*Bahiopsis laciniata*), decumbent goldenbush (*Isocoma menziesii* var. *menziesii*), snake cholla (*Cylindropuntia californica* var. *californica*), San Diego barrel cactus (*Ferocactus viridescens*), variegated dudleya (*Dudleya variegata*), cliff spurge (*Euphorbia misera*), California adolphia (*Adolphia californica*), Orcutt's bird's-beak (*Cordylanthus orcuttianus*), San Diego goldenstar (*Bloomeria clevelandii*), Palmer's grapplinghook (*Harpagonella palmeri*), San Diego needlegrass (*Stipa diegoensis*), seaside cistanthe (*Cistanthe maritima*), small-flowered microseris (*Microseris douglasii* ssp. *platycarpha*), and western dichondra (*Dichondra occidentalis*). While these species have been documented in the project vicinity, their presence within the program-level areas is not confirmed. The presence or potential for special-status plant species to occur within the

program-level areas would need to be evaluated after site-specific surveys are conducted in conjunction with future development.

## b. Project-level

Special-status plant surveys were conducted between April 2018 and June 2024. Biological surveys were completed in phases, as project areas were added or modified ultimately covering the entire project-level survey area. Updated special-status plant verification surveys were completed in spring and summer 2023 and 2024 to verify the extent of special-status plants and update mapping as needed. A total of 19 special-status plant species were observed during the focused rare plant surveys and other biological surveys conducted in project-level areas, and five special-status plant species were determined to have a moderate or high potential to occur. Special-status plant species observed are shown in Table 5.4-2, *Special-status Plant Species Observed or with a Moderate Potential to Occur*, and depicted on Figure 5.4-2a-e, *Special-Status Plant Species*. Details of each of these species, including the location of their occurrence, can be referenced in Appendix C Section 5.3.2.

Existing conditions have changed since the FEIR was prepared. Four additional special-status plant species were observed in the project-level areas or were determined to have a moderate to high potential to occur: golden-spined cereus (*Bergerocactus emoryi*), San Diego thorn-mint (*Acanthomintha ilicifolia*), Otay mesa mint (*Pogogyne nudiuscula*), and little mousetail (*Myosurus minimus* ssp. *apus*). Additionally, eight special-status plants observed during project-level surveys that were not observed in the program-level area included seaside cistanthe, western dichondra, Palmer's grapplinghook, bobtail barley, California box-thorn, golden-rayed pentachaeta, ashy-spike moss, and San Diego County needle grass.

**Table 5.4-2**
**Special-status Plant Species Observed or with a Moderate Potential to Occur[1]**

| Common Name | Scientific Name | Federal/ State Listing[2] | CRPR/ Threat Ranking[3] | City of San Diego Listing[4] | Observed (O) During Project-level Surveys |
|---|---|---|---|---|---|
| ashy spike-moss | *Selaginella cinerascens* | –/– | 4.1 | – | O |
| bobtail barley | *Hordeum intercedens* | –/– | 3.2 | – | O |
| California adolphia | *Adolphia californica* | –/– | 2B.1 | – | O |
| California box-thorn | *Lycium californicum* | –/– | 4.2 | – | O |
| cliff spurge | *Euphorbia misera* | –/– | 2B.2 | – | O |
| decumbent goldenbush | *Isocoma menziesii* var. *decumbens* | –/– | 1B.2 | – | O |
| golden-rayed pentachaeta | *Pentachaeta aurea* ssp. *aurea* | –/– | 4.2 | – | O |
| graceful tarplant | *Holocarpha virgata* ssp. *elongata* | –/– | 4.2 | – | - |
| Orcutt's bird's-beak | *Dicranostegia orcuttiana* [=*Cordylanthus orcuttianus*] | –/– | 2B.1 | MSCP | - |
| Otay tarplant | *Deinandra conjugens* | FT/SE | 1B.1 | MSCP, NE | O |
| Palmer's grapplinghook | *Harpagonella palmeri* | –/– | 4.2 | – | O |
| San Diego barrel cactus | *Ferocactus viridescens* | –/– | 2B.1 | MSCP | O |
| San Diego bur-sage | *Ambrosia chenopodiifolia* | –/– | 2B.1 | – | O |

| Common Name | Scientific Name | Federal/ State Listing[2] | CRPR/ Threat Ranking[3] | City of San Diego Listing[4] | Observed (O) During Project-level Surveys |
|---|---|---|---|---|---|
| San Diego button-celery | *Eryngium aristulatum* var. *parishii* | FT/SE | 1B.1 | VPHCP, NE | O |
| San Diego County viguiera | *Bahiopsis laciniata* | –/– | 4.3 | – | O |
| San Diego goldenstar | *Bloomeria [=Muilla] clevelandii* | –/– | 1B.1 | MSCP | - |
| San Diego needlegrass | *Stipa diegoensis* | –/– | 4.2 | – | O |
| seaside cistanthe | *Cistanthe maritima* | –/– | 4.2 | – | O |
| Small-flowered microseris | *Microseris douglasii* ssp. *Platycarpha* | –/– | 4.2 | – | - |
| snake cholla | *Cylindropuntia californica* var. *californica* | –/– | 1B.1 | MSCP, NE | O |
| south coast saltscale / south coast saltbush | *Atriplex pacifica* | –/– | 1B.2 | – | O |
| Thread-leaved brodiaea | *Brodiaea filifolia* | FT/SE | 1B.1 | MSCP, NE | - |
| variegated dudleya | *Dudleya variegata* | –/– | 1B.2 | MSCP, NE | O |
| western dichondra | *Dichondra occidentalis* | –/– | 4.2 | – | O |

[1] Source: Appendix C.

[2] Federal Listing: FT=Federally listed Threatened (USFWS 2025). State Listing: SE=State listed Endangered (CDFW 2025).

[3] California Rare Plant Rank (CRPR)/Threat Ranking: 1A=Species presumed extinct; 1B=Species rare, threatened, or endangered in California and elsewhere. These species are eligible for state listing; 2A=Plants presumed extirpated in California, but more common elsewhere.; 2B=Species rare, threatened, or endangered in California but more common elsewhere. These species are eligible for state listing; 3=Species for which more information is needed. Distribution, endangerment, and/or taxonomic information is needed; 4=A watch list of species of limited distribution. These species need to be monitored for changes in the status of their populations; .1=Species seriously threatened in California (over 80% of occurrences threatened; high degree and immediacy of threat); .2=Species fairly threatened in California (20-80% occurrences threatened; moderate degree and immediacy of threat); .3=Species not very threatened in California (<20% of occurrences threatened; low degree and immediacy of threat or no current threats known); CBR=Considered but rejected (CNPS 2024).

[4] City of San Diego Listing: MSCP=Multiple Species Conservation Program covered species (County 1998); NE=City MSCP Subarea Plan Narrow endemic (City 1997); VPHCP = Vernal Pool Habitat Conservation Plan covered species (City 2019).

### 5.4.1.3 Special-Status Wildlife Species

## a. Program-level

Twenty-eight special-status wildlife species are known to occur within one-mile of the project area based on information obtained from the literature review. All special-status wildlife species with a moderate or high potential to occur including all special-status wildlife species observed in the project-level survey area and their corresponding listing status are included in Table 5.4-3a, *Special-status Wildlife Species Observed and with a Moderate to High Potential to Occur within the Program-level Survey Area*.

**Table 5.4-3a**
**Special-status Wildlife Species Observed and with a Moderate to High Potential to Occur within the Program-level Survey Area[1]**

| Scientific Name | Common Name | Listing Status[2] | Potential to Occur[3] |
|---|---|---|---|
| **Invertebrates** | | | |
| *Bombus crotchii* | Crotch's bumble bee | SCE | Moderate |
| *Branchinecta sandiegonensis* | San Diego fairy shrimp | FE, VPHCP | Observed |
| *Euphydryas editha quino* | Quino checkerspot butterfly | FE | Moderate |
| *Streptocephalus woottoni* | Riverside fairy shrimp | FE, VPHCP | Moderate |
| **Amphibians** | | | |
| *Spea hammondii* | western spadefoot | FPT, CSC | Observed |
| **Reptiles** | | | |
| *Aspidoscelis hyperythra* | orange-throated whiptail | CSC, MSCP | High |
| *Aspidoscelis tigris stejnegeri* | coastal whiptail | CSC | High |
| *Crotalus ruber* | red diamond rattlesnake | CSC | High |
| *Phrynosoma blainvillii* | coast horned lizard | CSC, MSCP | High |
| *Plestiodon skiltonianus interparietalis* | Coronado skink | CSC | Moderate |
| *Thamnophis hammondii* | two-striped gartersnake | CSC | High |
| **Birds** | | | |
| *Astur cooperii* | Cooper's hawk | WL, MSCP | High |
| *Artemisiospiza belli belli* | Bell's sage sparrow | WL | Moderate |
| *Athene cunicularia* | burrowing owl | SCE, MSCP | High |
| *Aimophila ruficeps canescens* | southern California rufous-crowned sparrow | WL, MSCP | High |
| *Ammodramus savannarum* | grasshopper sparrow | CSC | High |
| *Campylorhynchus brunneicapillus sandiegensis* | coastal cactus wren | CSC, MSCP | Observed |
| *Circus hudsonius* | northern harrier | CSC, MSCP | High |
| *Elanus leucurus* | white-tailed kite | CFP | High |
| *Eremophila alpestris actia* | California horned lark | WL | High |
| *Falco columbarius* | merlin | WL | High |
| *Haliaeetus leucocephalus* | bald eagle | CE, CFP, BGEPA, MSCP | High |
| *Icteria virens* | yellow-breasted chat | CSC | High |
| *Lanius ludovicianus* | loggerhead shrike | CSC | Moderate |
| *Polioptila californica californica* | coastal California gnatcatcher | FT, CSC, MSCP | High |
| *Setophaga petechia* | yellow warbler | CSC | High |
| *Vireo bellii pusillus* | least Bell's vireo | FE, CE, MSCP | High |
| **Mammals** | | | |
| *Neotoma lepida intermedia* | San Diego desert woodrat | CSC | High |
| *Odocoileus hemionus fuliginatus~~fuliginata~~* | southern mule deer | MSCP | Moderate |

[1] Source: Appendix C.

[2] Federal Listing: FE=Federally listed endangered; FT=Federally listed threatened; FC=Federal candidate for listing as endangered or threatened; FPT= Listed as proposed threatened by the federal government; BGEPA=Bald and Golden Eagle Protection Act (USFWS 2025). State Listing: CE=Listed as endangered by the state of California; SCE=State of California candidate for listing as Endangered; CFP=California fully protected species; CSC=California Department of Fish and Wildlife species of special concern; WL=California Department of Fish and Wildlife watch list species (CDFW 2025). City: MSCP= Multiple Species Conservation Program covered species (County 1998); VPHCP=City of San Diego Vernal Pool Habitat Conservation Plan covered species (City 2019).

[3] Additional detail regarding the potential to occur is provided in Attachment 8 of Appendix C.

The species listed in Table 5.4-3b, *Special-status Wildlife Species Observed and with a Moderate to High Potential to Occur within the Project-level Survey Area*, are those species observed or with a moderate potential to occur within the project-level areas. Based on the proximity of the program-level areas to the project-level survey area, those species noted as observed are assumed to have a high potential to occur in the program-level areas. Those species marked as moderate potential to occur are considered to have a moderate potential to occur within the program-level areas based on habitat characteristics present in the program-level analysis area. The precise locations and presence of sensitive wildlife species within the program-level areas would be identified through on-site reconnaissance and project-level analysis in conjunction with proposed future development.

**Table 5.4-3b**
**Special-status Wildlife Species Observed and with a Moderate to High Potential to Occur within the Project-level Survey Area[1]**

| Scientific Name | Common Name | Listing Status[2] | Potential to Occur[3] |
|---|---|---|---|
| **Invertebrates** | | | |
| *Bombus crotchii* | Crotch's bumble bee | SCE | Observed |
| *Branchinecta sandiegonensis* | San Diego fairy shrimp | FE, VPHCP | Observed |
| *Euphydryas editha quino* | Quino checkerspot butterfly | FE | Observed |
| *Streptocephalus woottoni* | Riverside fairy shrimp | FE, VPHCP | Observed |
| **Amphibians** | | | |
| *Spea hammondii* | western spadefoot | FPT, CSC | Observed |
| **Reptiles** | | | |
| *Aspidoscelis hyperythra* | orange-throated whiptail | CSC, MSCP | Observed |
| *Aspidoscelis tigris stejnegeri* | coastal whiptail | CSC | Observed |
| *Crotalus ruber* | red diamond rattlesnake | CSC | Observed |
| *Phrynosoma blainvillii* | coast horned lizard | CSC, MSCP | Observed |
| *Plestiodon skiltonianus interparietalis* | Coronado skink | CSC | Moderate |
| *Thamnophis hammondii* | two-striped gartersnake | CSC | Observed |
| **Birds** | | | |
| *Astur cooperii* | Cooper's hawk | WL, MSCP | Observed |
| *Artemisiospiza belli belli* | Bell's sage sparrow | WL | Moderate |
| *Athene cunicularia* | burrowing owl | SCE, MSCP | Observed |
| *Aimophila ruficeps canescens* | southern California rufous-crowned sparrow | WL, MSCP | Observed |
| *Ammodramus savannarum* | grasshopper sparrow | CSC | Observed |
| *Campylorhynchus brunneicapillus sandiegensis* | coastal cactus wren | CSC, MSCP | High |
| *Circus hudsonius* | northern harrier | CSC, MSCP | Observed |
| *Elanus leucurus* | white-tailed kite | CFP | Observed |
| *Eremophila alpestris actia* | California horned lark | WL | Observed |
| *Falco columbarius* | merlin | WL | Observed |
| *Haliaeetus leucocephalus* | bald eagle | CE, CFP, BGEPA, MSCP | Observed |
| *Icteria virens* | yellow-breasted chat | CSC | Observed |
| *Lanius ludovicianus* | loggerhead shrike | CSC | Moderate |
| *Polioptila californica californica* | coastal California gnatcatcher | FT, CSC, MSCP | Observed |
| *Setophaga petechia* | yellow warbler | CSC | Observed |
| *Vireo bellii pusillus* | least Bell's vireo | FE, CE, MSCP | Observed |

| Scientific Name | Common Name | Listing Status[2] | Potential to Occur[3] |
|---|---|---|---|
| **Mammals** | | | |
| *Neotoma lepida intermedia* | San Diego desert woodrat | CSC | Observed |
| *Odocoileus hemionus fuliginatus~~fuliginata~~* | southern mule deer | MSCP | Moderate |

[1] Source: Appendix C.

[2] Federal Listing: FE=Federally listed endangered; FT=Federally listed threatened; FC=Federal candidate for listing as endangered or threatened; FPT= Listed as proposed threatened by the federal government; BGEPA=Bald and Golden Eagle Protection Act (USFWS 2025). State Listing: CE=Listed as endangered by the state of California; SCE=State of California candidate for listing as Endangered; CFP=California fully protected species; CSC=California Department of Fish and Wildlife species of special concern; WL=California Department of Fish and Wildlife watch list species (CDFW 2025). City: MSCP= Multiple Species Conservation Program covered species (County 1998); VPHCP=City of San Diego Vernal Pool Habitat Conservation Plan covered species (City 2019).

[3] Additional detail regarding the potential to occur is provided in Attachment 8 of Appendix C.

## b. Project-level

General biological surveys were conducted between November 2017 and 2024. Biological surveys were completed in phases, as project areas were added or modified ultimately covering the entire project-level survey area. Both wet season and dry season vernal pool branchiopod/fairy shrimp focused surveys were conducted within the project-level survey areas between 2017 and 2020. Surveys for Quino checkerspot butterfly (*Euphydryas editha quino*) were completed within the project-level survey area between the years 2018 through 2023. Focused surveys for the federally threatened coastal California gnatcatcher (*Polioptila californica californica*) were conducted in suitable habitat in 2018 within the City's Multiple Species Conservation Program (MSCP) Subarea Plan Multi-Habitat Planning Area (MHPA) and areas in the southern portion of the project-level survey area. Burrowing owl (*Athene cunicularia*) breeding season surveys were performed in Phases 1, Beyer Boulevard, and portion of Phase 2 in 2018 and in remaining portions of Phases 1, 2 and 4 in 2020 within all suitable habitat areas plus a 150-meter buffer from the edge of mapped suitable habitat. Verification burrowing owl surveys were conducted in spring 2023. A focused survey for western spadefoot (*Spea hammondii*) was conducted during the 2024 rainy season to update occupancy of this species within the project-level survey area and the mitigation lands. A habitat assessment for Crotch's bumble bee (*Bombus crotchii*) was conducted during the 2024 flight season to map potential habitat within the project-level survey area and the proposed mitigation areas.

A total of 25 special-status wildlife species were observed or assumed present within the project-level survey area during the general and focused surveys conducted for this project. Many vernal pools included San Diego fairy shrimp (*Branchinecta sandiegonensis*), while one vernal pool contained Riverside fairy shrimp (*Streptocephalus woottoni*). Five additional special-status wildlife species were not observed but have a moderate to high potential to occur within the project-level analysis area. All special-status wildlife species with a moderate or high potential to occur including all special-status wildlife species observed in the project-level survey area and their corresponding listing status are included in Table 5.4-3b. All species observed during surveys are depicted on Figure 5.4-3a-e, *Special-Status Wildlife Species*. Refer to Appendix C, Section 5.4.2 for additional details of species observed or with a high potential to occur, including location and details of observations.

Existing conditions have changed since the FEIR was prepared. Six special-status wildlife species identified in the FEIR were not observed during surveys in the project-level areas: Coronado skink (*Plestiodon skiltonianus interparietalis*), prairie falcon (*Falco mexicanus*), loggerhead shrike (*Lanius ludovicianus*), coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*), northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), and San Diego black-tailed jackrabbit (*Lepus californicus bennettii*). Additionally, six special-status wildlife not in the FEIR but observed during the project-level surveys included Crotch's bumble bee, coastal whiptail (*Aspidoscelis tigris stejnegeri*), Bell's sage sparrow (*Artemisiospiza belli belli*), merlin (*Falco columbarius*), bald eagle (*Haliaeetus leucocephalus*), yellow warbler (*Setophaga petechia*), and southern mule deer (*Odocoileus hemionus fuliginatus~~fuliginata~~*).

## 5.4.1.4 Jurisdictional Resources

### a. Program-level

As detailed in the FEIR, wetland habitats in the program-level area have been mapped as vernal pools, basins with fairy shrimp, freshwater marsh, mule fat scrub, alkali seep, and riparian habitat. The precise locations and presence of jurisdictional resources within the program-level areas would be identified through on-site reconnaissance and project-level analysis in conjunction with proposed future development.

### b. Project-level

Jurisdictional resource delineations were conducted within the project-level survey areas in 2018 through 2024 (Attachment 5 of Appendix C). The summary of findings from the wetland delineations found potential USACE waters of the U.S. and CDFW and RWQCB waters of the State within the project-level survey area (Table 5.4-4, *Existing Potential Jurisdictional Resources within the Project-level Survey Areas*; Figures 5.4-4a1-a5, *Existing Potential Jurisdictional Resources [USACE]*; Figures 5.4b1-b5, *Existing Potential Jurisdictional Resources [RWQCB]*; Figures 5.4c1-c5, *Existing Potential Jurisdictional Resources [CDFW]*; Figures 5.4d1-d5, *Existing Potential Jurisdictional Resources [City of San Diego Wetlands]*). These resources include non-wetland waters/streambed and wetlands waters including disturbed wetlands, vernal pools, and vernal pools with San Diego and Riverside fairy shrimp. Wetlands potentially under the jurisdiction of the City include the same areas identified as CDFW wetlands: mule fat scrub, southern willow scrub, wetlands, disturbed wetlands, tamarisk scrub, disturbed riparian, and vernal pools.

**Table 5.4-4**
**Existing Potential Jurisdictional Resources within the Project-level Survey Areas[1]**

| Jurisdictional Resource | Phase 1 | Phase 2 | Beyer Boulevard | Phase 4 | Emergency Vehicle Access Road | Remaining Project-level Survey Area[2] | Total Acres[3] |
|---|---|---|---|---|---|---|---|
| **USACE Waters of the U.S.** | | | | | | | |
| **Non-wetland Waters** | | | | | | | |
| Ephemeral Stream Channel (Non-vegetated Channel) | 0.14 | 0.06 | 0.07 | 0.17 | - | 1.22 | 1.67 |
| **Wetland Waters** | | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Wetlands, Disturbed Riparian) | 0.50 | 0.04 | <0.01 | - | - | 0.95 | 1.49 |
| Vernal Pools | 0.15 | 0.07 | 0.02 | - | - | 0.04 | 0.27 |
| Vernal Pools with Fairy Shrimp | 0.56 | 0.05 | 0.01 | <0.01 | 0.02 | 0.90 | 1.54 |
| *Subtotal Wetland Waters* | *1.21* | *0.16* | *0.03* | *<0.01* | *0.02* | *1.89* | *3.30* |
| **Total Waters of the U.S.** | **1.33** | **0.21** | **0.10** | **0.17** | **0.02** | **3.11** | **4.97** |
| **RWQCB Waters of the State** | | | | | | | |
| **Non-wetland Waters** | | | | | | | |
| Ephemeral Stream Channel (Non-vegetated Channel) | 0.14 | 0.06 | 0.08 | 0.17 | - | 1.24 | 1.69 |
| **Wetland or Riparian Areas** | | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Wetlands, Disturbed Riparian) | 0.55 | 0.04 | <0.01 | - | - | 0.95 | 1.54 |
| Vernal Pools | 0.16 | 0.07 | 0.02 | - | - | 0.04 | 0.28 |
| Vernal Pools with Fairy Shrimp | 0.58 | 0.05 | 0.02 | <0.01 | 0.02 | 0.90 | 1.57 |
| Seasonal Basins | 0.26 | <0.01 | <0.01 | - | - | 0.39 | 0.66 |
| *Subtotal Wetland/Riparian* | *1.45* | *0.16* | *0.03* | *<0.01* | *0.02* | *2.28* | *3.94* |
| **Total RWQCB Waters of the State** | **1.59** | **0.22** | **0.11** | **0.17** | **0.02** | **3.53** | **5.63** |
| **CDFW Streambed and Riparian Habitat** | | | | | | | |
| **Unvegetated Streambed** | | | | | | | |
| Ephemeral Stream Channel (Non-vegetated Channel) | 0.14 | 0.06 | 0.08 | 0.17 | - | 1.24 | 1.69 |
| **Riparian Habitat** | | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Riparian) | 0.44 | - | 0.35 | 0.01 | - | 5.52 | 6.34 |

| Jurisdictional Resource | Phase 1 | Phase 2 | Beyer Boulevard | Phase 4 | Emergency Vehicle Access Road | Remaining Project-level Survey Area[2] | Total Acres[3] |
|---|---|---|---|---|---|---|---|
| Vernal Pools[4] | 0.01 | - | - | - | - | 0.02 | 0.03 |
| *Subtotal Wetland/Riparian* | *0.45* | *-* | *0.35* | *0.01* | *-* | *5.55* | *6.36* |
| **Total CDFW Streambed and Riparian Habitat** | **0.59** | **0.06** | **0.43** | **0.19** | **-** | **6.79** | **8.06** |
| **City of San Diego Wetlands** | | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Riparian) | 0.44 | - | 0.35 | 0.01 | - | 5.76 | 6.57 |
| Disturbed Wetlands | 0.30 | 0.04 | - | - | - | 1.12 | 1.46 |
| Vernal Pools | 0.71 | 0.12 | 0.03 | <0.01 | 0.02 | 0.94 | 1.81 |
| **Total City of San Diego Wetlands** | **1.45** | **0.16** | **0.38** | **0.01** | **0.02** | **7.81** | **9.83** |

USACE = U.S. Army Corps of Engineers; RWQCB = Regional Water Quality Control Board; CDFW = California Department of Fish and Wildlife

[1] Source: Appendix C.

[2] Totals may not add due to rounding

[3] Remaining project-level survey areas include potential mitigation lands in addition to other surveyed areas associated with prior versions of the project.

[4] Includes only the vernal pools that supports a state-listed endangered plant species, San Diego button-celery

Some, but not all, of the ponding basins within the project-level survey areas contain vernal pool indicator plants. As defined by the City's Biology Guidelines, all depressions that contain one or more USACE vernal pool plant indicator species fall under the jurisdiction of the City and are identified as vernal pools (City 2018). An additional 25 isolated ponding basins occur within the project-level survey area that do not contain vernal pool plant indicator species, but do contain hydrophytic vegetation, hydric soils, and hydrology; therefore, these basins have been mapped as City disturbed wetlands. Additionally, 42 basins designated as seasonal basins by the RWQCB (ponding depressions that are not a wetland or vernal pool, but contain shrimp) are also classified as City disturbed wetlands as these basins meet the hydrology parameter.

Existing conditions have changed since the FEIR was prepared. Three wetlands identified in the FEIR were not observed during surveys in the project-level areas: freshwater marsh, alkali seep, and riparian habitat. Additionally, four wetlands not in the FEIR but observed during the project-level surveys included southern willow scrub, disturbed wetland, disturbed riparian, and ephemeral stream channel.

### 5.4.1.5 Wildlife Movement Corridors

#### a. Program-level

The program-level area includes the Dennery and Spring canyons, connected by the Otay Mesa Road culvert and State Route 905 (SR-905) wildlife crossing, as the primary north-south wildlife movement corridor in western Otay Mesa. Additional wildlife movement and corridors include Moody Canyon

which is connected to the eastern side of Spring Canyon and provides east-west wildlife movement within the program-level area. Dennery Canyon connects to the Otay River Valley along the northern boundary of the program-level area. The Otay River Valley provides a major movement corridor for east-west wildlife movement north of the program-level area and provides connectivity to a larger expanse of open space. Moody and Spring canyons are designated as MSCP regional wildlife corridors (City 1997). Wildlife movement within and between MSCP-designated Biological Resource Core Areas is currently restricted to the south of the mesa tops by development in Mexico and the U.S.-Mexico border wall. Movement to the west is restricted by the community of San Ysidro and Interstate 805 (I-805) located west of the program-level area. Movement north of the program-level area is restricted by Otay Mesa Road and SR-905, although a bridge under SR-905 to the east provides a connection to habitat blocks to the north.

In 2020, a large-scale wildlife tracking study was conducted which included the program-level area and additional areas outside of the program-level area. The large-scale wildlife tracking study area was broken into three survey areas (A, B and C) known to support the highest wildlife use (Figure 5.4-5a, *Wildlife Tracking Study*; Figure 5.4-5b, *Focal Species Swale Routes*; and Figure 5.4-5c, *Coyote and Bobcat Hotspots*).

The majority of wildlife use is within the canyons surrounding the program-level area. Wildlife movement coming south from Dennery Canyon through the Otay Mesa Road culvert may enter into the area using canyons, mesa tops and existing dirt roads which provide opportunities for local movement within area. Wildlife movement is supported by extensive canyon networks through Moody Canyon, west of the program-level area, and Spring Canyon.

East of the program-level area, a large block of habitat associated with Spring Canyon provides access to the SR-905 undercrossing to Dennery Canyon. Beyond Spring Canyon to the east, wildlife movement is restricted by existing industrial and commercial developments. The Otay Mesa Road culvert, occurring in Study Area C, is large enough to allow movement for coyote and bobcat and small animals, but it is not large enough to support movement of mule deer. As wildlife moves south from Dennery Canyon, the canyons, mesa tops and existing dirt roads provide opportunities for local movement within the program-level area (Wildlife Tracking Institute 2020a and 2020b; Appendix C).

Refer to Attachment 2 of Appendix C for details of the wildlife movement study conducted for the project. The program-level area and surrounding canyon networks provide wildlife movement opportunities for large and small mammals, and reptiles. The wildlife movement study found that the large mammals that frequently use Moody and Spring Canyons were predominantly coyote and bobcat (Wildlife Tracking Institute 2020a and 2020b; Appendix C).

## b. Project-Level

Study Areas A and B from the 2020 tracking study occur within the project-level survey area. Study Area A, which covers most of Phase 1 and the Beyer Boulevard survey area, contains a system of east-west ridges and two deep canyons within the southern portion of this study area. Additionally, there are three north-south swales that are south of Moody Canyon and allow movement from the

canyon into the mesa top areas. Bobcat and coyote were found to frequently use these swales. Moody Canyon, an east-west canyon, provides a regional corridor for local movement (City 1997).

Study Area B covers a portion of the Beyer Boulevard survey area and all of Phase 2 and includes dirt roads along the mesa edges and a drainage with riparian habitat that are commonly used by large and small mammals. The southeastern portion of Area B contains the southwestern extent of the Spring Canyon drainage area located further east within the southern portion of Survey Area A. This is a key drainage and wildlife movement corridor, allowing wildlife to move through Study Areas B and C.

Study Area C includes the Spring Canyon Drainage and surrounding open space and associated finger canyons. Wildlife movement coming south from Dennery Canyon through the Otay Mesa Road culvert may enter into the area using canyons, mesa tops and existing dirt roads which provide opportunities for local movement within area.

Existing conditions have changed since the FEIR was prepared. One additional wildlife corridor not in the FEIR was observed during the project-level surveys: three north-south swales that are south of Moody Canyon.

### 5.4.1.6 Critical Habitats

Critical habitats for San Diego fairy shrimp, Riverside fairy shrimp, and spreading navarretia occur within the program-level area. Specific acreages of each critical habitat area within the program-level and project-level areas are depicted in Table 5.4-5, *Critical Habitats* and Figure 5.4-6, *Critical Habitat*). Based on surveys completed for the project-level areas, San Diego fairy shrimp have been detected both inside and outside of the designated critical habitat areas. Riverside fairy shrimp was detected in one vernal pool located outside of and north of the designated critical habitat for this species. No spreading navarretia has been observed within the project-level survey areas.

**Table 5.4-5**
**Critical Habitats[1]**

| Critical Habitat | Program-level Areas (acres) | Project-level Areas (acres) |
|---|---|---|
| San Diego fairy shrimp | 37.35 | 77.94 |
| Riverside fairy shrimp | 0.07 | 4.09 |
| Spreading navarretia | 12.27 | 18.15 |

[1] Source: Appendix C.

## 5.4.2 Regulatory Framework

The regulatory framework was discussed in the FEIR Section 5.4.2, which included the MSCP, MHPA Land Use Adjacency Guidelines, Environmentally Sensitive Land (ESL) Regulations, and the City General Plan (City 2008). Changes and updates to regulations related to biological resources are summarized below. These include the City Vernal Pool Habitat Conservation Plan (VPHCP), City Land Development Code (LDC) - Biology Guidelines, and ESL Regulations.

### 5.4.2.1 Local

## a. City of San Diego Vernal Pool Habitat Conservation Program

At the time the FEIR was prepared, the City did not have an adopted VPHCP. The VPHCP was approved by City Council in January 2018. The VPHCP 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 Otay Mesa mint, San Diego Mesa mint (*Pogogyne abramsii*), Spreading navarretia, San Diego button-celery, California Orcutt grass, Riverside fairy shrimp, and San Diego fairy shrimp (City 2019). The VPHCP preserve area expands on the City's existing MHPA by including areas for conservation, referred to as VPHCP/MHPA or VPHCP preserve.

## b. Land Development Code - Biology Guidelines

The City LDC - Biology Guidelines were adopted in September 2009 and were most recently amended in February 2018 (City 2018). These guidelines aid in the implementation and interpretation of ESL Regulations. Also, Section III of these Guidelines (Biological Impact Analysis and Mitigation Procedures) also provides standards for impact determination and mitigation under the California Environmental Quality Act (CEQA). The Guidelines are the baseline biological standards for processing Neighborhood Development Permits, Site Development Permits and Coastal Development Permits issued pursuant to the ESL Regulations.

## c. Environmentally Sensitive Lands Regulations

The purpose of the ESL Regulations (LDC Sections 143.0101 through 143.0160) is to protect, preserve and, where damaged, restore ESL and the viability of the species supported by those lands. The ESL Regulations apply to all proposed development when ESL, including sensitive biological resources, steep hillsides, floodplains, or coastal bluffs, are present. The regulations are designed to ensure that development occurs in a manner that protects natural resources and the natural and topographic character of the area and retains biodiversity and interconnected habitats.

The ESL Regulations have been updated since the FEIR was prepared. Those updates include that if unlawful development occurs on property containing ESL, the City Manager may determine whether a development permit is necessary to resolve the enforcement action. Additionally, the ESL Regulations were updated since the FEIR was prepared to include additional Supplemental Regulations for Special Flood Hazard Areas, including regulations for Flood Insurance Rate Maps Zones, standards for recreational vehicles, standards for coastal high hazard areas, and requirements to submit technical or scientific data to the Federal Emergency Management Agency for a Letter of Map Revision update within six months of information becoming available or project completion.

## 5.4.3 Issue 1: Sensitive Plants and Animals

*Would the project result in a reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals?*

*Would the project result in a substantial adverse impact on any Tier I, Tier II, Tier IIIA or Tier IIIB habitats as identified in the Biology Guidelines of the Land Development Code or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?*

### 5.4.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to biological resources would be significant if the project would:

- Result in a reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals.

In accordance with the City's 2022 CEQA Significance Determination Thresholds and LDC Biology Guidelines (2018), the Project would have a significant impact if it would:

- Result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by CDFW or USFWS; and/or

- Result in a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or other sensitive natural community identified in local or regional plans, policies or regulations, or by CDFW or USFWS;

### 5.4.3.2 Analysis

#### a. Special-Status Plants

##### *FEIR*

Section 5.4, *Biological Resources*, of the FEIR provides an analysis of biological resource impacts associated with implementation of the OMCP. Additionally, the FEIR Section 5.1, *Land Use*, addressed potential land use conflicts related to consistency with environmental and biological regulations. The FEIR found that impacts to special-status plants would be significant, both directly through the loss of habitat and indirectly by placing development adjacent to the MHPA. Additionally, impacts to federal or state listed species, MSCP-covered species, and species with a CNPS Rare Plant Ranking would be significant. Mitigation Framework BIO-1, BIO-2, BIO-4, and LU-2 were proposed to address these impacts.

The FEIR concluded that future projects that do not comply with Community Plan Implementation Zone (CPIOZ) Type A would be required to implement Mitigation Framework BIO-1, which requires

site-specific biological surveys to determine the potential for special-status species, along with the requirement for site-specific mitigation, if necessary, to reduce impacts to special-status species or habitats. Specifically, Mitigation Framework BIO-1 requires future projects that do not comply with CPIOZ Type A to conduct a habitat assessment to determine whether or not protocol surveys are needed. Mitigation Framework BIO-2 and BIO-4 requires site-specific and species-specific surveys, mitigation, and monitoring to address wildlife and wetland/jurisdictional resource impacts. Mitigation Framework LU-2 requires projects adjacent to MHPA areas to comply with the Land Use Adjacency Guidelines. Implementation of the Mitigation Framework BIO-1, BIO-2, BIO-4, and LU-2 would ensure that impacts to special-status plants would be less than significant.

## *Program-level*

### Direct Impacts

Future development would have potentially significant impacts to 23 special-status plant species known to occur within one mile of the program-level area or with a moderate to high potential to occur within the program-level area. Special-status plant species known to occur or with a moderate to high potential to occur in the program-level area include San Diego button-celery, San Diego ambrosia (*Ambrosia pumila*), Otay tarplant, San Diego thorn-mint, Otay mesa mint, spreading navarretia, small-leaved rose (*Rosa minutifolia*), California Orcutt grass, south coast salt scale, San Diego bur-sage, San Diego County viguiera, decumbent goldenbush, golden-spined cereus, snake cholla, San Diego barrel cactus, variegated dudleya, cliff spurge, Nuttall's scrub oak (*Quercus dumosa*), little mousetail, California adolphia, Orcutt's bird's-beak, San Diego goldenstar, and Orcutt's brodiaea (*Brodiaea orcuttii*).

Special-status species surveys outside the project-level areas have not been completed at this time; therefore, additional species may be encountered during site-specific surveys when future development is proposed within the program-level areas. Due to the likely presence of special-status plants within the program-level areas outside the project-level areas, impacts are likely to occur during future grading and development within the program-level area.

### Indirect Impacts

The Specific Plan identifies a plant palette that requires native vegetation to be planted around slopes adjacent to open space and requires avoidance of installing invasive non-native plant species that could spread into the open space. Future development within program-level areas would be required to follow this plant palette which is included as Appendix A to the Specific Plan.

Consistent with the conclusions of the FEIR, indirect impacts to special-status plants from changes in drainage patterns or increases in polluted runoff would be avoided through future project compliance with National Pollutant Discharge Elimination System regulations; incorporation of Best Management Practices (BMPs) during construction; installation of permanent BMPs consistent with the City Storm Water Standards Manual; and preparation and implementation of project-level Storm Water Pollution Prevention Plans. Additionally, future development within the program-level areas would be required to implement FEIR Mitigation Framework HYD/WQ-1 in Section 5.7, *Hydrology/Water Quality.*

## *Project-level*

### Direct Impacts

The project has the potential to directly impact 19 special-status plant species detected within the survey area. In addition to those observed, there are five special-status plant species with a moderate to high potential to occur in the project-level area that may also be impacted.

*Federally and State Listed Plant Species*

Direct impacts to Otay tarplant are anticipated based on observations of these species within the project-level impacts areas. Approximately 1,900 individuals (0.21-acre) of Otay tarplant would be associated with the proposed Beyer Boulevard improvement area (see Figure 5.4-2a-e), within the City's Beyer Park parcel and the County of San Diego's (County) Furby North Preserve on north-facing slopes in areas mapped as maritime succulent scrub and disturbed land.

Direct impacts to San Diego button-celery are anticipated based on observations of these species within the project-level impacts areas. Approximately 28 San Diego button-celery were located within two vernal pools at the northeastern side of Phase 1 (see Figure 5.4-2a-e).

Thread-leaved brodiaea, a federally and state listed as endangered and a MSCP narrow endemic species, was not detected during special-status plant surveys; however, a moderate potential remains for this plant to occur on-site. If present, impacts to the species during construction could occur.

*MSCP-Covered Plant Species*

San Diego barrel cactus is located within Phases 1, 2, and 4 and the Beyer Boulevard improvements area; therefore, project implementation would impact these species.

Orcutt's bird's beak is an MSCP-covered species and all four known populations within the MSCP boundary are being conserved (City 1997). An observation within the vicinity of the project occurs within a City-owned parcel which is not proposed for development. Additionally, 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.

San Diego goldenstar was not observed within project-level areas but has a moderate potential to occur. MSCP coverage was based on the fact that over 70 percent of the major populations, over 80 percent of the known occurrences, and 38 percent of the grasslands within the City's MSCP Subarea would be conserved. Additionally, the MSCP requires avoidance of this species where populations may exist within the 25 percent MHPA encroachment areas (County 1998). Species-specific conditions are related only to monitoring of a specific transplanted population and protection against edge effects within the preserved areas (County 1998). Based on this level of MSCP coverage, current known occurrences of this species within southern California (Jepson 2023), and that the loss of suitable habitat within the project impact area comprises a small portion of the suitable habitat available to this species on a local level and on a regional scale; this loss of habitat outside the MHPA would not be a significant impact for this species.

Impacts to snake cholla, an MSCP-covered and narrow endemic species, are anticipated.

Variegated dudleya is an MSCP-covered and MSCP narrow endemic species. This species was observed within the survey area but was not present within the project-level impact area.

No other MSCP-covered or MSCP narrow endemic plant species were observed within the project-level areas; therefore, no additional impacts to MSCP-covered or MSCP narrow endemic species are anticipated due to project implementation, including Brush Management Zone (BMZ) 2 activities.

*Special-status Non-MSCP Covered Plant Species*

The following special-status plants not covered by the MSCP were observed during surveys: California adolphia, San Diego bur-sage, south coast saltscale, San Diego County viguiera, seaside cistanthe, western dichondra, cliff spurge, Palmer's grapplinghook, bobtail barley, decumbent goldenbush, California box-thorn, ashy spike-moss, and San Diego needlegrass. These would be impacted within project-level areas as detailed on Figure 5.4-2a-e.

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, and San Diego needlegrass were detected both within the impact area and within the survey area outside of the project-level impact limits, demonstrating that these species are abundant locally and would continue to persist in the area after impacts occur. Only south coast saltscale, western dichondra, and decumbent goldenbush were not detected within the survey area outside of the project-level impact limits. However, all of these species including south coast saltscale, western dichondra, and decumbent goldenbush are represented abundantly within the southern coastal California on eFlora (Jepson 2023). In addition, 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, this loss of habitat outside the MHPA would not reduce the populations to below self-sustaining levels or not significantly increase the likelihood of any uncovered species to be listed under either the federal or state endangered species act.

Graceful tarplant and small-flowered microseris were not observed but have a moderate to high potential to occur; however, these species are represented abundantly within the southern coastal California on eFlora (Jepson 2023). In addition, the loss of suitable habitat within the project impact area comprises a small portion of the suitable habitat available to these species on a local level and on a regional scale; therefore, this loss would not reduce the populations of graceful tarplant and small-flowered microseris to below self-sustaining levels or not significantly increase the likelihood of any uncovered species to be listed under either the federal or state endangered species act.

No direct impacts to variegated dudleya, snake cholla, and golden-rayed pentachaeta would occur, as they are not located within the project-level impact area.

**Indirect Impacts**

Potential indirect impacts to special-status plants and vegetation communities during construction such as lighting, noise, and trespassing could occur.

Indirect impacts associated with grading and runoff would be addressed by installation of temporary detention basins within graded areas that provide a source of cut and/or fill soils but would not be immediately developed (see discussion in Section 5.7, *Hydrology/Water Quality*). During construction, indirect impacts from fugitive dust would be prevented by watering of haul roads and areas actively being used by equipment (see discussion in Section 5.3, *Air Quality/Odor*). Equipment maintenance and staging and any other such activities would occur in designated areas as approved by the project biologist. These designated areas would be in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering adjacent habitats.

Indirect impacts to Tier I and Tier II vegetation communities and special-status plants from the spread of non-native and invasive non-native plant species could occur if non-native landscaping is proposed adjacent to open space areas such as along the western edge of the Specific Plan and along Beyer Boulevard where it traverses open space lands (e.g., Furby North Preserve, West Otay Mesa A, and West Otay Mesa B [Assessor's Parcel Numbers 645-061-1000 [Otay Mesa A] and 645-061-0200 [Otay Mesa B]). However, indirect impacts associated with the spread of non-native plants into open space areas would be avoided through the implementation of a native plant palette that has been designed for consistency with the surrounding dominant native plant species. The Specific Plan includes an approved plant palette that identifies species suitable for land adjacent to the MHPA, open space, and BMZ 2 areas. The landscape plan includes plant palettes for internal, non-open space areas that include non-native species; however, species known to be invasive that could spread into the surrounding open space lands have been excluded or a note provided indicating that certain species must be located at least 200 feet away from open space lands. Native plantings would be provided within Beyer Boulevard slopes and all slope areas surrounding the development area adjacent to open space. Compliance with the Specific Plan plant palette and the project's landscape plans would ensure that indirect impacts to sensitive vegetation communities are avoided.

Indirect impacts to vegetation communities and special-status plants could occur due to human disturbance associated with trails. Through extensive coordination with the City and Wildlife Agencies, primitive trails in the surrounding open space have been minimized to reduce the amount of human intrusion into native habitat areas. Where primitive trails are proposed through open space, restoration is proposed to close unauthorized trail routes to limit and deter human entrance into open space areas. Additionally, where special-status plant species are identified near trail alignments, peeler pole fencing would be installed to protect adjacent special-status species. Where Beyer Boulevard traverses open space lands, wildlife fencing is proposed which would serve a dual purpose of keeping humans out of the surrounding open space. Wildlife fencing along with the Beyer Boulevard slopes would provide a preventative barrier to trespass into the surrounding open space areas including the Furby North Preserve and West Otay Mesa A and West Otay Mesa B. Pedestrian access along Beyer Boulevard is limited to the sidewalks along the roadway and no primitive trails are proposed that would provide human access to surrounding open space lands around Beyer Boulevard.

Additionally, required compliance with the MHPA Land Use Adjacency Guidelines including requirements related to drainage, toxins, barriers/access, and invasives would minimize and/or avoid indirect impacts to special-status plants and sensitive vegetation within or adjacent to MHPA

(see PR-LU-1 in Section 5.1, *Land Use*). During construction, orange construction fencing would be installed to ensure construction stays within the approved limits of disturbance and dust control measures would be implemented to keep down dust that could affect special-status plants.

## b. Special-Status Wildlife

### *Program-level*

#### Direct impacts

Future development would have potentially significant impacts to special-status wildlife species known to occur within one-mile of the project area or with a moderate to high potential to occur on-site. Special-status wildlife species known to occur or with a moderate to high potential to occur on-site are detailed in Section 5.4.1.2 above and include Crotch's bumble bee, San Diego fairy shrimp, Quino checkerspot butterfly, Riverside fairy shrimp, orange-throated whiptail (*Aspidoscelis hyperythra beldingi*), coastal whiptail, red-diamond rattlesnake (*Crotalus ruber*), coast horned lizard (*Phrynosoma blainvillii*), Coronado skink, two-striped garter snake (*Thamnophis hammondii*), Cooper's hawk (*Astur cooperii*), Bell's sage sparrow (*Artemisiospiza belli belli*), burrowing owl, southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), grasshopper sparrow (*Ammodramus savannarum*), coastal cactus wren, northern harrier (*Circus cyaneus*), white-tailed kite (*Elanus leucurus*), California horned lark (*Eremophila alpestris actia*), merlin, bald eagle, yellow-breasted chat (*Icteria virens*), loggerhead shrike, coastal California gnatcatcher, yellow warbler, least Bell's vireo (*Vireo bellii pusillus*), San Diego desert woodrat (*Neotoma lepida intermedia*), and southern mule deer.

Mapping of special-status species within areas outside the project-level areas has not been completed at this time; therefore, additional species may be encountered during site-specific surveys when future development is proposed outside the project-level areas. Special-status wildlife within the program-level areas are likely to be similar to those species identified as part of the project-level analysis as described below.

#### Indirect impacts

In addition to the potential indirect impacts discussed for the project-level area below, indirect impacts to breeding wildlife could occur due to construction-related noise if construction occurs during the avian breeding season (February 1 through September 15; January 15 to July 15 for raptors). According to the City's Biology Guidelines (City 2018), wildlife that may occur in suitable habitat in the project vicinity up to 300 feet from the project work areas would be significantly affected by noise. The presence and potential impacts to other special-status wildlife species would need to be addressed through future project-level analysis and identification of avoidance measures.

Where alternative compliance walls with glass panes are proposed along the brush side of structures, only bird-safe glass would be used to prevent bird strikes adjacent to open space areas. Refer to Section 3.6.1 for the proposed bird-safe glass specifications that would apply to development within program-level areas. The requirement for bird-safe glass would be incorporated as a project design feature for future program-level development that requires alternative compliance walls.

## *Project-level*

The project has the potential to directly impact twenty-five special-status wildlife species detected within the project-level analysis area (Table 5.4-3a). The location of observed species is shown on Figure 5.4-3a-e. In addition to those observed, there are five special-status wildlife species with a moderate to high potential to occur in the project-level area that may also be impacted (Table 5.4-3a).

Of the special-status wildlife species detected within the project-level analysis area or with moderate to high potential to occur, federally and state listed wildlife species include Quino checkerspot butterfly, San Diego fairy shrimp, Riverside fairy shrimp, bald eagle, golden eagle (*Aquila chrysaetos*), least Bell's vireo, and coastal California gnatcatcher. Additionally, western spadefoot is a federal Proposed Threatened species, the white-tailed kite is a California fully protected wildlife species, and Crotch's bumble bee and burrowing owl are CDFW candidates for listing. The VPHCP-covered species include San Diego fairy shrimp and Riverside fairy shrimp. The MSCP-covered wildlife species include bald eagle, burrowing owl, coastal cactus wren, coastal California gnatcatcher, orange-throated whiptail, coast horned lizard, cooper's hawk, golden eagle, least Bell's vireo, northern harrier, southern rufous-crowned sparrow, and mule deer. Special-status wildlife species that are not MSCP-covered include Crotch's bumble bee, San Diego fairy shrimp, Quino checkerspot butterfly, Riverside fairy shrimp, western spadefoot, yellow-breasted chat, yellow warbler, coastal whiptail, red diamond rattlesnake, two-striped garter snake, Coronado skink, San Diego desert woodrat, merlin, California horned lark, Bell's sage sparrow, loggerhead shrike, and grasshopper sparrow.

**Quino Checkerspot Butterfly**

During biological surveys, one Quino checkerspot butterfly was observed during the 2019 survey effort within the southern project-level survey area in the VPHCP/MHPA area, in an area not planned for development and within the planned location for vernal pool and Quino checkerspot butterfly mitigation. Direct impacts to Quino checkerspot butterfly during grading would occur as a result of the removal of host and nectar plants (0.93-acre) within the project-level areas (Figure 5.4-7, *Quino Checkerspot Butterfly Host and Nectar Plants*). No direct impacts to Quino checkerspot butterfly habitat would occur during the implementation of proposed restoration activities due to the inclusion of specific avoidance and minimization measures for special-status species and protection of Quino checkerspot butterfly host and nectar plants (see Attachment 14 of Appendix C for specific avoidance measures incorporated into the Vernal Pool and Quino Checkerspot Mitigation Plan).

Indirect impacts to the Quino checkerspot butterfly could result from the introduction of non-native species and the generation of dust in the vicinity of Quino checkerspot butterfly host and nectar plants. However, the introduction of non-native species would be avoided through compliance with the Specific Plan plant palette which requires native plantings adjacent to open space. Additionally, within the vernal pool preserve where the majority of suitable habitat is present, only native species would be planted, including Quino checkerspot butterfly host and nectar plants. During the construction of the vernal pool preserve, avoidance measures would be implemented to ensure Quino checkerspot butterfly host and nectar plants are protected including the implementation of BMPs such as silt fences and watering to avoid dust generation. Indirect impacts to the Quino checkerspot butterfly would be avoided in areas adjacent to the proposed grading through the

implementation of dust control measures, erosion control, and fencing to demark the limits of disturbance. Additionally, before formalizing any primitive trails (e.g., narrowing the trail to four feet and restoring disturbed habitats surrounding the trail), special-status plant survey updates would be conducted to ensure avoidance of special-status plant species including Quino checkerspot butterfly host and nectar plants. Where needed to protect sensitive areas, peeler pole fencing and/or buffering special-status plants from the trail would be implemented.

**San Diego and Riverside Fairy Shrimp**

Impacts to San Diego and Riverside fairy shrimp within the project-level survey area would occur due to impacts to ponding basins that contain fairy shrimp. A total of 0.90-acre of vernal pool and disturbed wetland surface area was found to contain San Diego fairy shrimp and one 0.03-acre vernal pool contained both San Diego and Riverside fairy shrimp. To provide a conservative analysis, all ponding basins proposed to be impacted are assumed to contain San Diego fairy shrimp. There is a low likelihood for Riverside fairy shrimp to be present in additional project-level ponding basins due to the longer ponding requirements for this species; therefore, the impact to this species is assumed to be limited to the 0.03-acre of vernal pool surface area. Therefore, assuming occupancy of all basins with San Diego fairy shrimp, the project-level areas would result in a significant direct impact to 1.21 acres with the Candlelight area or 0.94-acre without the Candlelight area of San Diego fairy shrimp, of which 0.20-acre, or 0.03-acre without Candlelight, also supports Riverside fairy shrimp. Mitigation would be the responsibility of whichever project completes the impacts.

A number of vernal pools and disturbed wetlands containing San Diego fairy shrimp are located outside of the project impact boundary; however, during construction, there is a potential for indirect impacts to occur to vernal pools containing San Diego fairy shrimp if the watershed of the basin is impacted, affecting the capacity of the pool to retain water for sufficient time to support fairy shrimp. An evaluation of vernal pools and disturbed wetlands was conducted between 2017 and 2020 to identify where project grading may indirectly impact these wetland resources. A number of vernal pools and disturbed wetlands would be indirectly impacted by grading within the watershed of the basin. No pools near the grading footprint contained Riverside fairy shrimp or have the depth sufficient to support Riverside fairy shrimp. A total of 0.05-acre of vernal pools and disturbed wetlands containing San Diego fairy shrimp would be indirectly impacted through grading within the watershed. An additional 0.07-acre of vernal pools and disturbed wetlands that did not San Diego fairy shrimp would be impacted. For purposes of potential impacts to San Diego fairy shrimp, all of the indirectly impacted vernal pools and disturbed wetlands are assumed to contain the species. Therefore, the project would indirectly impact a total of 0.13-acre of vernal pool and disturbed wetland surface area containing San Diego fairy shrimp.

Indirect impacts to San Diego and Riverside fairy shrimp within other vernal pools and disturbed wetlands outside of the grading limits would be avoided by implementation of VPCHP avoidance and minimization measures detailed in Land Use Section 5.1.2.1.i. Additionally, all construction vehicles would be limited to travel within the project-level impact area, avoiding the potential to spread invasive fairy shrimp species into surrounding open space areas. Vehicle use within the surrounding open space where vernal pools are present has the potential to spread invasive fairy shrimp species that are not known to occur within the area. Some vehicular use is expected to occur within surrounding open space areas associated with implementation of restoration activities; however,

these vehicular activities would be undertaken by qualified biologists that implement protocols for avoiding vernal pools and basins when traversing the open space. For example, where feasible, driving through pools is avoided even when dry and regular vehicle cleaning is implemented to avoid cross contamination. Additionally, to avoid indirect impacts to vernal pool species during wetlands enhancement efforts associated with the trail restoration effort, the trail restoration plan (see Attachment 1 of Appendix C) requires that no enhancement activities shall occur within vernal pools when ponded and herbicide application would not occur within a 10-foot buffer of vernal pools.

**Bald Eagle**

One bald eagle was incidentally observed passing through the site in May 2020 and was not observed during subsequent surveys; however, impacts to bald eagle are not anticipated as the project-level area lacks suitable nesting habitat for this species such tall trees and cliffs, and adequate potential foraging habitat would remain in the open space area within the Specific Plan area and surrounding the Specific Plan area.

**Golden Eagle**

One golden eagle was incidentally observed passing through the site in April 2022 and was not observed during subsequent surveys; however, impacts to golden eagle are not anticipated as the project-level area lacks suitable nesting habitat for this species such as tall trees and cliffs, and adequate potential foraging habitat would remain in the open space area within the Specific Plan area and surrounding the Specific Plan area.

**Least Bell's Vireo**

Impacts to federally and state listed endangered, MSCP-covered least Bell's vireo would occur within the western portion of the proposed Beyer Boulevard extension in the area of mule fat scrub habitat if construction were to occur near a nesting site. Direct impacts to least Bell's vireo individuals could occur during construction. Additionally, removal of approximately 0.28-acre of available foraging and nesting habitat outside of the MHPA would adversely affect the species.

Least Bell's vireo was detected by vocalization within the mule fat scrub within and surrounding Spring Canyon, outside of the project impact limits, where restoration activities are proposed. Restoration activities and clearing of invasive species in Spring Canyon would result in no direct impacts to least Bell's vireo with implementation of avoidance measures included in the Wetland Plan (see Attachment 18 of Appendix C). Specifically, the Wetland Plan requires that any removal of habitat that supports active nests in the mitigation area should occur outside the breeding season (February 1 to September 15) for birds identified as a listed, candidate, threatened, or special status species. To avoid indirect impacts to least Bell's vireo nesting within Spring Canyon, any work that may cause noise in excess of 60 A-weighted decibels (db[A]) hourly average, or in excess of the ambient noise level if it is greater than 60 db(A), shall be avoided during the breeding season for this species (March 1 to August 15). If removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. No direct impacts would occur to the species within the Spring Canyon restoration areas.

Indirect construction impacts to least Bell's vireo are not anticipated given that the occupied habitat within the Beyer Boulevard footprint would be removed completely and the species would not be subject to construction or operational noise impacts. Mitigation measures during restoration activities in Spring Canyon detailed in the Wetland Plan would additionally ensure avoidance of indirect impacts to the species. Trails restoration would only require the use of line trimmers, which are not expected to result in a significant noise impact requiring mitigation. Indirect restoration impacts to least Bell's vireo would occur if activities are conducted during this species' breeding season.

**Coastal California Gnatcatcher**

Impacts to nesting and foraging habitat for the coastal California gnatcatcher would result from the removal of coastal sage scrub and maritime succulent scrubs habitats as part of project grading. Removal of approximately 27.25 acres of available foraging and nesting habitat within the MHPA could adversely affect the species. Direct impacts to coastal California gnatcatcher outside of the MHPA are covered by the MSCP and do not require specific avoidance or minimization measures during construction. Direct impacts to individuals within MHPA are subject to breeding season restrictions included in the MHPA Land Use Adjacency Guidelines.

Restoration activities and clearing of invasive species in Spring Canyon would result in less than significant direct impacts to coastal California gnatcatcher with implementation of mitigation measures included in the Wetland Plan (see Attachment 18 of Appendix C). Specifically, the Wetland Plan requires that any removal of habitat that supports active nests in the mitigation area should occur outside the breeding season (February 1 to September 15) for birds identified as a listed, candidate, threatened, or special-status species in the MSCP. To avoid indirect impacts to coastal California gnatcatcher nesting within maritime succulent scrub, any work that may cause noise in excess of 60 dB(A) hourly average, or the ambient noise level if it is greater than 60 db(A), shall be avoided during the breeding season for this species (March 1 to August 15). If the removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. No direct impacts would occur to the species within the Spring Canyon restoration areas.

To avoid indirect impacts, the project would be required to comply with the MHPA Land Use Adjacency Guidelines (see PR-LU-1 in Section 5.1, *Land Use*); however, impacts to the species during construction within the MHPA located in the vicinity of the Beyer Boulevard extension could result in construction noise during the breeding season that would indirectly affect the species.

Additionally, indirect impacts from Beyer Boulevard operational noise may occur to approximately 0.09-acre area of suitable habitat (Diegan coastal sage scrub) based on noise modeling. This includes a small area that would be exposed to noise levels above 60 dB(A) (see Section 5.4.9.2.c and Figure 5.4-8, *Operational Noise Modeling*).

**White-tailed Kite**

White-tailed kite has a potential to nest within the trees found in mule fat scrub, southern willow scrub, tamarisk woodland, disturbed riparian, and eucalyptus woodland. Direct impacts to nesting

individuals would be significant. Impacts to California fully protected white-tailed kite could result from the removal of foraging habitat (non-native grassland).

Indirect impacts to this species during construction could occur, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be significantly affected by short-term construction/restoration related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

**Crotch's Bumble Bee**

Crotch's bumble bee is a generalist species and much of the project-level analysis area is potentially suitable for foraging and nesting. Removal of suitable foraging and nesting habitats would adversely affect the species. Impacts to Crotch's bumble bee would occur from removal of approximately 190 acres of potential foraging and nesting habitat, including approximately 42 acres that supports moderate to high cover of nectar resources.

Indirect impacts to Crotch's bumble bee could result from the introduction of non-native species and generation of dust in the vicinity of nectar plants.

**Burrowing Owl**

One incidental sighting of burrowing owl occurred during focused Quino checkerspot butterfly surveys; however, no burrows suitable for nesting or ground squirrel activity were observed within the project-level survey areas. No occupied burrows have been identified within the project-level areas; however, the site has a moderate potential to support burrowing owl. Impacts to burrowing owl could occur if burrowing owl colonize the site before construction.

**Coastal Cactus Wren**

Direct impacts to coastal cactus wren individuals may occur as this species is assumed present along the western portion of Beyer Boulevard. Although the coastal cactus wren habitat in the area of impact is overgrown which reduces suitability for the species, coastal cactus wren was assumed to have a high potential to nest in the maritime succulent scrub within the western extent of the Beyer Boulevard phase due to the presence of large cholla (*Cylindropuntia* spp.) thickets and the previous observations from 2017. The project would impact 0.63-acre of suitable cactus wren habitat including maritime succulent scrub habitat dominated by large coast cholla (*Cylindropuntia prolifera*).

Indirect impacts to coastal cactus wren may result from edge effects associated with development and construction in addition to operational noise impacts due to the proposed Beyer Boulevard extension being proposed adjacent to suitable habitat. To identify noise levels in the vicinity of coastal cactus wren habitat, noise modeling was conducted assuming buildout traffic volumes along Beyer Boulevard, including the installation of six-foot masonry walls along the north side, western end of Beyer Boulevard where the road is adjacent to coastal cactus wren habitat. The masonry wall is proposed as a project design feature to reduce noise levels at adjacent habitat and to deter trespassing post-construction. Refer to Figure 5.4-8 for the post-project noise contours associated with Beyer Boulevard in relation to surrounding habitat areas including coastal cactus wren habitat. As shown, the 60 community noise equivalent level (CNEL) noise contour extends slightly into the

adjacent cactus wren habitat area within an approximate 0.46-acre area of cholla-dominated maritime succulent scrub. Despite the inclusion of a six-foot masonry wall to minimize noise effects to adjacent habitat, the 60 dB(A) operational noise contour would extend into the adjacent coastal cactus wren habitat, adversely affecting the adjacent suitable habitat area.

**Orange-throated Whiptail and Coast Horned Lizard**

Direct impacts to orange-throated whiptail and coast horned lizard are anticipated through incidental mortality during construction and removal of suitable habitat in Phase 1 outside of the MHPA. However, these are mobile species and likely occur on-site in low numbers, and the project would be expected to result in the loss of very few individuals, if any. These species are adequately covered by the MSCP with habitat conserved in the MHPA. Suitable habitat within the project impact area comprises a small fraction of the habitat available to this species both at a local level and on a regional scale. Therefore, the potential loss of these individuals would not reduce their populations to less than self-sustaining.

Indirect impacts to these species as a result of construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust would be avoided with adherence to proper BMPs during construction and implementation of the MHPA Land Use Adjacency Guidelines for lands adjacent to MHPA (see PR-LU-1 in Section 5.1, *Land Use*). No nighttime lighting is proposed during construction activities.

**Cooper's Hawk**

Cooper's hawk has a moderate potential to nest within the eucalyptus woodland, southern willow scrub, and mule fat scrub within the project impact area Phase 1 and Phase 4. Direct impact to nesting individuals would be significant. Establishment of the 300-foot impact avoidance area identified within the MSCP area specific management directives would be required as a project condition of approval.

Cooper's hawk also has potential to forage within approximately 190 acres of the impacted project-level area, consisting of maritime succulent scrub, Diegan coastal sage scrub, non-native grassland, mule fat scrub, southern willow scrub, tamarisk scrub, disturbed riparian, and disturbed land. Removal of these habitats would adversely affect the species.

Indirect impacts to this species during construction or restoration could occur, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be significantly affected by short-term construction/restoration related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

**Northern Harrier**

Northern harrier has a high potential to nest within the non-native grassland within the project impact area. Removal of these non-native grasslands could adversely affect the species. Establishment of the 900-foot impact avoidance area identified within the MSCP area specific management directives would be required as a project condition of approval.

Northern harrier also has potential to forage within approximately 190 acres of the impacted project-level area, consisting of maritime succulent scrub, Diegan coastal sage scrub, non-native grassland, mule fat scrub, southern willow scrub, tamarisk scrub, disturbed riparian, and disturbed land. Project implementation would impact northern harrier foraging habitats.

Indirect impacts to this species during construction or restoration could occur, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be significantly affected by short-term construction/restoration related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

**Southern California Rufous-crowned Sparrow**

Southern California rufous-crowned sparrow has a high potential to nest and forage within the non-native grassland, maritime succulent scrub, and Diegan coastal sage scrub in project-level impact areas. Removal of approximately 190 acres of foraging habitat would adversely affect the species.

Indirect impacts to this species during construction could occur, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be significantly affected by short-term construction/restoration related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

**Mule Deer**

Mule deer have a moderate potential to occur within the project areas, based on presence of suitable habitat; however, no sign of this species has been seen during surveys conducted, including the wildlife movement study. Suitable habitat within the project impact area comprises a small fraction of the habitat available to this species both at a local level and on a regional scale; therefore, the project would not reduce their populations to less than self-sustaining.

**Western Spadefoot**

Direct impacts to western spadefoot are anticipated through incidental mortality of adults and/or larvae (tadpoles) during construction activities due to the presence of suitable breeding habitat. Based on the 2024 focused surveys, occupied breeding habitat within the project-level impact area comprises 66 basins, which represents approximately 43 percent of all ponded basins in 2024 for a total area of 0.62-acre. If a similar level of occupancy is extrapolated across all mapped basins, there is a potential of 172 basins for a total of 1.82 acres of occupied habitat. Western spadefoot was observed within vernal pools in Phases 1, 2, 4, Beyer Boulevard, and southern survey areas, including the existing VPHCP/MHPA areas. Western spadefoot was detected in 23 basins covering 1.96 acres within other parts of the survey area, including lands proposed to be conserved as a part of project mitigation. An additional 14 basins in these areas were negative for spadefoot, and 14 basins did not pond during the 2024 survey. Assuming that all disturbed wetlands and vernal pools proposed for direct and indirect impact support this species, there is a potential impact to 1.33 acres of habitat for this species. Impacts to these ponding basins that support western spadefoot could adversely impact the species.

Proposed habitat restoration and enhancement efforts within the vernal pool restoration area and within the trail restoration buffer would be conducted in a manner to avoid any direct impacts to western spadefoot and include a monitoring component for the species.

Indirect impacts to western spadefoot are not anticipated with the implementation of required VPHCP avoidance and minimization measures.

**Yellow-breasted Chat and Yellow Warbler**

Yellow-breasted chat and yellow warbler were observed within the survey area, but not within the project-level impact area. These species have moderate potential to nest within the southern willow scrub and mule fat scrub habitats of the project impact area within the Beyer Boulevard and Caliente Avenue footprints. The project would impact approximately 0.77-acre of yellow-breasted chat and yellow warbler habitat.

Indirect impacts to these species due to construction noise may occur, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be significantly affected by short-term construction/restoration related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

**Coastal Whiptail, Red Diamond Rattlesnake, Two-Striped Garter Snake, Coronado Skink, and San Diego Desert Woodrat**

Direct impacts to coastal whiptail, red diamond rattlesnake, two-striped garter snake, and San Diego desert woodrat through incidental mortality during construction activities and removal of suitable habitat are anticipated. However, these are mobile species and are likely to occur within the project-level area in low numbers, resulting in the loss of very few individuals, if any. Approximately 190 acres of suitable habitat within the project-level impact area consisting of maritime succulent scrub, disturbed maritime scrub, Diego coastal sage scrub, disturbed coastal sage scrub, non-native grassland, and vernal pool habitats comprises a small fraction of the habitat available to these species on a regional scale.

**Merlin, California Horned Lark, Bell's Sage Sparrow, Loggerhead Shrike, and Grasshopper Sparrow**

These species may occur or have a potential to occur within various habitats within the project-level areas. Foraging habitat for all of these species would be impacted. Suitable habitat within the project impact area comprises a small fraction of the habitat available to this species both at a local level and on a regional scale. Therefore, the loss of foraging habitat would not reduce any of their populations to less than self-sustaining.

Indirect impacts to these species due to construction or restoration noise may occur, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be significantly affected by short-term construction/restoration related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

# 5.4.3.3 Significance of Impacts

## a. Special-Status Plants

### *Program-level*

**Direct Impacts**

Impacts to special-status plant species associated with future development within the program-level areas would potentially be significant.

**Indirect Impacts**

At a program-level of review and without project specific development plans, indirect impacts to special-status plants would potentially be significant.

### *Project-level*

**Direct Impacts**

Implementation of the project-level areas would result in significant impacts to Otay tarplant, San Diego barrel cactus, thread-leaved brodiaea, San Diego button-celery, and snake cholla as detailed below.

*San Diego Button Celery*

Implementation of Beyer Boulevard would impact approximately 28 San Diego button- celery within two vernal pools, totaling approximately 0.01-acre, which would be a significant impact.

*Otay Tarplant*

Implementation of Beyer Boulevard would result in a significant impact to the federally listed Otay tarplant due to anticipated impacts to approximately 1,900 Otay tarplant individuals within an approximately 0.21-acre area. Mitigation, as detailed in Section 5.4.3.4 below, is proposed within an area of non-native grasslands; therefore, the restoration effort is not a significant impact.

*San Diego Barrel Cactus*

Significant Impacts to San Diego barrel cactus would occur with implementation of Phases 1, 2, and 4, and Beyer Boulevard.

*Thread-leaved Brodiaea*

Thread-leaved brodiaea were not detected during rare plant surveys; however, there is a moderate potential for this species to occur within Phases 1, 2, and 4, and Beyer Boulevard. Impacts to this species, if present, would be significant.

*Snake Cholla*

Impacts to snake cholla, an MSCP-covered and narrow endemic species, are anticipated within Phase 2 and Beyer Boulevard. These impacts would be significant.

Implementation of the project-level areas would result in less than significant impacts to Orcutt's bird beak, San Diego goldenstar, variegated dudleya, California adolphia, San Diego bur-sage, south coast saltscale, San Diego County viguiera, seaside cistanthe, western dichondra, cliff spurge, Palmer's grapplinghook, bobtail barley, decumbent goldenbush, California box-thorn, ashy spike-moss, and San Diego needlegrass as detailed below.

*Orcutt's Bird Beak*

Orcutt's bird's beak is an MSCP-covered species and all four known populations within the MSCP boundary are being conserved (City 1997). The observation within the vicinity of the project occurs within a City parcel which is also being conserved. In addition, the loss of suitable habitat within the project impact area comprises a small portion of the suitable habitat available to these species on a local level and on a regional scale; therefore, this loss of habitat outside the MHPA is not expected to impact the regional long-term survival of this species and would therefore not be significant.

*San Diego Goldenstar*

San Diego goldenstar is an MSCP-covered species. Coverage was based on the fact that over 70 percent of the major populations, over 80 percent of the known occurrences, and 38 percent of the grasslands would be conserved and that the City would avoid any populations within the 25 percent MHPA encroachment areas (County 1998). Species-specific conditions are related only to monitoring of a specific transplanted population and protection against edge effects within the preserved areas (County 1998). No San Diego goldenstar was observed in the project-level area during the rare plant survey or update 2023 rare plant survey conducted on the site. Based on this level of MSCP coverage, current known occurrences of this species within southern California (Jepson 2023), and the loss of suitable habitat within the project impact area comprises a small portion of the suitable habitat available to this species on a local level and on a regional scale; this loss of habitat outside the MHPA would not be a significant impact for these species. Therefore, the project is not expected to impact the regional long-term survival of this species and would therefore not be significant.

*Variegated Dudleya*

No direct impacts to variegated dudleya, MSCP-covered and narrow endemic species, would occur, as the species is not located within the project-level impact area and is not expected to occur based on the level of rare plant survey efforts conducted.

*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, and San Diego Needlegrass*

These species were detected both within the impact area and within the survey area outside of the project-level impact limits, demonstrating that these species are abundant locally and would continue to persist in the area after impacts occur. Only south coast saltscale, western dichondra, and decumbent goldenbush were not detected within the survey area outside of the project-level impact limits. However, all of these species, including south coast saltscale, western dichondra, and decumbent goldenbush are represented abundantly within the southern coastal California on eFlora (Jepson 2023). In addition, the loss of suitable habitat within the project impact area comprises a small portion of the suitable habitat available to these species on a local level and on a regional scale; therefore, this loss of habitat outside the MHPA would not significant. Therefore, the project is not expected to reduce the populations to below self-sustaining levels or not significantly increase the likelihood of any uncovered species to be listed under either the federal or state endangered species act; therefore, direct impacts are less than significant.

**Indirect Impacts**

Indirect impacts to special-status plant species would be avoided (see PR-LU-1 in Section 5.1, *Land Use*). During construction, a biological monitor would ensure orange construction fencing would be installed to ensure construction stays within the approved limits of disturbance and dust control measures would be implemented to keep down dust that could affect special-status plants. With required compliance with these measures, impacts would be less than significant.

## b. Special-Status Wildlife

### *Program-level*

**Direct Impacts**

Impacts to special-status wildlife associated with future development within the program-level areas would be potentially significant.

**Indirect Impacts**

At a program-level of review, indirect impacts to breeding wildlife could occur due to construction-noise during the breeding season of special-status wildlife species. At a program-level of review and without project specific development plans, indirect impacts to special-status wildlife species would be potentially significant.

### *Project-level*

Significant direct impacts to special-status wildlife would occur to Quino checkerspot butterfly, San Diego fairy shrimp, Riverside fairy shrimp, Crotch's bumble bee, western spadefoot, burrowing owl, southern California rufous-crowned sparrow, coastal cactus wren, least Bell's vireo, Cooper's hawk, northern harrier, coastal California gnatcatcher, white-tailed kite, merlin, California horned lark,

yellow-breasted chat, grasshopper sparrow, yellow warbler, loggerhead shrike, and Bell's sage sparrow. See each species discussion below regarding the details of the impact.

Impacts to bald eagle, golden eagle, orange-throated whiptail, coast horned lizard, coastal whiptail, red diamond rattlesnake, two-striped garter snake, San Diego desert woodrat, Coronado skink, and southern mule deer would be less than significant as detailed below.

**Quino Checkerspot Butterfly**

Direct impacts to Quino checkerspot butterfly would occur as a result of the removal of host and nectar plants (0.93-acre) within the project-level areas. Impacts to these suitable habitat areas would be significant.

Indirect impacts to Quino checkerspot butterfly would be avoided in areas adjacent to the proposed grading through the implementation of dust control measures, erosion control, and fencing to demark the limits of disturbance. Additionally, before formalizing any primitive trails (e.g., narrowing the trail to four feet and restoring disturbed habitats surrounding the trail), special-status plant survey updates would be conducted to ensure avoidance of special-status plant species including host and nectar plants. Where needed to protect sensitive areas, peeler pole fencing and/or buffering special-status plants from the trail would be implemented. With implementation of these measures, indirect impacts to Quino checkerspot butterfly would be less than significant.

The Quino checkerspot butterfly is not an MSCP-covered species and is listed as endangered at the federal level. Permit authority would either be through f~~F~~ormal consultation through the Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10 process, or inclusion within the VPHCP Major Amendment~~would be required~~.

**San Diego and Riverside Fairy Shrimp**

Impacts to San Diego and Riverside fairy shrimp occurring in vernal pools and disturbed wetlands would be significant. The project-level areas would result in a significant direct impact to a total of 0.63-acre occupied disturbed wetland and vernal pools that support San Diego fairy shrimp, of which two basins support both San Diego and Riverside fairy shrimp totaling 0.20-acre. There is a low likelihood of Riverside fairy shrimp to be present in additional project-level ponding basins due to the longer ponding requirements for this species; thus, the direct impact to Riverside fairy shrimp is assumed to be limited to the 0.20-acre of vernal pool surface area. Additionally, the project-level areas would result in a significant direct impact to a total of 0.31-acre disturbed wetland and vernal pools that have the potential to include San Diego fairy shrimp and are assumed occupied. Project-level impacts to known occupied and assumed occupied sensitive fairy shrimp habitat would be significant, and would total 0.94-acre of San Diego fairy shrimp habitat, of which 0.20-acre also supports Riverside fairy shrimp.

San Diego fairy shrimp would be indirectly impacted through grading within the watershed. For purposes of potential impacts to San Diego fairy shrimp, all of the indirectly impacted vernal pools and disturbed wetlands are assumed to contain the species. None of the pools near the grading footprint contained Riverside fairy shrimp; therefore, indirect impacts would be limited to San Diego fairy shrimp. Therefore, the project would indirectly impact a total of 0.13-acre of vernal pool and

disturbed wetland surface area containing San Diego fairy shrimp. Indirect impacts to San Diego fairy shrimp would be significant.

**Bald and Golden Eagle**

No direct or indirect impacts to bald eagle and golden eagle are anticipated based on lack of suitable nesting habitat for these species such as tall trees and cliffs, and adequate potential foraging habitat surrounding the project-level area would remain in the open space area within the Specific Plan and surrounding the Specific Plan.

**Least Bell's Vireo**

Direct impacts to least Bell's vireo during construction would be considered significant due to the presence of the species within wetland areas at the western end of the proposed Beyer Boulevard extension.

Least Bell's vireo was detected by vocalization within the mule fat scrub within and surrounding Spring Canyon, outside of the project impact limits, where restoration activities are proposed. Direct impacts to least Bell's vireo individuals during any restoration activities would be significant a.

Indirect impacts to least Bell's vireo within the Beyer Boulevard footprint are not anticipated given that the occupied habitat would be removed completely and the species would not be subject to construction or operational noise impacts. Indirect impacts to least Bell's vireo associated with restoration noise may occur during this species' breeding season, which would be considered a significant impact.

**Coastal California Gnatcatcher**

Removal of approximately 27.25 acres of available foraging and nesting habitat for the coastal California gnatcatcher would be a significant impact. Additionally, direct impacts to individuals within MHPA would be considered significant.

As discussed in Section 6.2.1.2 of Appendix C and PR-LU-1 in Section 5.1, *Land Use* the project would be required to comply with the City's Land Use Adjacency Guidelines when adjacent to MHPA lands. As this species is present or suitable habitat is present within the MHPA adjacent to the project-level analysis area including along the Beyer Boulevard extension, around the Emergency Vehicle Access (EVA) road, and around the restoration areas, indirect noise impacts from construction and restoration activities could occur to this species within the MHPA if these actions are proposed during the breeding season. These impacts would be significant.

Indirect impacts from Beyer Boulevard operational noise may occur to an approximately 0.09-acre area of suitable habitat (Diegan coastal sage scrub) based on noise modeling. This includes a small area that would be exposed to noise levels above 60 dB(A) contour (Figure 5.4-8). This impact would be significant.

Restoration activities and clearing of invasive species in Spring Canyon could result in potentially significant indirect impacts to coastal California gnatcatcher nesting within adjacent maritime

succulent scrub in the MHPA. Any work that may cause noise in excess of 60 dB(A) hourly average, or in excess of the ambient noise level if it is greater than 60 dB(A)increase would be significant.

**White-tailed Kite**

Direct impacts to the species due to the removal of potential foraging habitat would be significant. Indirect impacts to nesting avian species during construction would be considered significant.

**Crotch's Bumble Bee**

Removal of suitable foraging and nesting habitats would adversely affect the species. Impacts to Crotch's bumble bee would occur from removal of approximately 190 acres of potential foraging and nesting habitat, including approximately 42 acres that supports moderate to high cover of nectar resources. Direct impacts to this species and foraging habitat would be considered significant. A CDFW Section 2081 Incidental Take Permit would be required due to impacts to Crotch's bumble bee associated with project-level development areas.

Indirect impacts to Crotch's bumble bee would be less than significant with avoidance measures during construction and protection of sensitive areas.

Indirect impacts to Crotch's bumble bee during construction would be avoided in areas adjacent to proposed grading through the implementation of dust control measures, erosion control, and fencing to demark the limits of disturbance as required by the MHPA Land Use Adjacency Guidelines (see PR-LU-1 in Section 5.1, *Land Use*).

During the construction of the vernal pool preserve and other restoration activities, indirect impacts could occur, resulting in a significant impact and Crotch's bumble bee surveys would be conducted before implementation and buffers established to the extent feasible to avoid indirect impacts to foraging and nesting Crotch's bumble bee.

**Burrowing Owl**

If burrowing owls occupy the site before construction, significant impacts to the species could result from construction activities.

Impacts to burrowing owl foraging habitat would be considered a significant indirect impact to the species.

Indirect noise impacts to burrowing owl during restoration and construction would be significant and would require mitigation.

**Coastal Cactus Wren**

The project would impact 0.63-acre of maritime succulent scrub habitat dominated by large coast cholla. Impacts to individual wrens and approximately 20 acres of adjacent foraging habitat would be significant.

Indirect impacts to coastal cactus wren would also occur due to operational noise above 60 dB(A) from the proposed Beyer Boulevard extension affecting 0.46-acre of suitable coastal cactus wren habitat.

Indirect impacts associated with construction noise may occur if construction activities are conducted during this species' breeding season. Occupied suitable habitat for this species occurs adjacent to the project impact area both inside and outside of the MHPA and construction is likely to cause noise levels within these adjacent habitat areas to exceed 60 dB(A) average sound level, which would be considered a significant indirect impact.

**Orange-throated Whiptail and Coast Horned Lizard**

Direct impacts to orange-throated whiptail and coast horned lizard during construction and removal of suitable habitat in Phase 1 outside of the MHPA may occur, but these are highly mobile species and therefore expected to occur in low numbers within the impact area. These species are adequately covered by the MSCP with habitat conserved in the MHPA. Suitable habitat within the project impact area comprises a small fraction of the habitat available to this species both at a local level and on a regional scale. Therefore, the potential loss of these individuals would not reduce their populations to less than self-sustaining and impacts would be less than significant.

Indirect impacts to orange-throated whiptail and coast horned lizard as a result of construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust would be less than significant with adherence to proper BMPs during construction and implementation of the MHPA Land Use Adjacency Guidelines for lands adjacent to MHPA (see PR-LU-1 in Section 5.1, *Land Use*).

**Cooper's Hawk**

Direct impacts to potential nesting Cooper's hawk during construction activities would be significant. Specifically, removal of approximately 190 acres of foraging habitat including maritime succulent scrub, Diegan coastal sage scrub, non-native grassland, mule fat scrub, southern willow scrub, tamarisk scrub, disturbed riparian, and disturbed land would be significant.

Indirect impacts to this species due to construction or restoration noise would be significant.

**Northern Harrier**

Direct impacts to northern harrier would be avoided through implementation of MSCP area specific management directives that require a 900-foot impacts avoidance area for nesting individuals. However, impacts to approximately 190 acres of foraging habitats for the species consisting of maritime succulent scrub, Diegan coastal sage scrub, non-native grassland, mule fat scrub, southern willow scrub, tamarisk scrub, disturbed riparian, and disturbed land would be a significant impact.

Indirect impacts to this species due to construction noise would be significant.

**Southern California Rufous-crowned Sparrow**

Direct impacts to southern California rufous-crowned sparrow during construction and removal of foraging habitats including non-native grassland, maritime succulent scrub, and Diegan coastal sage scrub would be significant. Indirect impacts to this species due to construction noise would be significant.

**Mule Deer**

Direct impacts to mule deer are not anticipated as the species was not identified during surveys and the impact area would not affect available habitat for this species in a way that would reduce their populations to less than self-sustaining levels. Impacts would be less than significant.

Indirect impacts to as a result of construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust would be less than significant with adherence to proper BMPs during construction and implementation of the MHPA Land Use Adjacency Guidelines for lands adjacent to MHPA (see PR-LU-1 in Section 5.1, *Land Use*).

**Western Spadefoot**

Direct impacts to western spadefoot may occur through incidental mortality of adults and/or larvae (tadpoles) during construction activities within suitable breeding habitat. Assuming that all disturbed wetlands and vernal pools proposed for direct and indirect impact support this species, impacts to this species would be significant.

Indirect impacts to this species during enhancement of jurisdictional resources within the 100-foot trail corridor and during other restoration activities where ponding basins are present would be significant and mitigated through implementation of required VPHCP avoidance and minimization measures which limit activity to times of the year when no ponding is present. The Trails Restoration Plan (see Attachment 1 of Appendix C) and Vernal Pool Restoration Plan (see Attachment 14 of Appendix C) require that no enhancement activities occur within vernal pools when ponded, surveying to identify any occupied pools within and adjacent to the restoration area, and marking/fencing any occupied pools to protect from adjacent restoration activities. Implementation of these project design features would avoid indirect impacts to western spadefoot.

The western spadefoot is not an MSCP-covered species, and is a candidate for listing~~in the event the western spadefoot becomes listed~~ as endangered at the federal level. Permit authority would either be through formal consultation through the Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major Amendment.~~, within the timeframe of this project, formal consultation through FESA Section 10 process would be required.~~

**Yellow-breasted Chat and Yellow Warbler**

Yellow-breasted chat and yellow warbler have moderate potential to nest within the southern willow scrub and mule fat scrub habitats within the project impact area. Impacts to yellow-breasted chat and yellow warbler habitat nesting during construction and removal of foraging habitat would be significant.

Indirect impacts to these species due to construction noise would be significant.

**Coastal Whiptail, Red Diamond Rattlesnake, Two-Striped Garter Snake, Coronado Skink, and San Diego Desert Woodrat**

Direct impacts to these species through incidental mortality during construction activities may occur; however, these are highly mobile species and therefore likely occur in low numbers within the impact area, and the loss of individual and habitat would not affect the long term survival of the species considering the substantial habitat that would remain available locally and regionally. Impacts to coastal whiptail, red diamond rattlesnake, two-striped garter snake, Coronado skink, and San Diego desert woodrat would be less than significant.

Indirect impacts to these species as a result of construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust would be less than significant with adherence to proper BMPs during construction and implementation of the MHPA Land Use Adjacency Guidelines for lands adjacent to MHPA (see PR-LU-1 in Section 5.1, *Land Use*).

**Merlin, California Horned Lark, Bell's Sage Sparrow, Loggerhead Shrike, and Grasshopper Sparrow**

Direct impacts to nesting individuals during their respective breeding seasons during construction activities would be significant. Indirect impacts to this species due to construction or restoration noise would be significant.

## 5.4.3.4 Mitigation, Monitoring, and Reporting

## a. Special-Status Plants

### *Program-level*

Future development within the program-level areas (e.g., program-level grading areas depicted on Figure 3-4, *Program-level Grading Areas*), would be required to implement FEIR Mitigation Framework BIO-1, revised and carried forward as mitigation measure SP-BIO-1 below. Additionally, future development within the program-level areas would be required to implement FEIR Mitigation Framework LU-2 and HYD/WQ-1, revised and carried forward as mitigation measures SP-LU-1 in Section 5.1, *Land Use* and SP-HYD/WQ-1 in Section 5.7, *Hydrology/Water Quality*.

**SP-BIO-1: Sensitive Plants and Wildlife**

To reduce potentially significant impacts that would cause a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, if present within the project area, all subsequent projects implemented in accordance with the project area shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City's Biology Guidelines. The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any listed or rare wildlife species shall be recorded and presented in a biological resources

report. Based on available habitat within the project area, focused presence/absence surveys shall be conducted in accordance with the City's Biology Guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from future projects on these species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the FESA, MBTA, Bald and Golden Eagle Protection Act, California Endangered Species Act (CESA), MSCP Subarea Plan, VPHCP, and ESL Regulations.

In addition to the requirements detailed above, specific measures shall be implemented when the biological survey results in the identification of burrowing owls on the project site. Future projects shall be required to conduct a habitat assessment to determine whether or not protocol surveys are needed. Should burrowing owl habitat or sign be encountered on or within 150 meters of the project site, breeding season surveys shall be conducted. If occupancy is determined, site-specific avoidance and mitigation measures shall be developed in accordance with the protocol established in the "Staff Report on Burrowing Owl Mitigation, State of California Natural Resources Agency Department of Fish and Game. March 7, 2012" (hereafter referred as California Department of Fish and Game [CDFG] 2012, Staff Report). Measures to avoid and minimize impacts to burrowing owl shall be included in a Conceptual Burrowing Owl Mitigation Plan which includes take avoidance (preconstruction) surveys, site surveillance, and the use of buffers, screens, or other measures to minimize construction-related impacts.

**Mitigation for Impacts to Sensitive Upland Habitats**

Future projects implemented in accordance with the project resulting in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City's Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with the Upland Mitigation Ratios currently outlined in Table 3 of the City's Biology Guidelines (City 2018). Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not limited to riparian habitats, wetlands, oak woodlands, and coastal sage scrub consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City Biology Guidelines.

Mitigation for impacts to sensitive vegetation communities shall be implemented at the time future development projects are proposed. Project-level analysis shall determine whether the impacts are within or outside of the MHPA. Any MHPA boundary adjustments shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage.

Mitigation for impacts to sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City 2018). These mitigation ratios are based on Tier level of the vegetation community, the location of the

impact and the location of the mitigation site(s). For example, impacts to lands inside of the MHPA and mitigated outside the MHPA would have the highest mitigation ratio whereas impacts to lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

If 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. Mitigation lands purchased to compensate for impacts to areas within conserved lands shall be located in the Otay Mesa area if feasible.

## *Project-level*

Mitigation for significant impacts to San Diego button-celery, Otay tarplant, San Diego barrel cactus, and thread-leaved brodiaea is required for project-level areas. Mitigation measures PR-BIO-1 through PR-BIO-4 detailed below implement the requirements of BIO-1, BIO-2 and BIO-4. Additionally, mitigation for significant impacts to San Diego button-celery, Otay tarplant, San Diego barrel cactus, and thread-leaved brodiaea would be required to implement FEIR Mitigation Framework LU-2 are revised and carried forward as mitigation measures PR-LU-1 in Section 5.1, *Land Use*.

**PR-BIO-1: San Diego Button Celery**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as detailed below and in PR-BIO-16a and PR-BIO-16b~~prepared by RECON Environmental dated November 2024~~ for the project prior to and during any ground disturbance within areas containing San Diego button celery. Prior to issuance of the first~~for any~~ grading permit~~s~~ for Phase 1, the ADD environmental designee shall verify the requirements for the revegetation/restoration plans and specifications, including salvage of any San Diego button celery in vernal pools that will be impacted and re-establishment of vernal pools containing San Diego button celery at a 3:1 ratio, for a total acreage of 0.03 acre of vernal pools with San Diego button celery, have been shown and noted on the appropriate landscape construction documents. The Landscape Construction Documents (LCDs) and specifications must be found to be in conformance with the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~, the performance criteria of which are summarized below, to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and Project Qualified Biologist (PQB)~~Biologist~~. Because all impacts to San Diego button celery occur within two vernal pools affected during Phase 1 grading, all required salvage, seed collection, and establishment of mitigation vernal pools at the 3:1 ratio (0.03 acre) shall be implemented entirely during Phase 1.

A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall oversee restoration activities and ensure performance criteria are met. The restoration effort for San Diego button celery shall require a maintenance contractor to salvage any San Diego button celery in vernal pools that would be impacted and re-establish vernal pools containing San Diego button

celery at a 3:1 ratio, for a total acreage of 0.03 acre of vernal pools with San Diego button celery, as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~. The qualified restoration specialist shall submit an as-built report documenting the successful implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Following installation sign-off, the qualified restoration specialist shall submit annual reports assessing the attainment of the detailed success criteria listed in ~~Sections 6.2 through 6.6 of~~ the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan~~prepared by RECON Environmental dated November 2024 for the project~~.

Implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan will require the following~~prepared by RECON Environmental dated November 2024 for the project will require the following~~:

**I. Prior to Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 0.03 acre of vernal pools with San Diego button celery has been shown and noted on the appropriate landscape construction documents. The Landscape Construction Documents (LCDs) and specifications must be found to be in conformance with the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, Landscape Architecture Section (LAS) for review and approval. LAS shall consult with Mitigation Monitoring Coordination (MMC) and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines. The ~~Principal Qualified Biologist (~~PQB~~)~~ shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion

and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM) and Grading Contractor (GC), where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a monthly basis throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and prepare the required summary for MMC, consistent with the monitoring and reporting procedures described in Section IV~~submit a report for approval by MMC~~.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

    f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

    g. Weed control measures shall include the following:

        (1) hand removal,

        (2) cutting, with power equipment, and

        (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

    h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal

wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM) (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, Principal Restoration Specialist (PRS), and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

**II. Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.

b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

    a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

    b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMPs) on the RRME.

3. When Biological Monitoring Will Occur

    a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

    a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

    a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first

day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted at minimum weekly intervals for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 3, maintenance visits will occur once per month between January to June and two visits between July to December. Quarterly visits will be conducted during Years 4 and 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed

germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur weekly during the 120-day establishment period. During Year 1, once weekly monitoring for first 2 months, followed by once every other week monitoring for months 2–6, and followed by monthly monitoring thereafter. Monitoring will occur monthly during the growing season during Years 2 through 5. Annual monitoring assessments during all 5 Years will occur throughout the rainy season and growing season.

d. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

e. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.~~The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit a revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are:

      - CRAM assessments would use the Vernal Pool Module (version 6.2 or most recent) and achieve the following by Year 5:

        - Vernal Pool Hydrological Regime Performance Standard:

          - The duration, periodicity, and depth of inundation for the re-established vernal pools would be considered successful if, before the end of the monitoring period, the vernal pools demonstrate hydrological patterns of duration, periodicity, and depth of inundation that fall within the range of the highest-functioning reference vernal pool.

  - Total area of inundation of the mitigation vernal pools must be equal to the area proposed in the mitigation plan during an average or above average rainfall year.

  - Each re-established vernal pool must be inundated for a duration and depth that is within the range inundation observed for the reference vernal pools. Each re-established vernal pool must be inundated, during an average or above rainfall year, for a duration and depth that supports vernal pool flora and fauna.

  - The average depth and duration of inundation of the re-established pools must be consistent with the average depth and duration of the reference pools.

- Biological Vernal Pool Performance Standards

  - Native species richness: at least 6

  - Endemic vernal pool species cover (percent): at least 40

  - Non-native cover (percent): Under 10, 0 Cal-IPC high or perennial species

- Endemic Vernal Pool Plant Species Richness

  - The endemic vernal pool species richness (i.e., number of native vernal pool species) value for each of the restored vernal pools is equal to or greater than the minimum value found in the reference vernal pool.

  - The average value of vernal pool species richness for all of the restored vernal pools is equal to or greater than the minimum value found in the reference vernal pools.

- Endemic Vernal Pool Vegetation Cover

  - The vernal pool endemic plant species cover of all re-established pools on average must be at least 40 percent of the average for the reference pools.

  - Vernal pool endemic species cover for each restored vernal pool must increase in each successive year based on initial quantitative monitoring, except in years of extreme drought.

  - A total of 0.03 acre of re-established vernal pool basins shall support San Diego button-celery

- Vernal Pool Non-native Cover

- Within all the vernal pools in the mitigation sites, California Invasive Plant Council List High or perennial weed species would not be present, and the relative cover of all other non-native species would not exceed ten percent.

- The average absolute cover of non-native species in the restored/enhanced vernal pools must be less than the average absolute cover of non-native species of the reference pools

- San Diego and Riverside Fairy Shrimp

  - Success for fairy shrimp re-introduction shall be determined by measuring the ponding of water, presence of viable cysts, hatched fairy shrimp, and gravid females, as outlined below:

    - Water measurements shall be taken annually in the re-established vernal pools to determine the depth, duration, and quality (e.g., pH, temperature, total dissolved solids, and salinity) of ponding. The re-established vernal pools shall pond for a period of time and at an appropriate depth and quality to support fairy shrimp.

    - Wet samples shall be taken annually in the re-established pools to determine the presence of hatched fairy shrimp and gravid females. Hatched fairy shrimp and gravid females shall be present in the re-established vernal pools for at least three wet seasons before a determination of success can be made.

    - Dry samples shall be taken in the re-established vernal pools to determine the presence of viable cysts in the soils. Dry sampling shall occur in the last year to verify the viable cyst presence.

- Upland Southern Maritime Succulent Scrub

  - Percent cover native shrub species: 60

  - Percent cover native herbaceous species: 50

  - Species richness: 75

  - Percent cover non-native species: less than 10, 0 Cal-IPC high or perennial species

- Quino Checkerspot Butterfly Performance Standards

  - Success for the patches of Quino checkerspot butterfly habitat would demonstrate expansion from pre-mitigation conditions and general improvement with a greater diversity and density of Quino checkerspot butterfly host and nectar species, as follows:

    - Native species richness: 7

- Non-native cover (percent): less than 10, 0 Cal-IPC high or perennial species

**PR-BIO-2: Otay Tarplant**

The Owner/Permittee shall implement the Otay Tarplant/Native Grassland Mitigation Plan prepared by RECON Environmental dated August 2024 for the project prior to any ground disturbance within areas containing Otay t~~T~~arplant ~~(Beyer Boulevard)~~. This mitigation plan shall be implemented prior to the issuance of the initial Phase 4 (native grassland impact) or Beyer Boulevard West (Otay tarplant impact) grading permit, whichever is issued first. Overall supervision of the installation and maintenance of this restoration effort pursuant to the performance criteria will be the responsibility of a qualified restoration specialist with at least five years of native habitat and sensitive plant species restoration experience and a four-year degree in ecology, conservation biology or a related field. The restoration effort shall ensure a 4:1 replacement of impacted Otay tarplant within a 1-acre area. Restoration shall involve seed collection from on-site Otay tarplant prior to fall rains when seeds are fully mature. Native grassland species that co-exist well with Otay tarplant and compete with non-native weed species shall be seeded in the restoration area. Habitat restoration shall occur pursuant to the Otay Tarplant Restoration/Native Grassland Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. At the end of the five-year monitoring period, a minimum of 7,600 Otay tarplant individuals should be present within the mitigation site; however, the number of individuals expected to be present may be adjusted based on the results of the pre-construction survey. The qualified restoration specialist shall submit annual reports assessing the success of the Otay tarplant restoration effort as detailed in Section 6.1 of the Otay Tarplant/Native Grassland Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~. The restoration effort shall continue until receipt of sign-off from the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~.

The Owner/Permittee shall provide funding to the City to manage the lands associated with this mitigation plan consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the grading permit for Phase 4 or Beyer Boulevard West, whichever is issued first, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the Otay tarplant/native grassland mitigation land consistent with the City's MHPA management standards. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies' approval.

As detailed in the Otay Tarplant/Native Grassland Mitigation Plan, the project shall require the following~~Implementation of the Otay Tarplant/Native Grassland Mitigation Plan prepared by RECON Environmental dated August 2024 for the project will require the following~~:

**I. Prior to Permit Issuance**

A. LDR Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable; the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of Otay tarplant within a 1-acre area has been shown and noted on the appropriate landscape construction documents. The LCDs and specifications must be found to be in conformance with the Otay Tarplant and Native Grassland Mitigation Plan~~Otay Tarplant Restoration Plan prepared by RECON Environmental dated November 2024 for the project~~, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2012). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

i. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

j. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

k. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

l. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

m. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

n. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

o. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

p. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of offsite in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

**II. Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

   a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of

any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 and Year 2, monitoring will occur other week during the Otay tarplant growing/blooming season (January – June). Monitoring will occur monthly during Years 3 through 5. Annual monitoring assessments during all 5 Years will occur in the spring.

d. All plant material must have survived without supplemental irrigation for the last two years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent

survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

g. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.~~The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Otay Tarplant/Native Grassland Mitigation Plan are:

- Otay Tarplant
  - At the end of the five-year monitoring period, a minimum of 7,600 Otay tarplant individuals should be present within the mitigation site; however, the number of individuals expected to be present may be adjusted based on the results of the pre-construction survey.
- Native Grassland
  - Percent cover – total native species (minimum): 60
  - Percent cover – native grass species (minimum): 20
  - Native species richness: 8
  - Percent cover – non-native species (maximum): 40, 0 Cal-IPC high or perennial species

**PR-BIO-3: San Diego Barrel Cactus and Snake Cholla**

The Owner/Permittee shall <u>have a qualified restoration specialist conduct pre-construction survey prior to any ground disturbance within areas containing San Diego barrel cactus and snake cholla (Phase 1, 2, 4, and Beyer Boulevard West extension) to identify and salvage all San Diego barrel cactus and snake cholla present within the</u>

phase boundaries for transplantation within either~~implement~~ the proposed vernal pool preserve area as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by PR-BIO-1, PR-BIO-16a, and PR-BIO-16b or the Coastal Cactus Wren restoration area as detailed in the Coastal Cactus Wren Mitigation Plan required by PR-BIO-11~~prepared by RECON Environmental dated November 2024~~ for the project prior to any ground disturbance within areas containing San Diego barrel cactus and snake cholla ~~(e.g., within Phases 1, 2, and 4 and Beyer Boulevard)~~. The Owner/Permittee will initiate the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prior to the issuance of the first grading permit for Phase 1 and will implement the Coastal Cactus Wren Mitigation Plan prior to the issuance of the Beyer Boulevard West grading permit. The final location for translocation of salvaged individuals will be made by the qualified restoration specialist based on timing, species salvaged, and best placement to ensure survival of the translocated individuals, in accordance with the two mitigation plans. A qualified restoration specialist shall be on-site as needed during project activities. Overall supervision of the installation and maintenance of this restoration effort will be the responsibility of a qualified restoration specialist with a minimum of five years of vernal pool restoration experience in coastal southern California and a four-year degree in ecology, conservation biology or a related field. The restoration effort shall require a maintenance contractor that has been approved by the City to salvage any San Diego barrel cactus and snake cholla within the impact areas and translocate them to the proposed vernal pool preserve (within upland areas around vernal pools), as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan, and translocation to the Coastal Cactus Wren restoration area as detailed in the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~. Individual barrel cactus and snake cholla would be replaced at a 1:1 ratio. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ and the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in ~~Section 6.2 through 6.4 of~~ said plan ~~prepared by RECON Environmental dated November 2024 for the project~~ and the success of the Coastal Cactus Wren Mitigation Plan effort as detailed in Section 6.0 of said plan ~~prepared by RECON Environmental dated August 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~.

Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see VI.C.1.d.).

The Owner/Permittee will provide funding to the City to manage the lands associated with this mitigation measure consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the grading permit for Phase 4 or Beyer Boulevard West, whichever is issued first, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the Otay

tarplant/native grassland and coastal cactus wren mitigation land consistent with the City's MHPA management standards. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies' approval.

Implementation of the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~ will require the following:

**I. Prior to Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 1.09 acres of coastal cactus wren habitat has been shown and noted on the appropriate landscape construction documents. LCDs and specifications must be found to be in conformance with the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2012). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed SWPPP training.

**II. Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

    a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

    a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge

of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PQB~~PBQ~~ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 through Year 5, monitoring will occur monthly. Annual monitoring assessments during all 5 Years will occur in the spring.

d. All plant material must have survived without supplemental irrigation for the last three years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-

invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

g. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. ~~The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Coastal Cactus Wren Mitigation Plan are:

      - Percent cover – coast cholla: 50
      - Percent cover – native herbaceous species: 20
      - Species richness: 12
      - Percent cover – non-native vegetation: 10, 0 Cal-IPC high or perennial species

**PR-BIO-4: Thread-leaved Brodiaea**

The Owner/Permittee shall obtain a qualified biologist (i.e., a professional with a minimum of five years of rare plant survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) that has been approved by the City to conduct a focused rare plant survey in the spring prior to the start of construction to verify the presence of thread-leaved brodiaea as it has a moderate potential to occur on-site but was not previously detected during biological surveys. If no thread-leaved brodiaea are detected, no additional measures would be required. If the species is detected, a qualified biologist that has been approved by the City will flag or fence any thread-leaved brodiaea that occur within the temporary and permanent impact areas prior to initiation of construction activities for the project to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Thread-leaved brodiaea will be avoided to the maximum extent feasible within temporary impact areas. Any individuals that cannot be avoided will be salvaged by a maintenance contractor for transplant and incorporated into the Final Vernal Pool/Quino

Checkerspot Restoration area. Habitat restoration shall occur pursuant to the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ and Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~.

Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 and requirements and final success standards of the Coastal Cactus Wren Mitigation Plan are detailed in PR-BIO-3.

## b. Special-Status Wildlife

### *Program-level*

Consistent with the FEIR, future development within the program-level areas (e.g., program-level grading areas depicted on Figure 3-4), would be required to implement FEIR Mitigation Framework BIO-1 carried forward as SP-BIO-1 above~~, in addition to Mitigation Framework BIO-2, Migratory Wildlife, detailed below, revised and carried forward as mitigation measure SP-BIO-2 below~~.

**~~SP-BIO-2: Migratory Wildlife~~**

~~Mitigation for future projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the project area, shall be identified in site-specific biological resources surveys prepared in accordance with City's Biology Guidelines as further detailed in SP-BIO-1 during the subsequent development review process. The biological resources report shall include results of protocol surveys and recommendations for additional measures to be implemented during construction related activities; shall identify the limits of any identified local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities (e.g., non-native grassland to riparian or agricultural to developed land) to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor. Measures that shall be incorporated into project-level construction documents to minimize direct impacts on wildlife movement, nesting, or foraging activities shall be addressed in the biological resources report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species-specific mitigation plans (such as a Burrowing Owl Mitigation Plan) in order to comply with the FESA, MBTA, Bald and Golden Eagle Protection Act, California Fish and Game Code, and/or the ESL Regulations.~~

### *Project-level*

Mitigation for significant impacts to Quino checkerspot butterfly, San Diego and Riverside fairy shrimp, least Bell's vireo, coastal California gnatcatcher, Crotch's bumble bee, burrowing owl, western spadefoot, coastal cactus wren, Cooper's hawk, ~~southern rufous-crowned,~~ white-tailed kite,

merlin, bald eagle, California horned lark, yellow-breasted chat, grasshopper sparrow, yellow warbler, loggerhead shrike, Bell's sage sparrow, ~~white tailed kite, Cooper's hawk,~~ northern harrier, and southern rufous-crowned sparrow~~, yellow-breasted chat, and yellow warbler~~ is required for project-level areas. Mitigation measures PR-BIO-5 through PR-BIO-15 detailed below implement the requirements of FEIR Mitigation Framework LU-2, BIO-1, BIO-2, and BIO-4. See Section 5.1, *Land Use* for mitigation measure PR-LU-1 requiring implementation of the City's MHPA Land Use Adjacency Guidelines.

Direct impacts to Quino checkerspot butterfly would be mitigated through the implementation of the Final~~newly proposed~~ Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (~~see Attachment 14 of Appendix C~~) as detailed in PR-BIO-5.

**PR-BIO-5: Quino Checkerspot Butterfly**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by PR-BIO-1, PR-BIO-16a, and PR-BIO-16b~~prepared by RECON Environmental dated November 2024 for the project~~ before any ground disturbance within areas containing Quino Checkerspot Butterfly host or nectar plants for project impacts to 0.93 acre of suitable Quino checkerspot butterfly habitat. Mitigation for Quino checkerspot butterfly would involve restoration of host plant and nectar plant patches within the vernal pool restoration areas, including preservation and enhancement of 0.96 acre of existing suitable habitat, and restoration/creation of a 0.93-acre area of Quino checkerspot butterfly habitat for a total of 1.89 acres of Quino checkerspot butterfly habitat preservation, enhancement and creation and preservation. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Permit authority would either be through formal consultation through the Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major Amendment~~Formal 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. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Requirements of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1, PR-BIO-16a, and PR-BIO-16b. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in ~~Section 6.2 through 6.6 of~~ said plan~~, prepared by RECON Environmental dated November 2024 for the project. Requirements and f~~Final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d.).

Direct and indirect impacts to San Diego and Riverside Fairy Shrimp would be mitigated through implementation of the Final~~proposed~~ Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~(see Attachment 14 of Appendix C) as detailed in PR-BIO-6~~.

**PR-BIO-6: San Diego and Riverside Fairy Shrimp**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ prior to any ground disturbance within areas containing vernal pools. Mitigation is required for direct impacts to 0.94-acre of ponding basins containing San Diego Fairy Shrimp, 0.13 acre of indirect impacts to ponding basins containing San Diego Fairy Shrimp, and 0.20-acre of ponding basins containing San Diego and Riverside fairy shrimp. Mitigation for direct and indirect impacts to San Diego and Riverside fairy shrimp species shall be addressed through a 2:1 inoculation of vernal pool surface area, consistent with the requirements of the City's Biology Guidelines for mitigating vernal pools with fairy shrimp. A total of 3.86 acres of re-established vernal pools shall be inoculated with both shrimp species, exceeding the 2:1 mitigation obligation. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Requirements of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1, PR-BIO-16a, and PR-BIO-16b. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in ~~Section 6.2 through 6.4 of~~ said plan~~prepared by RECON Environmental dated November 2024 for the project~~. ~~Requirements and f~~Final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d).

Direct and indirect impacts to least Bell's vireo during construction and restoration would be mitigated by PR-BIO-7a and PR-BIO-7b.

**PR-BIO-7a: Least Bell's Vireo Breeding Season Avoidance - Construction**

LEAST BELL'S VIREO (State Endangered/Federally Endangered)

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur within least Bell's vireo suitable habitat areas between March 15 and September 15, the breeding season of the least Bell's vireo, until the following requirements have been met to the satisfaction of the City Manager:

A. A qualified biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 dB(A) hourly

average for the presence of the least Bell's vireo. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If the least Bell's vireo is present, then the following conditions must be met:

1. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

2. Between March 15 and September 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied least Bell's vireo or habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of any construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

   * Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on

the placement of construction equipment and the simultaneous use of equipment.

B. If least Bell's vireo are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager, or appointed designee, and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and September 15 as follows:

1. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A.3 shall be adhered to as specified above.

2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

**PR-BIO-7b: Least Bell's Vireo Breeding Season Avoidance – Restoration Implementation**

During the wetland restoration implementation in PR-BIO-16a, impacts to least Bell's vireo could occur. The following measure specific to least Bell's vireo is provided below.

To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special-status species in the MSCP, removal of habitat that supports active nests in the mitigation area shall occur outside the breeding season for these species (February 1 to September 15). To avoid indirect impacts to least Bell's vireo nesting within Spring Canyon, any work that may cause noise in excess of 60 A-weighted decibels hourly average, or the ambient noise level if it is greater, shall be avoided during the breeding season for this species (March 15–September~~August~~ 15). If removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-implementation survey shall be conducted within 3 calendar days prior to the start of restoration activities (including removal of vegetation). The applicant shall submit the results of the pre-implementation survey to the City of San Diego for review and approval prior to initiating any restoration activities. If nesting birds are detected, a letter report in conformance with the City of San Diego's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, work and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the City's satisfaction. The City of San Diego's Mitigation Monitoring Coordinator shall verify and approve that all measures identified in the report are in place prior to and/or during implementation.

Direct and indirect impacts to coastal California gnatcatcher within the MHPA during construction and restoration would be mitigated by PR-BIO-8a and PR-BIO-8b. Impacts to coastal California gnatcatcher foraging habitat would be mitigated by implementation of PR-BIO-15.

**PR-BIO-8a: Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA**

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur within coastal California gnatcatcher suitable habitat areas within MHPA between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

A. A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of coastal California gnatcatcher. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If gnatcatchers are present, then the following conditions must be met:

    1. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

    2. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager, or appointed designee, at least two weeks prior to the commencement of construction activities. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

    3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the

edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

B. If coastal California gnatcatcher are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager, or appointed designee, and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:

    1. If this evidence indicates the potential is high for gnatcatcher to be present based on historical records or site conditions, then condition A.3 shall be adhered to as specified above.

    2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

**PR-BIO-8b: Coastal California Gnatcatcher Breeding Season Avoidance – Restoration Implementation**

During the wetland restoration implementation in PR-BIO-16a, impacts to coastal California gnatcatcher could occur. The following measure specific to coastal California gnatcatcher is provided.

A. To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special-status species in the MSCP, removal of habitat that supports active nests in the mitigation area shall occur outside the breeding season for these species (February 1 to September 15). To avoid indirect impacts to coastal California gnatcatcher nesting within the adjacent maritime succulent scrub, any

work that may cause noise in excess of 60 A-weighted decibels hourly average, or the ambient noise level if it is greater, shall be avoided during the breeding season for this species (March 1–August 15). If removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-implementation survey shall be conducted within 3 calendar days prior to the start of restoration activities (including removal of vegetation). The applicant shall submit the results of the pre-implementation survey to the City of San Diego for review and approval prior to initiating any restoration activities. If nesting birds are detected, a letter report in conformance with the City of San Diego's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, work and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the City's satisfaction. The City of San Diego's Mitigation Monitoring Coordinator shall verify and approve that all measures identified in the report are in place prior to and/or during implementation.

Direct impacts to Crotch's bumble bee during construction would be mitigated through implementation of PR-BIO-9a and -9b. Direct impacts due to the loss of foraging habitat would be mitigated through implementation of PR-BIO-15 preservation of habitat. Crotch's bumble bee is not an MSCP-covered species, and subsequent coordination and an incidental take permit from CDFW would be required which may result in different or additional mitigation requirements. The Incidental Take Permit (ITP) shall be obtained prior to issuance of a Grading Permit, Demolition Plans/Permits or~~and~~ Building Plans/Permits.

**PR-BIO-9a: Crotch's Bumble Bee Impact Minimization**

Should this species no longer be a state candidate for listing or state listed as threatened or endangered at the time of the preconstruction meeting, then no avoidance measures shall be required.

1. Prior to the issuance of a Notice To Proceed (NTP) for construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Environmental Designee (ED) shall review and approve Construction Documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design.
    A. The Owner/Permittee shall obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) prior to the issuance of Grading Permit, Demolition Plans/Permits and Building Plans/Permits. Take of any endangered, threatened, candidate species that results from the project is prohibited, except as authorized by State law (California Fish and Game Code Section 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the CESA.

B. To avoid impacts on Crotch's bumble bee, removal of habitat in the proposed area of disturbance should occur outside of the Colony Active Period between April 1 through August 31 as feasible. If the removal of habitat in the proposed area of disturbance must occur during the Colony Active Period, a Qualified Biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall conduct a pre-activity survey no more than three days prior to the initiation of construction activities to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance.

C. Surveys must be conducted by a Qualified Biologist meeting the qualifications discussed in the CDFW guidance (i.e., Survey Considerations for California Endangered Species Act [CESA] Candidate Bumble Bee Species, dated June 6, 2023).

D. The pre-activity survey shall consist of photographic surveys following CDFW guidance (i.e., Survey Considerations for CESA Candidate Bumble Bee Species, dated June 6, 2023). In coordination with CDFW, the Qualified Biologist may be required to send all photo vouchers to a CDFW-approved taxonomist to confirm the identifications of the bumble bees encountered during surveys. The surveys shall consist of passive methods unless a Memorandum of Understanding is obtained from CDFW. If additional activities (e.g., capture or handling) are deemed necessary to identify bumble bees of an unknown species that may be Crotch's bumble bee, then the Qualified Biologist shall obtain the required authorization via a Memorandum of Understanding or Scientific Collecting Permit pursuant to CDFW Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). Survey methods that involve lethal take of species are not acceptable. Survey results will be considered valid until the start of the next colony active period.

E. If pre-activity surveys identify Crotch's bumble bee individuals on-site, the Qualified Biologist shall notify and consult with CDFW to establish, monitor, and maintain no-work buffers around the associated floral resources or nest, as appropriate. The size and configuration of the no-work buffer shall be based on the best professional judgment of the Qualified Biologist in consultation with CDFW. Construction activities shall not occur within the no-work buffers until the bees appear no longer active (i.e., associated floral resources appear desiccated and no bees are seen flying for three consecutive days indicating dispersal from the area).

F. Survey data shall be submitted by the Qualified Biologist to the California Natural Diversity Database (CNDDB) in accordance with the Memorandum of Understanding with CDFW, or Scientific Collecting Permit requirements, as applicable.

**PR-BIO-9b : Crotch's Bumble Bee Habitat Mitigation**

Should this species no longer be a state candidate for listing or state listed as threatened or endangered at the time of the preconstruction meeting, then no Crotch's bumble bee habitat mitigation measure shall be required.

1. Prior to the issuance of a Notice To Proceed for construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Environmental Designee (ED) shall review and approve Construction Documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design.
2. The Owner/Permittee shall mitigate for impacts to Crotch's bumble bee nesting and foraging habitat via preservation of 160.94-acres of Crotch's bumble bee potential foraging and nesting habitat, including approximately 42 acres that supports moderate to high cover of nectar resources, to the satisfaction of the City and CDFW. This mitigation shall be fully secured, approved by MMC and CDFW, and documented in writing prior to issuance of the Notice to Proceed for any construction activities that would impact Crotch's bumble bee foraging or nesting habitat. MMC shall verify that the required mitigation has been completed or secured prior to authorizing the NTP. As described in mitigation measure PR-BIO-15, all upland mitigation would be dedicated in fee title to the City or otherwise protected through a Conservation Easement, Covenant of Easement or Irrevocable Offer of Dedication prior to issuance of the first grading permit for Phase 1 of the project.
3. If creation, restoration, or enhancement is proposed to meet mitigation requirements, the Habitat Mitigation Plan shall be submitted to MMC and CDFW for review and approval prior to issuance of the NTP. Any proposed creation/restoration/enhancement mitigation shall require the preparation of a Habitat Mitigation Plan to the satisfaction of the City and CDFW.

   Creation/restoration/enhancement shall include a locally native plant palette that focuses on preferred nectar species of Crotch's bumble bee with a diversity of blooms across seasons (three preferred species per season with overlapping bloom periods). No pesticides (e.g., herbicides, insecticides, or rodenticides) shall be used during creation/restoration/enhancement activities or long-term maintenance of the mitigation site.

   The creation/restoration/enhancement mitigation area shall be protected and managed/maintained in perpetuity. A long-term management plan shall be prepared by a Qualified biologist to ensure long-term habitat sustainability of any restored/created/enhanced bumble bee habitat. The plan shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; a two-year maintenance, monitoring, and reporting program; an estimated completion time; contingency measures; and identify a long-term funding source.
4. Any creation/restoration/enhancement mitigation area shall be covered by a Covenant of Easement to the benefit of the City or dedicated in fee title to the City. The project proponent shall provide funding in an amount approved by the City

based on a Property Analysis Record (PAR; Center for Natural Lands Management 1998), or similar cost estimation method, to secure the ongoing funding for the perpetual long-term management, maintenance, and monitoring of the creation/restoration/enhancement mitigation area pursuant to the long-term management plan by an agency, nonprofit organization, or other entity approved by the City.

5. Any proposed preservation mitigation area shall be covered by a Covenant of Easement to the benefit of the City or dedicated in fee title to the City, as determined in consultation with CDFW and the City, to the satisfaction of the City.

Direct impacts to burrowing owls during construction would be mitigated by PR-BIO-10. Impacts to burrowing owl foraging habitat would be mitigated through implementation of PR-BIO-15.

**PR-BIO-10: Burrowing Owl Preconstruction Surveys**

PRECONSTRUCTION SURVEY ELEMENT

**Prior to Permit or Notice to Proceed Issuance:**

1. As this project has been determined to be burrowing owl occupied or to have burrowing owl occupation potential, the Applicant or Permit Holder shall submit evidence to the Assistant Deputy Director (ADD) of Entitlements and Multiple Species Conservation Program (MSCP) staff verifying that a Biologist possessing qualifications pursuant to CDFG 2012, Staff Report, has been retained to implement a burrowing owl construction impact avoidance program.

2. The qualified burrowing owl biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's burrowing owl requirements and subsequent survey schedule.

**Prior to Start of Construction:**

1. The Applicant Department or Permit Holder and Qualified Biologist must ensure that initial pre-construction/take avoidance surveys of the project site are completed between 14 and 30 days before initial construction activities, including brushing, clearing, grubbing, or grading of the Development Footprint; regardless of the time of the year. "Site" means the Development Footprint and the area within a radius of 450 feet of the Development Footprint. The report shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or burrowing owl eviction(s) and shall include maps of the Development Footprint and burrowing owl locations on aerial photos.

2. The pre-construction survey shall follow the methods described in CDFG 2012, Staff Report, Appendix D.

3. 24 hours prior to commencement of ground disturbing activities, the Qualified Biologist shall verify results of preconstruction/take avoidance surveys. Verification

shall be provided to the City's Mitigation Monitoring and Coordination (MMC) and MSCP Sections. If results of the preconstruction surveys have changed and burrowing owls are present in areas not previously identified, immediate notification to the City and Wildlife Agencies shall be provided prior to ground disturbing activities.

**During Construction:**

1. **Best Management Practices** shall be employed as burrowing owls are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are burrowing owl occupied and have followed all protocol in this mitigation section, or sites within 450 feet of occupied burrowing owl areas, should undertake measures to discourage burrowing owls from recolonizing previously occupied areas or colonizing new portions of the site. Such measures include, but are not limited to, ensuring that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms.

2. **Ongoing Burrowing Owl Detection** –– If burrowing owls or active burrows are not detected during the pre-construction surveys, Section "A" below shall be followed. If burrowing owls or burrows are detected during the pre-construction surveys, Section ""B"" shall be followed, along with coordination with the Wildlife Agencies. NEITHER THE MSCP SUBAREA PLAN NOR THIS MITIGATION SECTION ALLOWS FOR ANY BURROWING OWLS TO BE INJURED OR KILLED OUTSIDE **OR** WITHIN THE MHPA; in addition, IMPACTS TO BURROWING OWLS WITHIN THE MHPA MUST BE AVOIDED.

   **A. Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are <u>Not</u> Detected During the Initial Pre-Construction Survey ––** Monitoring the site for new burrows is required using CDFG 2012, Staff Report, Appendix D methods for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE –– Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule).*

   1) If no active burrows are found but burrowing owls are observed to occasionally (1-3 sightings) use the site for roosting or foraging, they should be allowed to do so with no changes in the construction or construction schedule.

   2) If no active burrows are found but burrowing owls are observed during follow up monitoring to repeatedly (4 or more sightings) use the site for roosting or foraging, the City's MMC and MSCP Sections shall be notified and any portion of the site where owls have been sighted and that has not been graded or otherwise disturbed shall be avoided until further notice.

   3) If a burrowing owl begins using a burrow on the site at any time after the initial pre-construction survey, procedures described in Section B must be followed.

4) Any actions other than these require the approval of the City and the Wildlife Agencies.

**B. Post Survey Follow Up if Burrowing Owls and/or Active Natural or Artificial Burrows are detected during the Initial Pre-Construction Survey ––** Monitoring the site for new burrows is required using CDFG 2012, Staff Report, Appendix D for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE – Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol).*

1) This section (B) applies only to sites (including biologically defined territory) wholly outside of the MHPA – **all direct and indirect impacts to burrowing owls within the MHPA SHALL be avoided.**

2) If one or more burrowing owls are using any burrows (including pipes, culverts, debris piles, etc.) on or within 300 feet of the proposed construction area, the City's MMC and MSCP Sections shall be contacted. The City's MSCP and MMC Section shall contact the Wildlife Agencies regarding eviction/collapsing burrows and coordinate with the Wildlife Agencies and the qualified consulting burrowing owl biologist to address. A translocation plan will be required for any owls discovered within the impact area prior to or during construction, with the approval of the Wildlife Agencies. No construction shall occur within 300 feet of an active burrow without written concurrence from the Wildlife Agencies. This distance may increase or decrease, depending on the burrow's location in relation to the site's topography, and other physical and biological characteristics.

a) **Outside the Breeding Season** –– If the burrowing owl is using a burrow on site outside the breeding season (i.e., September 1 – January 31), the burrowing owl may be evicted after the qualified burrowing owl biologist has determined via fiber optic camera or other appropriate device, that no eggs, young, or adults are in the burrow. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFG 2012, Staff Report, Appendix E (or most recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

b) **During Breeding Season** –– If a burrowing owl is using a burrow on-site during the breeding season (February 1-August 31), construction shall not occur within 300 feet of the burrow until the young have fledged and are no longer dependent on the burrow, at which time the burrowing owls can be evicted. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFG 2012, Staff Report, Appendix E (or most recent guidance available) for review and submittal to Wildlife

Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

3. **Survey Reporting During Construction ––** Details of construction surveys and evictions (if applicable) carried out shall be immediately (within 5 working days or sooner) reported to the City's MMC, and MSCP Sections and the Wildlife Agencies and must be provided in writing (as by e-mail) and acknowledged to have been received by the required Agencies and DSD Staff member(s).

**Post Construction**:

4. Details of all surveys and actions undertaken on-site with respect to burrowing owls (i.e., occupation, eviction, locations etc.) shall be reported to the City's MMC and MSCP Sections and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries of all previous reports for the site; and maps of the Development Footprint and burrowing owl locations on aerial photos.

Direct and indirect impacts to coastal cactus wren habitat due to operational noise impacts from Beyer Boulevard would be mitigated through implementation of PR-BIO-11.

**PR-BIO-11: Cactus Wren Habitat Restoration**

The Owner/Permittee shall implement the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~ prior to any ground disturbance within areas containing suitable coastal cactus wren habitat ~~(Beyer Boulevard).~~ This mitigation plan shall be implemented prior to the issuance of the first Beyer Boulevard West grading permit. Mitigation is required for a total of 1.09 acre of impacts to cactus wren habitats, including 0.63 acre of direct impact and 0.46 acre of indirect impacts. The Coastal Cactus Wren Mitigation Plan proposes to mitigate impacts to coastal cactus wren habitat through restoration of existing low quality disturbed maritime succulent scrub and enhancement of surrounding maritime succulent scrub habitat. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. A total of 1.09 acre of coastal cactus wren habitat restoration would be required within the County of San Diego's Furby North Preserve. The County of San Diego, as the owner of this land would continue to serve as the long-term manager for the area after all success criteria are met. Following installation sign-off, the qualified restoration specialist shall submit annual reports assessing the attainment of the detailed success criteria listed in the plan. The five-year maintenance and monitoring effort shall continue until receipt of sign-off from the MMC, MSCP, and PQB~~Biologist~~. Requirements and final success standards of the Coastal Cactus Wren Mitigation Plan are detailed in PR-BIO-3.

Impacts to western spadefoot would be mitigated through the implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as detailed in implementation of PR-BIO-12.

Impacts to western spadefoot during construction would be mitigated through implementation of breeding season avoidance measures and/or pre-construction surveys as detailed in PR-BIO-13.

**PR-BIO-12: Western Spadefoot Habitat Restoration**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ prior to any ground disturbance within areas containing suitable habitat for western spadefoot. Mitigation is required to offset impacts to 1.33-acre of ponding basins containing western spadefoot. Mitigation would be accomplished by implementing a total of 3.86 acres of re-established vernal pools which serve as suitable habitat for the species. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Monitoring would be conducted for all existing and reestablished vernal pools during the aquatic phase to document western spadefoot eggs, tadpoles, and adults. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project to the satisfaction~~ of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1. The Owner/Permittee shall obtain a take permit from the USFWS via a Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major Amendment.

**PR-BIO-13: Breeding Season Avoidance/Pre-Construction Surveys for Western Spadefoot**

The Owner/Permittee shall complete grading and construction activities during the dry season when no portions of the project impact area contain areas of ponded water with the potential to support breeding of western spadefoot, as feasible. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the western spadefoot are shown on the construction plans: If construction or maintenance must occur during a time when portions of the site may support the breeding of this species, a qualified biologist (holding a Bachelor's degree in Biology or a closely related field with appropriate areas of study to understand San Diego's local floral and faunal relationships; sufficient local field experience in identification of flora or fauna, particularly rare, endangered, and status and trends, including western spadefoot surveys, experience in habitat evaluation and in quantifying environmental impacts, and familiarity with suitable mitigation methods including revegetation design and implementation, as approved by the City)~~. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the western spadefoot are shown on the construction plans: the qualified biologist~~ shall conduct a survey of all potential western spadefoot breeding areas no more than 3 days prior to construction impacts within these areas. If any areas are determined to be occupied by western spadefoot eggs or larva/tadpoles, these areas shall either be:

a) staked or fenced by, or under the supervision of a qualified biologist. No construction/maintenance activities shall occur within these avoidance areas unless authorized by the Qualified Biologist or until the western spadefoot individuals and/or larvae have developed into toads and have left of their own accord; or

b) a qualified biologist will relocate eggs or larva/tadpoles to a suitable location such as the vernal pool restoration area, subject to the approval of the City of San Diego.

Regardless of construction timing, a qualified biologist shall be on-site during all construction activities occurring within and adjacent to the disturbed wetlands, vernal pools, and vernal pools with fairy shrimp, to ensure no western spadefoot adult are directly impacted. Any western spadefoot adult found shall be relocated to the nearest safe location containing suitable habitat outside the work area. Both the biological monitor and the translocation area should be approved by the City of San Diego prior to construction.

The biological monitor shall maintain a complete record of any western spadefoot encountered and moved from harm's way during the construction and maintenance activity. Information shall include location, date, and time of observation; details of the observed behavior; relocation site; estimated number of toads seen or heard; and photographs (when feasible). The final monitoring report shall be submitted to the City prior to final grading sign-off.

Impacts to coastal cactus wren, Cooper's hawk, southern rufous-crowned, white-tailed kite, merlin, bald eagle, California horned lark, yellow-breasted chat, grasshopper sparrow, yellow warbler, loggerhead shrike, and Bell's sage sparrow during construction would be mitigated by breeding season avoidance/ preconstruction bird surveys as detailed in PR-BIO-14.

Direct impacts to white tailed kite, Coopers hawk, northern harrier, southern rufous-crowned sparrow, yellow-breasted chat, and yellow warbler due to loss of foraging habitat would be mitigated through habitat-based mitigation as detailed in PR-BIO-15.

**PR-BIO-14: Breeding Season Avoidance/Pre-Construction Bird Surveys**

Removal of habitat that supports active nests in the proposed area of disturbance shall occur outside the breeding season (February 1 to September 15) as feasible for northern harrier, coastal cactus wren, Cooper's hawk, southern California rufous-crowned sparrow, white-tailed kite, merlin, bald eagle, California horned lark, yellow-breasted chat, grasshopper sparrow, yellow warbler, loggerhead shrike, and Bell's sage sparrow, or any species identified as a listed, candidate, sensitive, or special-status species in the MSCP. If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting bird species, listed above, on the proposed area of disturbance. The pre-construction survey shall be conducted within 3 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to the City DSD MMC/MSCP for review and approval prior to initiating any construction

activities. If these bird species listed above are detected, a letter report in conformance with the City's Biology Guidelines (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City DSD MMC/MSCP for review and approval and implemented to the satisfaction of the City. The City's MMC Section, MSCP, and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

**PR-BIO-15: Dedication of Mitigation Lands**

To mitigate impacts to 63.32 acres for Phase 1, 39.17 acres for Phase 2, 38.47 acres for Beyer Boulevard, 10.48 acres for Phase 4, 1.79 acres for the Emergency Vehicle Access Road, t~~T~~he Owner/Permittee shall provide a minimum of 153.23 acres of upland mitigation lands to offset impacts to sensitive upland vegetation in accordance with the Biology Guidelines. Prior to issuance of the first grading permit for~~within each~~ Phase ~~of the project~~1, the Owner/Permittee shall either dedicate all~~the~~ upland mitigation lands~~for that Phase~~ in fee title to the City or otherwise protect the mitigation lands through a Conservation Easement, Covenant of Easement or Irrevocable Offer to Dedicate (IOD). In total, the project shall dedicate 160.94 acres of sensitive uplands, consisting of 89.94 acres of maritime succulent scrub, 24.82 acres of disturbed maritime succulent scrub, 24.93 acres of Diegan coastal sage scrub, 2.36 acres of disturbed Diegan coastal sage scrub, and 18.89 acres of non-native grassland in fee title or otherwise protect the lands through a Conservation Easement, Covenant of Easement, or IOD to the City. This mitigation package includes 7.71 acres of additional mitigation beyond required mitigation ratios. ~~The Owner/Permittee shall dedicate at least 63.32 acres for Phase 1, 39.17 acres for Phase 2, 38.47 acres for Beyer Boulevard, 10.48 acres for Phase 4, 1.79 acres for the Emergency Vehicle Access Road. If the Candlelight project were to proceed ahead of this project, the Phase 1 mitigation obligation would be reduced by 0.91 acre (0.91 acre of non-native grassland mitigation).~~ If the Southwind project were to proceed ahead of this project, the ~~Phase 1~~ mitigation obligation would be reduced by 0.34 acre (0.05 acre of maritime succulent scrub, 0.12 acre of disturbed coastal sage scrub, and 0.17 acre of non-native grassland mitigation).

~~The Owner/Permittee will provide a funding source for the City to manage the dedicated lands consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the first grading permit for the project, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the mitigation land consistent with the City's MHPA management standards. The endowment payments would be phased to correspond with the phased land dedication, concurrent with project impacts. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies approval.~~

## 5.4.3.5 Significance after Mitigation

### a. Special-Status Plants

#### *Program-level*

Future development within the program-level areas would be required to implement mitigation measure SP-BIO-1, to reduce direct impacts to special-status plants to less than significant, which requires site-specific biological surveys to determine the potential for sensitive vegetation communities and plants, along with the requirement for site-specific mitigation, if necessary, to reduce impacts to special-status species or habitats. Implementation of these measures would require site-specific application of the City's Biology Guidelines, the MSCP, the VPHCP, and ESL regulations, which would ensure project-specific mitigation measures are identified to reduce impacts to less than significant. Therefore, with the implementation SP-BIO-1 impacts to special-status plants would be less than significant, consistent with the impact conclusions of the FEIR.

Indirect impacts to special-status plants with future program-level development would be reduced to less than significant through implementation of the MHPA Land Use Adjacency Guidelines required as standard City conditions, in addition to implementation of SP-BIO-1. Implementation of these measures would ensure indirect effects of future development are addressed through the requirement for project-level analysis and mitigation. With implementation of the Specific Plan Mitigation Framework, indirect impacts would be reduced to less than significant, consistent with the impact conclusions of the FEIR.

#### *Project-level*

**San Diego Button-celery**

Impacts to San Diego button-celery would be mitigated through implementation of salvage of impacted San Diego button-celery individuals and in-kind restoration as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (see draft in Appendix C, Attachment 14). The button celery restoration would occur in the Vernal Pool and Quino Checkerspot Butterfly Restoration Areas which are located in the eastern portion of the Specific Plan area depicted on Figure 5.4-9, *Mitigation and~~with~~ Project Design Features*. As shown, the mitigation would be located within land to be dedicated as open space with long-term management, supporting long term viability of the mitigation. Proposed salvage and restoration would ensure long-term survival of the species would not be impacted. Impacts to this species would be reduced to less than significant.

**Otay Tarplant**

Impacts to approximately 1,900 Otay tarplant individuals within an approximately 0.21-acre area would be mitigated through the implementation of a proposed Otay tarplant restoration plan that would provide for a 4:1 replacement of impacted Otay tarplant, ensuring impacts would be fully mitigated to less than significant. The Final Otay Tarplant and Native Grassland Mitigation ~~Restoration~~ Plan would ensure the mitigation site meets specified performance standards to ensure mitigation success (see draft in Appendix C, Attachment 15). The location of proposed Otay tarplant

mitigation is depicted on Figure 5.4-9. As shown, the mitigation would be located within land to be dedicated as open space with long term management. With the implementation of the Otay Tarplant and Native Grassland Mitigation ~~Restoration~~ Plan, impacts to Otay tarplant would be reduced to less than significant.

**Barrel Cactus and Snake Cholla**

Impacts to barrel cactus and snake cholla would be mitigated through salvage of impacted individuals and translocation into the proposed vernal pool preserve as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (see draft in Appendix C, Attachment 14~~13~~) and translocation into the coastal cactus wren preserve as detailed in the Final Coastal Cactus Wren Mitigation Plan (see draft in Attachment 13 of Appendix C). The translocation site in the Vernal Pool and Quino Checkerspot Butterfly Restoration Area is located in the eastern portion of the Specific Plan area depicted on Figure 5.4-9. The mitigation would be located within the land to be dedicated as open space with long-term management, supporting long term viability of the mitigation. Salvage of impacted individuals and maintenance/preservation in perpetuity would mitigate direct impacts to these species to less than significant.

**Thread-leaved brodiaea**

Thread-leaved brodiaea were not detected during rare plant surveys; however, to prevent any significant impacts, if present, a focused rare plant survey would be conducted in the spring prior to the start of construction and any individuals that cannot be avoided within temporary impact areas would be salvaged for transplant. The salvaged plants would be relocated within land to be dedicated as open space with long term management. This would reduce the impacts to less than significant.

## b. Special-Status Wildlife

### *Program-level*

Direct impacts to special-status wildlife associated with future development within the program-level areas would be considered significant. Future development would be required to implement SP-BIO-1~~2~~ which requires site-specific biological surveys to determine the potential for sensitive vegetation communities and plants, along with the requirement for site-specific mitigation, if necessary, to reduce impacts to special-status species or habitats. Implementation of these measures would require site specific application of the City's Biology Guidelines, the MSCP, the VPHCP, and ESL regulations which would ensure project-specific mitigation measures are identified to reduce impacts to less than significant. Therefore, with implementation of mitigation measure SP-BIO-1~~2~~ impacts to sensitive wildlife would be less than significant. This conclusion is consistent with the findings of the FEIR.

Indirect impacts to special-status wildlife with future program-level development would be reduced to less than significant through implementation of the MHPA Land Use Adjacency Guidelines required as standard City conditions, in addition to implementation of mitigation measure SP-BIO-1~~2~~. Implementation of these measures would ensure indirect effects of future development are addressed through the requirement for project-level impact analysis and mitigation. With

implementation of mitigation measure SP-BIO-12, indirect impacts would be reduced to less than significant. This conclusion is consistent with the findings of the FEIR.

## *Project-level*

### Quino Checkerspot Butterfly

Impacts to Quino checkerspot butterfly would be reduced to less than significant through the implementation of restoration and enhancement of host and nectar plant patches within the proposed vernal pool restoration area. A total of 1.89 acres of enhancement and preservation would be provided within the vernal pool restoration area (see Figure 5.4-9). Implementation of the proposed Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (see Attachment 14 of Appendix C) would ensure sufficient Quino checkerspot butterfly habitat would be restored to mitigate impacts to less than significant. A Habitat Conservation Plan (HCP) pursuant to Section 7 or Section 10 of the FESA due to impacts to federally listed Quino checkerspot butterfly would be required with USFWS to determine mitigation for direct impacts to occupied habitat for Quino checkerspot butterfly.

### San Diego and Riverside Fairy Shrimp Species

Impacts to vernal pools and disturbed wetlands containing San Diego fairy shrimp and Riverside fairy shrimp would be mitigated through inoculation of 100 percent of the created vernal pools within the proposed vernal pool restoration areas with both species (see Attachment 14 of Appendix C). Inoculation of created vernal pools would offset impacts to these species, providing in excess of the 2:1 mitigation requirement. Maintenance and monitoring of the mitigation lands per the established performance criteria would be provided in perpetuity. Inoculation of newly created vernal pools with these special-status special- status species and ongoing preservation in perpetuity consistent with the VPHCP would reduce impacts to less than significant.

### Western Spadefoot

Implementation of the vernal pool preserve restoration efforts would increase potential habitat for western spadefoot and would mitigate the impact to 1.33 acre of basins known to currently support this species. Potentially significant impact during construction would be reduced to less than significant through the implementation of pre-construction surveys and relocation of any eggs, tadpoles, or adults encountered. In the event the western spadefoot becomes listed as endangered at the federal level, within the timeframe of this project, an HCP pursuant to Section 7 or Section 10 of the FESA would be required with USFWS to determine mitigation for direct impacts to occupied habitat for western spadefoot.

### Least Bell's Vireo

Potentially significant impacts to least Bell's vireo associated with construction operations would be reduced to less than significant through the mitigation requirement for pre-construction surveys for least Bell's vireo. The mitigation measure would require avoidance of the least Bell's vireo breeding season, or if the breeding season cannot be avoided, then avoidance measures must be implemented such as noise monitoring and attenuation. Implementation of these measures before

and during construction would ensure adverse impacts to least Bell's vireo during construction would be reduced to less than significant. Loss of suitable habitat would be mitigated through implementation of the Wetland Plan (see Appendix C, Attachment 18), which would reduce this impact to less than significant.

**Coastal California Gnatcatcher**

Potentially significant impacts to coastal California gnatcatcher within and adjacent to the MHPA associated with construction operations would be reduced to less than significant through the mitigation requirement for pre-construction surveys for the gnatcatcher. The mitigation measure would require avoidance of the breeding season, or if the breeding season cannot be avoided, then avoidance measures must be implemented such as noise monitoring and attenuation. Implementation of these measures before and during construction would ensure adverse impacts to the gnatcatcher during construction would be reduced to less than significant. In addition, the preservation of approximately 160.94 acres of sensitive upland vegetation communities, including over 140 acres of coastal sage scrub and maritime succulent scrub, through dedication to the City would protect substantial foraging habitat reducing this impact to less than significant. This habitat preservation includes 7.71 acres beyond the minimum required habitat preservation mitigation, which would also reduce significant operational noise impacts from Beyer Boulevard to less than significant.

**Burrowing Owl**

A potentially significant impact to burrowing owl during construction would be reduced to less than significant through the implementation of mitigation including pre-construction burrowing owl surveys. Implementation of this mitigation would ensure that any burrowing owls that may take up residence within the planned grading areas are identified and relocated prior to any disturbance. With implementation of these measures, impacts to burrowing owl during construction would be reduced to less than significant. Impacts to burrowing owl foraging habitat would be mitigated through implementation of habitat-based mitigation that would ensure adequate foraging potential is available within the proposed mitigation lands reducing this impact to less than significant.

**Coastal Cactus Wren**

Potentially significant impacts to coastal cactus wren due to impacts to suitable habitat assumed to be occupied would be reduced to less than significant through implementation of a translocation and restoration effort as detailed in the Coastal Cactus Wren Mitigation Plan (see Appendix C, Attachment 13). Refer to Figure 5.4-9 for the location of proposed cactus wren mitigation. The site selected for mitigation was based on extensive coordination with cactus wren experts and was sited in the proposed location due to known populations in this location. Furthermore, the mitigation site and the surrounding land is conserved for habitat conservation purposes by the County and is managed in accordance with the City's MSCP.

Significant operational noise impacts following the construction of Beyer Boulevard would be mitigated through additional restoration of coastal cactus wren habitat in the same location, reducing this impact to less than significant. Potentially significant impacts to nesting coastal cactus wren impacts during construction would be reduced to less than significant through the

requirement for pre-construction surveys and avoidance. In addition, preservation of approximately 150 acres of maritime succulent scrub through dedication to the City would protect substantial foraging habitat reducing this impact to less than significant.

**Crotch's Bumble Bee**

Potentially significant impacts to Crotch's bumble bee during construction would be reduced to less than significant through the implementation of appropriate focused surveys prior to construction and implementing avoidance measures in the event the species is detected. In addition, the preservation of sensitive upland vegetation communities, as described in Section 5.4.6.4.b, would reduce impacts to foraging habitat to less than significant. Because Crotch's bumble bee is a CESA candidate species, coordination with CDFW and an ITP pursuant to Fish and Game Code Section 2081 is required if take cannot be avoided, regardless of whether the species becomes listed or remains a candidate at the time of construction. ~~Additionally, subsequent coordination and an incidental take permit from CDFW would be required in the event of listing.~~ The ITP shall be obtained prior to issuance of Grading Permit, Demolition Plans/Permits and Building Plans/Permits.

**Nesting Avian Species**

Potentially significant impacts to nesting avian species including northern harrier, Cooper's hawk, white-tailed kite, merlin, California horned lark, loggerhead shrike, yellow warbler, yellow-breasted chat, grasshopper sparrow, Bell's sage sparrow, and southern California rufous-crowned sparrow during construction would be reduced to less than significant through implementation of the requirement for pre-construction bird surveys during the breeding seasons of these species and avoidance measures as needed. The measure would ensure impacts are reduced to less than significant because it would ensure no take of birds or eggs or disturbance of breeding activities occurs through required surveys, monitoring, and avoidance measures.

**Species Impacts due to Loss of Foraging Habitat**

Direct impacts to white tailed kite, Cooper's hawk, northern harrier, southern California rufous-crowned sparrow, yellow-breasted chat, and yellow warbler due to loss of foraging habitat would be mitigated through dedication of habitat suitable for these species as detailed in PR-BIO-15. Refer to Figure 5.4-9 for the location of uplands mitigation proposed to be dedicated to the City and managed/maintained in perpetuity. Habitat-based mitigation would reduce impacts to less than significant.

## 5.4.4 Issue 2: Migratory Wildlife

*Would the project result in interference with the nesting/foraging/movement of any resident or migratory fish or wildlife species?*

### 5.4.4.1 Significance Thresholds

Consistent with the FEIR, impacts related to biological resources would be significant if the project would:

- Result in interference with the nesting/foraging/movement of any resident or migratory fish or wildlife species.

In accordance with the City's 2022 CEQA Significance Determination Thresholds and LDC Biology Guidelines (2018), the project would have a significant impact if it would:

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites.

## 5.4.4.2 Analysis

### a. FEIR

The FEIR concluded that future development, including construction or extension of mobility element roadways, utility lines, and/or temporary construction activities within the MHPA, has the potential to interfere with nesting, reduce foraging habitat, and obstruct wildlife movement as a result of noise, construction activities, habitat loss, and/or fragmentation. The analysis identified that Beyer Boulevard would run through Moody Canyon within the MHPA, and across conserved lands. Direct or indirect impacts to migratory wildlife nesting, foraging, and movement was determined to be significant. As detailed in Appendix C, Section 7.3.1, *Program Level Impacts*, impacts to wildlife corridors resulting from the implementation of program-level areas would be less than significant as the OMCP development areas would be located on mesa tops and would avoid key wildlife use areas within the surrounding canyon networks.

The FEIR concluded that future projects that do not comply with CPIOZ Type A would be required to implement Mitigation Framework BIO-1, which requires site-specific biological surveys to determine the potential for special-status species, along with the requirement for site-specific mitigation, if necessary, to reduce impacts to special-status species or habitats. The FEIR includes Mitigation Framework BIO-2, which requires a site-specific biological resource survey for projects that may have a potential impact to areas within the MHPA. The report would need to identify the limits of local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities (e.g., non-native grassland to riparian or agricultural to developed land) and include measures to be implemented during construction-related activities to minimize direct impacts on special-status wildlife species and to provide for continued wildlife movement through the corridor. Measures to minimize direct impacts on wildlife movement, nesting or foraging activities shall be addressed in the biological resources report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species-specific mitigation plans (such as a Burrowing Owl Mitigation Plan) in order to comply with the CPIOZ A.

### b. Program-level

FEIR Mitigation Framework BIO-2 required biological analysis to "identify the limits of any identified local-scale wildlife corridors or habitat linkages." As part of the biological analysis contained in

Appendix C, a wildlife movement study was completed to evaluate wildlife usage and corridors within and surrounding the program-level area. As this study was a regional scale study to evaluate large scale wildlife movement, it addresses impacts to wildlife movement corridors for both program-level and project-level areas. As detailed in the Wildlife Movement Study (Wildlife Tracking Institute 2020a and 2020b; see Attachment 16 of Appendix C), wildlife movement occurs within the canyon networks surrounding the program-level area with Moody Canyon and Spring Canyon supporting a majority of the wildlife movement, namely large mammals such as coyote and bobcat. The highest wildlife use areas within and surrounding the program-level area are within the canyon networks surrounding the program-level development area. Program-level areas are limited to the mesa tops and would not reduce the availability of the surrounding open space in Spring Canyon or interfere with regional wildlife movement. Spring Canyon, which is mapped as a regional wildlife movement corridor would remain connected to land north of SR-905 via an existing freeway undercrossing. No component of the program-level development areas would affect wildlife movement in the surrounding canyon networks. ~~The program-level development area impacts related to wildlife movement corridors would be less than significant.~~

Although overall movement corridors are avoided, the project area supports migratory birds that could nest or forage within canyon habitats and adjacent edges. As required by City Biology Guidelines and CPIOZ Type A, measures such as pre-construction nesting bird surveys, construction timing restrictions during the breeding season, and avoidance buffers would ensure that construction does not adversely affect migratory bird nesting or foraging behavior. All future projects would comply with the MBTA. These measures, combined with the preservation of adjacent habitat and the location of development on mesa tops away from canyon bottoms, avoid potential impacts to migratory wildlife.

To further reduce potential collision risks for migratory and resident birds moving through the area, the project incorporates the Specific Plan bird-safe glass requirement (see the Specific Plan Supplemental Developmental Regulations), which applies architectural treatments to minimize daytime and nighttime collision hazards. Incorporation of bird-safe glazing in building design provides an additional protective measure that avoids potential impacts to migratory bird movement.

Additional details about bird safe glass~~Impacts to other migratory wildlife~~ are provided~~addressed~~ under Section 3.6.1.2.a~~5.4.3.3.b~~.

## c. Project-level

Study Area A, which covers most of Phase 1 and the Beyer Boulevard survey area, contains a system of east-west ridges and two deep canyons within the southern portion of this study area. Additionally, there are three north-south swales that are south of Moody Canyon and allow movement from the canyon into the mesa top areas (Wildlife Tracking Institute 2020a and 2020b). Bobcat and coyote were found to frequently use these swales. Moody Canyon, an east-west canyon, provides a regional corridor for local movement (City 1997).

Study Area B covers a portion of the Beyer Boulevard survey area and all of Phase 2 and includes dirt roads along the mesa edges and a drainage with riparian habitat that are commonly used by

large and small mammals. The southeastern portion of Area B contains the southwestern extent of the Spring Canyon drainage area located further east within the southern portion of Survey Area A. This is a key drainage and wildlife movement corridor, allowing wildlife to move through Study Areas B and C (Wildlife Tracking Institute 2020a and 2020b).

Potential impacts to wildlife corridors resulting from implementation of project-level areas would be primarily related to the construction of Beyer Boulevard due to the location of the roadway extension in relation to surrounding habitat areas. As detailed in Appendix C, the extension of Beyer Boulevard would have the greatest effect on wildlife movement as the proposed roadway would bisect a block of conserved lands separating habitat within Moody Canyon from the habitat to the south that connects to Spring Canyon. However, the extension of Beyer Boulevard through conserved land was anticipated and evaluated in the FEIR and it was determined that compliance with the City's MSCP Subarea Plan policies would reduce impacts to less than significant. Additionally, since adoption of the FEIR the City adopted the VPHCP. The VPHCP acknowledges in Section 4.1.4, *Maintenance, Development, and Expansion of Roads* that development of new roads may be required to cross the MHPA to accommodate existing and planned land use in the circulation/mobility element of the City's General Plan and the corresponding Community Plans. Maintenance of existing access roads, expansion of existing roads, and development of new roads are covered projects because they are conditionally compatible with the MHPA.

The 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.

The 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 were not anticipated, analyzed, or authorized in the biological opinion for the VPHCP or the City's VPHCP permit. Potential impacts to the nesting/foraging/movement of these species would be addressed pursuant to Section 7 or Section 10 of the FESA.

Based on the results of the wildlife tracking study (Wildlife Tracking Institute 2020a and 2020b; see Attachment 16 of Appendix C), three culvert crossings for wildlife and one wildlife overcrossing are proposed as a part of the project to facilitate wildlife movement. Details of the design of the crossing and associated wildlife fencing are described in Appendix C, Section 1.3.2.3.b, *Beyer Boulevard*. Proposed wildlife crossings and associated design features would minimize project impacts to wildlife movement associated with the construction of Beyer Boulevard by providing wildlife connections from Moody Canyon to large habitat areas south of the proposed Beyer Boulevard which connects to extensive habitat extending south of the Specific Plan area and connecting to Spring Canyon and north through existing crossing locations (e.g., SR-905 bridge) that connects to Dennery Canyon.

In order to direct wildlife to utilize one of three proposed under-crossings and the proposed wildlife overcrossing and avoid wildlife vehicular collisions, chain link fencing is proposed along the entire length of Beyer Boulevard on both the north and south sides of the road. The height of the fencing would be based on the slope aspect in relation to the fence, with fence heights being six feet up to eight feet depending on the orientation of the slope. Where the fence is located mid-slope with wildlife usage area located above the fence-line, the fence would need to be eight feet tall. Where the fence is located at grade or within wildlife use area located downslope of the fence, a six-foot fence height would be sufficient. These fence heights would be adequate to prevent animals from jumping over.

Fencing on both sides of the road would be fashioned with a fine mesh cover on the bottom two-foot portion of the fence to prevent small animal movement through openings in the fence. The fencing would also be buried a minimum of six inches to prevent animals from burrowing under. Refer to Appendix C, Figure 14.2 for the location of the proposed fencing. Installation of wildlife fencing along Beyer Boulevard would additionally support avoidance of indirect impacts to special-status species within the open space surrounding Beyer Boulevard, including the Furby North Preserve and conserved parcels referred to as West Otay Mesa A and West Otay Mesa B. Fencing would not only protect wildlife but would deter human entry into wildlife areas.

Moody Canyon and Spring Canyon support a majority of the wildlife movement, namely large mammals such as coyote and bobcat. The project design features listed in Section 1.3.2.6 of Appendix C and Chapter 3.0, *Project Description* of this SEIR would facilitate the avoidance and minimization of impacts to wildlife species associated with the construction of Beyer Boulevard across a wildlife movement area. Additionally, a Long-Term Management and Monitoring Plan has been prepared to ensure all of the wildlife movement features proposed along Beyer Boulevard are monitored and managed for a period of 10 years to evaluate the functioning of the wildlife crossings (see Attachment 16 of Appendix C), as discussed in Specific Plan Section 7.9, *Supplemental Development Regulations*. The City and the developer who would construct Beyer Boulevard West would be responsible for~~parties involved in~~ the implementation and long-term management of the wildlife movement features~~ include Tri Pointe Homes ("Applicant"), the City Streets Division (Streets Division) and the City Parks and Recreation Department (P&R)~~. The City~~Streets Division~~ would be responsible for maintaining the structural components of the wildlife overcrossing and associated Beyer Boulevard manufactured slopes, as well as the culvert undercrossing structure and associated stormwater conveyance system components. The City ~~Parks and Recreation Department or its designee~~ would be responsible for implementing the Long-Term Management and Monitoring Plan for the 10-year monitoring period to maintain adequate wildlife movement~~, and ultimately the Streets Division and City Parks and Recreation Department would be responsible for maintenance of Beyer Boulevard and all associated wildlife movement features in perpetuity~~. The purpose of the monitoring period is to evaluate the success of the wildlife overcrossing and allow for adaptive management as needed to support its functionality. An endowment would be provided to fund the management and monitoring of the wildlife features for the 10-year period in addition to ongoing funding in perpetuity to support regular maintenance and monitoring. The fund shall be determined using a Property Analysis Record tool or an equivalent calculation method to the satisfaction of the Parks and Recreation Department Director.

Project-level primitive trails are proposed within the surrounding open space lands; however, all trails would follow existing disturbed alignments and no trail alignments are proposed within the vicinity of the proposed wildlife crossings along Beyer Boulevard to ensure no conflicts with wildlife and humans. Additionally, within the surrounding open space, many existing trail alignments are not proposed to be formalized and disturbance within a 100-foot corridor of the proposed primitive trails are proposed for restoration to prevent users from wandering into unauthorized portions of the open space. Primitive trails would be implemented consistent with the City's MSCP Subarea Plan trail policies. The proposed trail establishment would include restoration of disturbed habitats surrounding the proposed trail corridor which would enhance the existing habitats, supporting wildlife use.

Additional discussion of potential indirect impacts to specific wildlife species is addressed under Section 5.4.3.2.b.

Development of the mesa top would impact habitat within the use range of focal species; however, significant large blocks of habitat would remain intact after development. Connectivity of MHPA lands would be retained after development of the project-level areas on the mesa top.

Although overall movement corridors are avoided, the project area supports migratory birds that could nest or forage within canyon habitats and adjacent edges. As required by City Biology Guidelines and CPIOZ Type A, measures such as pre-construction nesting bird surveys, construction timing restrictions during the breeding season, and avoidance buffers would ensure that construction does not adversely affect migratory bird nesting or foraging behavior. The project would comply with the MBTA. These measures, combined with the preservation of adjacent habitat and the location of development on mesa tops away from canyon bottoms, avoid potential impacts to migratory wildlife.

To further reduce potential collision risks for migratory and resident birds moving through the area, the project incorporates the Specific Plan bird-safe glass requirement (see the Specific Plan Supplemental Development Regulations), which applies architectural treatments to minimize daytime and nighttime collision hazards. Incorporation of bird-safe glazing in building design provides an additional protective measure that reduces potential impacts to migratory bird movement.

Additional details about bird safe glass are provided under Section 3.6.2.1.c.

~~Impacts to other migratory wildlife are addressed under Section 5.4.3.3.b.~~

## 5.4.4.3 Significance of Impacts

### a. Program-level

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 impacts related to wildlife movement corridors would be less than significant. Impacts related to migratory wildlife including nesting and foraging impacts are addressed under Issue 1.

### b. Project-level

Impacts related to nesting and foraging impacts are addressed under Issue 1. Construction of an extension of Beyer Boulevard south of Moody Canyon would have the greatest effect on wildlife movement. However, with the implementation of the Beyer Boulevard wildlife crossing features described in Section 5.4.3.1.b in addition to implementation of the Long-Term Management and Monitoring Plan for the Beyer Boulevard Wildlife Features (see Attachment 16 of Appendix C) which would be implemented as conditions of the project, impacts to wildlife corridors as a result of the Beyer Boulevard extension and other project-level components would be less than significant.

## 5.4.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts would be less than significant; therefore, no mitigation is required.

### b. Project-level

With implementation of project conditions, impacts would be less than significant; therefore, no mitigation is required.

# 5.4.5 Issue 3 and Issue 5: Sensitive Habitat and Invasive Plants

*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?*

*Would the project result in the introduction of invasive species of plants into a natural open space area?*

## 5.4.5.1 Significance Thresholds

Consistent with the FEIR, impacts related to biological resources would be significant if the project would:

- 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; or
- Result in the introduction of invasive species of plants into the area.

In accordance with the City's 2022 CEQA Significance Determination Thresholds and LDC Biology Guidelines (2018), the project would have a significant impact if it would introduce invasive species of plants into a natural open space area.

## 5.4.5.2 Analysis

### a. FEIR

The FEIR determined that future projects could result in significant impacts to sensitive habitat, specifically to Tier I, II, and IIIB habitat areas, which include maritime succulent scrub, native grassland, Diegan coastal sage scrub, non-native grassland, riparian scrub, vernal pools, and basins with fairy shrimp. FEIR Mitigation Framework BIO-1 was found to reduce impacts to sensitive habitat to a less than significant level as this measure would require preparation of a biological resources report consistent with the City Biology Guidelines. Mitigation Framework BIO-2 and BIO-4, which require site-specific and species-specific surveys, mitigation, and monitoring, were found to address reduce wildlife and wetland/jurisdictional resource impacts to a less than significant level.

In regard to invasive plant impacts, the FEIR determined that impacts could be potentially significant due to the introduction of invasive plants within the MHPA during future grading and development. The FEIR determined that the introduction of invasive species into the MHPA would be addressed through implementation of FEIR Mitigation Framework LU-2 which requires implementation of MHPA Land Use Adjacency Guidelines of the MSCP, reducing impacts to less than significant.

### b. Program-level

Future development within the program-level areas would result in impacts to sensitive vegetation communities detailed in Table 5.4-6, *Vegetation Communities/Land Cover Types within the Program-level Areas*. Since project-level vegetation surveys have not been done for these areas, it is estimated that due to inactivity and type conversion the 58 acres of mapped extensive agriculture would likely be mapped as non-native grassland, a sensitive vegetation community. Based on this assumption and the generalized vegetation data, implementation of the program-level areas may potentially impact approximately 97 acres of sensitive habitats predominated by non-native grasslands and Diegan coastal sage scrub.

In addition to impacts to sensitive vegetation communities, implementation of the program-level areas could result in the introduction of invasive species into the MHPA. While such impacts would likely be avoided through compliance with the Specific Plan plant palette in addition to consistency with the City's MHPA Land Use Adjacency Guidelines, at a program-level of review, impacts related to introduction of invasives into the surrounding open space could potentially occur.

**Table 5.4-6**
**Vegetation Communities/Land Cover Types within the Program-level Areas[1]**

| Vegetation Community or Land Cover Type[2] | City of San Diego Tier | Approximate Acres |
|---|---|---|
| **Upland Vegetation Communities** | | |
| Diegan Coastal Sage Scrub | II | 15 |
| Valley and Foothill Grassland | I or IIIB[3] | 24 |
| **Disturbed/Developed Vegetation Communities** | | |
| Disturbed Habitat | IV | 34 |

| Vegetation Community or Land Cover Type[2] | City of San Diego Tier | Approximate Acres |
|---|---|---|
| Extensive Agriculture- Field/pasture, Row Crops | IV | 58 |
| **Program-level Total** | - | **131** |

[1] Source: Appendix C.
[2] Data based on SANGIS generalized vegetation, with vegetation communities following Holland Code as modified by Oberbauer et al. (2008).
[3] Project-level surveys would be required to differentiate native and non-native grasslands in accordance with City mapping guidelines.

## c. Project-level

As the project-level analysis area would be built out in phases, the impacts have been analyzed comprehensively by phase. Anticipated impacts to vegetation communities are depicted on Figure 5.4-1a-i and reported in Table 5.4-7, *Direct Impacts to Vegetation Communities/Land Cover Types within the Project-level Survey Areas Assuming an MHPA BLA*. Grading phasing is depicted on Figure 3-19, *Project-Level Grading Phasing*. Anticipated impacts to wetlands and vernal pools are also depicted on Figures 5.4-4a1-a5, Figures 5.4-4b1-b5, Figures 5.4-4c1-c5, Figures 5.4-4d1-d5, and reported in Table 5.4-7.

While portions of the project-level impacts would occur inside the MHPA, approval of the proposed Boundary Line Adjustment (BLA) would ultimately result in all of the project-level impact areas being outside of the MHPA. As detailed in Table 5.4-7, the project-level areas would impact a total of 218.60 acres, with 190.05 acres being considered a sensitive vegetation community. Specifically, a total of 81.75 acres of Tier I and Tier II vegetation communities, 105.84 acres of Tier IIIB non-native grasslands, and 2.46 acre of wetland vegetation communities and vernal pools would be impacted.

Due to proposed impacts within existing conserved lands associated with the proposed Beyer Boulevard extension, higher mitigation ratios are required. As stated in the FEIR,

> If 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. Mitigation lands purchased to compensate for impacts to areas within conserved lands shall be located in the Otay Mesa area if feasible.

Beyer Boulevard would cross conserved lands including the County's Furby North Preserve, West Otay Mesa A, and West Otay Mesa B; therefore, these additional mitigation requirements of the FEIR would apply. In addition, additional Impacts associated with West Otay Mesa A and West Otay Mesa B would additionally require coordination with CDFW to amend existing conservation easements that currently restrict the land from any disturbance.

As detailed in Appendix C, there are two nearby projects (Candlelight and Southwind) proposed by other applicants. Implementation of Phase 1 requires access improvements that traverse the land associated with these projects, which also require similar access improvements. Impacts within the Candlelight and Southwind project areas are reported separately in Appendix C (see Figure 22 and Table 8b) since the first project to proceed would be required to mitigate impacts.

In addition to impacts to sensitive vegetation communities, implementation of the project-level areas could result in the introduction of invasive species into the MHPA. ~~However, as discussed in Section 5.1.6.2.c, *Land Use, Project-level*, the project-level components have demonstrated consistency with the MHPA Land Use Adjacency Guidelines, ensuring no invasives would be introduced into the surrounding area. Additionally, a project specific landscape plan has been prepared that identifies native species that would be planted adjacent to open space lands. With implementation of MHPA Land Use Adjacency Guidelines and the project's landscape plans, introduction of invasive non-native plants into the surrounding open space is not anticipated.~~

## 5.4.5.3 Significance of Impacts

### a. Program-level

Consistent with the impact conclusions of the FEIR, implementation of the program-level components would potentially result in impacts to sensitive vegetation communities including approximately 97 acres of sensitive habitats predominated by non-native grasslands and Diegan coastal sage scrub. Additionally, future development could potentially introduce invasives into surrounding open space. While some future development may proceed ministerially, other future projects would be subject to discretionary review and site-specific surveys would be required to identify resources present and ensure compatibility with surrounding open space lands, at a program-level of review, impacts to sensitive vegetation communities and impacts from the introduction of invasive and non-native plant and wildlife species would potentially be significant.

### b. Project-level

As required by SP-BIO-1, site specific surveys and biological resources analysis have been conducted for the project-level areas. As required by SP-BIO-1, site specific mitigation has been identified consistent with the City's MSCP Subarea Plan and Biology Guidelines. Impacts related to project-level consistency with the MSCP would be less than significant, as demonstrated in Section 5.1, *Land Use*. However, consistent with the impact conclusions of the FEIR, land use adjacency and compatibility impacts could occur associated with project-level components located adjacent to the MHPA if the LUAGs were not implemented, which would result in a potentially significant impact related to invasive species. Impacts to sensitive vegetation communities and impacts related to invasive species would be significant.

**Table 5.4-7**
**Direct Impacts to Vegetation Communities/Land Cover Types within the Project-level Survey Areas Assuming an MHPA~~MHPR~~ BLA (acres)[1]**

| Vegetation Communities/ Land Cover Types | City of San Diego Tier | Phase 1 | Phase 2 | Beyer Boulevard | Phase 4 | Emergency Vehicle Access Road | Off-site Improvements | Total Acres |
|---|---|---|---|---|---|---|---|---|
| **Upland Vegetation Communities** | | | | | | | | |
| Maritime Succulent Scrub | I | 4.72 | 6.51 | 13.88 | 2.38 | 0.87 | - | 28.35 |
| Disturbed Maritime Succulent Scrub | I | 5.15 | 1.58 | 1.85 | 0.53 | - | - | 9.12 |
| Native Grassland | I | - | - | - | 0.12 | - | - | 0.12 |
| Diegan Coastal Sage Scrub | II | 24.19 | 1.62 | 3.17 | 4.25 | 0.01 | - | 33.24 |
| Disturbed Coastal Sage Scrub | II | 8.19 | - | 0.62 | 1.29 | 0.83 | - | 10.93 |
| Non-native Grassland | IIIB | 42.14 | 57.26 | 2.48 | 3.81 | 0.16 | - | 105.84 |
| *Subtotal* | | *84.38* | *66.97* | *21.99* | *12.38* | *1.87* | - | *187.59* |
| **Wetland Vegetation Communities** | | | | | | | | |
| Natural Flood Channel[2] | - | 0.14 | 0.05 | 0.08 | 0.18 | - | - | 0.46 |
| Mule Fat Scrub | - | 0.02 | - | 0.30 | 0.01 | - | - | 0.33 |
| Southern Willow Scrub | - | 0.32 | - | - | <0.01 | - | - | 0.33 |
| Tamarisk Scrub | - | - | 0.01 | - | - | - | - | 0.01 |
| Disturbed Riparian | - | 0.12 | - | - | - | - | - | 0.12 |
| Disturbed Wetland | - | 0.30 | 0.04 | <0.01 | - | - | - | 0.34 |
| Vernal Pool | - | 0.15 | 0.07 | 0.03 | - | 0.01 | - | 0.26 |
| Vernal Pool with Fairy Shrimp | - | 0.56 | 0.05 | 0.01 | <0.01 | - | - | 0.62 |
| *Subtotal* | | *1.62* | *0.23* | *0.41* | *0.20* | *0.01* | - | *2.46* |
| **Disturbed/Developed Vegetation Communities** | | | | | | | | |
| Eucalyptus Woodland | IV | 0.13 | - | - | - | - | - | 0.13 |
| Disturbed Land | IV | 8.48 | 5.61 | 5.49 | 1.90 | 1.23 | 0.51 | 23.22 |
| Urban/Developed Land | - | 0.30 | - | 0.12 | - | 0.05 | 4.73 | 5.20 |
| *Subtotal* | | *8.92* | *5.61* | *5.61* | *1.90* | *1.28* | *5.23* | *28.55* |
| **Total** | | **94.92** | **72.80** | **28.01** | **14.48** | **3.16** | **5.23** | **218.60** |

NOTE: Totals may not add due to rounding. Phasing corresponds to grading phasing depicted in Figure 3-19.

[1] Source: Appendix C.

[2] Although ephemeral drainages are not considered a vegetation community, they are captured within the City's designation of "natural flood channel." Note that these are non-wetland waters not regulated by the City.

## 5.4.5.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Implementation of mitigation measure SP-LU-1 and SP-BIO-1 (see Section 5.4.3.4) would be required to reduce potentially significant impacts related to sensitive habitats and invasive species.

### b. Project-level

Significant direct impact to sensitive upland habitats would be mitigated through dedication of sensitive uplands of equal and/or higher biological value within proposed mitigation lands located within the MHPA, as detailed below, and depicted on Figure 5.4-9 as uplands mitigation. All land would be managed by the City as depicted on Figure 5.4-10, *Long-term Management*. As detailed in Section 5.4.6.2.c, the FEIR called for an additional 1:1 ratio be applied to impacts within conserved lands, namely the Furby North Preserve, West Otay Mesa A, and West Otay Mesa B associated with Beyer Boulevard. As detailed in Appendix C (see Table 8c), due to the conservation status and/or history as mitigation banks, City standard mitigation ratios for impacts in these areas have been tripled (e.g., 1:1 standard ratio mitigated at 3:1), which is in excess of the requirements outlined in the FEIR. Mitigation measures PR-LU-1 (in Section 5.1, *Land Use*) and PR-BIO-15 includes these triple mitigation ratios in the required totals.

Impacts to 0.36-acre of wetland resources with a riparian function would be fully mitigated to less than significant through implementation of wetland restoration and enhancement in Spring Canyon providing a minimum 2:1 ratio, with a 1:1 component constituting wetland creation/establishment and the remaining proposed as enhancement, as detailed in PR-BIO-16a, Wetland. The detailed mitigation components in addition to project design features that would be implemented are detailed in the Southwest Village Wetland Plan (Attachment 18 of Appendix C) which would ensure a no-net loss of wetland resources. Wetland impacts within the Southwind property would be mitigated by the first project to proceed and, if completed by Southwest Village, mitigation would include wetland restoration in Spring Canyon.

As detailed in PR-BIO-16b, Vernal Pools, s~~S~~ignificant direct and indirect impacts to 1.09 acres of vernal pool and disturbed wetland resources would be mitigated at a 2:1 mitigation ratio (3:1 for the 0.01-acre vernal pool that supports San Diego button-celery) for a minimum mitigation requirement of 2.18 acres (with Southwind) or 2.1 acres (without Southwind). This would be met through implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~(Attachment 14 of Appendix C)~~ which proposed to establish 3.86 acres of vernal pool basins and enhance 0.05-acre of existing vernal pool basins, which would provide an excess of 1.68 acres of vernal pool creation (including impacts from the Southwind project) and 0.05-acre of enhancement beyond the standard mitigation ratios required by the City. A draft version of that plan is located in Attachment 14 of Appendix C, and it would be finalized through the final wildlife agency approval process. If Southwind were to proceed first and mitigate for impacts separately and elsewhere, there would be an excess of 1.76 acres.

FEIR Mitigation Framework LU-2 would be applied to future development within the project-level areas as mitigation measure PR-LU-1 to ensure compliance with MHPA Land Use Adjacency Guidelines requirements for invasive species.

## 5.4.5.5 Significance after Mitigation

### a. Program-level

Implementation of the mitigation measure SP-BIO-1 detailed in Section 5.4.3.4.a would require site-specific biological surveys to determine the potential for sensitive vegetation communities and plant, along with the requirement for site-specific mitigation, if necessary, to reduce impacts to special-status species or habitats. Implementation of these measures would require site specific application of the City's Biology Guidelines, the MSCP, the VPHCP, and ESL regulations which would ensure project-specific mitigation measures are identified to reduce impacts to less than significant. Therefore, with implementation mitigation measure SP-BIO-1 impacts to sensitive vegetation communities would be less than significant. Implementation of mitigation measure SP-LU-1 would require compliance with the MHPA Land Use Adjacency Guidelines, which establish requirements for native vegetation and plant palettes compatible with nearby native plant populations. Through the implementation of mitigation measure SP-LU-1, impacts related to invasive species would be less than significant. This conclusion is consistent with the impact conclusions of the FEIR.

Indirect impacts to sensitive vegetation communities with future program-level development would be addressed through implementation of the MHPA Land Use Adjacency Guidelines and implementation of mitigation measure SP-LU-1 and SP-BIO-1 would mitigate indirect impacts to sensitive vegetation communities indirect impacts would be reduced to less than significant. This conclusion is consistent with the impact conclusions of the FEIR.

### b. Project-level

Significant direct impact to sensitive upland habitats would be mitigated to less than significant through implementation of mitigation measure PR-BIO-15, which requires dedication of sensitive uplands of equal and/or higher biological value within proposed mitigation lands located within the MHPA. Specifically, the mitigation proposal includes preservation of 160.94 acres of sensitive uplands, consisting of 89.94 acres of maritime succulent scrub, 24.82 acres of disturbed maritime succulent scrub, 24.93 acres of Diegan coastal sage scrub, 2.36 acres of disturbed Diegan coastal sage scrub, and 18.89 acres of non-native grassland would serve as mitigation for project-level impacts to sensitive vegetation communities. This mitigation package includes 7.71 acres of additional mitigation beyond required mitigation ratios. Dedication of these mitigation lands to the City would ensure impacts to sensitive upland habitats would be mitigated to less than significant.

Significant impacts to 0.36-acre of wetland resources with a riparian function would be fully mitigated through the implementation of wetland restoration and enhancement in Spring Canyon that would provide a minimum 2:1 ratio, as detailed in PR-BIO-16a, Wetland. Wetland impacts within the Southwind property would be mitigated by the first project to proceed and, if completed by the proposed project, mitigation would include wetland restoration in Spring Canyon. Implementation of

this restoration plan would ensure impacts to sensitive wetland resources/riparian habitats would be mitigated to less than significant.

As detailed in PR-BIO-16b, Vernal Pools, significant direct and indirect impacts to 1.09 acres of vernal pool and disturbed wetland resources would be mitigated at a 2:1 mitigation ratio (3:1 for the 0.01-acre vernal pool that supports San Diego button-celery) for a minimum mitigation requirement of 2.18 acres (with Southwind) or 2.1 acres (without Southwind). This would be met through implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan which proposed to establish 3.86 acres of vernal pool basins and enhance 0.05-acre of existing vernal pool basins, which would provide an excess of 1.68 acres of vernal pool creation (including impacts from the Southwind project) and 0.05-acre of enhancement beyond the standard mitigation ratios required by the City. Implementation of this restoration plan would ensure impacts to sensitive vernal pool habitat would be mitigated to less than significant.

Significant impacts related to invasive species would be mitigated to less than significant through the implementation of mitigation measure PR-LU-1, which requires the incorporation of native vegetation and plant palettes compatible with nearby native plant populations per the Land Use Adjacency Guidelines. Through the implementation of mitigation measure PR-LU-1, impacts related to invasive species would be less than significant.

## 5.4.6 Issue 4: MSCP

*Would the project affect the long-term conservation of biological resources as described in the MSCP?*

*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?*

### 5.4.6.1 Significance Thresholds

Consistent with the FEIR, impacts related to biological resources would be significant if the project would:

- Affect the long-term conservation of biological resources as described in the MSCP, or conflict with the provisions of the MSCP Subarea Plan's Land Use Adjacency Guidelines or other approved local, regional, or state conservation plans.

In accordance with the City's 2022 CEQA Significance Determination Thresholds and LDC Biology Guidelines (2018), the Project would have a significant impact if it would:

- Result in a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region;

- Introduce land use within an area adjacent to the MHPA that would result in adverse edge effects; and

- Result in a conflict with any local policies or ordinances protecting biological resources.

## 5.4.6.2 Analysis

### a. FEIR

The issue of MSCP compliance was addressed in FEIR Sections 5.1, *Land Use* and 5.4, *Biological Resources*. The FEIR found that potential impacts to sensitive vegetation communities from MHPA boundary adjustments would be less than significant because any adjustments would be required to meet the equivalency criteria for approval. In addition, the FEIR found that MHPA adjacency impacts would be addressed at the project-level, and projects adjacent to MHPA would be required to comply with the MHPA Land Use Adjacency Guidelines through implementation of Mitigation Framework LU-2, which would reduce MHPA adjacency impacts to less than significant. The FEIR also determined that the OMCP would be consistent with the vision for the Otay Mesa MHPA as the open space network would remain intact and the OMCP incorporated policies for adhering to the MSCP Management Directives. Therefore, impacts related to MSCP were found to be less than significant with mitigation.

### b. Program-level

Since certification of the FEIR, the City adopted the VPHCP, which is detailed in Section 5.1, *Land Use*, the project has demonstrated consistency with the City's MSCP Subarea Plan and the VPHCP. The proposed MHPA BLA would be beneficial to the overall MHPA preserve in this area due to an increase in Tiers I and II and wetlands habitats, including ephemeral drainages (natural flood channels). The project proposes MHPA additions above and beyond the required 1:1 replacement standard. The net gain of 4.06 acres of sensitive vegetation communities would more than offset MHPA deletion areas. The proposed MHPA addition would expand the MHPA and provide equal or higher biological values of impacted species and habitats into the preserve. This conclusion is based on the comparison of biological value provided by the evaluation of the six biological factors required by the MSCP for a MHPA BLA. Detailed analysis addressing compliance with MSCP and VPHCP policies, potential for edge effects and invasive non-native plant species, and potential conflicts with local policies or ordinances protecting biological resources is provided in Section 5.1.5, *Land Use, Issue 3: Regulation Consistency* and 5.1.6, *Land Use, Issue 4: Environmental Plan Consistency*.

### c. Project-level

Since certification of the FEIR, the City adopted the VPHCP, which is detailed in Section 5.1, *Land Use*, the project has demonstrated consistency with the City's MSCP Subarea Plan and the VPHCP. The proposed MHPA BLA would be beneficial to the overall MHPA preserve in this area due to an increase in Tiers I and II and wetlands habitats, including ephemeral drainages (natural flood channels). The project proposes MHPA additions above and beyond the required 1:1 replacement standard. The net gain of 4.06 acres of sensitive vegetation communities would more than offset MHPA deletion areas. The proposed MHPA addition would expand the MHPA and provide equal or higher biological values of impacted species and habitats into the preserve. This conclusion is based on the comparison of biological value provided by the evaluation of the six biological factors required by the MSCP for an MHPA BLA (USFWS 2025).

The Wildlife Agencies requested a Major Amendment to the VPHCP to specifically address the impacts to 100-% conserved lands associated with the Beyer Boulevard alignment. A total of 45.9 acres are identified as existing VPHCP/MHPA within the project area. An additional 11.7 acres of land is considered 100-% conserved under the VPHCP. To offset the impacts from the proposed Beyer Boulevard extension within West Otay Mesa A and West Otay Mesa B properties and the Furby-North Preserve, the conservation proposed in the VPHCP consistency analysis as well as additional conservation outlined in Attachment 10 of Appendix C required as 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 2.13-acre degraded mesa top on the West Otay Mesa B property, would more than offset the impacts to 100-% conserved lands.

Detailed analysis addressing compliance with MSCP and VPHCP policies, potential for edge effects and invasive species, and potential conflicts with local policies or ordinances protecting biological resources is provided in Section 5.1.5, *Land Use, Issue 3: Regulation Consistency* and 5.1.6, *Land Use, Issue 4: Environmental Plan Consistency*.

## 5.4.6.3 Significance of Impacts

### a. Program-level

All future projects would require subsequent environmental review and compliance with established development regulations including the ESL regulations, the City's Biology Guidelines, and the MHPA. However, consistent with the impact conclusions of the FEIR, land use adjacency and compatibility impacts could potentially occur associated with projects within the program-level areas located adjacent to the MHPA.

### b. Project-level

Due to compliance with the City's MSCP Subarea Plan and VPHCP, including a BLA, replacement of 100% conserved lands, replacement conservation acreage with the same or higher biological value, and project design consistent with applicable MSCP and VPHCP policies, as demonstrated in Section 5.1, *Land Use*, impacts related to consistency with the MSCP and VPHCP would be less than significant. However, consistent with the impact conclusions of the FEIR, land use adjacency and compatibility impacts could occur associated with project-level components located adjacent to the MHPA, and would result in a potentially significant impact.

The Quino checkerspot butterfly, western spadefoot, and Crotch's bumble bee are not MSCP-covered species. As described in Section 3.7.6~~10~~, potential impacts to Quino checkerspot butterfly would be addressed pursuant to Section 7 or Section 10 of the FESA or VPHCP Major Amendment. In the event the western spadefoot becomes listed as endangered at the federal level, within the timeframe of this project, potential impacts to western spadefoot would be addressed pursuant to Section 7 or Section 10 of the FESA or VPHCP Major Amendment. In the event Crotch's bumble bee is listed, subsequent coordination and an incidental take permit from CDFW would be required. The incidental take permit shall be approved before the issuance of any Grading Permit, Demolition Plans/Permits or~~and~~ Building Plans/Permits, whichever is issued first.

### 5.4.6.4 Mitigation, Monitoring, and Reporting

#### a. Program-level

FEIR Mitigation Framework LU-2 would be applied to future development within the program-level areas as SP-LU-1 to ensure compliance with the MSCP.

#### b. Project-level

FEIR Mitigation Framework LU-2 would be applied to future development within the project-level areas as mitigation measure PR-LU-1 to ensure compliance with the MSCP.

### 5.4.6.5 Significance After Mitigation

#### a. Program-level

Impacts would be less than significant with implementation of mitigation measure SP-LU-1, consistent with the impact conclusions of the FEIR.

#### b. Project-level

Impacts would be less than significant with implementation of mitigation measure PR-LU-1, consistent with the impact conclusions of the FEIR.

## 5.4.7 Issue 5: Wetland Impacts

*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?*

### 5.4.7.1 Significance Thresholds

Consistent with the FEIR, impacts related to biological resources would be significant if the project would:

- 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, filing, hydrological interruption, or other means.

In accordance with the City's 2022 CEQA Significance Determination Thresholds and LDC Biology Guidelines (2018), the project would have a significant impact if it would result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means.

## 5.4.7.2 Analysis

### a. FEIR

The FEIR concluded that future projects implemented in accordance with the OMCP may result in significant impacts to wetlands, vernal pools and vernal pool species, as well as both wetland and non-wetland streambed waters regulated by the USACE, CDFW, and the City, and would thus require a deviation from the ESL Regulations. The specific plan area is not subject to CPIOZ A. The FEIR determined that future projects implemented in accordance with the OMCP which cannot demonstrate compliance with the CPIOZ A because impacts to wetlands/jurisdictional resources cannot be avoided would be required to implement FEIR Mitigation Framework BIO-4 which addresses compliance with the City's ESL regulations including requirements for wetland deviations. With implementation of FEIR Mitigation Framework BIO-4, impacts to wetlands were found to be reduced to less than significant.

### b. Program-level

Development within the program-level areas is anticipated to result in impacts to vernal pools based on the characteristics of the development area being mesa top with a clay pan in addition to known resources in the area. Direct impacts to potential wetlands (mule fat scrub, southern willow scrub, disturbed southern willow scrub, disturbed riparian, and disturbed wetlands), vernal pools, and natural flood channels (non-wetland waters/streambed) may occur, although site specific surveys would be required to verify their presence. Known resources within the program-level areas are depicted on Figures 5.4-11a-e, *City of San Diego Wetlands* and include vernal pools that have been mapped by the City and are available in public data sources.

Since adoption of the FEIR in 2014, the City adopted the VPHCP. Impacts to vernal pools within the program-level areas would require site specific surveys and evaluation in compliance with the VPHCP. Future development would be required to complete assessments of vernal pool flora and fauna, hydrology, habitat function, restoration potential, and protocol fairy shrimp surveys. The VPHCP requires project-level mitigation to be implemented for projects impacting vernal pools that is consistent with the VPHCP and City Biology Guidelines. A Compensatory Mitigation Plan approved by the City and Wildlife Agencies is required by the VPHCP for any impacts to vernal pools. Mitigation may include salvage of special-status species from vernal pools to be impacted, introduction of salvaged material into restored vernal pool habitat where appropriate (e.g., same pool series) and maintenance of vernal pool habitat consistent with the VPHCP.

Most future development within the program-level areas would also require project-specific environmental review to ensure indirect impacts to watersheds and associated vernal pool resources are avoided consistent with the avoidance and minimization measures identified in Chapter 5 of the VPHCP. Compliance with the VPHCP's Avoidance and Minimization Measures (detailed in Section 6.2.2.2) would preclude indirect impacts to vernal pools.

Future development would be required to address compliance with the City's ESL regulations including requirements for wetland deviations and demonstrate consistency with the VPHCP, MSCP, and City Biology Guidelines. While required compliance with the VPHCP, MSCP and ESL regulations

would ensure adequate mitigation is provided consistent with City's Biology Guidelines; at a program-level of review, impacts would be potentially significant.

## c. Project-level

### *Direct Impacts to Wetlands*

USACE, CDFW, RWQCB, and City wetlands are regulated by the federal, state, and local governments under a no-net-loss policy, and all impacts are significant and need to be avoided to the greatest extent possible. Direct impacts to potential wetlands (mule fat scrub, southern willow scrub, disturbed southern willow scrub, disturbed riparian and disturbed wetlands), vernal pools, and natural flood channels (non-wetland waters/streambed), within the project-level areas are reported in Table 5.4-8, *Summary of Impacts to Potential Jurisdictional Resources within the Project-level Survey Areas (acres)*, and the location of impacts are presented in Figure 5.4-11a-e.

The project-level area includes portions of the previously entitled Candlelight project and the planned Southwind project. As the timing of project implementation is not known, the project-level analysis evaluates jurisdictional impacts within those project sites, as reported in Table 5.4-8. The first project to proceed would implement required mitigation. The location of the Candlelight, Southwind and overlapping areas of the project-level analysis areas in relation to jurisdictional resources is depicted on Figure 44 of Appendix C.

**Table 5.4-8**
**Summary of Impacts to Potential Jurisdictional Resources within the Project-level Survey Areas (acres)[1]**

| Jurisdictional Resource | Phase 1[2] | Phase 2 | Beyer Boulevard | Phase 4 | Emergency Vehicle Access Road | Total Impacts |
|---|---|---|---|---|---|---|
| **Waters of the U.S. – USACE** | | | | | | |
| *Non-wetland Waters* | | | | | | |
| Ephemeral Stream Channel (Non-vegetated Channel) | 0.14 | 0.06 | 0.07 | 0.17 | - | 0.44 |
| *Wetland Waters* | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Wetlands, Disturbed Riparian) | 0.50 | 0.04 | <0.01 (19 sq ft) | - | - | 0.54 |
| Vernal Pools | 0.15 | 0.07 | 0.02 | - | - | 0.23 |
| Vernal Pools with Fairy Shrimp | 0.56 | 0.05 | 0.01 | <0.01 (35 sq ft) | 0.02 | 0.64 |
| *Subtotal Wetland Waters* | *1.21* | *0.16* | *0.03* | *<0.01* | *0.02* | *1.41* |
| **Total Potentially Jurisdictional Area** | **1.35** | **0.21** | **0.10** | **0.17** | **0.02** | **1.85** |
| **Waters of the U.S. – CDFW** | | | | | | |
| *Non-wetland Waters/Streambed* | | | | | | |
| Ephemeral Stream Channel (Non-vegetated Channel) | 0.14 | 0.06 | 0.08 | 0.17 | - | 0.45 |
| *Wetland or Riparian Areas* | | | | | | |

| Jurisdictional Resource | Phase 1[2] | Phase 2 | Beyer Boulevard | Phase 4 | Emergency Vehicle Access Road | Total Impacts |
|---|---|---|---|---|---|---|
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Riparian) | 0.46 | - | 0.35 | 0.01 | - | 0.82 |
| Vernal Pools[3] | 0.01 | - | - | - | - | 0.01 |
| *Subtotal Wetland/Riparian* | *0.47* | *-* | *0.35* | *0.01* | *-* | *0.83* |
| **Total Potentially Jurisdictional Area** | **0.61** | **0.06** | **0.43** | **0.19** | **-** | **1.29** |
| **Waters of the U.S. – RWQCB** | | | | | | |
| *Non-wetland Waters* | | | | | | |
| Ephemeral Stream Channel (Non-vegetated Channel) | 0.14 | 0.06 | 0.08 | 0.17 | - | 0.45 |
| *Wetland or Riparian Areas* | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Wetlands, Disturbed Riparian) | 0.50 | 0.04 | <0.01 (19 sq ft) | - | - | 0.54 |
| Vernal Pools | 0.15 | 0.07 | 0.02 | - | - | 0.23 |
| Vernal Pools with Fairy Shrimp | 0.56 | 0.05 | 0.01 | <0.01 (35 sq ft) | 0.02 | 0.64 |
| Seasonal Basins | 0.26 | <0.01 (179 sq ft) | <0.01 (54 sq ft) | - | - | 0.26 |
| *Subtotal Wetland/Riparian* | *1.47* | *0.16* | *0.03* | *<0.01 (35 sq ft)* | *0.02* | *1.67* |
| **Total Potentially Jurisdictional Area** | **1.61** | **0.22** | **0.11** | **0.17** | **0.02** | **2.12** |
| **City of San Diego Wetlands** | | | | | | |
| Wetland (Mule Fat Scrub, Southern Willow Scrub, Disturbed Riparian) | - | - | 0.35 | 0.01 | - | 0.36 |
| Disturbed Wetlands | 0.07 | 0.04 | <0.01 (73 sq ft) | - | - | 0.11 |
| Vernal Pools | 0.68[2] | 0.12 | 0.03 (1,111 sq ft) | <0.01 (35 sq ft) | 0.02 | 0.85 |
| **Total Potentially Jurisdictional Area** | **0.75** | **0.16** | **0.38** | **0.01** | **0.02** | **1.32** |

USACE = U.S. Army Corps of Engineers; CDFW = California Department of Fish and Wildlife; RWQCB = Regional Water Quality Control Board

NOTE: Totals may not add due to rounding. Phasing corresponds to grading phasing depicted in Figure 3-19.

[1] Source: Appendix C.

[2] A portion of Phase 1 impacts are located in the Southwind project area. Within this area, the first project to proceed (i.e., Southwind or Southwest Village) would result in impacts and would be responsible for mitigation.

[3] Includes the two vernal pools (0.01-acre) that supports a state-listed endangered plant species, San Diego button-celery.

### *Indirect Impacts to Wetlands*

During construction, indirect impacts to wetlands near grading footprints could occur due to erosion, changes to watershed function, and introduction of toxins and trash into wetlands. While impacts would be minimized through implementing BMPs, including, but not limited to silt fencing, straw waddle, and sandbags, impacts may still result to ponding features that rely on hydrologic flow from a localized watershed basin, if that watershed is impacted. As detailed in Appendix C, vernal pools and disturbed wetlands (isolated ponding features) located outside of the project-level grading footprint (e.g., within 100-feet of disturbance) were evaluated. After evaluation of topography, slope, and watershed characteristics of the features in relation to the impact footprint, it was determined that a total of 0.06-acre of vernal pools and disturbed wetlands containing San Diego fairy shrimp would be indirectly impacted through grading within the watershed. An additional 0.07 acre of vernal pools and disturbed wetlands that did not support San Diego fairy shrimp would be impacted. For purposes of potential impacts to San Diego fairy shrimp, all of the indirectly impacted vernal pools and disturbed wetlands are assumed to contain the species. Therefore, the project would result in a significant indirect impact to 0.13-acre of vernal pool and disturbed wetland surface area containing San Diego fairy shrimp within Phase 1 (0.11 acre), Beyer Boulevard West extension (0.01 acre), and the Emergency Vehicle Access Road (0.01 acre) as detailed in Table 5.4-9, *Indirect Impacts to Vernal Pool and Disturbed Wetlands Assumed to Contain San Diego Fairy Shrimp*.

**Table 5.4-9**
**Indirect Impacts to Vernal Pool and Disturbed Wetlands Assumed to Contain San Diego Fairy Shrimp[1]**

| Impacted City Wetland | Phase 1 | Beyer Boulevard West | Emergency Vehicle Access Road | Indirect Impact Acreage |
|---|---|---|---|---|
| Vernal Pools | 0.04 | -- | 0.01 | 0.05 |
| Vernal Pool in West Otay Mesa B | -- | 0.01 | -- | 0.01 |
| Disturbed Wetlands | 0.07 | -- | -- | 0.07 |
| **Total Acreage** | **0.11** | **0.01** | **0.01** | **0.13** |

NOTE: 0.06 acre of the 0.13 acre of indirectly impacted resources are documented to contain San Diego fairy shrimp; however, all resources are assumed to contain San Diego fairy shrimp for purposes of the analysis.
[1]Source: Appendix C.

Indirect impacts related to changes in drainage conditions would be avoided by managing post-project runoff flows and durations so that they are maintained to the levels of the pre-project condition. Additionally, hydromodification management would be provided at each outfall. Outfalls have also been strategically located to help minimize erosion to adjacent non-wetland waters by extending them to a well-defined low point.

Indirect impacts to the avoided vernal pools after construction of the project would be avoided by ensuring development does not drain to avoided pools and through compliance with the MHPA Land Use Adjacency Guidelines and the VPHCP Avoidance and Minimization Measures discussed in Section 5.1.6.2.c.

### *Wetland Deviation*

In addition to the impacts reported above, the project-level area would require a deviation from the ESL wetland regulations. 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. Deviations from the wetland regulations require processing one or more of the following three options: Essential Public Projects (EPP) Option, Economic Viability Option, and Biologically Superior Option (BSO). The project's wetland deviation is addressed through the EPP Option for the impacts that correspond to mobility element roadways that would be constructed (Beyer Boulevard and Caliente Avenue). The remainder of the resources subject to a wetland deviation are processed under the BSO. Refer to Figure 5.4-12, *Resources Subject to City of San Diego Wetland Deviation* for the location of resources subject to a wetland deviation. Resources subject to a wetland deviation under the EPP are depicted on Figure 5.4-12. Resources subject to a wetland deviation under the BSO are depicted on Figure 5.4-12.

The City wetlands subject to a deviation within the project-level analysis area are reported in Table 5.4-10, *City of San Diego Wetlands Subject to a Wetland Deviation*. A detailed analysis of project consistency with the ESL wetland deviation is provided in Appendix C (see Section 7.1.2.4.b). As detailed therein, for the EPP Option, a no project alternative was found to be infeasible due to the roadways being essential for access to the Specific Plan area, wetland avoidance alternatives were considered, and wetland impact minimization was implemented to the extent feasible. Impact minimization related to the EPP includes reducing the planned cross section of Beyer Boulevard to the extent feasible (refer to Attachment 10 of Appendix C for an extensive evaluation of Beyer Boulevard alternatives).

**Table 5.4-10**
**City of San Diego Wetlands Subject to a Wetland Deviation[1]**

| Wetland Vegetation Community | EPP | | BSO | Total Acres Subject to Wetland Deviation |
|---|---|---|---|---|
| | Caliente Avenue, South of Central Avenue | Beyer Boulevard | Remainder of Project-level Area | |
| Wetland (disturbed riparian, mule fat scrub, southern willow scrub, tamarisk scrub) | 0.01 (<0.01 acre of mule fat scrub and <0.01 acre southern willow scrub) | 0.35 (mule fat scrub) | <0.01 (mule fat scrub) | 0.36 |
| Disturbed Wetland[2] | 0.01 | - | 0.12 | 0.13 |
| Vernal Pool[3] | - | - | 0.03 | 0.03 |
| **Total** | **0.02** | **0.35** | **0.15** | **0.52** |

NOTE: Totals may not add due to rounding.
EPP = Essential Public Projects Option; BSO = Biologically Superior Option
[1] Source: Appendix C.
[2] Disturbed wetlands in the project-level areas are isolated wetlands that are ponding basins but do not meet the criteria as a vernal pool, nor do they meet the criteria for CDFW jurisdiction. These are reported separately as they would be mitigated as vernal pools
[3] Only vernal pools within the MHPA are subject to a wetland deviation. The 0.03-acre vernal pool is associated with the EVA road and represents three basins, one directly impacted and the other two partially or indirectly impacted. Given that any impact to vernal pools, direct or indirect, would affect the entire basin, the 0.03-acre is the total area of all three vernal pools.

Impacts 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. All other wetland impacts would be addressed under the BSO. The BSO analysis documented how the proposed project would be biologically superior than avoiding the wetland resources. The low quality of the resources was considered in light of the proposed mitigation for vernal pools and wetlands that would provide higher functions and values than the impacted resources.

## 5.4.7.3 Significance of Impacts

### a. Program-level

Both direct and indirect impacts to wetlands within the program-level areas would be significant.

### b. Project-level

Direct and indirect impacts to jurisdictional waters and City wetlands would be significant. Direct impacts to 1.32 acres of City wetlands, including 0.85-acre of vernal pools (including 0.01-acre of vernal pools with button celery), 0.11-acre of disturbed wetlands, and 0.36-acre of wetland (mule fat scrub, southern willow scrub, and disturbed riparian) would be significant.

An additional 0.12-acre of indirect impacts to City wetlands are anticipated due to watershed impacts to vernal pools and disturbed wetlands located outside of the impact footprint.

## 5.4.7.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts to wetlands would be significant. Compliance with City regulations and policies, ESL Regulations, the MSCP Subarea Plan, VPHCP, the City's Biology Guidelines, and implementation of FEIR Mitigation Framework BIO-4, as modified in SP-BIO-2~~3~~ below, would mitigate impacts to wetlands, vernal pools, and other wetlands.

**SP-BIO-2~~3~~: Wetlands**

To reduce potential direct impacts to City, state, and federally regulated wetlands, all subsequent projects developed in accordance with the Specific Plan shall be required to comply with USACE Clean Water Act Section 404 requirements and special conditions, RWQCB Clean Water Act Section 401 requirements and special conditions, CDFW Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for avoiding and minimizing impacts to wetlands or compliance with City guidelines for the wetland deviation. Consistency with these regulations for impacts on wetlands and special aquatic sites would reduce potential impacts to regulated wetlands and provide compensatory mitigation (as required) to ensure no net-loss of wetland habitats.

Prior to obtaining discretionary permits for future actions implemented in accordance with the Specific Plan, a site-specific biological resources survey shall be completed in accordance with the City's Biology Guidelines. In addition, a preliminary or final aquatic resource delineation of the program-level areas shall be completed following the methods outlined in the USACE's 1987 Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region. A determination of the presence/absence and boundaries of any waters of the United States and waters of the state shall also be completed following the appropriate USACE guidance documents for determining the OHWM boundaries. The limits of any riparian habitats within the program-level analysis areas under the sole jurisdiction of CDFW shall also be delineated, as well as any special aquatic sites (excluding vernal pools) that may not meet federal criteria but are regulated by the RWQCB. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize direct impacts to potential wetlands/waters, riparian habitats, vernal pools, etc. consistent with federal, state, and City guidelines. Any required mitigation for impacts shall be outlined in a conceptual wetland mitigation plan prepared in accordance with the City's Biology Guidelines (2018).

Additionally, any impacts to wetlands in the City would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options: Essential Public Projects, Economic Viability Option, or Biologically Superior Option. ESL Regulations require that impacts to wetlands be avoided. Unavoidable impacts to wetlands shall be minimized to the maximum extent practicable and mitigated consistent with the City's Biology Guidelines including a no-net loss of wetland resources.

**Vernal Pools and Vernal Pool Species**

Impacts to vernal pools shall be addressed through project compliance with the VPHCP. This includes required assessments of vernal pool flora and fauna, hydrology, habitat function, and restoration potential and protocol fairy shrimp surveys, in addition to the requirements listed above. Mitigation for projects impacting vernal pools shall be consistent with the VPHCP and City of San Diego Biology Guidelines as determined by completion of a Compensatory Mitigation Plan approved by the City and Wildlife Agencies. Mitigation may include salvage of special-status species from vernal pools to be impacted, introduction of salvaged material into restored vernal pool habitat where appropriate (e.g., same pool series) and maintenance of vernal pool habitat consistent with the VPHCP.

## b. Project-level

Mitigation for significant impacts to wetlands and vernal pools is required for project-level areas. Mitigation measures PR-BIO-16a and PR-BIO-16b detailed below implements the requirements of FEIR Mitigation Framework BIO-4. This conclusion is consistent with the impact conclusions of the FEIR. See Section 5.7, *Land Use* for mitigation measure PR-HYD/WQ-1 requiring that future projects

are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations.

**PR-BIO-16a: Wetland ~~and Vernal Pool Mitigation~~**

Prior to issuance of any~~land development permits including clearing, grubbing, grading, and/or~~ construction permits, such as grading permits, that impact jurisdictional waters, ~~the project applicant shall provide compensatory wetland mitigation for project impacts to City wetlands resulting in no overall net loss of wetlands. T~~the project impact to 0.004~~36~~ acre of riparian forest (southern willow scrub and disturbed southern willow scrub) wetlands shall be mitigated ~~(without Candlelight)~~ at a 3:1 ratio ~~for riparian forest (southern willow scrub and disturbed southern willow scrub)~~ and impacts to 0.36 acre of mule fat scrub shall be mitigated at a 2:1 ratio (mule fat scrub, disturbed riparian, disturbed wetlands, natural flood channel) with a total of 0.73 acre of mitigation consistent with a Final Wetlands Plan and a Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as approved by the City, USACE, RWQCB, and CDFW~~the Wetland Plan prepared by RECON Environmental dated October 2024 for the project~~. The Final Wetlands Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan shall be approved prior to the issuance of the first Phase 1 grading permit.

To ensure no net loss, the mitigation shall include a 1:1 creation or restoration component in accordance with the City's Biology Guidelines.

**PR-BIO-16b: Vernal Pools**

Prior to the issuance of any construction permits, such as grading permits~~Additionally~~, to compensate for the loss of vernal pool and disturbed wetland resources, the applicant shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to provide~~implement~~ a minimum of 2.18~~5~~ acres or 2.1~~0~~0 acres (without Southwind mitigation) of vernal pool creation as follows.

Direct and indirect impacts to vernal pool and disturbed wetland resources shall be mitigated at a ratio of 2:1 with the exception of the two vernal pools that support San Diego button-celery which shall be mitigated at a ratio of 3:1 (see mitigation measure PR-BIO-1). A total of 2.18 acres of vernal pool basins shall be restored in phases within the 33.7-acre vernal pool preserve to mitigate for project impacts. The phases shall be proportional to impacts associated with each development phase as follows: Phase 1/EVA Road (82%), Phase 2/4 (15%), and Beyer Boulevard West (3%).

A. Prior to the issuance of grading permits for Phase 1/EVA Road, direct and indirect impacts to 0.14 acre of disturbed wetland and 0.74 acre of vernal pool shall be mitigated at a 2:1 ratio and 0.01 acre of vernal pool with button celery shall be mitigated at a 3:1 ratio (see mitigation measure PR-BIO-1), with a minimum mitigation of 1.79 acres of vernal pool basin. This represents 82% of the total mitigation required for project-level impacts to vernal pools/disturbed wetlands,

which would correspond to the restoration of 3.16 acres of vernal pool basin within 27.63 acres of the vernal pool mitigation area.

B. Prior to the issuance of the initial grading permit for Phases 2 or 4, whichever is issued first, impacts to 0.16 acre of vernal pools (0.14 acre)/disturbed wetlands (0.04 acre) shall be mitigated at a 2:1 ratio for a minimum of 0.32 acre of vernal pool basin. This represents 15 percent of the total mitigation required for project-level impacts to vernal pools/disturbed wetlands, which would correspond to the restoration of 0.58 acre of vernal pool basin within 5.06 acre of the vernal pool mitigation area.

C. Prior to the issuance of the grading permit for Beyer Boulevard West, impacts to 0.04 acre of vernal pools shall be mitigated at a 2:1 ratio for a minimum of 0.08 acre of vernal pool basin. This represents 3 percent of the total mitigation required which would correspond to the restoration of 0.12 acre of vernal pool basin within 1.01 acre of the vernal pool mitigation area.

**Vernal Pool Mitigation Phasing Matrix**

| Grading Phase | Vernal Pool and Disturbed Wetland | | | Total Mitigation Required (% of total) | Total basin area to be created (acres phased by % of total mitigation) | Total Restoration Area (acres phased by % of total mitigation) |
|---|---|---|---|---|---|---|
| | Direct and indirect Impact (acres) | Mitigation Ratio | Mitigation Required | | | |
| Phase 1/EVA | 0.88 | 2:1 | 1.76 | 82% | 3.16 | 27.63 |
| Road[1] | 0.01[2] | 3:1 | 0.03 | | | |
| Phase 2/4 | 0.16 | 2:1 | 0.32 | 15% | 0.58 | 5.06 |
| Beyer Boulevard West | 0.04 | 2:1 | 0.08 | 3% | 0.12 | 1.01 |
| Total | 1.09 | - | 2.18 | - | 3.86 | 33.70 |

NOTE: Totals may not add due to rounding.

[1] Mitigation would be implemented for impacts within the Southwind project area by the first project to proceed. If these impacts occur and are mitigated by another project, the impacts and mitigation obligations would be eliminated from this project.

[2] 0.01 acre of vernal pool supports San Diego button-celery which requires a 3:1 mitigation ratio, per the VPHCP.

Prior to issuance of any~~land development permits, including clearing, grubbing, grading, and/or~~ 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 Subarea Plan and VPHCP and in accordance with the terms and conditions of all required permits. Areas under the jurisdictional authority of USACE, RWQCB, and CDFW shall be delineated on all grading plans.

A Wetland Plan and a Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan have been prepared for the project. To obtain the necessary permits, the applicant shall submit a Final Wetland~~s Mitigation and Monitoring~~ Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation ~~and Monitoring~~ Plan to the satisfaction of the City, USACE, RWQCB, and CDFW. The final plans shall include, at a minimum, an

implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; a five-year maintenance, monitoring, and reporting program; an estimated completion time; and contingency measures and shall identify a long-term funding source. ~~A Wetland Plan by RECON Environmental dated October 2024 and Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan by RECON Environmental dated November 2024 have been prepared for the project.~~ The project applicant shall also be required to implement the Final Wetland~~s Mitigation and Monitoring~~ Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation ~~and Monitoring~~ Plan subject to ~~the~~ oversight and approval by the City~~of the Development Services Department director (or their designee)~~, USACE, RWQCB, and CDFW.

~~Should the purchase of additional mitigation credits be necessary to satisfy permit conditions from USACE, RWQCB, and CDFW, applicant shall secure mitigation credits within a City-approved conservation bank in accordance with the terms and conditions of all required permits. The applicant is required to present proof of mitigation credit purchase to the City, and the wetland permitting agencies prior to issuance of any land development permits.~~

The r~~R~~equirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d.). The requirements and final success standards of the Final Wetland Plan are detailed below.

Implementation of the Final Wetland ~~Mitigation~~ Plan ~~prepared by RECON Environmental dated October 2024~~ for the project will require the following:

**I. Before Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Before NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 0.73 acre of wetlands have been shown and noted on the appropriate landscape construction documents. LCDs and specifications must be found to be in conformance with the Final Wetland Mitigation Plan which shall include the requirements summarized below~~prepared by RECON Environmental dated October 2024 for the project, the requirements of which are summarized below.~~

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence before approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2012). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

    f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

    g. Weed control measures shall include the following:

        (1) hand removal,

        (2) cutting, with power equipment, and

        (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Before the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed SWPPP training.

**II. Before Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Before beginning any work that requires monitoring:

a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, before the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

a. Before the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

a. Before the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

a. The PQB may submit a detailed letter to MMC before the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-Day Plant Establishment Period (PEP)

a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC before the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 through Year 2,

monitoring will occur every other week during the growing season (January – May). During Year 3 through Year 5, monitoring will occur monthly. Annual monitoring assessments will occur in the spring of Years 1, 3, and 5.

d. All plant material must have survived without supplemental irrigation for the last three years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

g. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. ~~The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent

viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Wetland Mitigation Plan are:

      - Vegetative Performance Standards:
        - Percent cover – native tree/shrub species: 60
        - Percent cover – native herbaceous species: 70
        - Species richness: 85
        - Percent cover – non-native species: 10, 0 Cal-IPC high or perennial species

## 5.4.7.5 Significance after Mitigation

### a. Program-level

As detailed above, impacts to wetlands within the program-level areas would be potentially significant. Compliance with City regulations and policies, ESL Regulations, the City's MSCP Subarea Plan, VPHCP, the City's Biology Guidelines, and implementation of Mitigation measure SP-BIO-2~~3~~ would serve to reduce impacts to wetlands and vernal pools at the program-level to below a level of significance because they would require a no-net loss of resources. With implementation of City regulations and policies, ESL Regulations, the MSCP Subarea Plan, VPHCP, the City's Biology Guidelines, and measure SP-BIO-2~~3~~, impacts would be reduced to less than significant. This conclusion is consistent with the impact conclusions of the FEIR.

### b. Project-level

Impacts to wetland resources with a riparian function would be fully mitigated to less than significant through implementation of wetland restoration within Spring Canyon (see Attachment 15, Appendix C) which would ensure a no-net loss of wetland resources.

Significant direct and indirect impacts to vernal pool and disturbed wetland resources would be reduced to less than significant through implementation of the Final Wetlands Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by mitigation measures PR-BIO-1, PR-BIO-16a, and PR-BIO-16b~~(see Attachment 14, Appendix C and Figure 5.4-13, *Proposed Vernal Pool Restoration*)~~ which must demonstrate~~s~~ consistency with the City's VPHCP, ensuring that impacts to vernal pools would be mitigated consistently with the City's long term regional conservation planning for this resource. The Quino checkerspot butterfly, western spadefoot, and Crotch's bumble bee are not MSCP-covered species. Formal consultation pursuant to Section 7 or a~~A~~n HCP pursuant to coordination under Section 10 of the FESA or inclusion in the VPHCP Major Amendment is required due to impacts to federally listed Quino checkerspot butterfly associated with project-level development areas. In the event the western spadefoot becomes listed as endangered at the federal level, within the timeframe of this project, an HCP pursuant to Section 7 or Section 10 of the FESA would be required for impacts to western spadefoot associated with project-level development areas or inclusion in the VPHCP Major Amendment. 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 ITP addresses Crotch's bumble bee~~. Implementation of these plans as mitigation for impacts to vernal pools would ensure impacts to resources are fully mitigated and impacts would be reduced to less than significant, consistent with the impact conclusions of the FEIR.

Impacts to USACE, CDFW, and RWQCB wetlands and USACE non-wetland waters of the U.S. and CDFW streambed would be accomplished in a similar manner via the applicable agency's permitting requirements; however, mitigation requirements for each of these agencies would be determined through required wetland permitting. With the implementation of the planned vernal pool and wetland mitigation effort and any additional mitigation required by wetland regulatory agencies, impacts to jurisdictional resources would be replaced to ensure no net loss, resulting in a less than significant impact, consistent with the impact conclusions of the FEIR.

# 5.4.8 Issue 6: Noise Generation

*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?*

## 5.4.8.1 Significance Thresholds

Consistent with the FEIR, impacts related to biological resources would be significant if the project would:

- Result in temporary construction noise from the project or permanent noise generators (including roads) that adversely impacts sensitive species (e.g., coastal California gnatcatcher) within the MHPA.

## 5.4.8.2 Analysis

### a. FEIR

The FEIR addressed indirect impacts, which include noise generation, in both the Land Use and Biological Resources sections of the FEIR. The FEIR found potentially significant indirect impacts related to development occurring adjacent to the MHPA. At the program-level, potential indirect impacts related to noise generation from construction adjacent to the MHPA or VPHCP preserve is addressed through compliance with the City's MHPA Land Use Adjacency Guidelines, which is required as Mitigation Framework LU-2 and Mitigation Framework BIO-2 and BIO-4, which require site-specific and species-specific surveys, mitigation, and monitoring to address wildlife and wetland/jurisdictional resource impacts.

### b. Program-level

Indirect impacts from temporary construction and restoration activity noise on special-status species is covered under Section 5.10~~8~~.6 Issue 4: Noise Effects for Sensitive Receptors and Species~~Construction Noise~~.

#### *Long-term Operational Impacts*

Indirect impacts from noise to burrowing owl (February 1-August 15), least Bell's vireo (March 15-September 15), and coastal cactus wren (February 1-August 31) would be potentially significant if operational noise levels exceed 60 dB(A) or the existing ambient noise level if already above 60 dB(A) during the breeding season.

The presence and potential impacts to other special-status wildlife species would need to be addressed through future project-level discretionary analysis, as applicable, and identification of avoidance measures.

## c. Project-level

Indirect impacts from temporary construction and restoration activity noise on special-status species is covered under Section 5.10~~8~~.6 Issue 4: Noise Effects for Sensitive Receptors and Species~~Construction Noise~~ and addressed in Section 5.4.3, Sensitive Plants and Animals.

### *Long-term Operational Impacts*

Post-construction operational noise associated with Beyer Boulevard traffic noise was modeled to identify the post-project noise contours in relation to habitat surrounding the proposed Beyer Boulevard extension (Figure 5.4-8). As shown in Figure 5.4-8, the 60 CNEL noise contours largely follow the limits of grading for the roadway, with the exception that a swath of land within the Furby North Preserve would be subject to noise levels of approximately 60–65 CNEL after construction. However, because these north-south 60 CNEL contour lines run roughly parallel to I-805, it shows that noise levels in this area are due to vehicle traffic on I-805, not the future extension of Beyer Boulevard. The 60 CNEL contour that runs parallel to Beyer Boulevard is due to vehicle traffic on Beyer Boulevard, and it generally stays within the project-level analysis boundary with the exception of a small area north and south of Beyer Boulevard along the western end of the extension.

Approximately 0.95-acre of land near the edges of the proposed Beyer Boulevard manufactured slopes would be subject to noise levels above 60 dB(A) after buildout of the Specific Plan and all associated traffic volumes anticipated. Indirect impacts to special-status bird species due to operational noise within these edge areas adjacent to Beyer Boulevard are not anticipated because of the substantial surrounding open space that would remain available for breeding, nesting, and foraging. The design of Beyer Boulevard is such that there are clear sight lines for birds to fly across the road and avoid any undesirable areas. Furthermore, there is a lack of evidence that noise can substantially affect bird breeding or other habits (see additional discussion under Biological Resources Technical Report 7.2.2.2.c (Appendix C) regarding findings made through a review of published literature with respect to noise effects on birds). Installation of wildlife fencing along Beyer Boulevard would additionally support avoidance of indirect impacts to special-status species within the open space surrounding Beyer Boulevard, including the Furby North Preserve and conserved parcels referred to as Otay Mesa A and Otay Mesa B.

#### Coastal California Gnatcatcher

Indirect impacts from Beyer Boulevard operational noise may occur to approximately 0.09-acre area of suitable habitat (Diegan coastal sage scrub) based on noise modeling. This includes a small area that would be exposed to noise levels above 60 dB(A) contour (see Figure 5.4-8).

#### Coastal Cactus Wren

Indirect impacts to coastal cactus wren may result from edge effects associated with development in addition to noise impacts due to the proposed Beyer Boulevard extension being proposed adjacent to suitable habitat. Coastal cactus wren habitat (coast cholla stands) is located along the western end of the proposed Beyer Boulevard alignment. Noise impacts from roadway facilities is often a concern; however, the effects of roadway noise are not well studied or known.

To identify noise levels in the vicinity of coastal cactus wren habitat, noise modeling was conducted assuming buildout traffic volumes along Beyer Boulevard, including the installation of 6-foot masonry walls along the north side, western end of Beyer Boulevard where the road is adjacent to coastal cactus wren habitat. The masonry wall is proposed as a project design feature to reduce noise levels at adjacent habitat and to deter trespassing post-construction. Refer to Figure 5.4-8 for the post-project noise contours associated with Beyer Boulevard in relation to surrounding habitat areas including coastal cactus wren habitat. As shown, the 60 dB(A) noise contour extends slightly into the adjacent cactus wren habitat area within an approximate 0.46-acre area of cholla-dominated maritime succulent scrub.

**Least Bell's Vireo**

Indirect impacts to least Bell's vireo are not anticipated given that the occupied habitat within Beyer Boulevard footprint would be removed completely and the species would not be subject to construction or operational noise impacts.

**Burrowing Owl**

While one incidental sighting of burrowing owl was detected during surveys, the site has a moderate potential to support burrowing owl as no burrows or evidence of burrows were identified within the project-level areas.

**Nesting Avian Species**

Indirect impacts to nesting avian species, particularly 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 could occur.

## 5.4.8.3 Significance of Impacts

## a. Program-level

While implementation of program-level areas would require consistency with the City's Land Use Adjacency Guidelines and requirements for avoidance measures during construction, at a program-level of review and without project specific development plans, indirect impacts from operational noise to special-status wildlife species would be potentially significant.

## b. Project-level

**Coastal California Gnatcatcher**

Indirect impacts to coastal California gnatcatcher from construction and restoration activity noise during the breeding season would be potentially significant. Indirect impacts from Beyer Boulevard operational noise would be significant ~~and mitigated through additional habitat preservation~~.

**Coastal Cactus Wren**

Indirect impacts to coastal cactus wren from construction and restoration activity noise during the breeding season would be potentially significant. Despite the inclusion of a six-foot masonry wall to minimize noise effects to adjacent habitat, the 60 dB operational noise contour would extend into the adjacent coastal cactus wren habitat, resulting in a significant impact.

**Least Bell's Vireo**

Indirect operational impacts would be less than significant as occupied habitat within Beyer Boulevard footprint would be removed completely. However, indirect noise impacts from restoration activities during the breeding season would be potentially significant.

**Burrowing Owl**

Indirect noise impacts to burrowing owl during construction and restoration activities would be potentially significant. Operational noise impacts to burrowing owl are not anticipated as no burrows or evidence of burrows were identified within the project-level areas. Therefore, impacts would be less than significant.

**Nesting Avian Species**

Indirect construction and restoration noise impacts to nesting avian species, particularly 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 potentially be a significant impact. Indirect noise impacts from operational activities to other nesting avian species would be less than significant.

## 5.4.8.4 Mitigation, Monitoring, and Reporting

## a. Program-level

See Section 5.1, *Land Use* for mitigation measure SP-LU-1 requiring implementation of the City's MHPA Land Use Adjacency Guidelines.

## b. Project-level

**Coastal California Gnatcatcher**

Indirect impacts from Beyer Boulevard operational noise would be mitigated through additional habitat preservation per mitigation measure PR-BIO-15~~8a~~. See also Section 5.1, *Land Use* for mitigation measure PR-LU-1 requiring implementation of the City's MHPA Land Use Adjacency Guidelines. Indirect construction noise impacts would be mitigated via PR-BIO-8a and indirect restoration activity noise impacts would be mitigated via PR-BIO-8b.

**Coastal Cactus Wren**

The indirect impacts from Beyer Boulevard operational noise would be mitigated through additional habitat preservation per mitigation measure PR-BIO-11. See Section 5.1, *Land Use* for mitigation measure PR-LU-1 requiring implementation of the City's MHPA Land Use Adjacency Guidelines and PR-BIO-14 which requires preconstruction surveys and avoidance of noise impacts to nesting coastal cactus wren.

**Least Bell's Vireo**

Impacts are less than significant; therefore, no mitigation is required.

**Burrowing Owl**

Impacts would be less than significant; therefore, no mitigation is required.

**Nesting Avian Species**

The indirect impacts from Beyer Boulevard operational noise would be mitigated through habitat preservation per PR-BIO-15. See also ~~Section 5.10, *Noise* for mitigation measure PR-NOS-1 and~~ Section 5.1, *Land Use* for mitigation measure PR-LU-1 requiring implementation of the City's MHPA Land Use Adjacency Guidelines.

## 5.4.8.5 Significance after Mitigation

## a. Program-level

After implementation of mitigation measure SP-LU-1 in addition to the City's Biology Guidelines, ESL Regulations, MSCP, and VPHCP during future project-level review, impacts related to noise generation would be reduced to less than significant, consistent with the impact conclusions of the FEIR.

## b. Project-level

**Coastal California Gnatcatcher**

Impacts would be less than significant with mitigation measure PR-BIO-8a, PR-BIO-15 and PR-LU-1.

**Coastal Cactus Wren**

Impacts would be less than significant with mitigation measure PR-BIO-11 and PR-LU-1.

**Least Bell's Vireo**

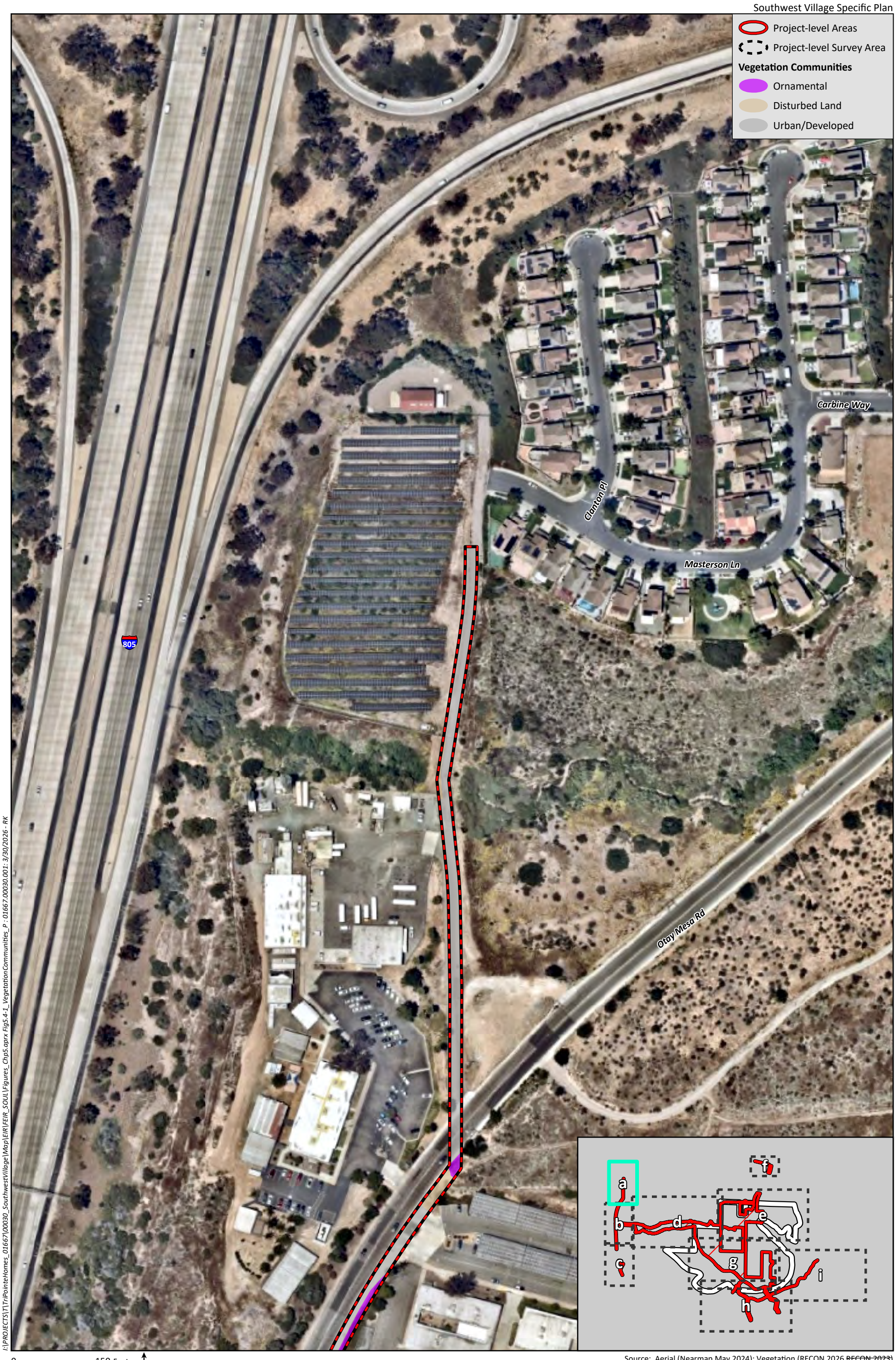
Impacts are less than significant without mitigation.

**Burrowing Owl**

Impacts are less than significant without mitigation.

**Nesting Avian Species**

Impacts would be less than significant with mitigation measure PR-BIO-15~~, PR-NOS-1,~~ and PR-LU-1.




I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOUL\Figures_Chp5.aprx Fig5.4-1_VegetationCommunities_P : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

# Vegetation Communities/Land Use Types

Figure 5.4-1a

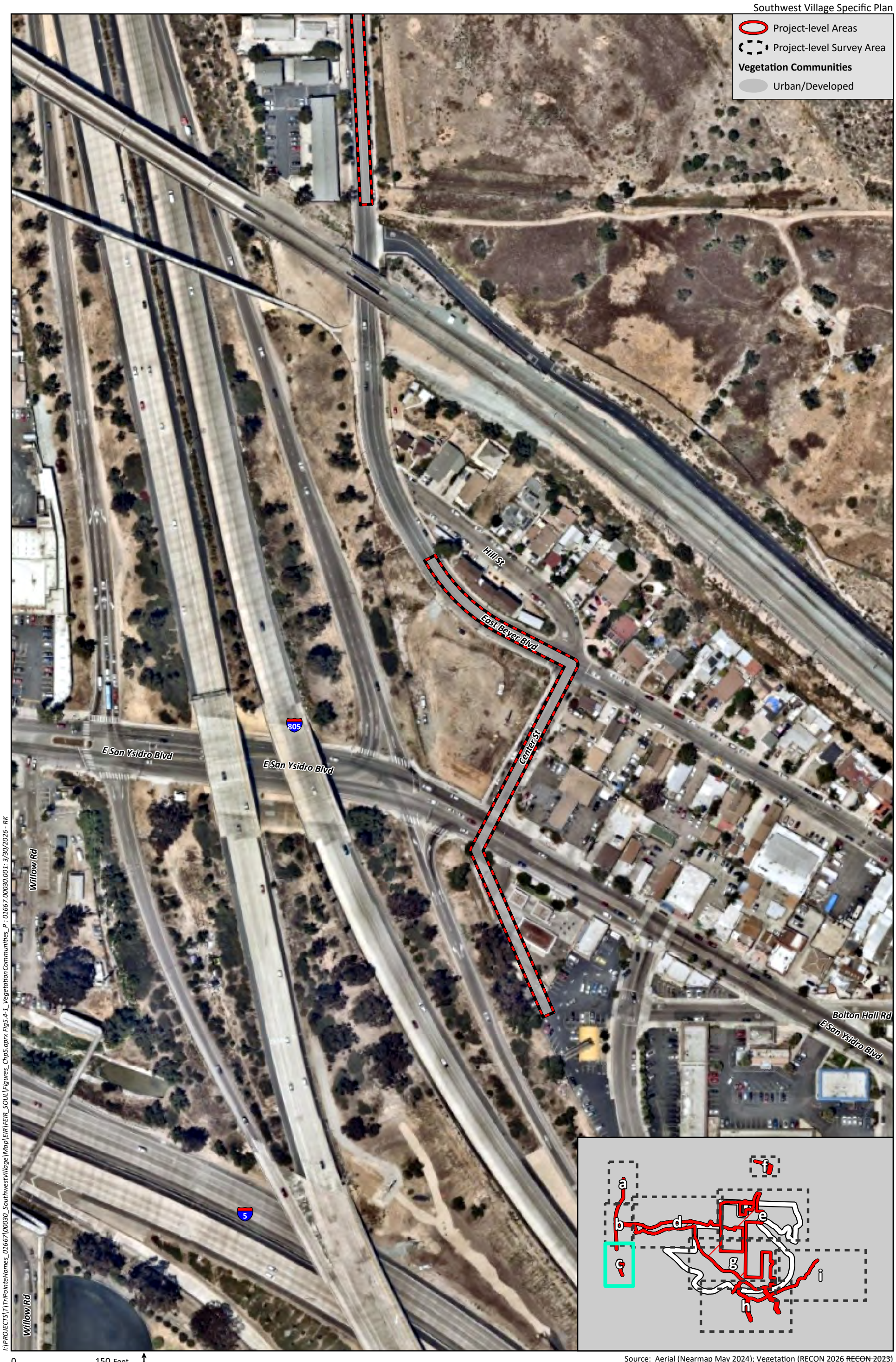
Southwest Village Specific Plan




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# Vegetation Communities/Land Use Types

Figure 5.4-1b




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Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

# Vegetation Communities/Land Use Types

Figure 5.4-1c

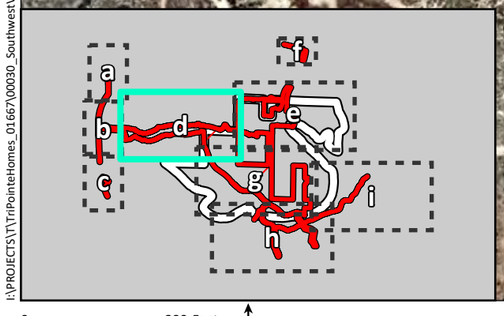
- Project-level Areas
- Southwest Village Specific Plan Area
- Project-level Survey Area

**Vegetation Communities**

- Disturbed Wetland
- Maritime Succulent Scrub
- Disturbed Maritime Succulent Scrub
- Mule Fat Scrub
- Vernal Pool
- Vernal Pool with Fairy Shrimp
- Natural Flood Channel
- Diegan Coastal Sage Scrub
- Disturbed Coastal Sage Scrub
- Eucalyptus Woodland
- Non-native Grassland
- Ornamental
- Disturbed Land
- Urban/Developed

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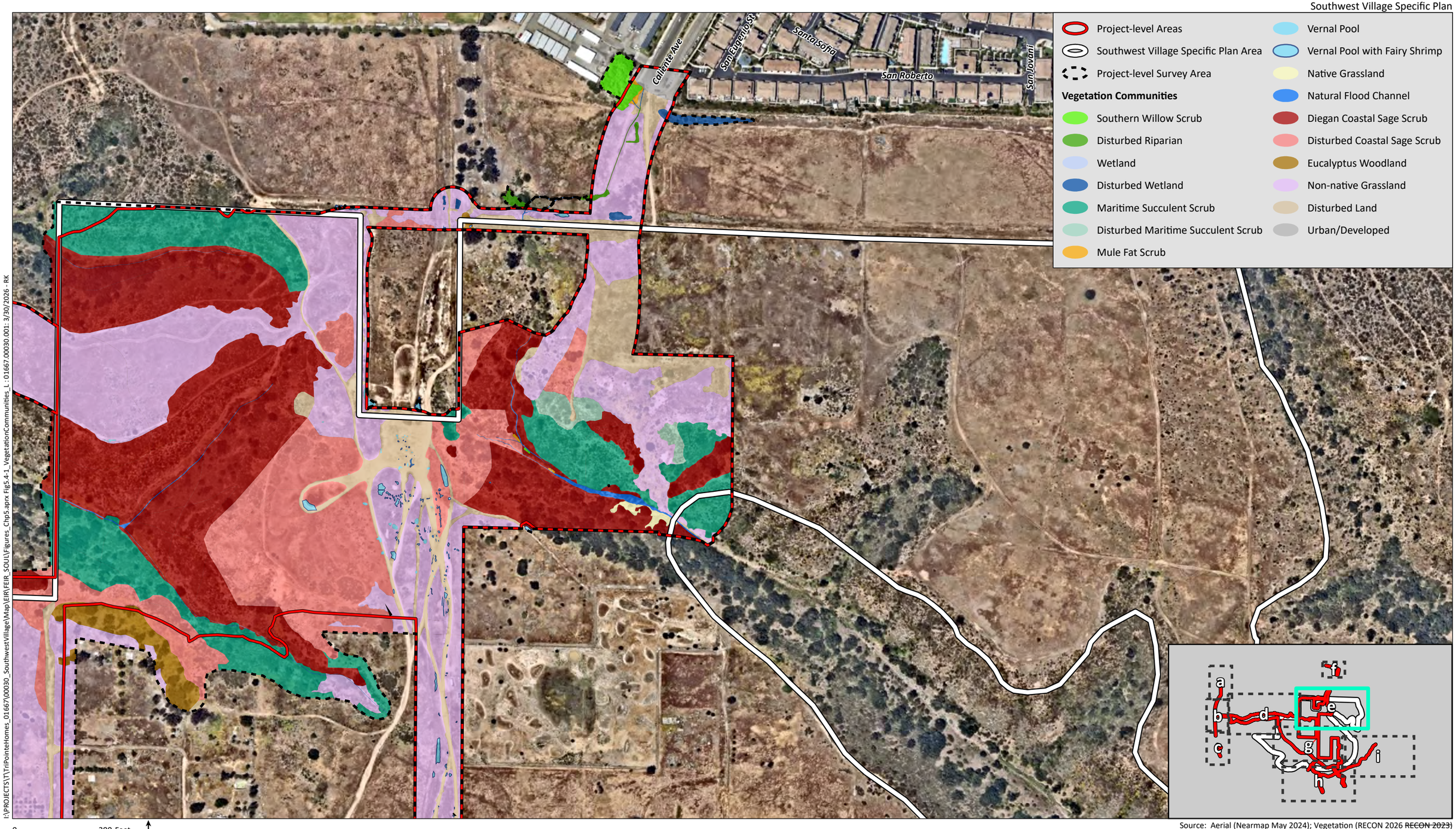
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Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

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# Vegetation Communities/Land Use Types

Figure 5.4-1d

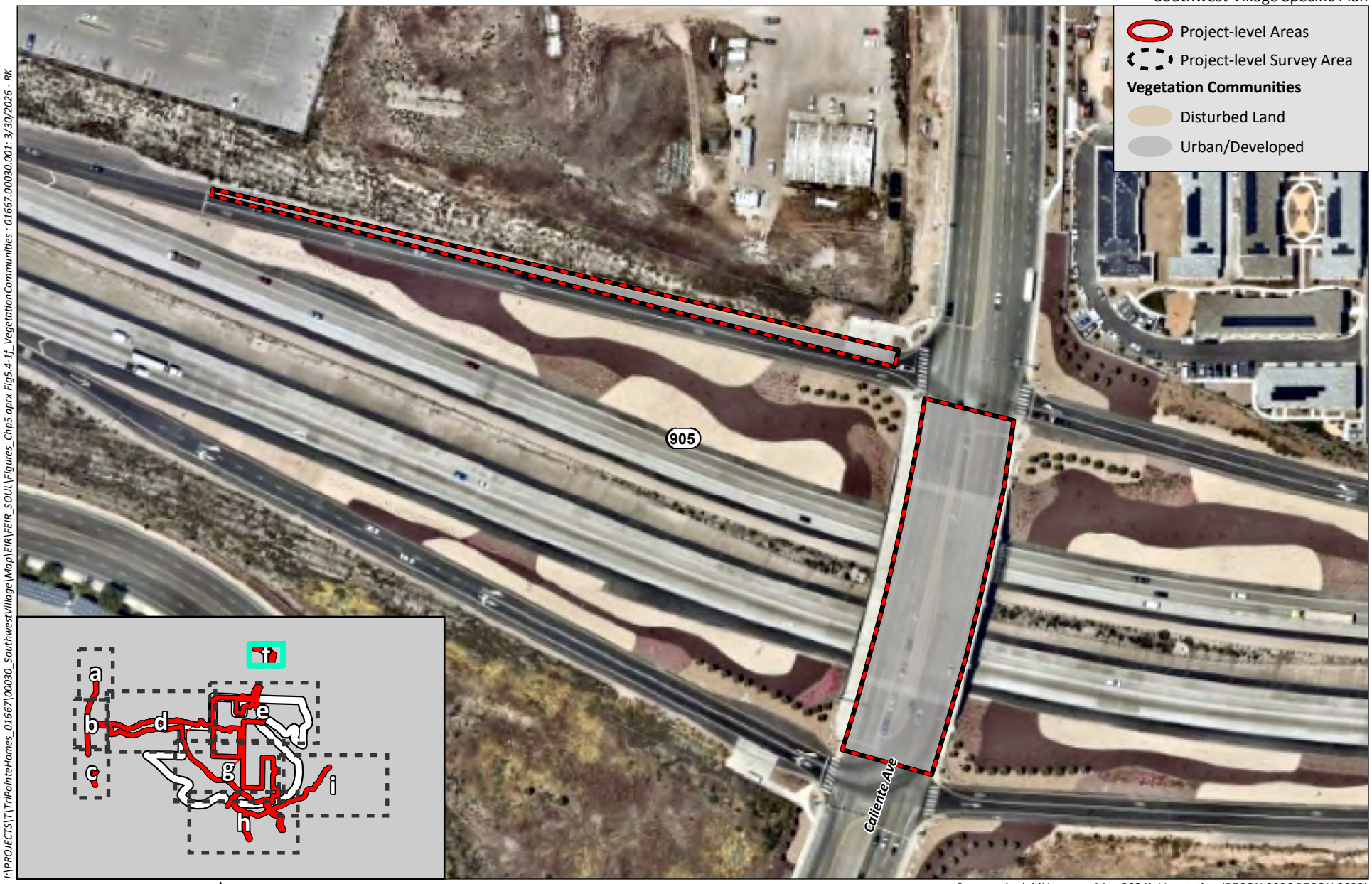



Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

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# Vegetation Communities/Land Use Types

Figure 5.4-1e

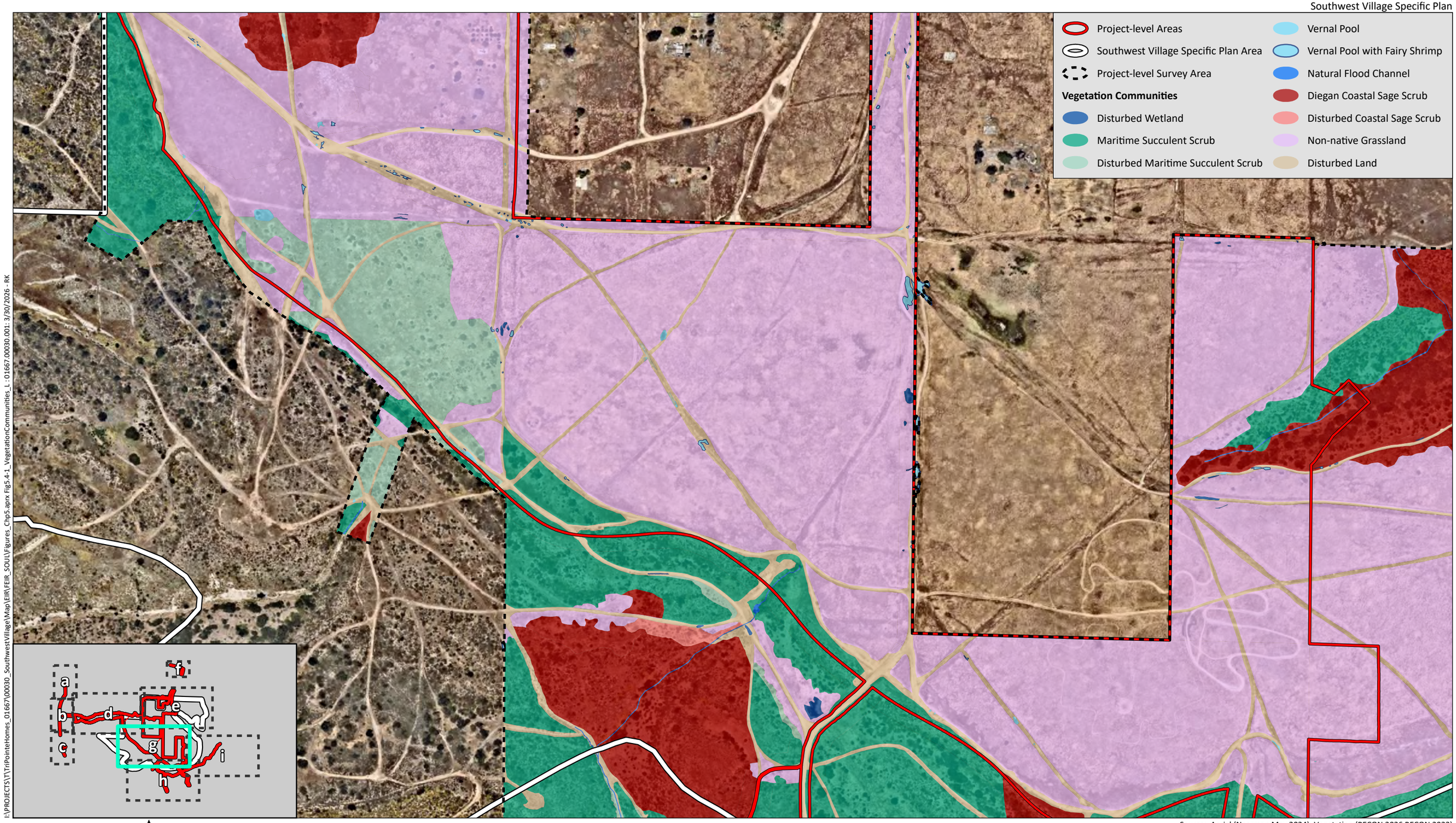



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Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

# Vegetation Communities/Land Use Types ~~Aerial Photograph~~

Figure 5.4-1f

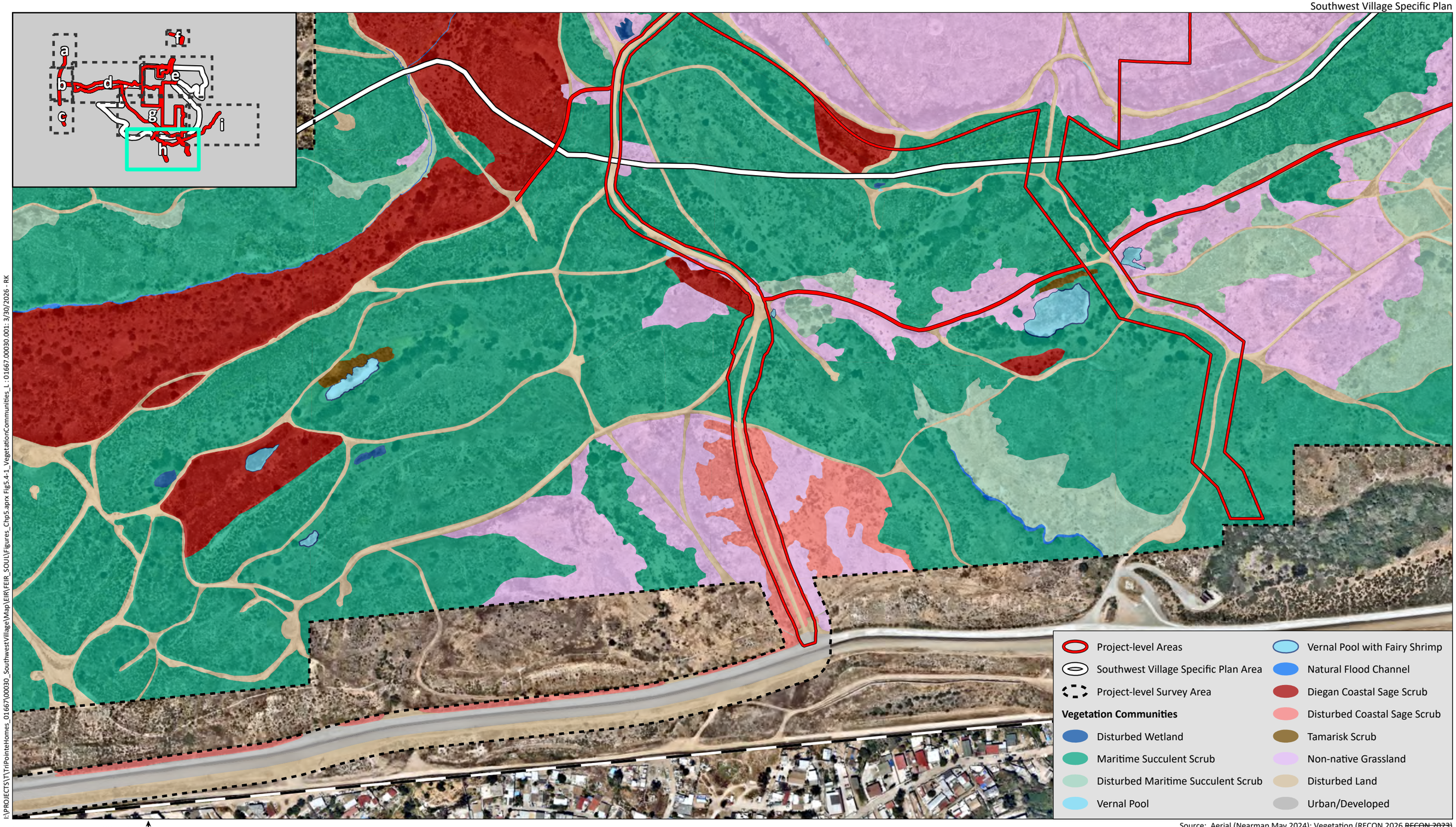



Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

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# Vegetation Communities/Land Use Types

Figure 5.4-1g

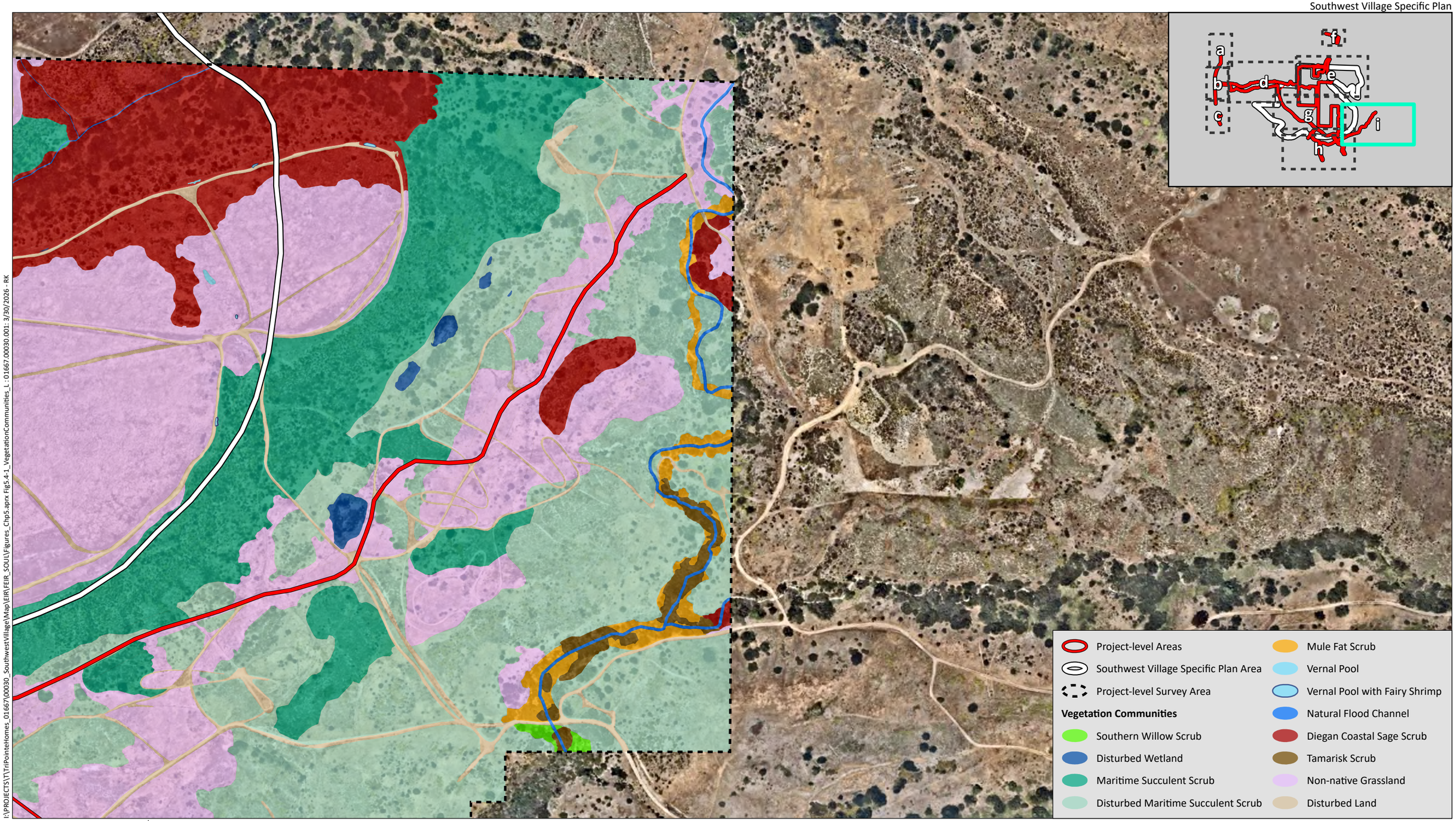



Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

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# Vegetation Communities/Land Use Types

Figure 5.4-1h




Source: Aerial (Nearmap May 2024); Vegetation (RECON 2026 ~~RECON 2023~~)

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# Vegetation Communities/Land Use Types

Figure 5.4-1i

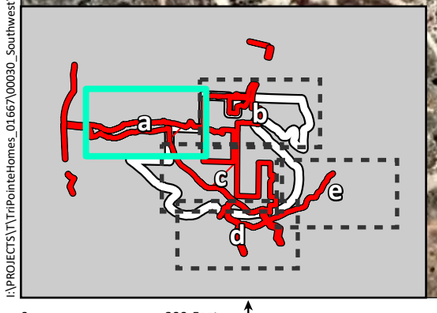
- Project-level Areas
- Specific Plan Area
- Project-level Survey Area

**Sensitive Plants**

- Ashy Spike-moss (*Selaginella cinerascens*)
- Bigelow's Moss Fern (*Selaginella bigelovii*)
- California Box-thorn (*Lycium californicum*)
- Cliff Spurge (*Euphorbia misera*)
- Coastal Plantain (*Plantago elongata*)
- Decumbent Goldenbush (*Isocoma menziesii* var. *decumbens*)
- Otay Tarplant (*Deinandra conjugens*)
- Palmer's Grapplinghook (*Harpagonella palmeri*)
- San Diego Barrel Cactus (*Ferocactus viridescens*)
- San Diego Bur-sage (*Ambrosia chenopodiifolia*)
- San Diego County Needle Grass (*Stipa diegoensis*)
- San Diego County Viguiera (*Bahiopsis laciniata*)
- Seaside Cistanthe (*Cistanthe maritima*)
- Snake Cholla (*Cylindropuntia californica var. californica*)
- South Coast Saltscale (*Atriplex pacifica*)
- Western Dichondra (*Dichondra occidentalis*)
- Ashy Spike-moss (*Selaginella cinerascens*)
- California Box -thorn (*Lycium californicum*)
- Cliff Spurge (*Euphorbia misera*)
- Otay Tarplant (*Deinandra conjugens*)
- San Diego Barrel Cactus (*Ferocactus viridescens*)
- San Diego Bur-sage (*Ambrosia Chenopodiifolia*)
- San Diego County Viguiera (*Bahiopsis laciniata*)

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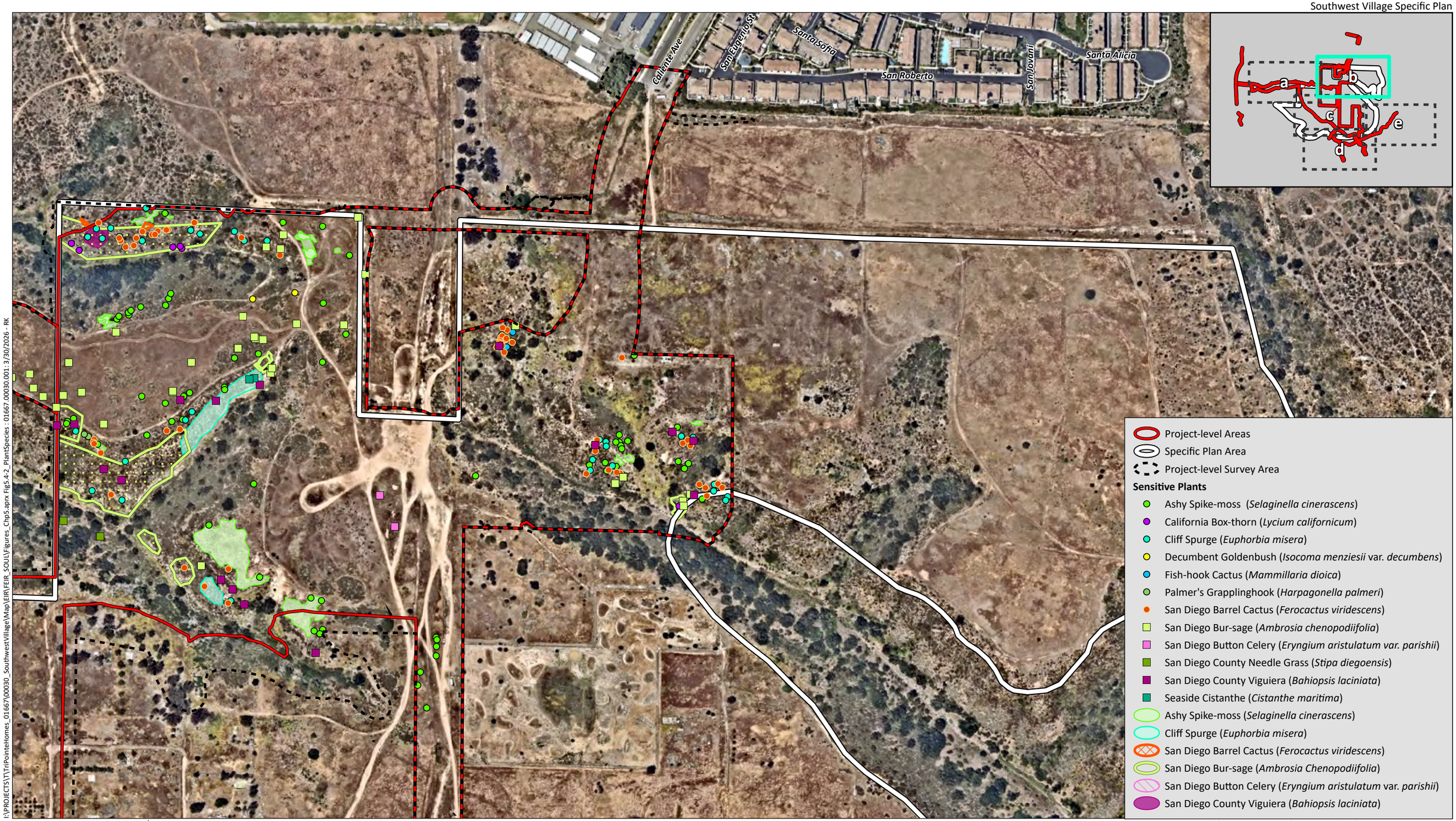
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Source: Aerial (Nearmap May 2024); Sensitive Plants (RECON 2026 ~~RECON 2023~~)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\1Figures_Chp5.aprx Fig5.4-2_PlantSpecies : 01667.00030.001 3/30/2026 - RK

# Special Status Plant Species

Figure 5.4-2a




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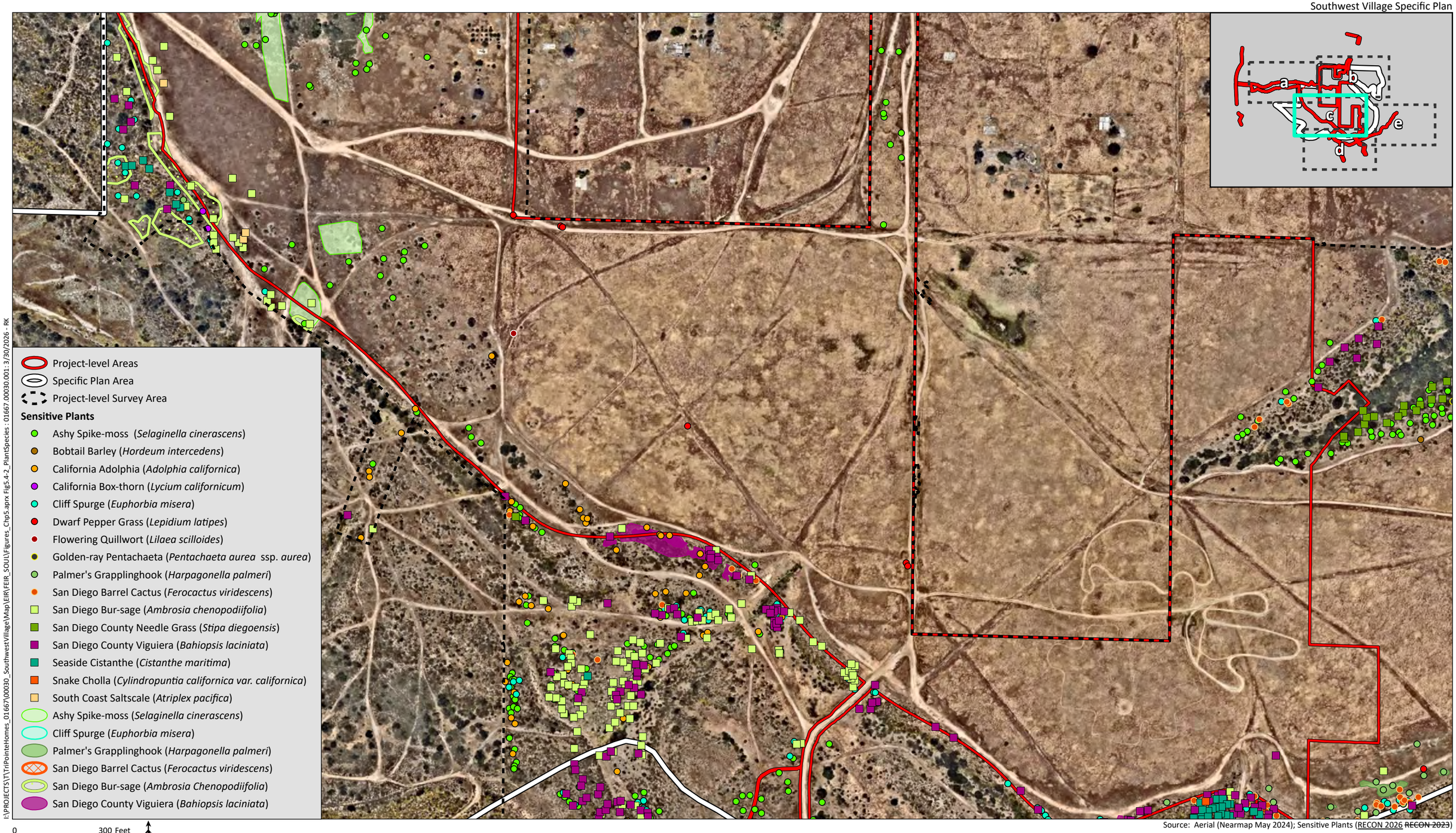
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Source: Aerial (Nearmap May 2024); Sensitive Plants (RECON 2026 ~~RECON 2023~~)

# Special Status Plant Species

Figure 5.4-2b

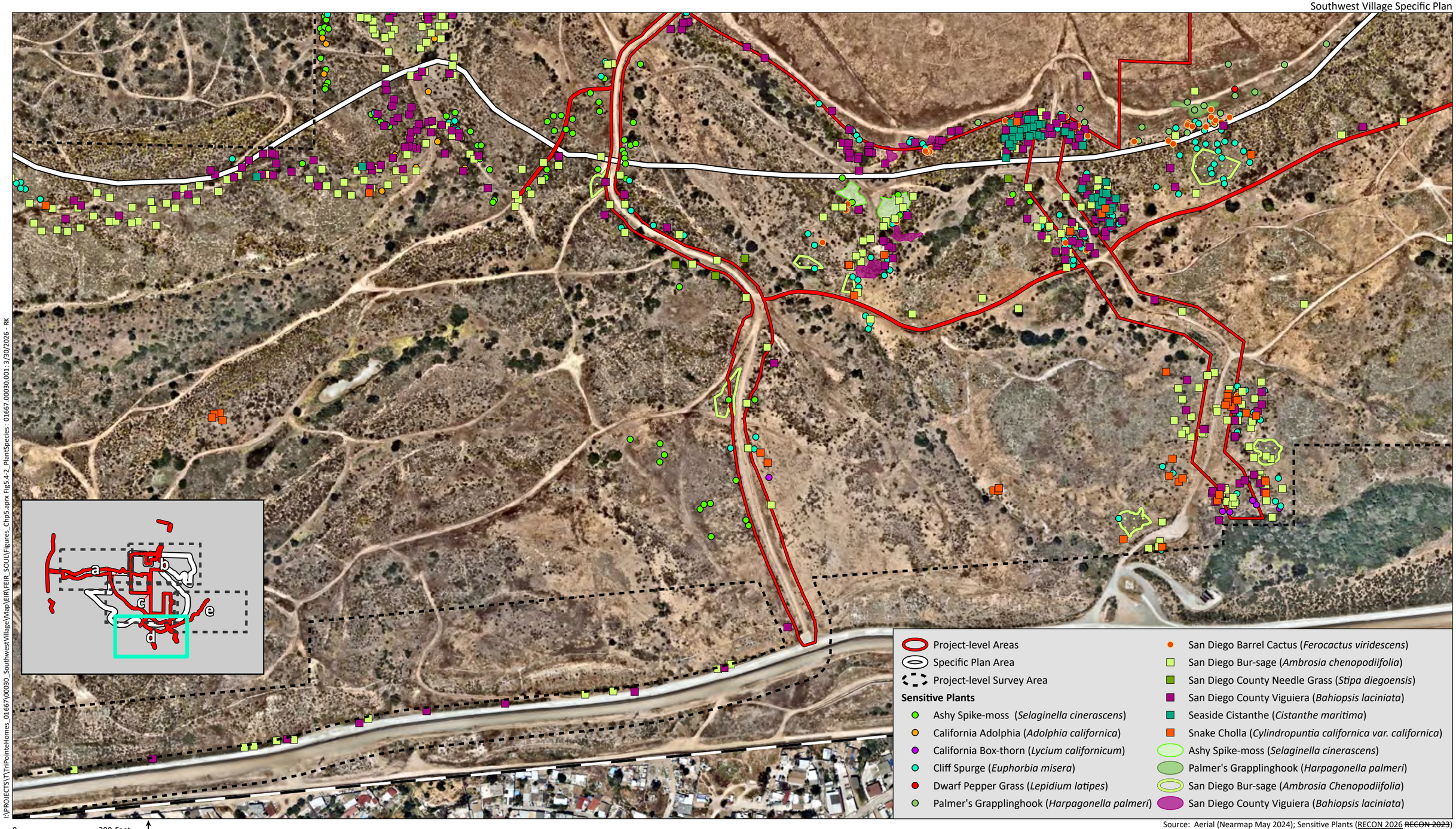



Source: Aerial (Nearmap May 2024); Sensitive Plants (RECON 2026 ~~RECON 2023~~)

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# Special Status Plant Species

Figure 5.4-2c

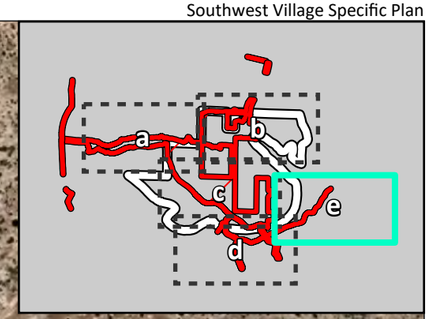



Source: Aerial (Nearmap May 2024); Sensitive Plants (RECON 2026 ~~RECON 2023~~)

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# Special Status Plant Species

Figure 5.4-2d




Project-level Areas
Specific Plan Area
Project-level Survey Area

**Sensitive Plants**

- Ashy Spike-moss (*Selaginella cinerascens*)
- Bobtail Barley (*Hordeum intercedens*)
- Cliff Spurge (*Euphorbia misera*)
- Dwarf Pepper Grass (*Lepidium latipes*)
- Golden-ray Pentachaeta (*Pentachaeta aurea* ssp. *aurea*)
- Palmer's Grapplinghook (*Harpagonella palmeri*)
- San Diego Barrel Cactus (*Ferocactus viridescens*)
- San Diego Bur-sage (*Ambrosia chenopodiifolia*)
- San Diego Button Celery (*Eryngium aristulatum var. parishii*)
- San Diego County Needle Grass (*Stipa diegoensis*)
- San Diego County Viguiera (*Bahiopsis laciniata*)
- Snake Cholla (*Cylindropuntia californica var. californica*)
- Variegated Dudleya (*Dudleya variegata*)

Golden-ray Pentachaeta (*Pentachaeta aurea* ssp. *aurea*)
Palmer's Grapplinghook (*Harpagonella palmeri*)
San Diego Bur-sage (*Ambrosia Chenopodiifolia*)
Variegated Dudleya (*Dudleya variegata*)

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N

Source: Aerial (Nearmap May 2024); Sensitive Plants (RECON 2026 ~~RECON 2023~~)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-2_PlantSpecies : 01667.00030.001 : 3/30/2026 - RK

# Special Status Plant Species

Figure 5.4-2e

Project-level Areas
Specific Plan Area
Project-level Survey Area

**Sensitive Wildlife**

***Birds***

- Bald Eagle (*Haliaeetus leucocephalus*)
- California Horned Lark (*Eremophila alpestris*)
- Coastal California Gnatcatcher (*Polioptila californica californica*)
- Cooper's Hawk (*Accipiter cooperii*)
- Least Bell's Vireo (*Vireo bellii pusillus*)
- Merlin (*Falco columbarius*)
- Northern Harrier (*Circus cyaneus hudsonius*)
- White-tailed Kite (*Elanus leucurus majusculus*)
- Yellow-breasted Chat (*Icteria virens*)
- Southern California Rufous-crowned Sparrow (*Aimophila ruficeps canescens*)

***Mammals***

- San Diego Black-tailed Jackrabbit (*Lepus californicus bennettii*)
- San Diego Desert Woodrat (*Neotoma lepida intermedia*)

***Reptiles and Amphibians***

- Coast Horned Lizard (*Phrynosoma blainvillii*)
- Coastal Whiptail (*Aspidoscelis tigris steinegeri*)
- Orange-throated Whiptail (*Aspidoscelis hyperythra beldingi*)
- Western Spadefoot (*Spea hammondii*)

***Crustaceans***

- San Diego Fairy Shrimp (*Branchinecta sandiegonensis*)

Sokaire Pl

Enright Dr

a
b
c
d
e

0 300 Feet

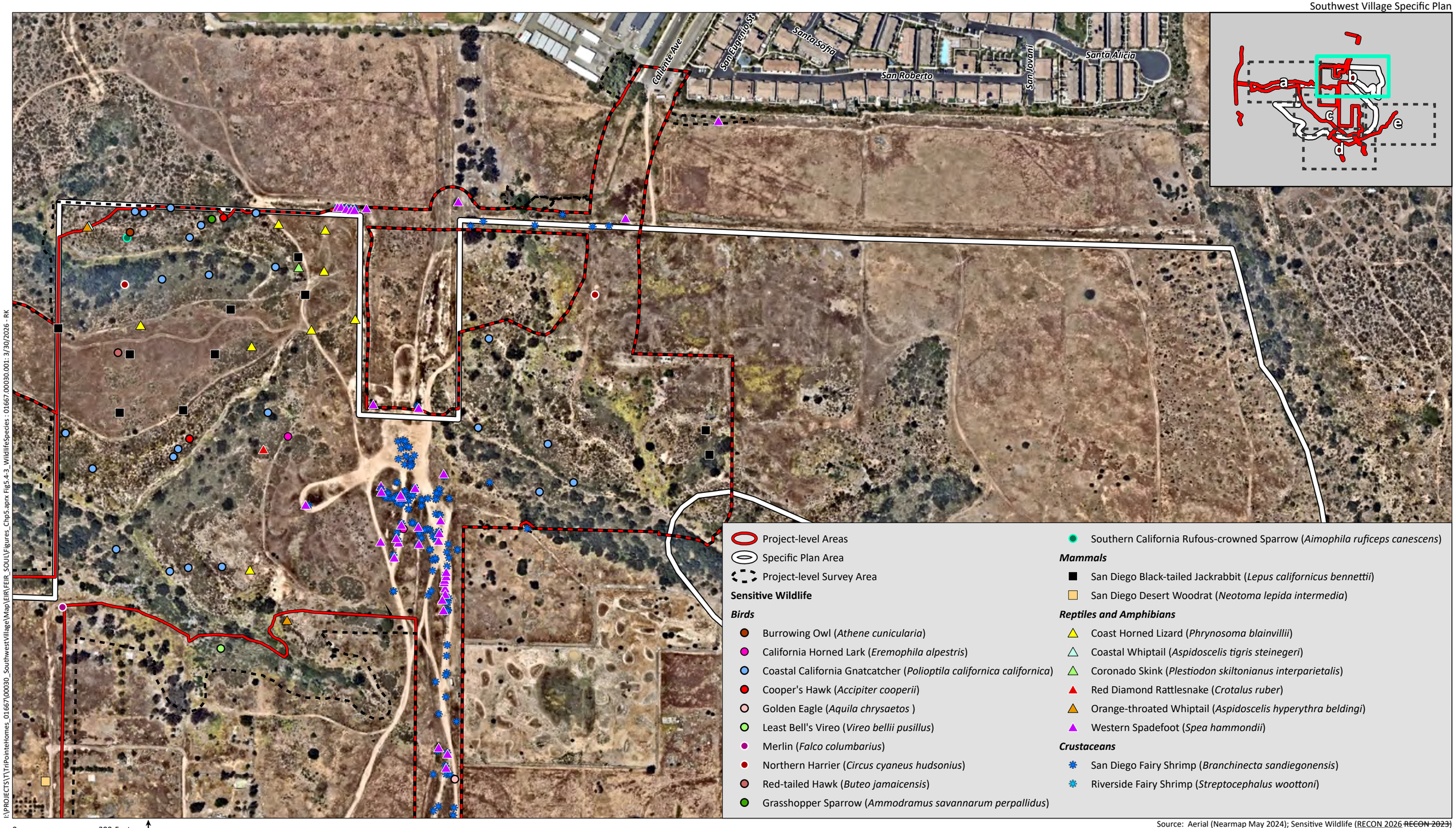
N

Source: Aerial (Nearmap May 2024); Sensitive Wildlife (RECON 2026 ~~RECON 2023~~)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-3_WildlifeSpecies : 01667.00030.001: 3/30/2026 - RK

# Special Status Wildlife Species

Figure 5.4-3a

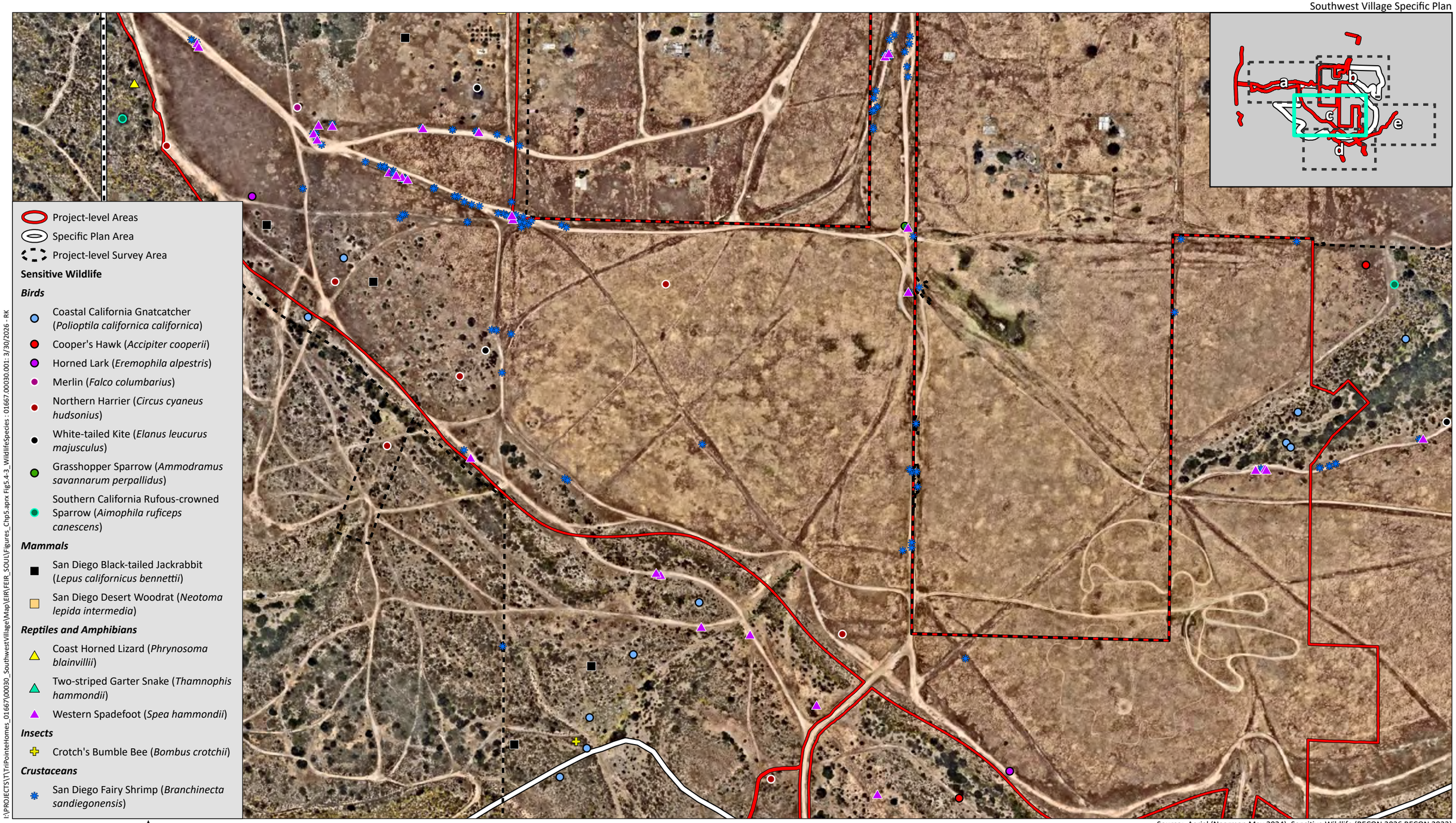



I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Ch5.aprx Fig5.4-3_WildlifeSpecies : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Sensitive Wildlife (RECON 2026 ~~RECON 2023~~)

# Special Status Wildlife Species

Figure 5.4-3b

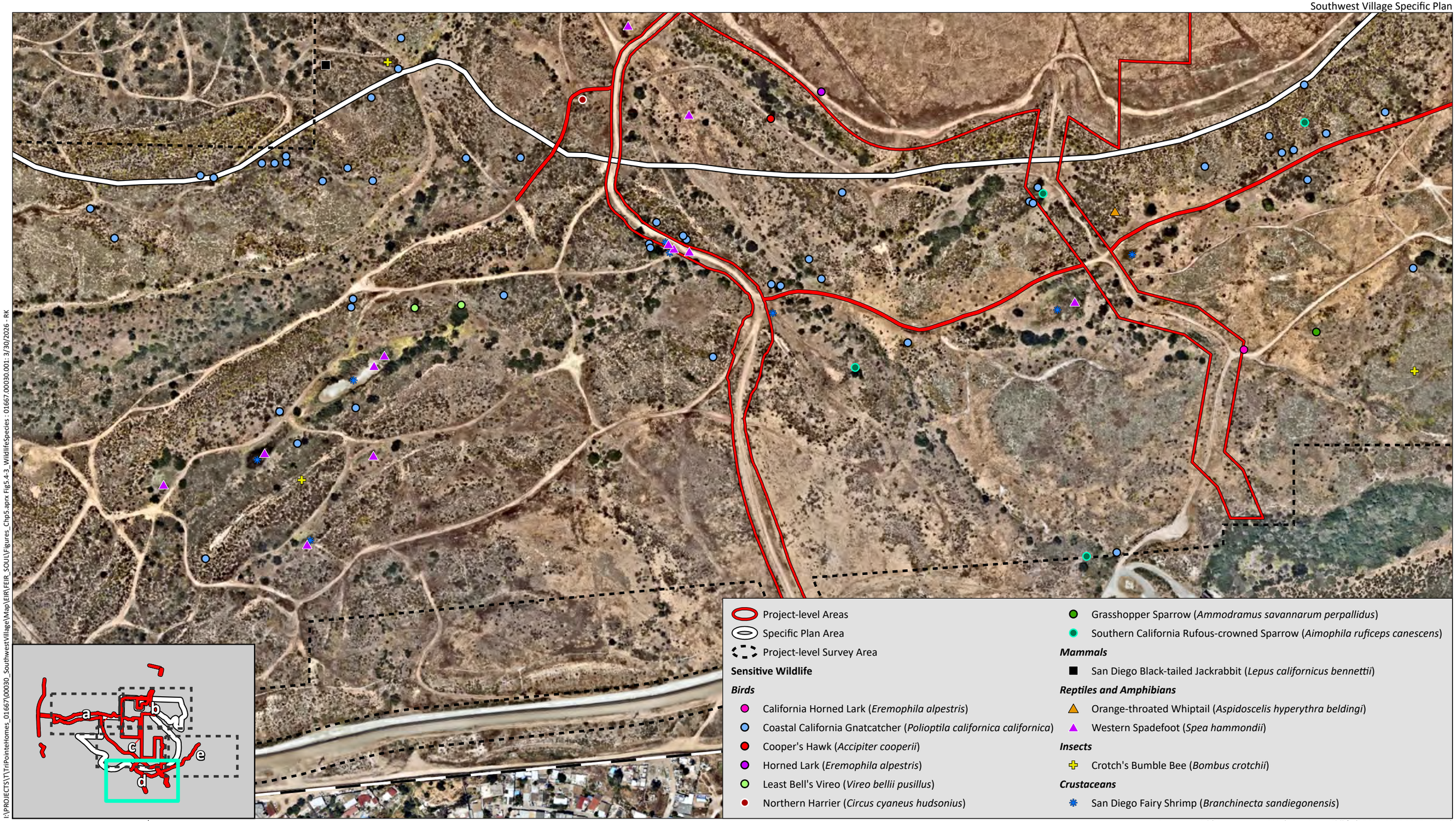



I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-3_WildlifeSpecies : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Sensitive Wildlife (RECON 2026 ~~RECON 2023~~)

# Special Status Wildlife Species

Figure 5.4-3c

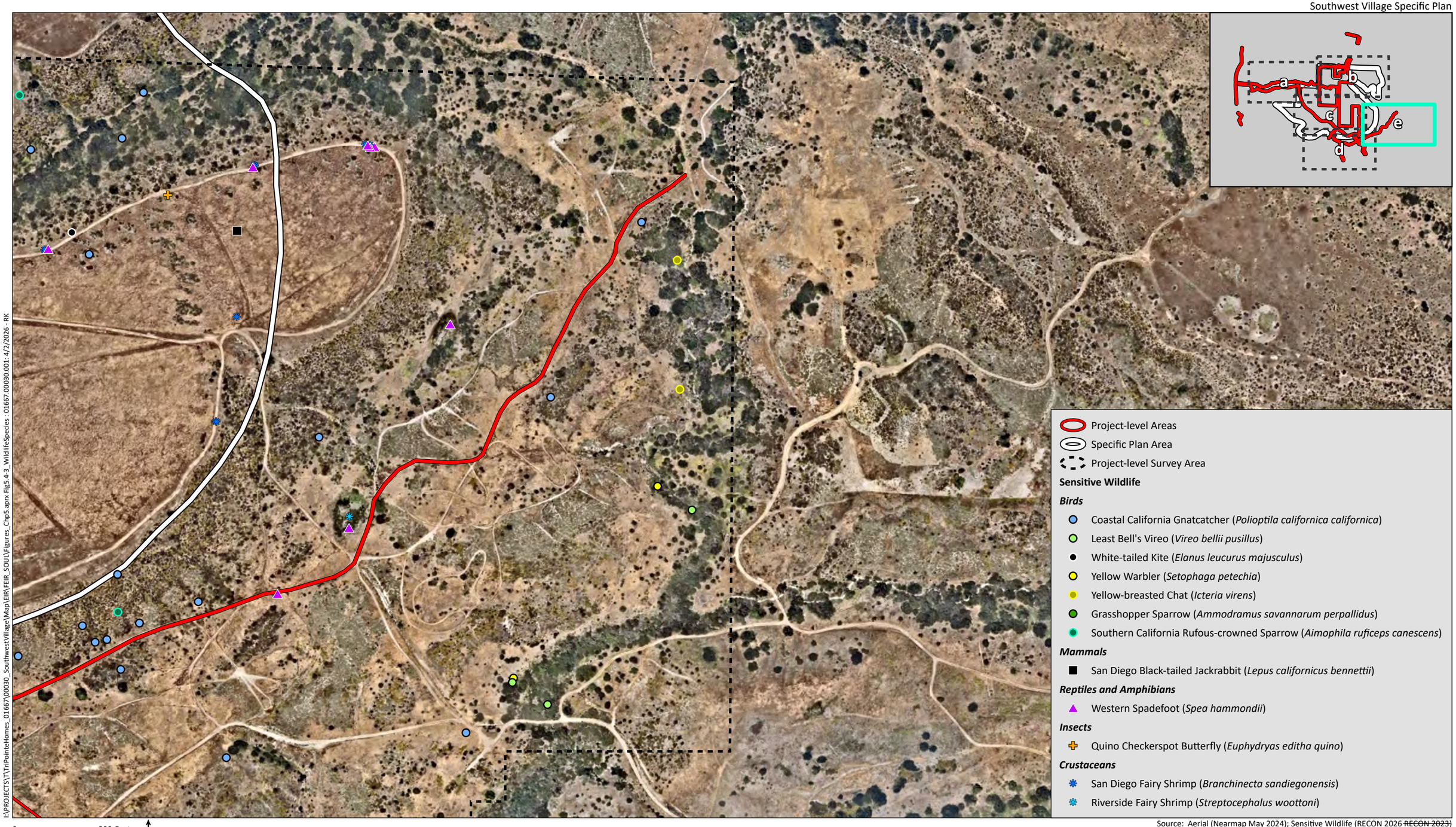



Source: Aerial (Nearmap May 2024); Sensitive Wildlife (RECON 2026 ~~RECON 2023~~)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-3_WildlifeSpecies : 01667.00030.001: 3/30/2026 - RK

# Special Status Wildlife Species

Figure 5.4-3d




Source: Aerial (Nearmap May 2024); Sensitive Wildlife (RECON 2026 ~~RECON 2023~~)

# Special Status Wildlife Species

Figure 5.4-3e

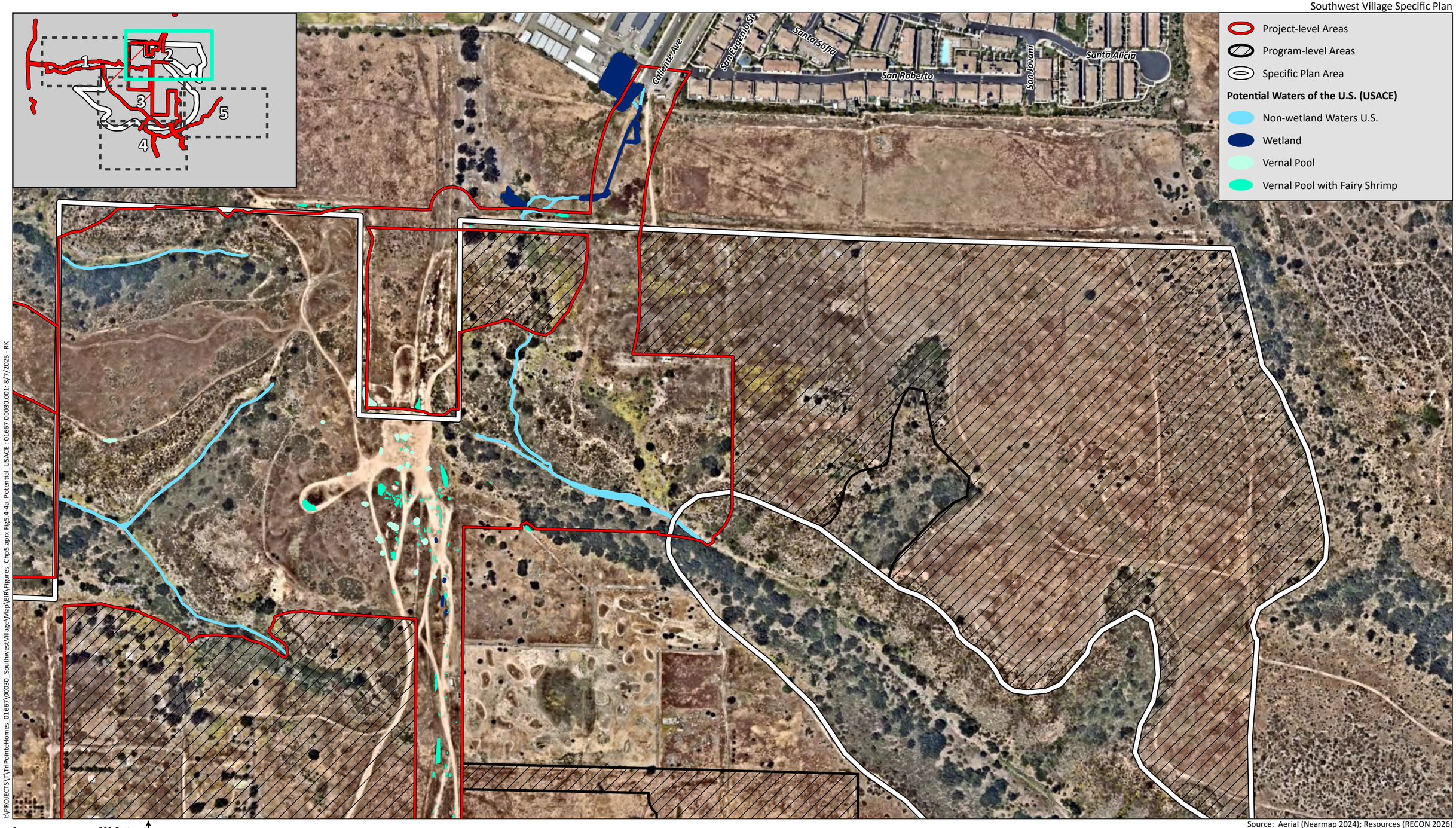



I:\PROJECTS\TJ\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4a_Potential_USACE : 01667.00030.001 4/2/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (USACE)

Figure 5.4-4a-1



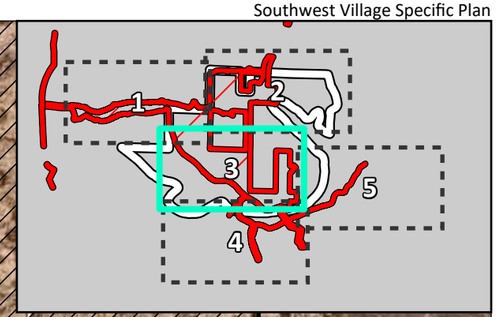

I:\PROJECTS\TVTriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5.aprx Fig5.4-4a_Potential_USACE : 01667.00030.001: 8/7/2025 - RK

Source: Aerial (Nearmap 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (USACE)

Figure 5.4-4a-2

Southwest Village Specific Plan




Project-level Areas
Program-level Areas
Specific Plan Area

**Potential Waters of the U.S. (USACE)**

Non-wetland Waters U.S.
Wetland
Vernal Pool
Vernal Pool with Fairy Shrimp

0 300 Feet

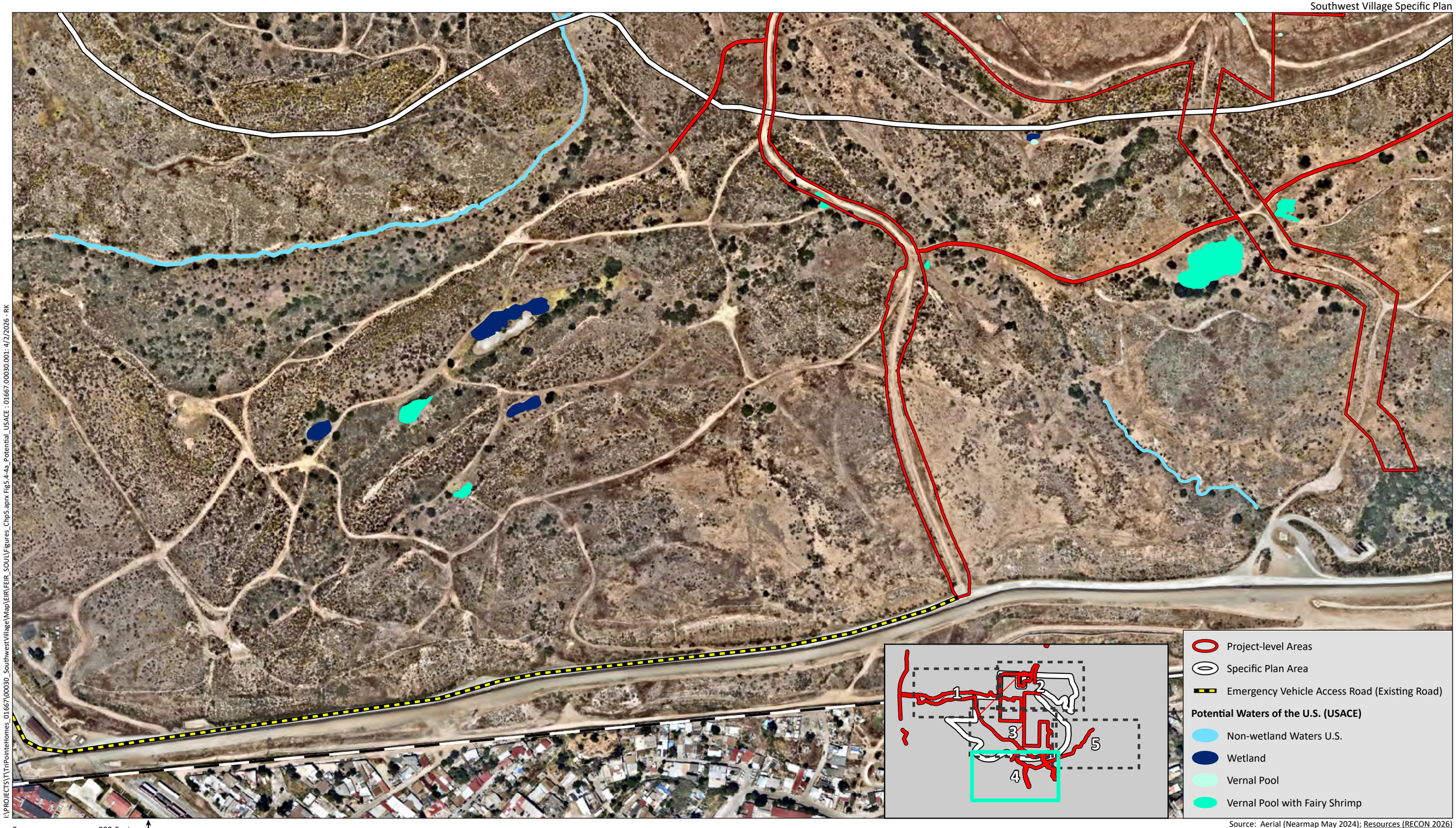
N

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

I:\PROJECTS\TJ\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4a_Potential_USACE : 01667.00030.001: 4/2/2026 - RK

# Existing Potential Jurisdictional Resources (USACE)

Figure 5.4-4a-3

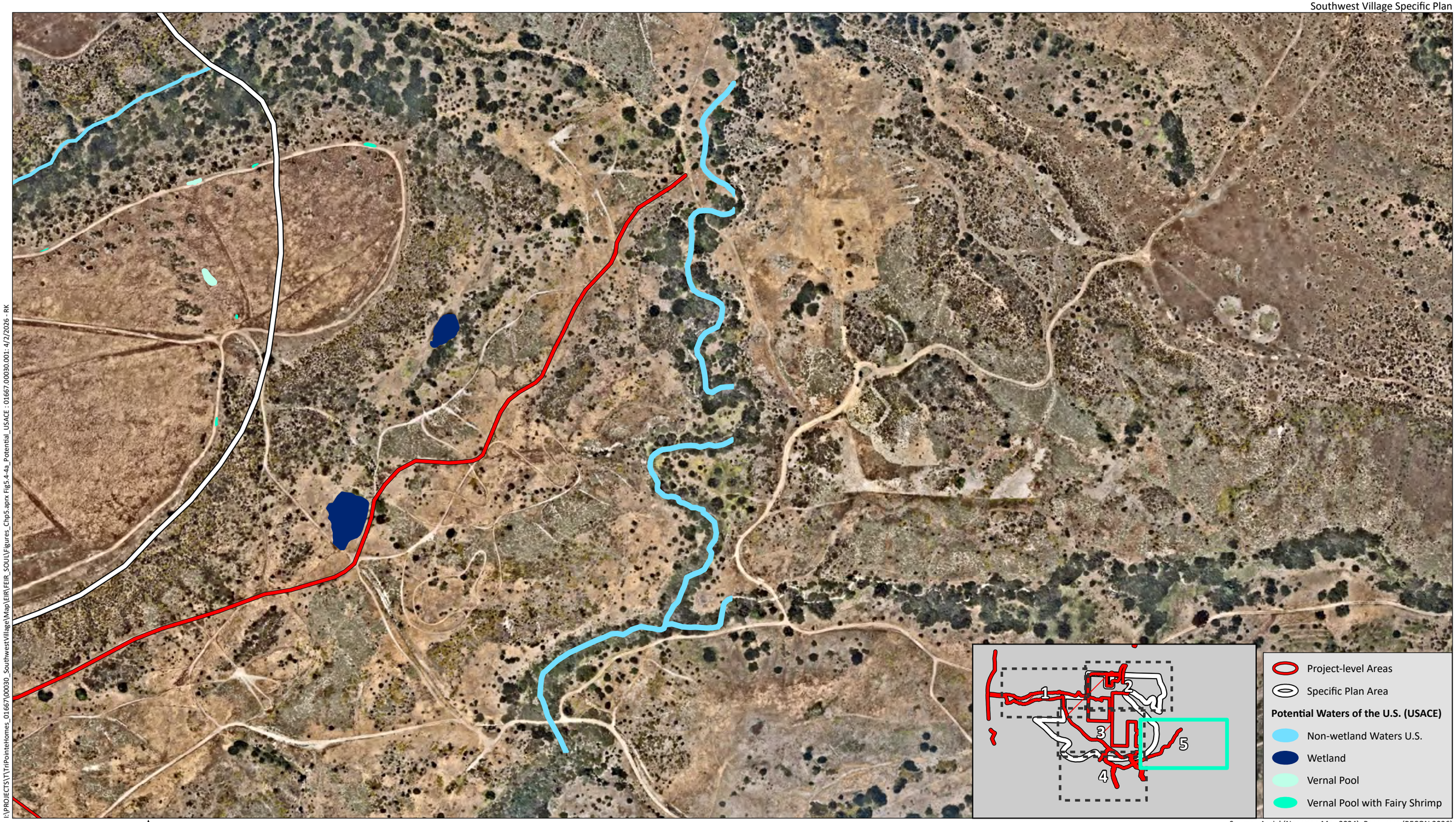



I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Ch5.aprx Fig5.4-4a_Potential_USACE : 01667.00030.001: 4/2/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (USACE)

Figure 5.4-4a-4




Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (USACE)

Figure 5.4-4a-5

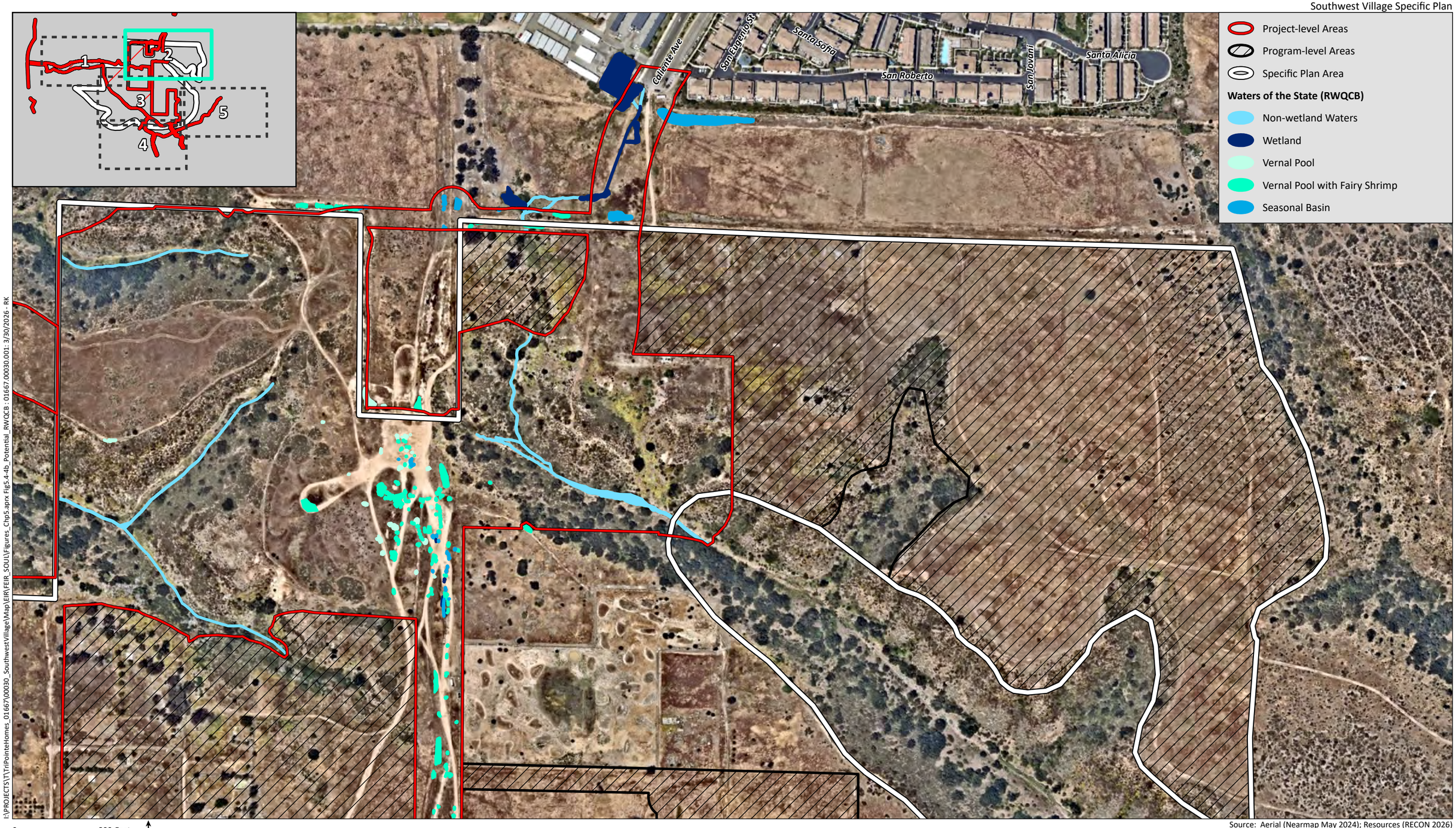



I:\PROJECTS\TJ\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\LFigures_Chp5.aprx Fig5.4-4b_Potential_RW

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (RWQCB)

Figure 5.4-4b-1




I:\PROJECTS\TVTriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4b_Potential_RWQCB : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (RWQCB)

Figure 5.4-4b-2

Southwest Village Specific Plan

Project-level Areas
Program-level Areas
Specific Plan Area

**Waters of the State (RWQCB)**

Non-wetland Waters
Wetland
Vernal Pool
Vernal Pool with Fairy Shrimp
Seasonal Basin




0 300 Feet

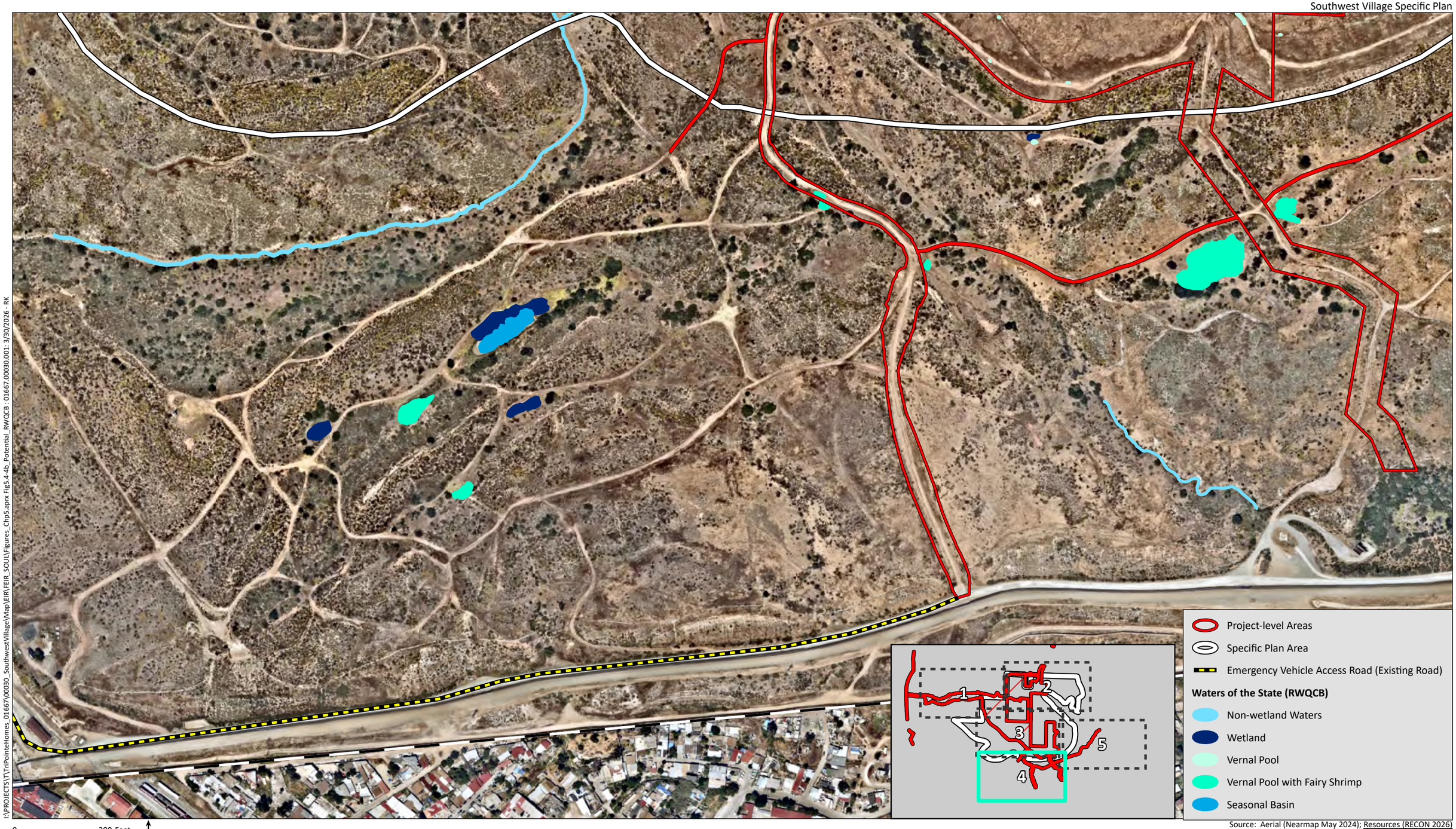
N

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

I:\PROJECTS\TLT\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4b_Potential_RWQCB : 01667.00030.001: 3/30/2026 - RK

# Existing Potential Jurisdictional Resources (RWQCB)

Figure 5.4-4b-3




Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

I:\PROJECTS\YT\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5 aprx Fig5.4-4b_Potential_RWQCB : 01667.00030.001: 3/30/2026 - RK

# Existing Potential Jurisdictional Resources (RWQCB)

Figure 5.4-4b-4




Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (RWQCB)

Figure 5.4-4b-5




Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (CDFW)

Figure 5.4-4c-1

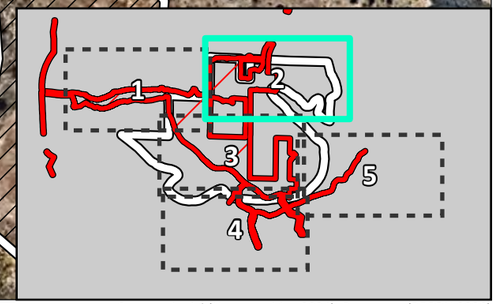
Southwest Village Specific Plan

- Project-level Areas
- Program-level Areas
- Specific Plan Area

**CDFW Jurisdictional**

- Streambed
- Wetland
- Vernal Pool

Caliente Ave
San Eugenio St
Santa Sofia
San Roberto
San Jovani
Santa Alicia




0 300 Feet

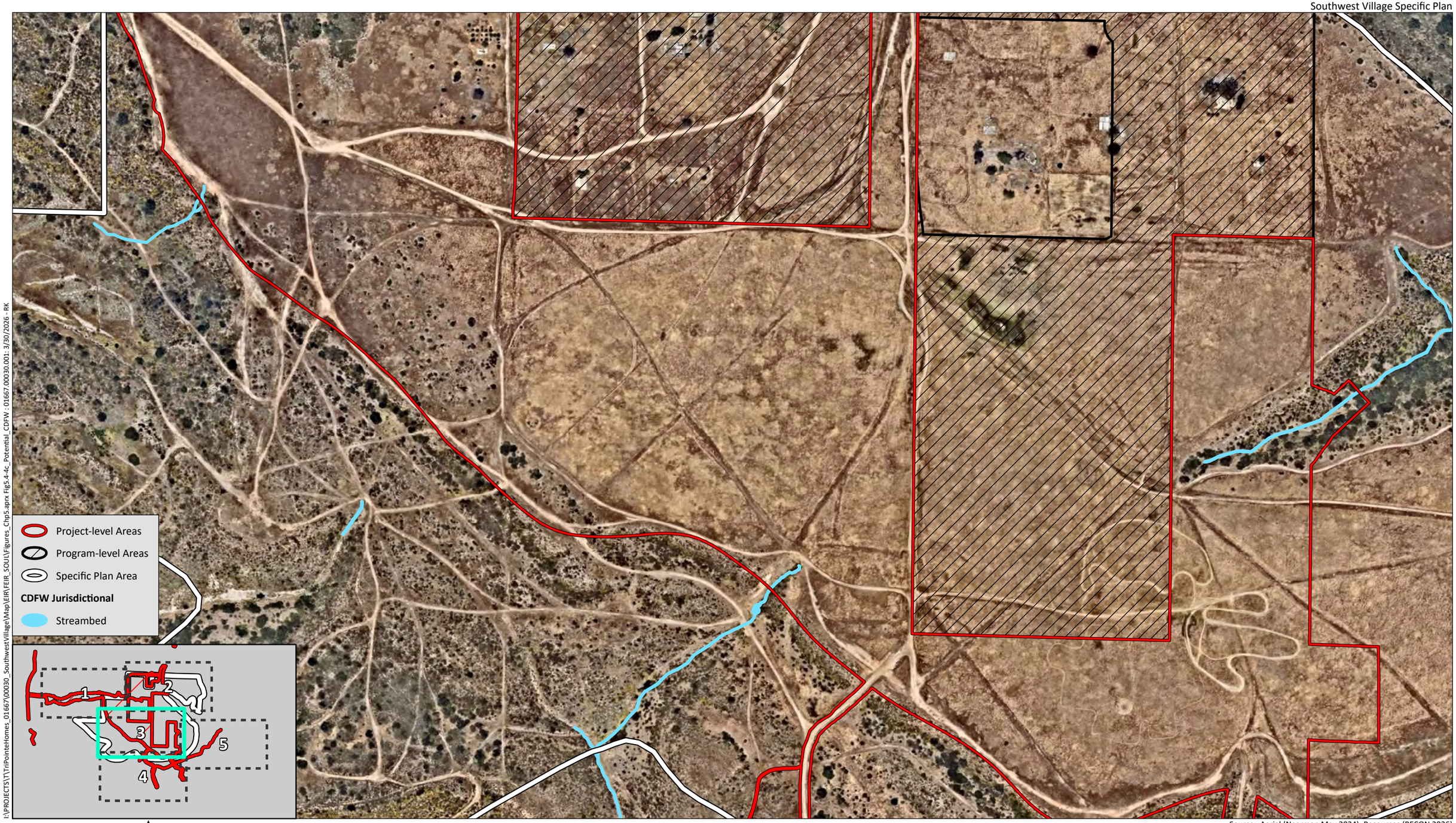
N

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

I:\PROJECTS\TVTriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4c_Potential_CDFW - 01667.00030.001: 3/30/2026 - RK

# Existing Potential Jurisdictional Resources (CDFW)

Figure 5.4-4c-2

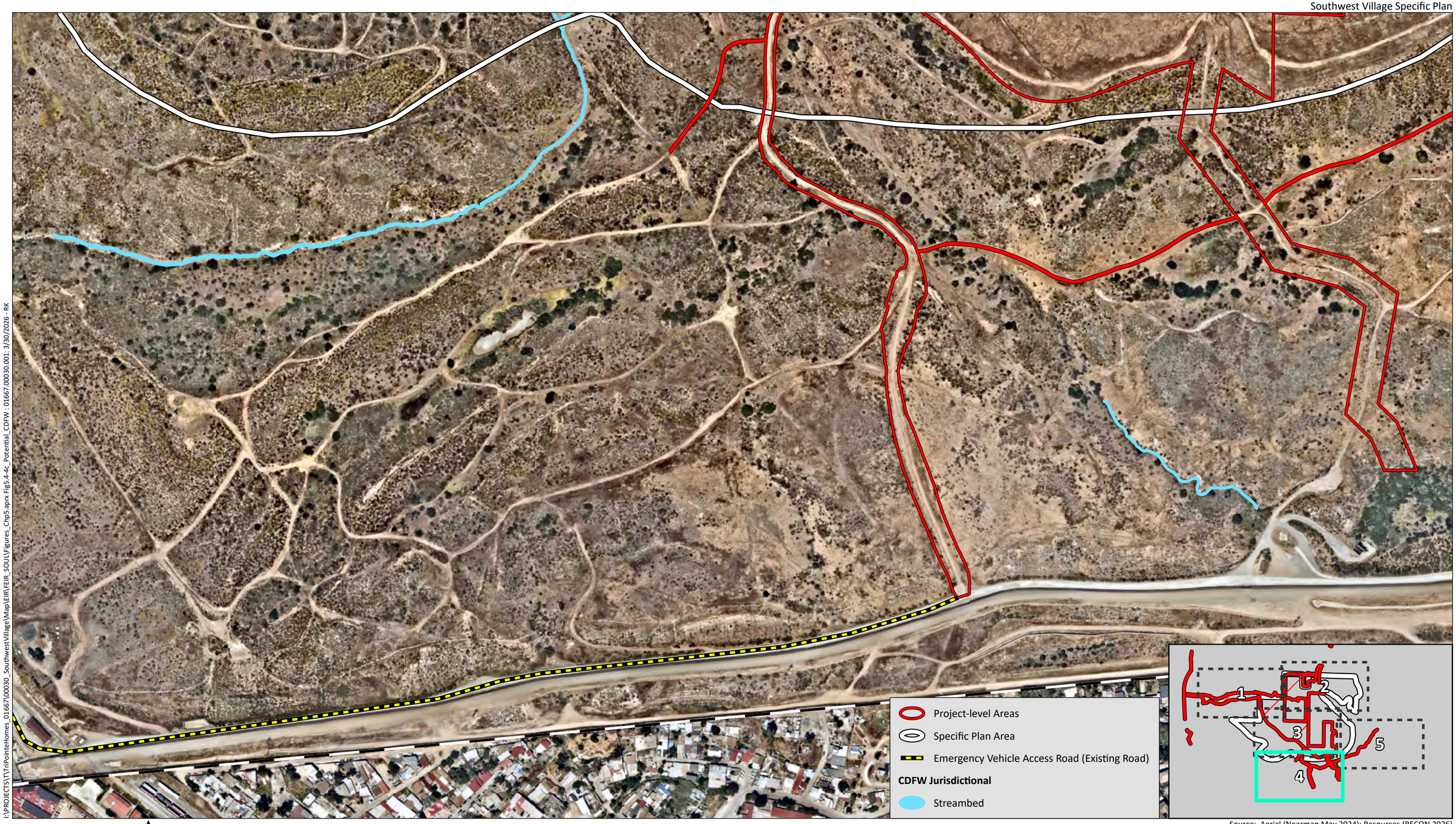



I:\PROJECTS\TLT\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4c_Potential_CDFW - 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (CDFW)

Figure 5.4-4c-3



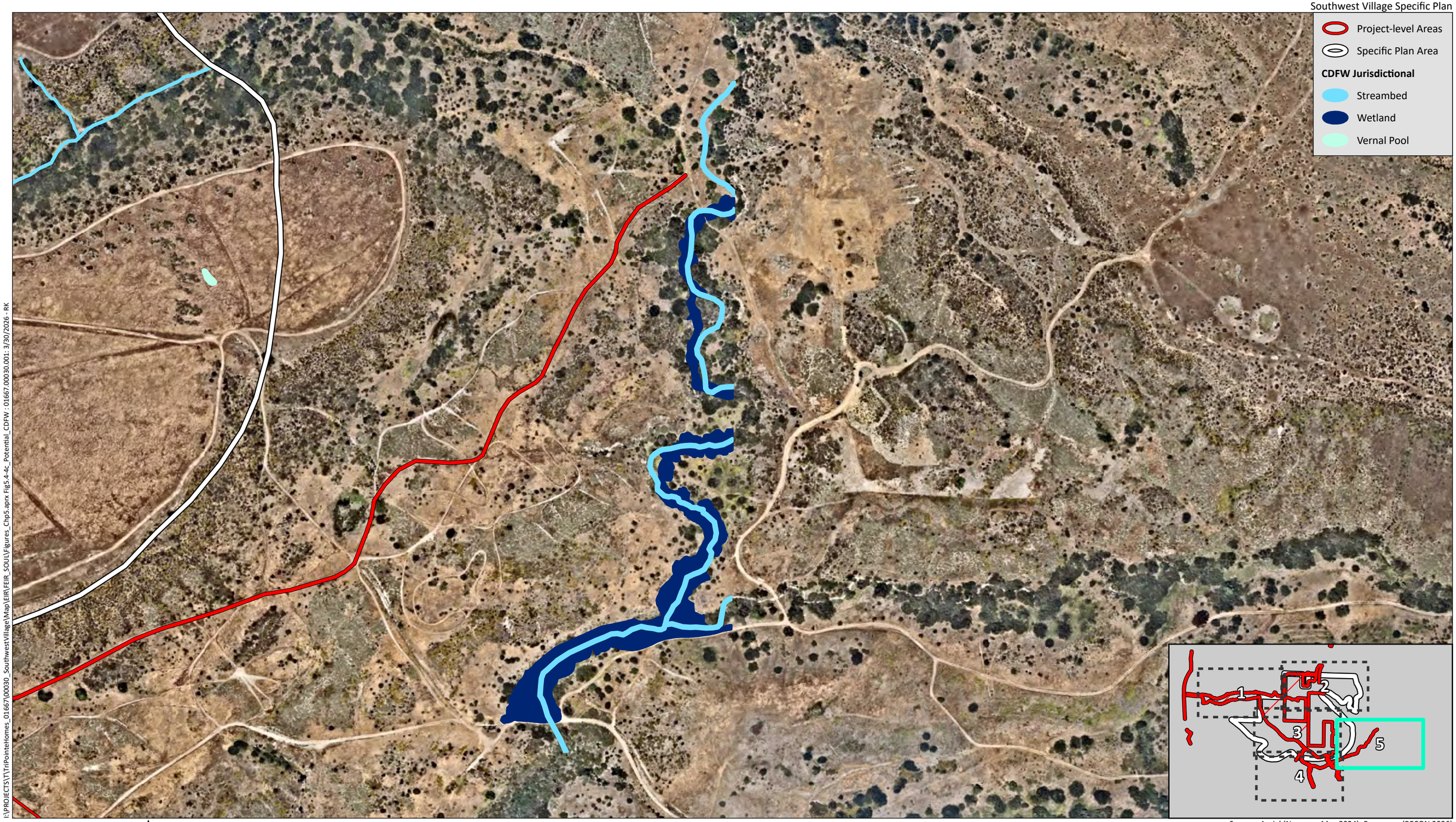

I:\PROJECTS\TJ\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4c_Potential_CDFW : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (CDFW)

Figure 5.4-4c-4

Southwest Village Specific Plan




I:\PROJECTS\TI\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4c_Potential_CDFW : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (CDFW)

Figure 5.4-4c-5

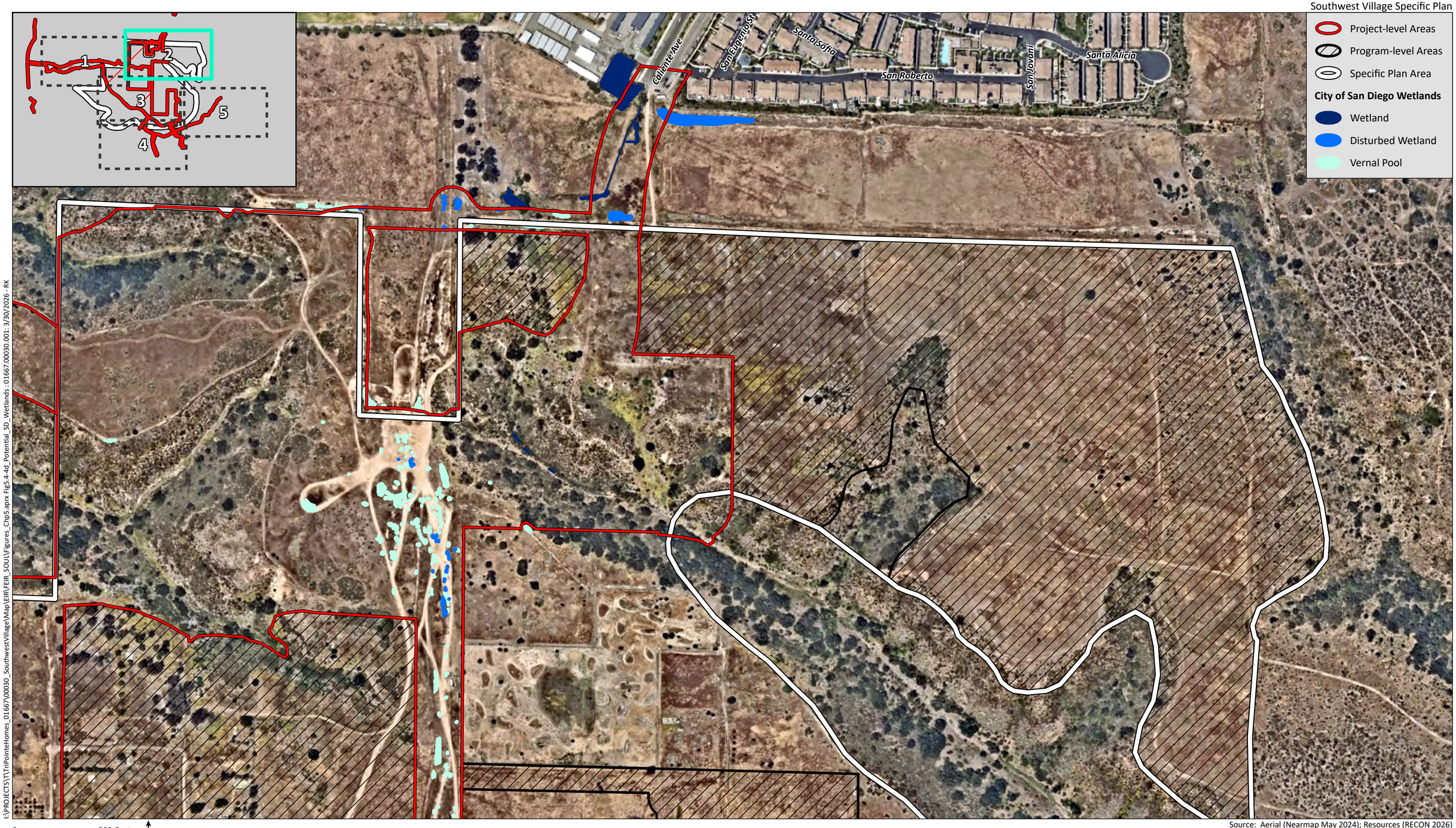



I:\PROJECTS\TV\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU1\Figures_Ch5.aprx Fig5.4-4d_Potential_SD_Wetlands : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (City of Sand Diego Wetlands)

Figure 5.4-4d-1




Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (City of Sand Diego Wetlands)

Figure 5.4-4d-2

Southwest Village Specific Plan

- Project-level Areas
- Program-level Areas
- Specific Plan Area

**City of San Diego Wetlands**

- Disturbed Wetland
- Vernal Pool




0 300 Feet

N

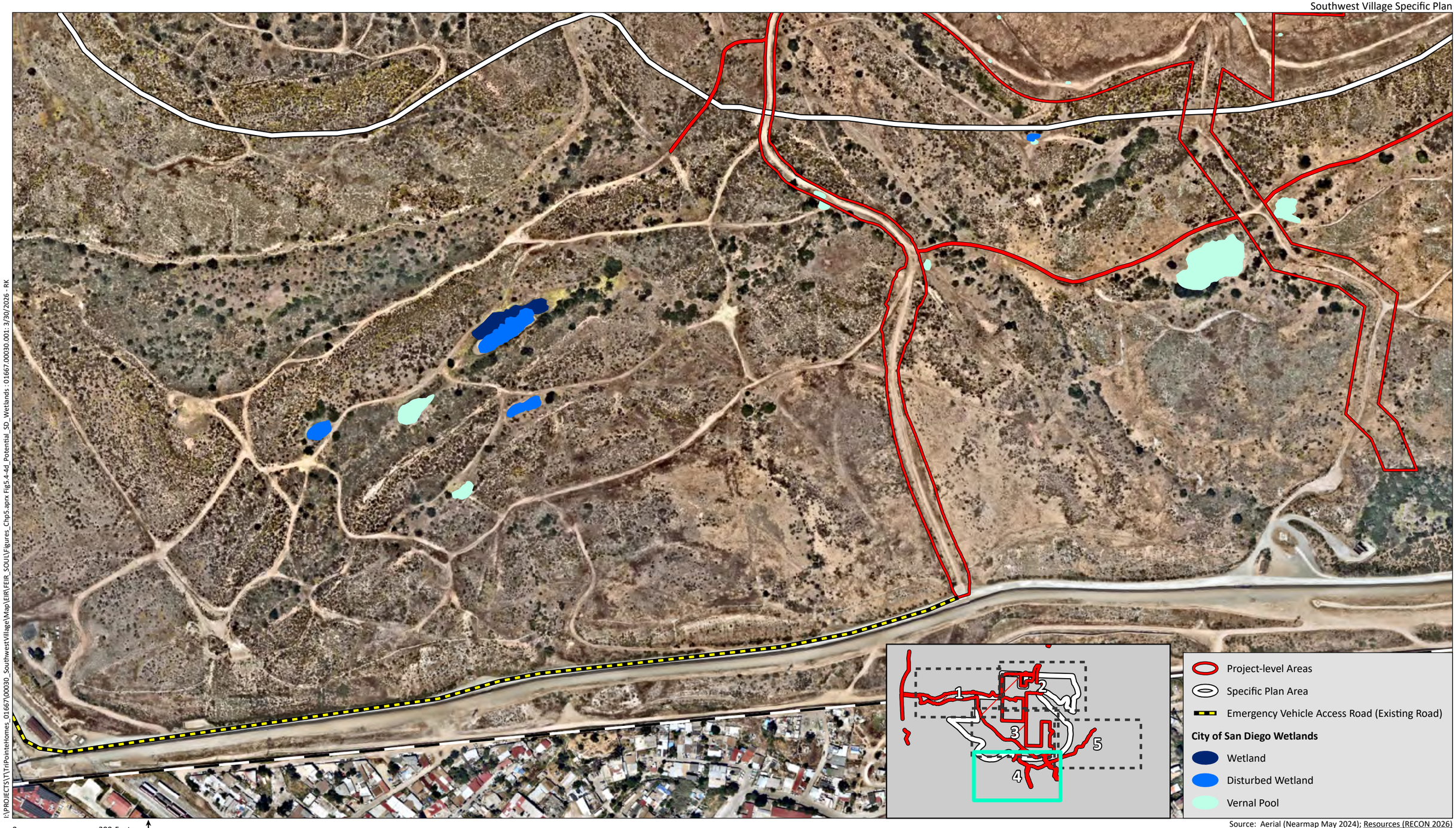
Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

I:\PROJECTS\TI\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4d_Potential_SD_Wetlands : 01667.00030.001: 3/30/2026 - RK

# Existing Potential Jurisdictional Resources (City of Sand Diego Wetlands)

Figure 5.4-4d-3

I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Ch5 aprx Fig5.4-4d_Potential_SD_Wetlands : 01667.00030.001: 3/30/2026 - RK

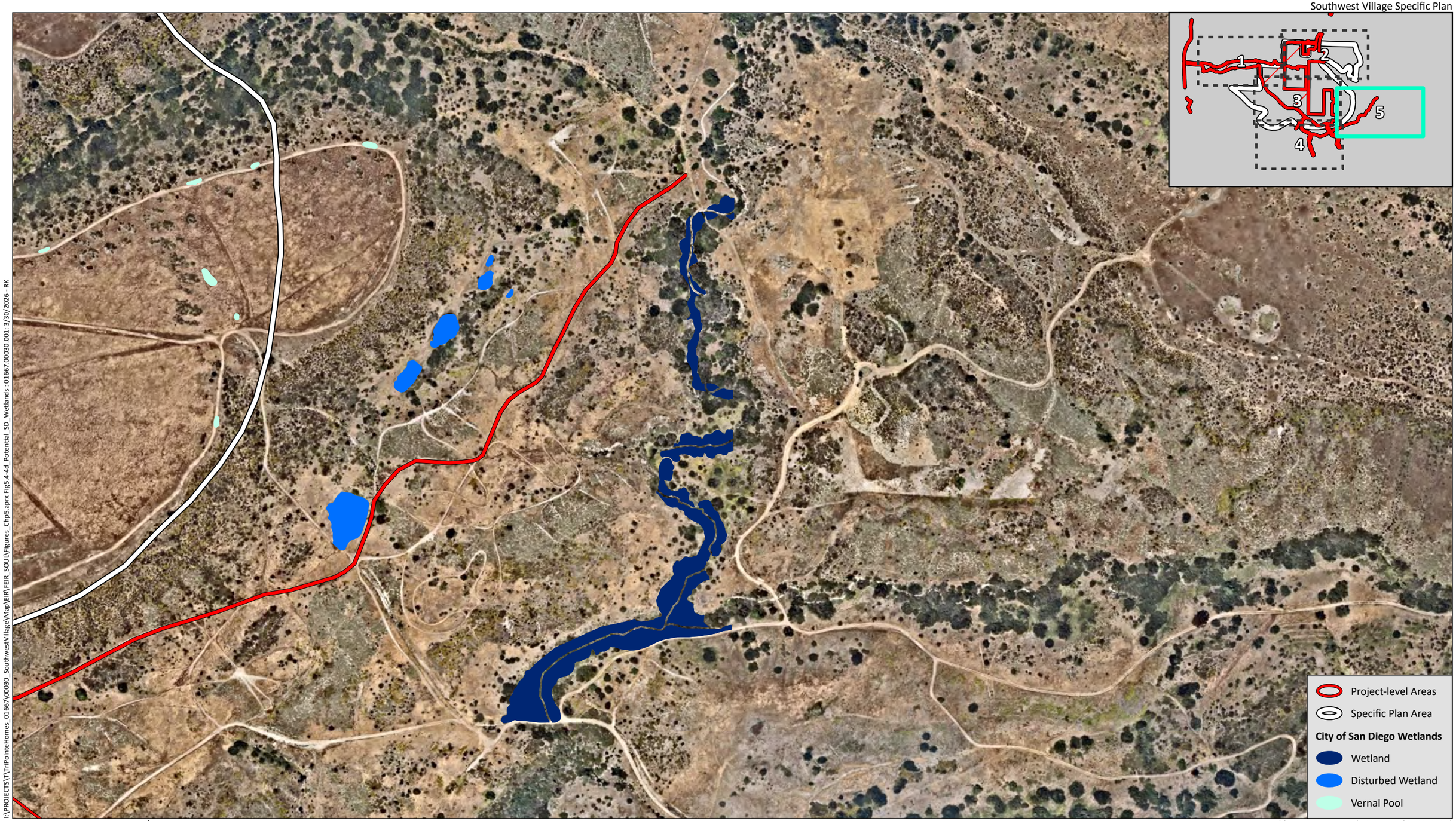



0 300 Feet

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (City of Sand Diego Wetlands)

Figure 5.4-4d-4

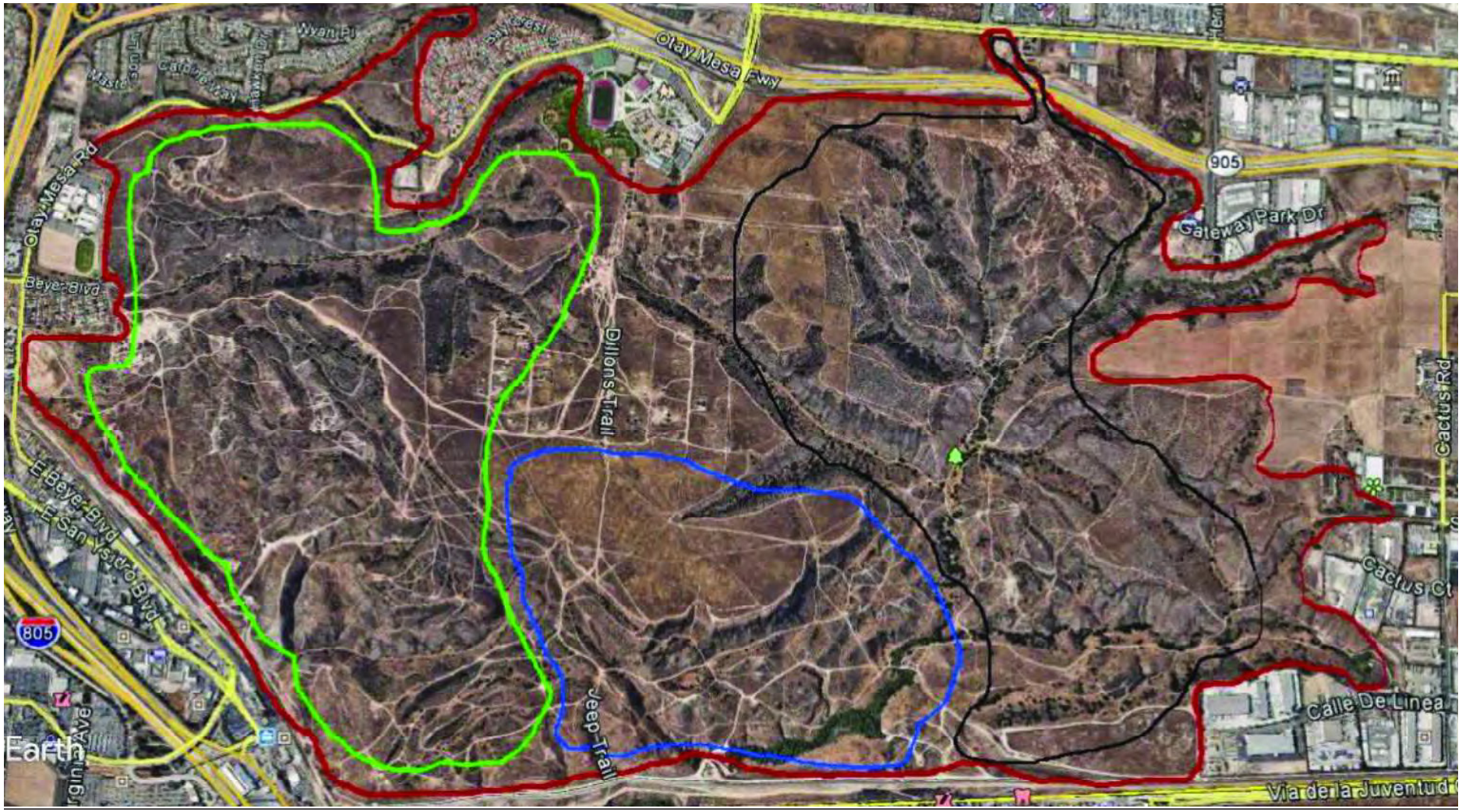



I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-4d_Potential_SD_Wetlands : 01667.00030.001: 3/30/2026 - RK

Source: Aerial (Nearmap May 2024); Resources (RECON 2026)

# Existing Potential Jurisdictional Resources (City of Sand Diego Wetlands)

Figure 5.4-4d-5

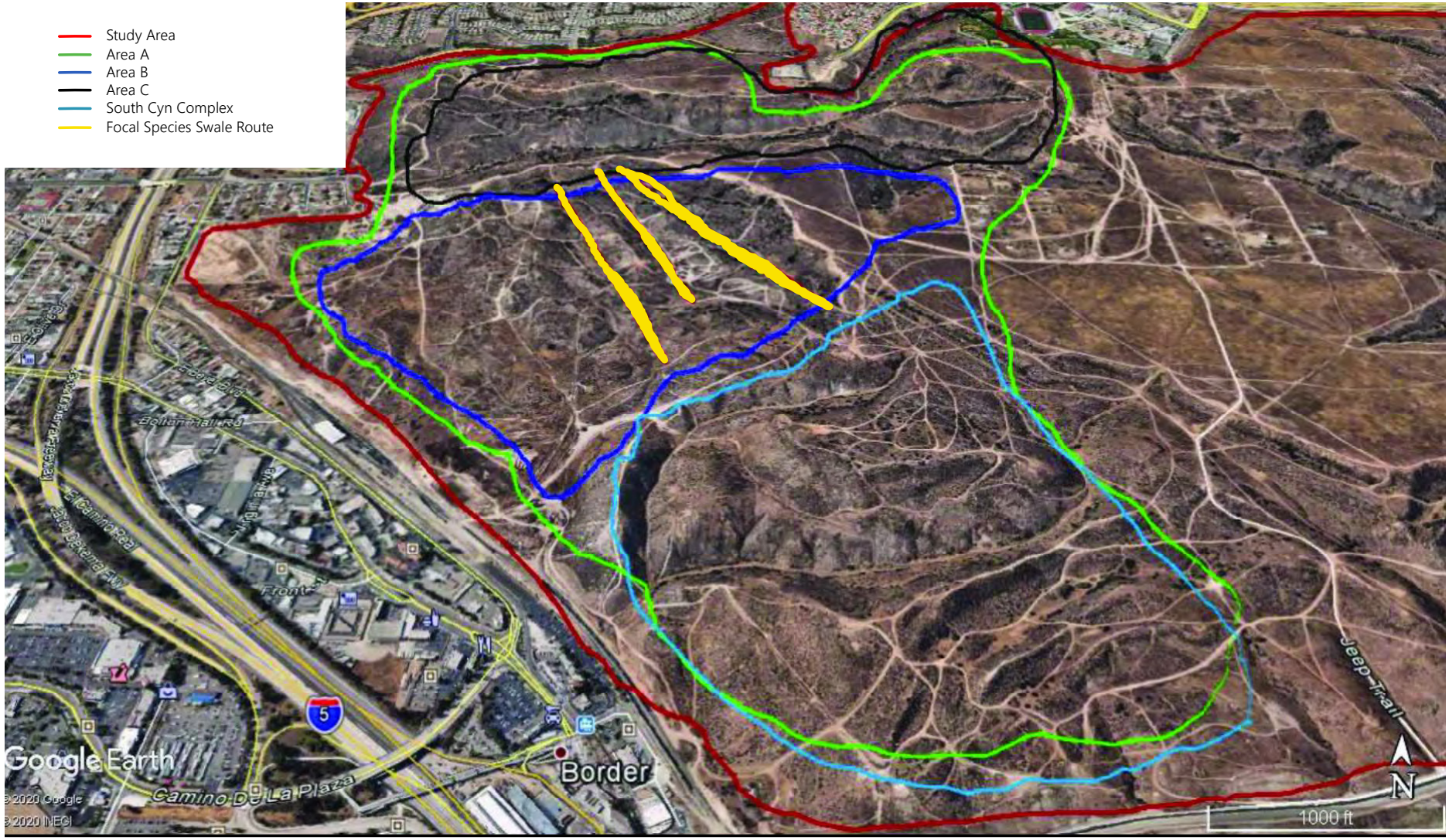



Source: RECON 2026 ~~RECON 2024~~

# Wildlife Tracking Study

Figure 5.4-5a

I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Fig5.4-5a_WildlifeTracking.indd 01667.00030.001 03/30/26 -RK

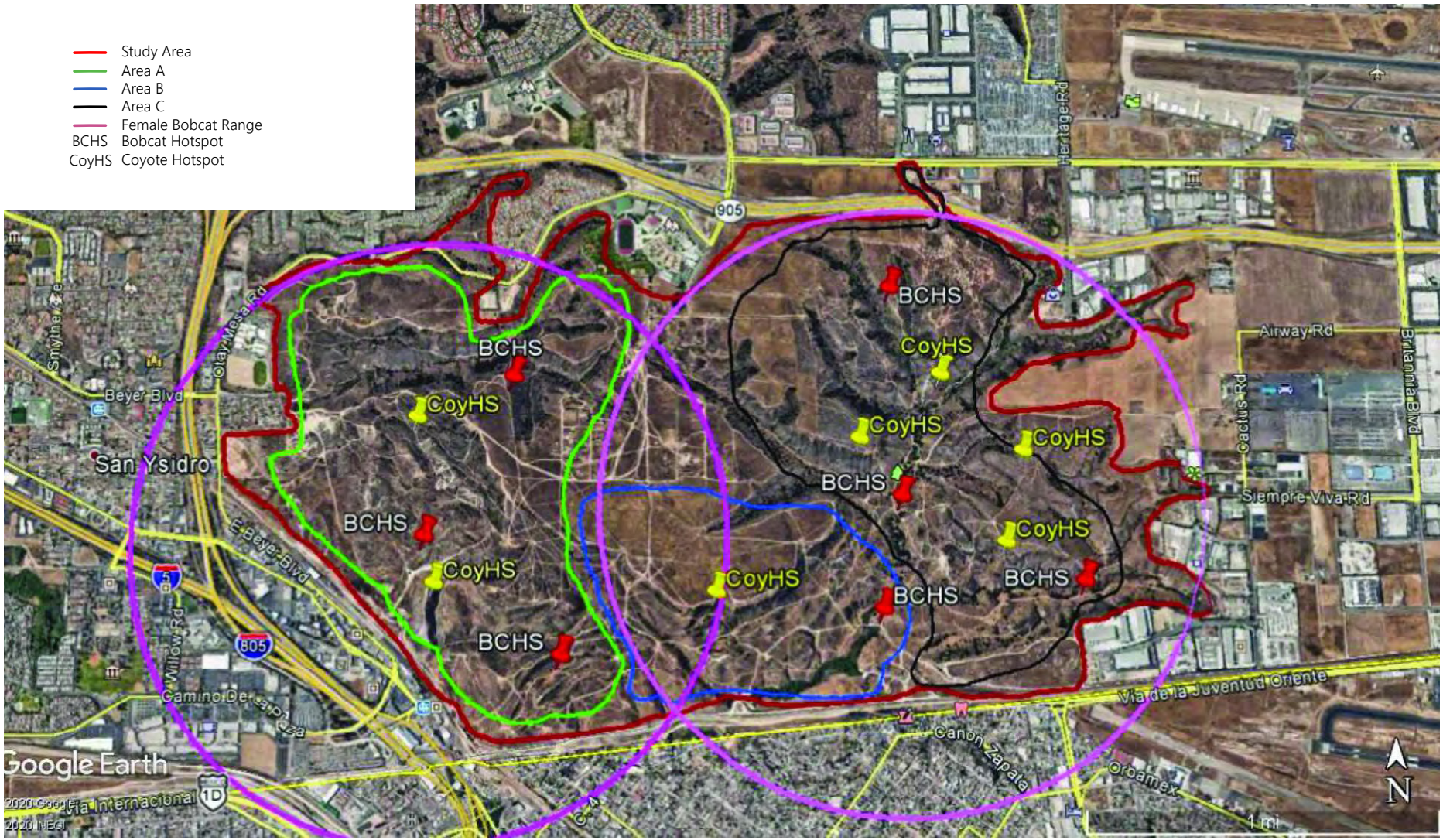



I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Fig5.4-5b_FocalSpecies.indd 01667.00030.001 03/30/26 -RK

Source: RECON 2026 ~~RECON 2024~~

# Focal Species Swale Routes

Figure 5.4-5b

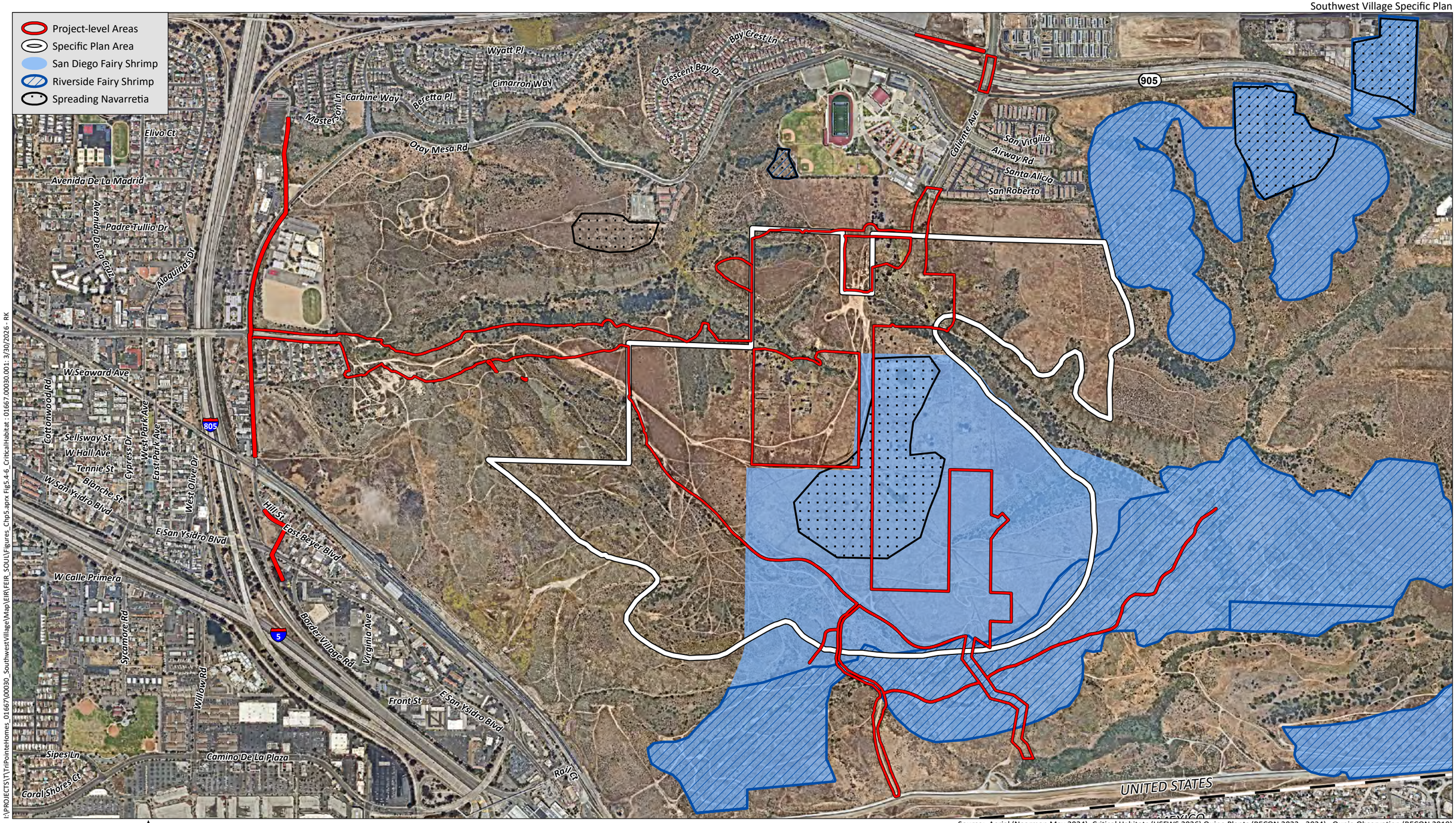



Source: RECON 2026 ~~RECON 2024~~

# Coyote and Bobcat Hotspots

Figure 5.4-5c

I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Fig5.4-5c_Coyote_Bobcat.indd 01667.00030.001 03/30/26 -RK



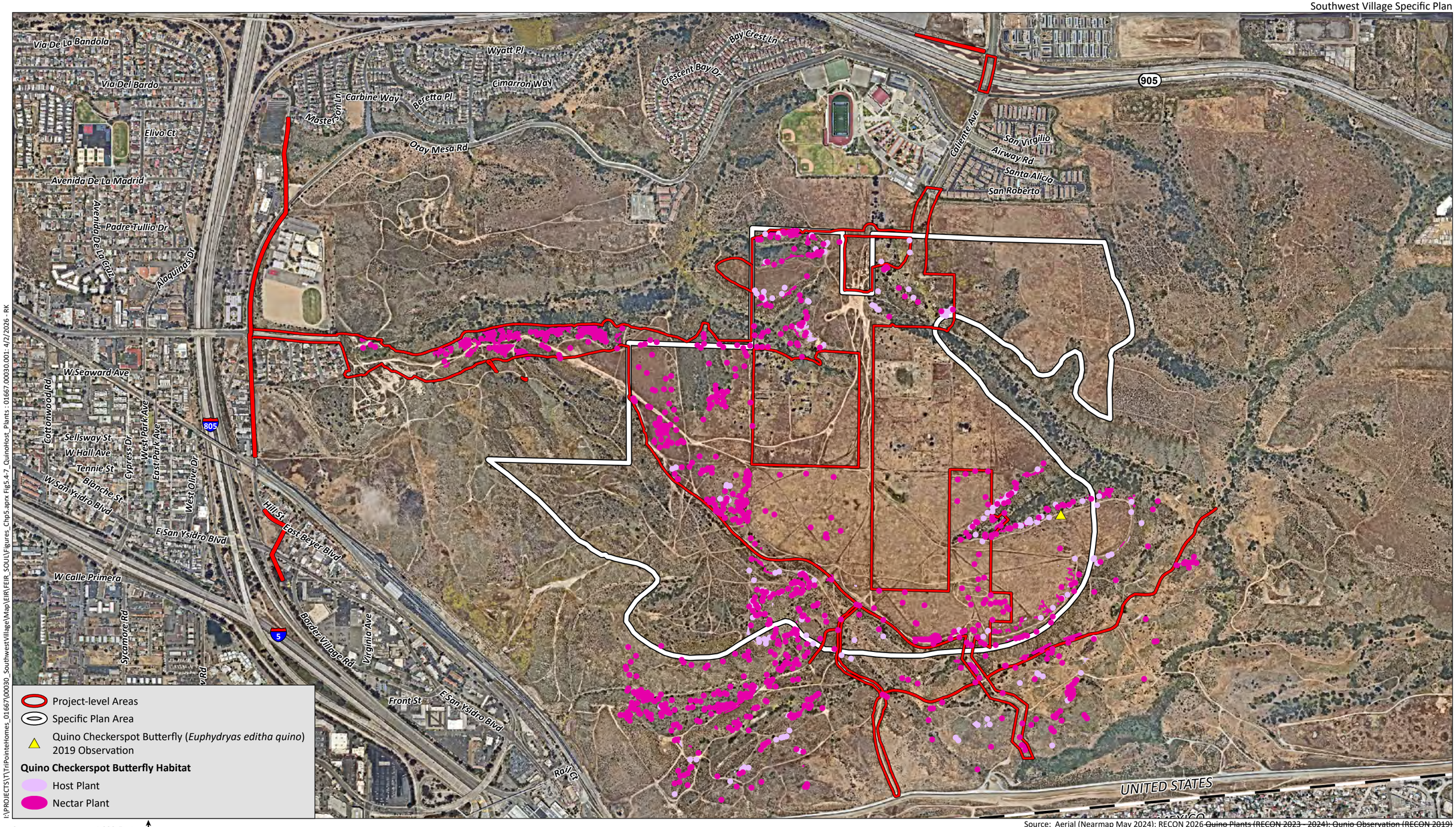

0 1,000 Feet

Source: Aerial (Nearmap May 2024); Critical Habitats (USFWS 2026) ~~Quino Plants (RECON 2023 - 2024); Quino Observation (RECON 2019)~~

I:\PROJECTS\TV\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-6_CriticalHabitat : 01667.00030.001: 3/30/2026 - RK

# Critical Habitat

Figure 5.4-6

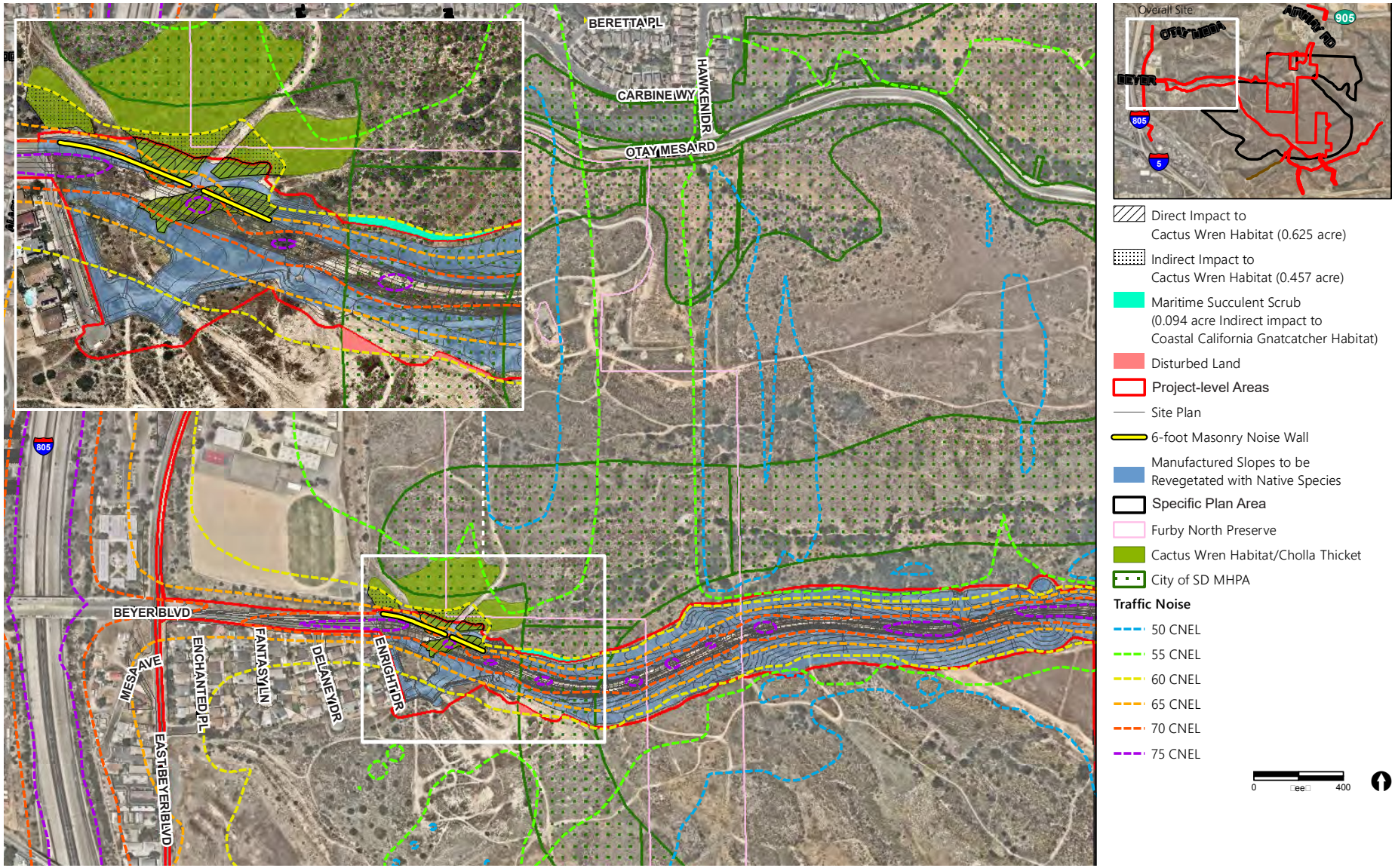



I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU1\Figures_Chp5.aprx Fig5.4-7_QuinoHost_Plants : 01667.00030.001: 4/2/2026 - RK

Source: Aerial (Nearmap May 2024); RECON 2026 ~~Quino Plants (RECON 2023 - 2024); Quino Observation (RECON 2019)~~

# Quino Checkerspot Butterfly Host and Nectar Plants

Figure 5.4-7

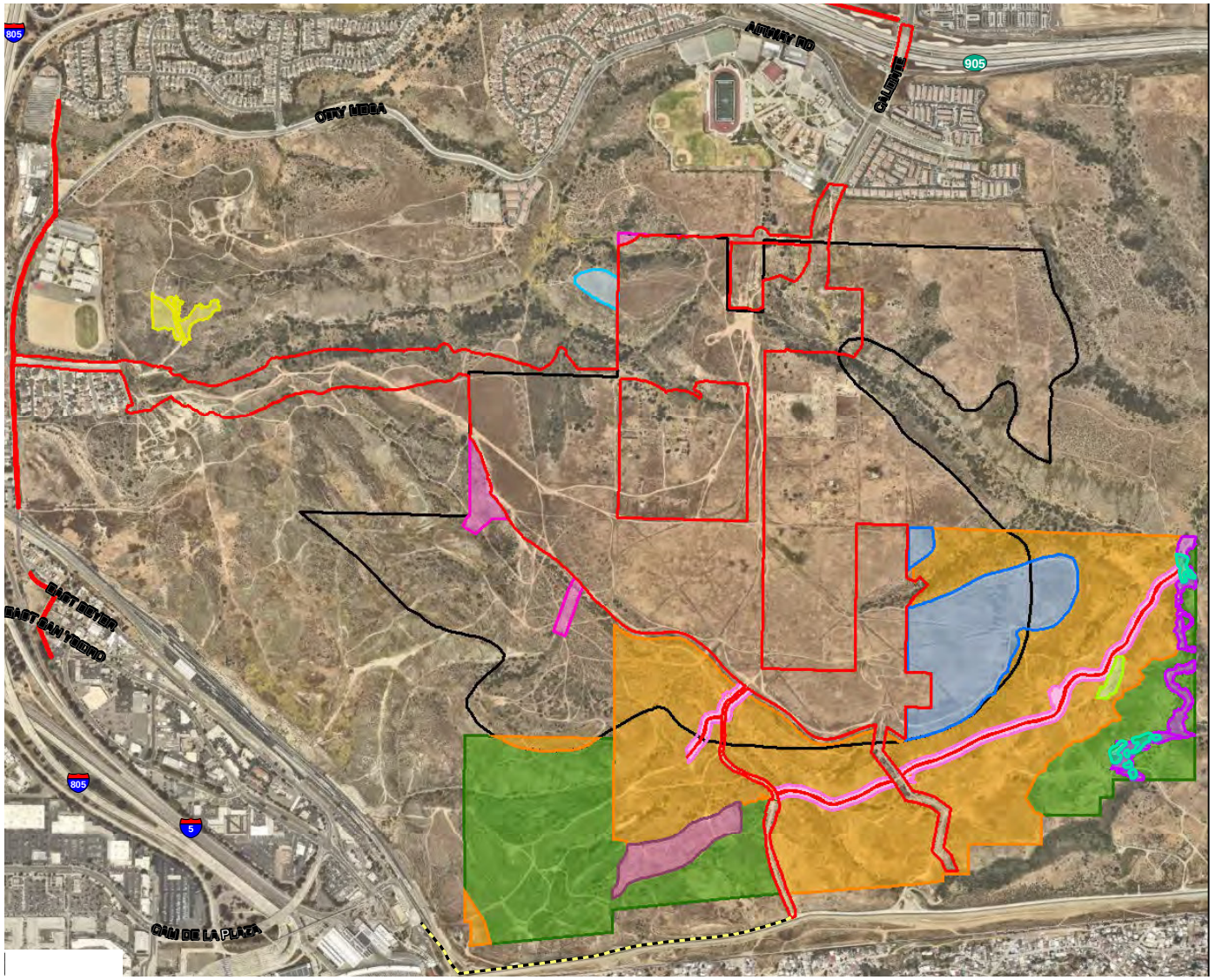



I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Fig5.4-8_NoiseModeling.indd 01667.00030.001 09/24/24 -RK

Source: RECON 2024

# Operational Noise Modeling

Figure 5.4-8




Project-Level Impacts
Specific Plan Area
Emergency Vehicle Access Road - No Improvements Required (Existing Road)

**Project Design Features**

Additional Habitat Preservation (95.29 acres)
Vernal Pool Restoration Area (2.13 acres)
Wetland Plan Project Design Features (4.66 acres)
Trail Restoration (12.18 acres)
County of San Diego Furby North Exchange Lands (7.98 acres)
Covenant of Easement - Protection of ESL within VTM (5.23 acres)

**Mitigation**

Uplands Mitigation (169.64 acres)
Coastal Cactus Wren Mitigation Site (2.54 acres)
Otay Tarplant / Native Grassland Mitigation Site (0.96 acre)
Wetland Mitigation Areas (1.45 acres)
Vernal Pool and Quino Checkerspot Butterfly Restoration Areas (33.71 acres)

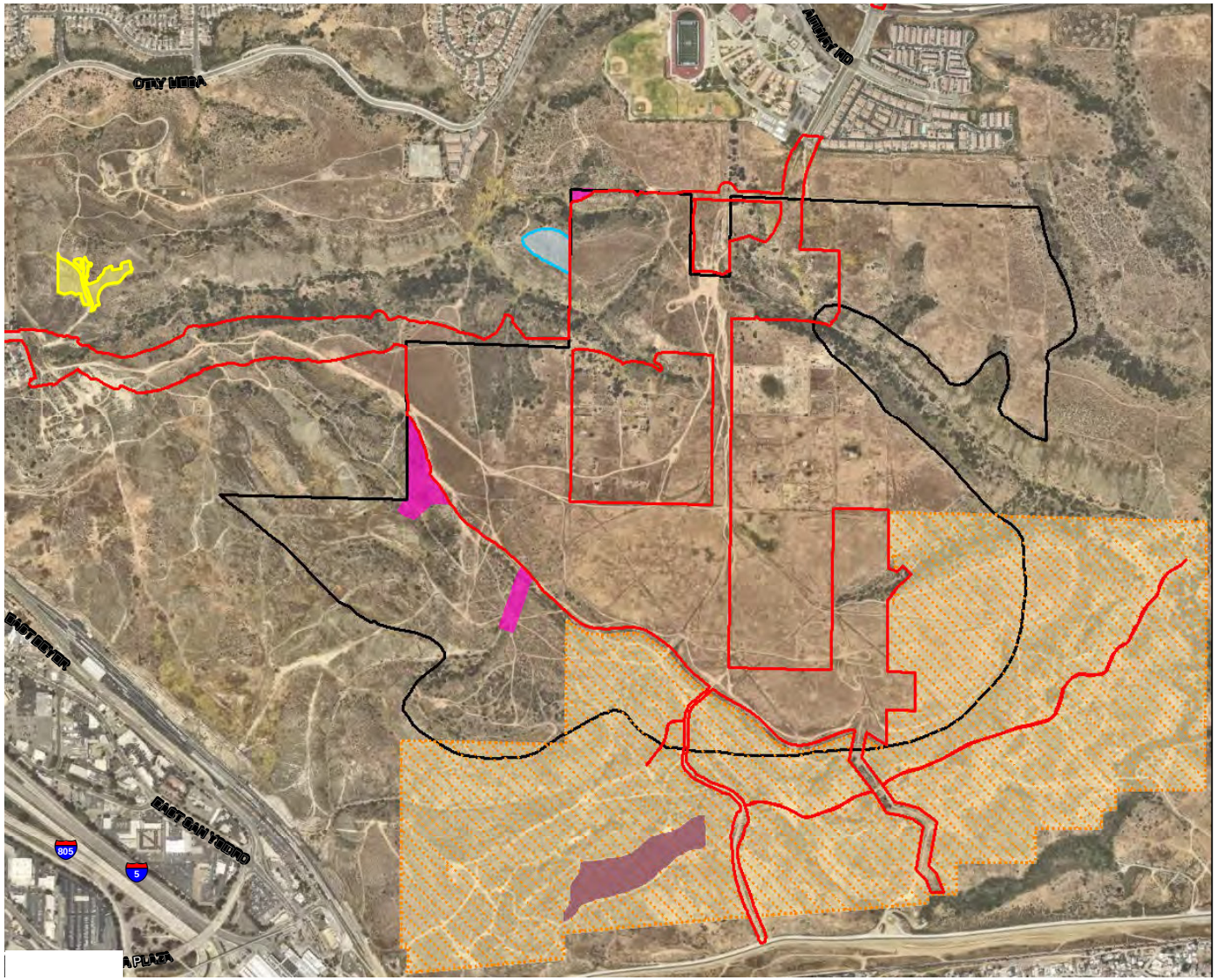
0 900

Source: RECON 2026 ~~RECON 2024~~

I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Fig5.4-9_Mitigation_ProjectFeatures.indd 01667.00030.001 03/30/26 -RK

# Mitigation and~~with~~ Project Design Features

Figure 5.4-9




Project-Level Impacts
Specific Plan Area
Covenant of Easement - Protection of ESL within VTM (5.23 acres)
County of San Diego Ownership and Management (2.54 acres)
Land to be Conveyed to City of San Diego for Long Term Management (317.97 acres)
County of San Diego Furby North Exchange Lands - Ownership to be transferred to the County of San Diego and land managed by the City of San Diego (7.98 acres)
Vernal Pool Restoration Area - Existing City Owned Land with Long Term Management Provided by the City (2.13 acres)

0 800

Source: RECON 2026 ~~RECON 2024~~

# Long-term Management

Figure 5.4-10

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Project-level Areas
Specific Plan Area
Project-level Survey Area

**City of San Diego Wetlands**

Vernal Pool
Disturbed Wetland
Wetland

Sqtrail Pl

Enright Dr

a
b
c
d
e

0 300 Feet

N

Source: Aerial (Nearmap May 2024); Wetlands (RECON 2026) ~~Sensitive Wildlife (RECON 2023)~~

I:\PROJECTS\TJ\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\JVFigures_Ch5.aprx Fig5.4-11_SDCity_Wetla

# City of San Diego Wetlands

Figure 5.4-11a

Project-level Areas
Specific Plan Area
Project-level Survey Area

**City of San Diego Wetlands**

Vernal Pool
Disturbed Wetland
Wetland

Caliente Ave
San Eugenio St
Santa Sofia
San Roberto
San Jovani
Santa Alicia

a
b
c
d
e

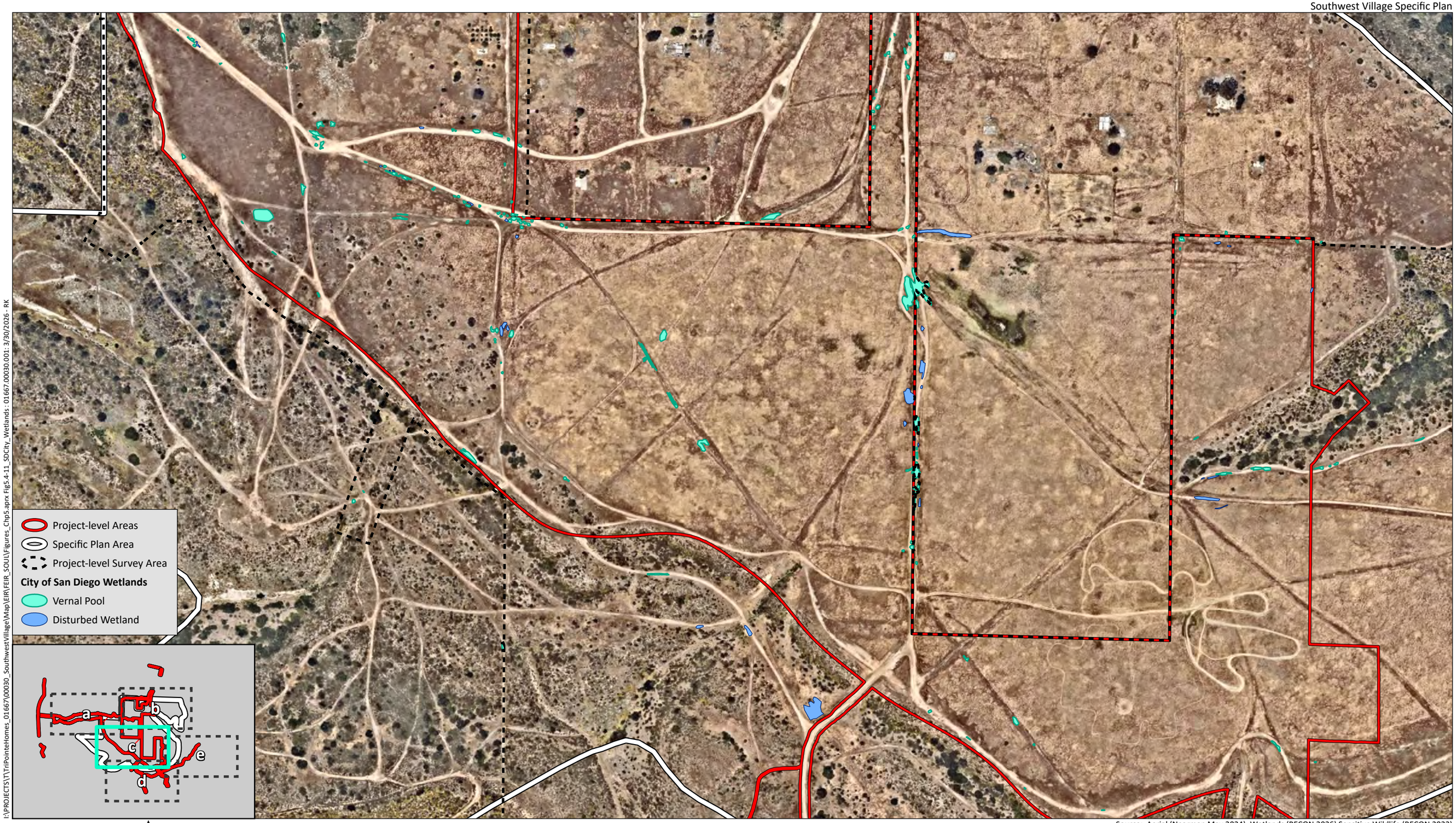
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0 300 Feet

Source: Aerial (Nearmap May 2024); Wetlands (RECON 2026) ~~Sensitive Wildlife (RECON 2023)~~

# City of San Diego Wetlands

Figure 5.4-11b

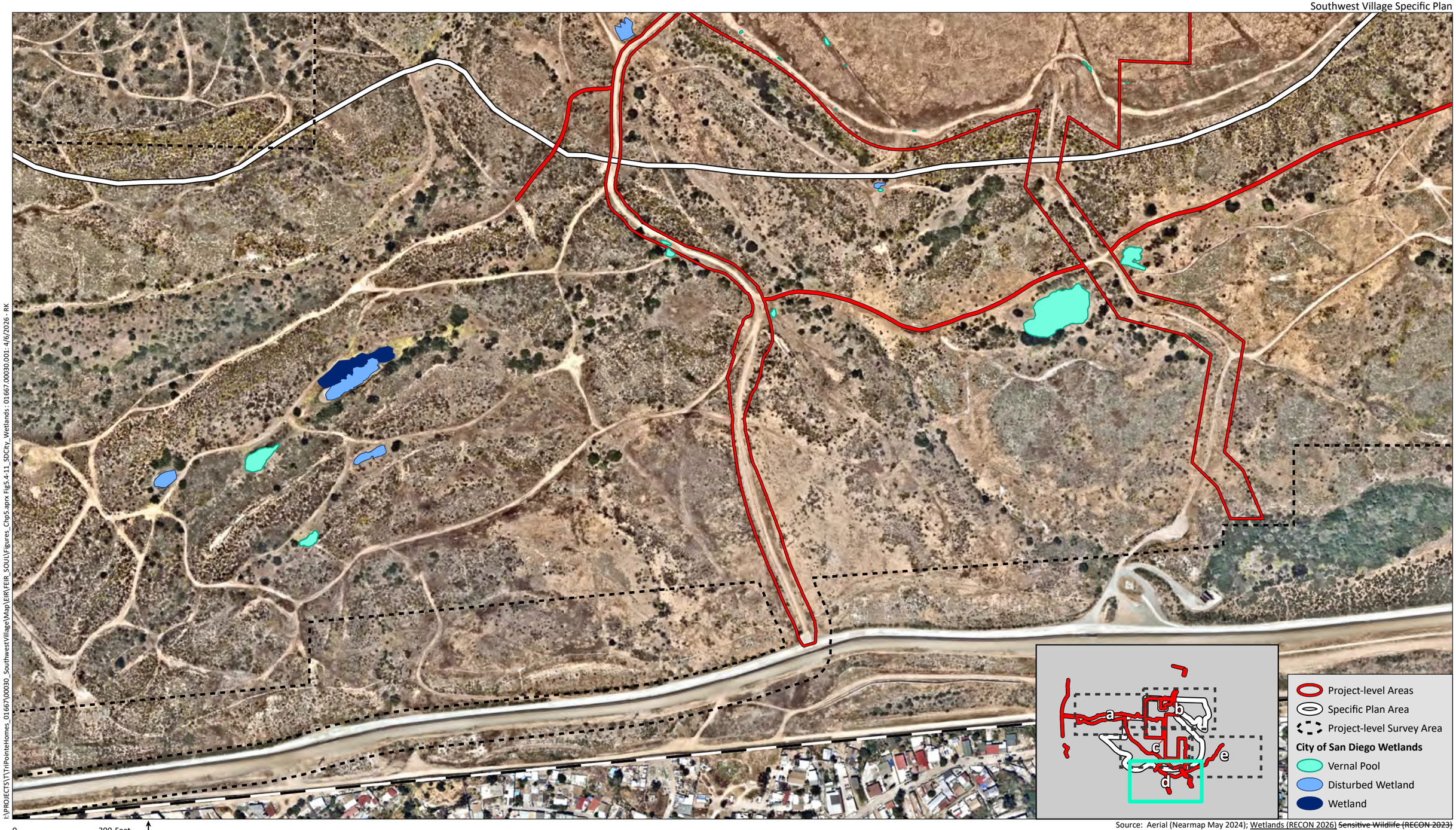



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Source: Aerial (Nearmap May 2024); Wetlands (RECON 2026) ~~Sensitive Wildlife (RECON 2023)~~

# City of San Diego Wetlands

Figure 5.4-11c




Source: Aerial (Nearmap May 2024); Wetlands (RECON 2026) ~~Sensitive Wildlife (RECON 2023)~~

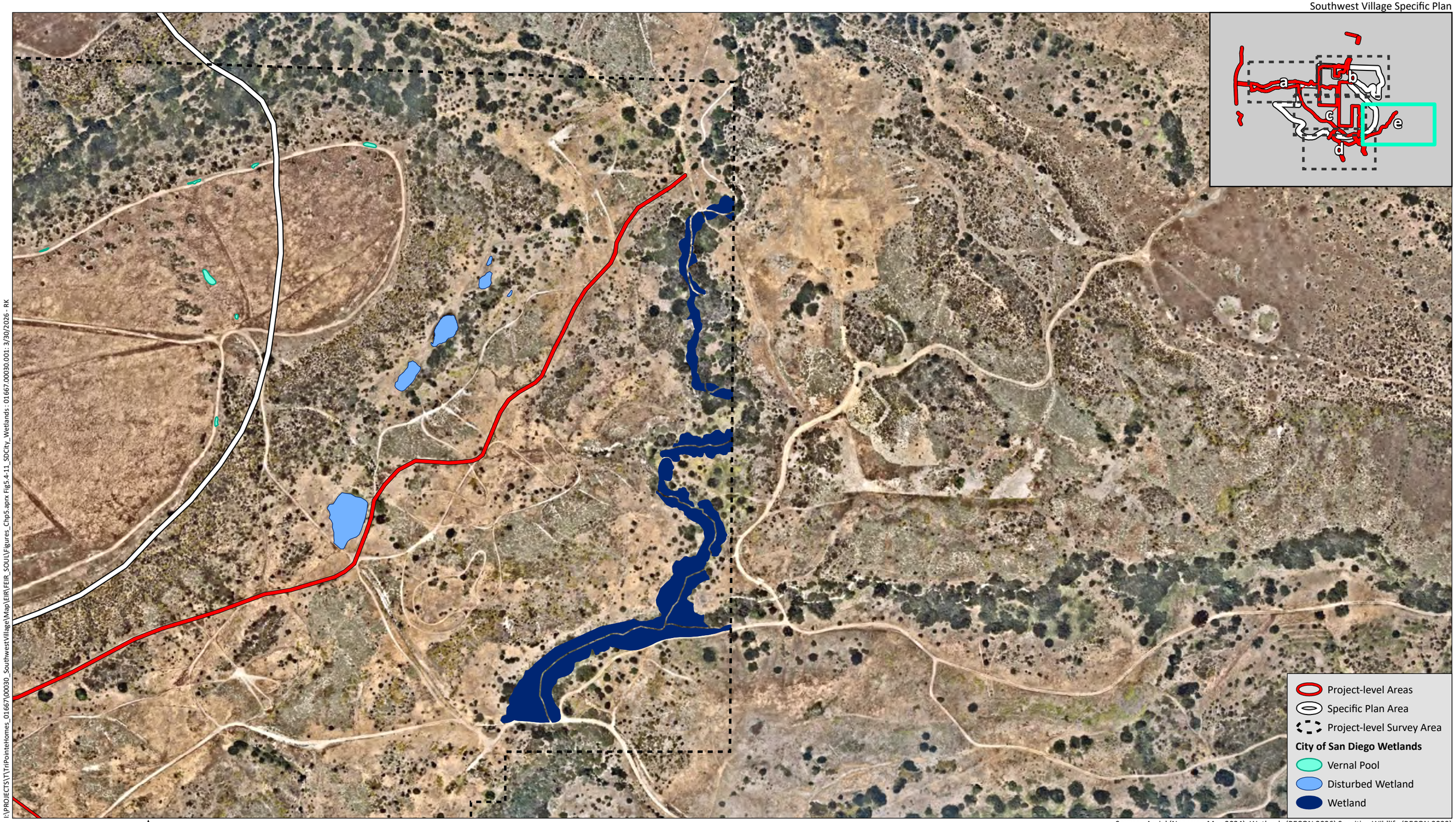
I:\PROJECTS\TriPointeHomes_O1667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Figures_Chp5.aprx Fig5.4-11_SDCity_Wetlands : 01667.00030.001: 4/6/2026 - RK

# City of San Diego Wetlands

Figure 5.4-11d

Southwest Village Specific Plan



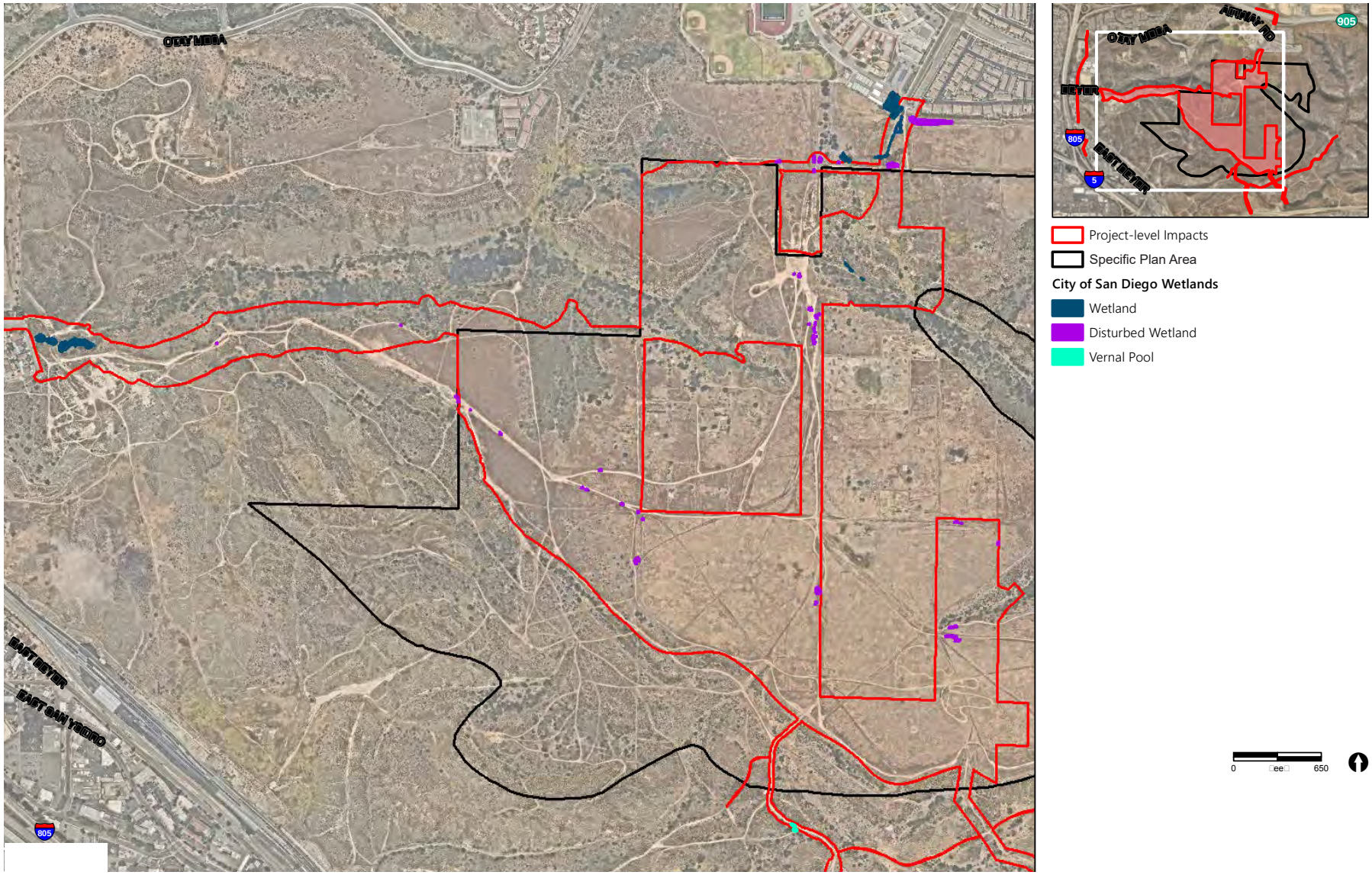

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0 300 Feet

Source: Aerial (Nearmap May 2024); Wetlands (RECON 2026) ~~Sensitive Wildlife (RECON 2023)~~

# City of San Diego Wetlands

Figure 5.4-11e

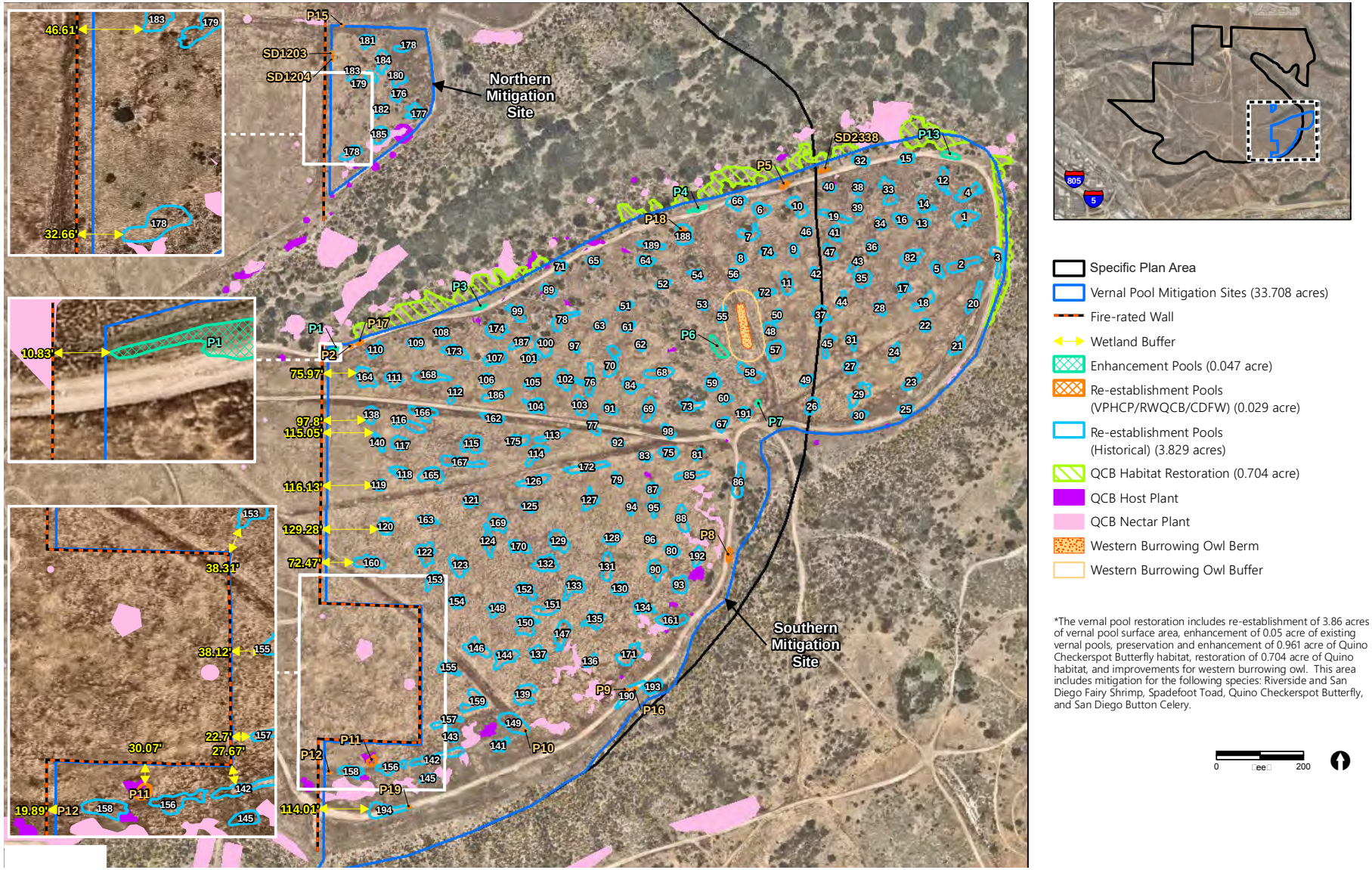



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Source: RECON 2026 ~~RECON 2024~~

# Resources Subject to City of San Diego Wetland Deviation

Figure 5.4-12




*The vernal pool restoration includes re-establishment of 3.86 acres of vernal pool surface area, enhancement of 0.05 acre of existing vernal pools, preservation and enhancement of 0.961 acre of Quino Checkerspot Butterfly habitat, restoration of 0.704 acre of Quino habitat, and improvements for western burrowing owl. This area includes mitigation for the following species: Riverside and San Diego Fairy Shrimp, Spadefoot Toad, Quino Checkerspot Butterfly, and San Diego Button Celery.

Source: RECON 2026 ~~RECON 2024~~

I:\PROJECTS\T\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Fig5.4-13_VP_Restoration.indd 01667.00030.001 03/30/26 -RK

# Proposed Vernal Pool Restoration

Figure 5.4-13

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# 5.5 Historical Resources

The information in this section updates the historical resources information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and if those changes would result in new or substantial changes to historical resources impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation The historical resources analysis is based on the Historical Resources Investigation included as Appendix D.

## 5.5.1 Existing Conditions

As discussed in FEIR Section 5.5, *Historical Resources*, the project area contains numerous previously recorded prehistoric sites. Existing conditions are described below, which are similar to the conditions when the FEIR was prepared. No development has taken place within the project area since the FEIR was prepared.

### 5.5.1.1 Cultural Setting

While the FEIR provided a cultural setting that included an ethnographic background and a description of the prehistoric period, a general overview of the historic period was not provided in the FEIR, and is therefore, provided below. The information below is from the Historical Resources Investigation included as Appendix D.

The Spanish Period (1769–1821) represents a time of European exploration and settlement. Military and naval forces along with a religious contingent founded the San Diego Presidio, the pueblo of San Diego, and the San Diego Mission in 1769. Native American culture in the coastal strip of California rapidly deteriorated despite repeated attempts to revolt against the Spanish invaders. One of the hallmarks of the Spanish colonial scheme was the rancho system. In an attempt to encourage settlement and development of the colonies, large land grants were made to meritorious or well-connected individuals.

In 1821, Mexico declared its independence from Spain. During the Mexican Period (1822–1848), the mission system was secularized by the Mexican government and these lands allowed for the dramatic expansion of the rancho system. The southern California economy became increasingly based on cattle ranching.

The United States declared war on Mexico in 1846, beginning the Mexican-American War. The war ended in 1848 when Mexico signed the Treaty of Guadalupe Hidalgo, ceding California to the United States. The conclusion of the war brought what would become the states of California, Texas, New Mexico, Utah, Arizona, Nevada, and parts of Colorado and Wyoming to the United States.

After the Treaty of Guadalupe-Hidalgo in 1848 (beginning of the American Period), the population in the County of San Diego (County) more than tripled. By the late 1800s, development in the County was well under way with the beginnings of a recognizable downtown San Diego area and the gradual development of a number of outlying communities, many of which were established around previously defined ranchos and land grants. Otay Mesa developed slowly until the 1870s. In 1869, a stage route to Yuma was opened that ran across the mesa. Farming developed through the 1870s, and by 1879 most of the mesa was under intensive agriculture. The most widely grown crops on the mesa were wheat, barley, corn, tomatoes, and beans. Water for crops was obtained from nearby streams and the Otay River, and by the early 1900s an extensive system of dams had developed.

Otay Mesa followed a particular rural community cultural pattern that developed in the County from approximately 1870 to 1930. These communities were composed of an aggregate of people who lived within well-defined geographic boundaries, shared common bonds, and cooperated to solve common problems. They lived, not in small towns or villages, but on farmsteads tied together through a common school district, church, post office, and country store. The Otay Mesa School District was started in 1914, and the Alta schoolhouse was constructed at that time. The schoolhouse, which was located just east of Brown Field, was in use until circa 1957-1958 when it closed. By 1890, Otay also had a store, post office, blacksmith shop, and a Lutheran church. The population of Otay Mesa fluctuated over the early 1900s due to drought and in the 1930s due to the Great Depression.

Along with its agricultural history, aviation was important in Otay Mesa's history. In 1883, John Joseph Montgomery made the world's first controlled flight with a fixed curved-wing glider from the top of a hill on Otay Mesa. In 1918, the Army Air Corps established East Field along Otay Mesa Road, later also used by the Navy for pilots in training. In 1935, East Field was transferred to the Navy and was used for training prior to and during World War II. East Field was renamed Brown Field in 1943. After World War II, the Navy leased Brown Field to the County but reopened the facility with the outbreak of the Korean War in 1951. The City of San Diego (City) annexed Otay Mesa in 1956 and acquired Brown Field in 1962 in order to relieve congestion at Lindbergh Field. The conversion of Brown Field to a general aviation airport brought new businesses, industries, and agencies to Otay Mesa.

Ranching and farming continued to be the main occupation of residents in and around the project area through most of the twentieth century. Over the past decades, large tracts of this formerly open land have been developed for light industrial use and, more recently, residential projects. The result has been a dramatic change of the region from a sparsely populated rural area to expansive suburb.

## 5.5.2 Record Search

The FEIR identified 262 historic and prehistoric sites/structures and 56 isolates within the Community Plan Update (CPU) area boundaries. The FEIR did not provide a breakdown of which resources were located within the project area.

To implement the FEIR Mitigation Framework HIST-1 Step 1 (see Section 5.5.3.3.d), a new record search was completed to determine the likelihood for the project site to contain historical resources. A record search of all areas within a one-mile radius buffer of the Southwest Village Specific Plan (Specific Plan) area, including the proposed restoration areas, Beyer Boulevard extension, Central

Avenue extension, Caliente Avenue extension, and infrastructure improvement areas was requested from the California Historical Resources Information System, South Coastal Information Center (SCIC) at San Diego State University, in October 2017. A subsequent record search update was conducted in 2019, to update the record search conducted for the FEIR and to determine if previously recorded prehistoric or historic cultural resources occur on the project site. The 2017 and updated 2019 SCIC record search results list a total of 125 cultural resources within the one-mile search radius, of which 22 are within the Specific Plan boundary. Table 5.5-1, *Cultural Resources Previously Mapped within the Project-Level and Program-Level Areas*, lists the historical resources mapped within both the project-level analysis area and the program-level analysis area based on the results of the record search. All of the previously recorded resources within the surveyed parcels are prehistoric. No historic structures have been previously recorded within or adjacent to the survey area.

#### 5.5.2.1 Program-level

The record search indicates the program-level analysis area contains two previously recorded sites (CA-SDI-8,645 and CA-SDI-16,704). A portion of CA-SDI-8,645 is located within Planning Area (PA) 4 and CA-SDI-16,704 is located within PA 5. No previously recorded sites occur within PAs 1, 2, 3, 6, 7, and 22 through 27.

#### 5.5.2.2 Project-level

##### a. Development Areas PA 8 to 20

A total of 14 sites are recorded sites are within the residential development area. Five of the previously recorded sites are recorded within PA 8 through PA 10: CA-SDI-10,516, CA-SDI-10,522, CA-SDI-10,523, CA-SDI-10,524, and CA-SDI-16,705. One of the previously recorded sites is recorded within the northwest corner of PA 11 through PA 14: CA-SDI-10,514. Three previously recorded sites are recorded within PA 15 through 18: CA-SDI-10,810, CA-SDI-17,523, and CA-SDI-17,524. Five sites are recorded in PA 19 and 20: CA-SDI-16,706, CA-SDI-17,517, CA-SDI-17,518, CA-SDI-17,521, and CA-SDI-17,522.

##### b. Restoration Areas

Seven sites were recorded within the restoration areas. Four previously recorded sites are recorded within the proposed Vernal Pool Restoration Areas: CA-SDI-10,810, CA-SDI-17,519, CA-SDI-17,520, CA-SDI-17,521. One previously recorded site is within the proposed Cactus Wren Habitat Restoration area: CA-SDI-20,343. One previously recorded site is within the proposed Wetland Restoration Area: CA-SDI-10,811. One previously recorded site is within the proposed Otay Mesa B Potential Restoration Area: CA-SDI-10,524. No cultural resources have been recorded within the Primitive Trails and Trail Restoration Area and Otay Tarplant and Native Grassland Restoration Areas.

**Table 5.5-1**
**Cultural Resources Previously Mapped within the Project-Level and Program-Level Areas**

| P Number | Trinomial | Age | Resource Type | Gallegos Site Type | Significance | Developed | Current Listed Impact | Addressed in Previous Report** | Impacted? Location/Description |
|---|---|---|---|---|---|---|---|---|---|
| **Mitigated Sites** | | | | | | | | | |
| 37-011079 | CA-SDI-11,079 | Prehistoric | Lithic Scatter | Artifact Scatter | Mitigated | Yes | Roads, housing development | Not included | Yes, Infrastructure Improvement Areas |
| **Site Significance Undetermined** | | | | | | | | | |
| 37-025212 | CA-SDI-16,704 | Prehistoric | Lithic Scatter | Non-site/ Artifact Scatter | Undetermined | No | Agriculture; vehicles | Not included | Not Impacted, Program-level |
| **Sites Not Significant** | | | | | | | | | |
| 37-006941 | CA-SDI-6941 | Prehistoric | Lithic Scatter | N/A | Not significant | Yes | Roads | Not Included | Yes, State Route 905 |
| 37-008642 | CA-SDI-8,642 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Extensive agriculture; grading for pond | Not included | Yes, Central Avenue |
| 37-008644 | CA-SDI-8,644 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Extensive agriculture | Not included | Yes, Caliente Avenue |
| 37-008645 | CA-SDI-8,645 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant*** | No | Extensive agriculture | Not included | Not Impacted, Program-level |
| 37-010206 | CA-SDI-10,206 | Prehistoric | Lithic scatter | Artifact Scatter | Not Significant | No | Dirt roads, erosion | Not included | Yes, Beyer Boulevard |
| 37-010512 | CA-SDI-10,512 | Prehistoric | Lithic scatter | Artifact scatter/ Non-site | Not significant | No | Dirt roads, agriculture | Not included | Yes, Beyer Boulevard |
| 37-010514 | CA-SDI-10,514 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | Vehicles; Border Patrol defoliation; dumping; plowing; pothunting | 4 surface artifacts; no subsurface; recommended not eligible for CRHR | Yes, Beyer Boulevard, PAs 11 through 14 |
| 37-010515 | CA-SDI-10,515 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | None noted | Not included | Yes, Beyer Boulevard |

| P Number | Trinomial | Age | Resource Type | Gallegos Site Type | Significance | Developed | Current Listed Impact | Addressed in Previous Report** | Impacted? Location/Description |
|---|---|---|---|---|---|---|---|---|---|
| 37-010516 | CA-SDI-10,516 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | Vehicles; Border Patrol defoliation; dumping; plowing | Non-site; recommended not eligible for CRHR | Yes, PAs 8 through 10 |
| 37-010522 | CA-SDI-10,522 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant*** | No | Extensive agriculture | Not Included | Yes, PA 8 through 10 |
| 37-010523 | CA-SDI-10,523 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | A small portion has been plowed; berm | Not Included | Yes, PA 8 through 10 |
| 37-010524 | CA-SDI-10,524 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Vehicles; plowed; agriculture | Lacks research potential; recommended not eligible for CRHR | Yes, PA 8 through 10 |
| 37-010811 | CA-SDI-10,811 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | No listed disturbances | Not included | Impacted, Wetland Restoration Area |
| 37-010810 | CA-SDI-10,810 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Agriculture | Lacks research potential; recommended not eligible for CRHR | Partially, Vernal Pool Restoration Area, PA 15 through 18 |
| 37-020343 | CA-SDI-20,343 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | No listed disturbances | Not Included | Impacted, Cactus Wren Habitat Restoration Area |
| 37-025213 | CA-SDI-16,705 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | Partially | Agriculture; vehicles | Lacks research potential; recommended not eligible for CRHR | Yes, PA 8 through 10 |

| P Number | Trinomial | Age | Resource Type | Gallegos Site Type | Significance | Developed | Current Listed Impact | Addressed in Previous Report** | Impacted? Location/Description |
|---|---|---|---|---|---|---|---|---|---|
| 37-025214 | CA-SDI-16,706 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | Agriculture; vehicles | Lacks research potential; recommended not eligible for CRHR | Yes, PA 19 and 20 |
| 37-026729 | CA-SDI-17,517 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Agriculture; vehicles | No research potential; recommended not eligible for CRHR | Yes, PA 19 and 20 |
| 37-026730 | CA-SDI-17,518 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant* | No | Vehicles | Recommended eligible for CRHR* | Yes, PA 19 and 20 |
| 37-026731 | CA-SDI-17,519 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Agriculture, vehicles | Lacks research potential; recommended not eligible for CRHR | Yes, Vernal Pool Restoration Area |
| 37-026732 | CA-SDI-17,520 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | No listed disturbances | Lacks research potential; recommended not eligible for CRHR | Yes, Vernal Pool Restoration Area |
| 37-026733 | CA-SDI-17,521 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Vehicles | Lacks research potential; recommended not eligible for CRHR | Yes, PA 19 and 20 |
| 37-026734 | CA-SDI-17,522 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Vehicles | Lacks research potential; recommended not eligible for CRHR | Yes, PA 19 and 20 |

| P Number | Trinomial | Age | Resource Type | Gallegos Site Type | Significance | Developed | Current Listed Impact | Addressed in Previous Report** | Impacted? Location/Description |
|---|---|---|---|---|---|---|---|---|---|
| 37-026735 | CA-SDI-17,523 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | Vehicles | Lacks research potential; recommended not eligible for CRHR | Yes, PA 15 through 18 |
| 37-026736 | CA-SDI-17,524 | Prehistoric | Lithic Scatter | Artifact Scatter | Not significant | No | No listed disturbances | No research potential; recommended not eligible for CRHR | Yes, PA 15 through 18 |
| 37-028467 | N/A | Prehistoric | Isolate | Non-site | Not significant | No | No listed disturbances | Not included | Yes, Beyer Boulevard |
| 37-032101 | CA-SDI-20,343 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | No listed disturbances | Not included | Impacted, Cactus Wren Habitat Restoration Area |
| 37-037597 | CA-SDI-22,448 | Prehistoric | Lithic Scatter | Non-site | Not significant | No | No listed disturbances | Not included | Yes, Beyer Boulevard |
| 37-037600 | N/A | Prehistoric | Isolate | Non-site | Not significant | No | No listed disturbances | Not included | Yes, Beyer Boulevard |
| 37-037601 | N/A | Prehistoric | Isolate | Non-site | Not significant | No | No listed disturbances | Not included | Yes, Beyer Boulevard |

* CA-SDI-17,518 was evaluated using the recommended test for classification as a habitation site proposed by Gallegos et al. (1998) and did not meet the criterion; therefore, it is recommended that the site is not eligible for the CRHR (Appendix D).

** (Mason and Bouscaren 2005)

*** (ASM Affiliates 2015)

CRHR = California Register of Historic Resources; PA = Planning Area

### c. Beyer Boulevard Extension

Eight previously recorded sites are recorded within the proposed Beyer Boulevard Extension Area: CA-SDI-10,206, CA-SDI-22,448, CA-SDI-10,512, CA-SDI-10, 514, CA-SDI-10,515, P-37-028467, P-37-037600, and P-37-037601.

### d. Central Avenue Extension

One previously recorded site is within the proposed Central Avenue Extension: CA-SDI-8,642.

### e. Caliente Avenue South of Central Avenue and Portions of PAs 1, 2, and 7

One previously recorded site is recorded within the Caliente Avenue extension south of Central Avenue: CA-SDI-8,644. No cultural resources have been previously recorded in Planning Areas 1, 2, and 7.

### f. Off-site Infrastructure Areas

Two resources are mapped within the infrastructure improvement areas: CA-SDI-6941 has been previously recorded in State Route 905 (SR-905) and CA-SDI-11,079 has been previously recorded within the water and sewer lines infrastructure improvements area along Otay Mesa Place. No cultural resources were recorded within the Spring Canyon Drainage Outfall (south of PA 18) or within the Pump Station/Sewer Lift.

### g. Emergency Vehicle Access (EVA) Road

No cultural resources were recorded within the EVA Road.

## 5.5.3 Sacred Lands Search

To implement the FEIR Mitigation Framework HIST-1 Step 1 (see Section 5.4.3.3.d), a sacred lands file search was completed to determine the likelihood for the program-level and project-level areas to contain tribal cultural resources. A letter was sent to the Native American Heritage Commission (NAHC) in Sacramento on October 31, 2017, for PA 8 through PA 10 requesting a search of their Sacred Lands File. The NAHC replied on November 1, 2017, indicating that they had no record of Native American cultural resources in the immediate area of the project. A letter was sent to the NAHC in Sacramento on February 7, 2018, requesting a search of their Sacred Lands File for PA 11 through PA 14. The NAHC replied on February 8, 2018, indicating that they had no record of Native American cultural resources in the immediate area of PA 11 through PA 14. Another letter was sent to NAHC on May 9, 2023, to search for the entire project-level and program-level areas. The NAHC replied on June 15, 2023, with positive results. The response letters from the NAHC are included as Attachment 1 of Appendix D.

Tribal scoping letters were sent on May 13, 2024, to the contacts provided by the NAHC. Two responses were received as Daniel Tsosie of the Campo Band of Mission Indians responded on May 16, 2024, via email stating the importance of preservation of cultural sites and the fact that Otay itself is a resource with integrity. The Campo Band of Mission Indians maintains the Area of Potential Effects is a very sensitive area that is connected to the Kumeyaay's present-day oral traditions. In addition, the Campo Band of Mission Indians requested a copy of the survey report and that they be included in mitigation planning and monitoring. Angelina Gutierrez emailed a letter on behalf of Desiree M. Whiteman, the Tribal Historic Preservation Officer for the San Pasqual Band of Mission Indians, on May 31, 2024. The letter stated that the project is within the boundaries of the territory that the Tribe considers its aboriginal territory and as such, the Tribe would like to engage in government-to-government consultation under Assembly Bill (AB) 52 in order to have a voice in the development of measures to protect sites. The Tribe also requested access to any cultural resources reports.

As part of the FEIR, the City distributed letters to all tribal groups identified by the NAHC per Senate Bill (SB) 18 on February 26, 2007, and no requests for consultation were received.

AB 52 notification was provided by the City to the San Pasqual Band, Iipay Nation, and Jamul Indian Village on October 14, 2024, and no requests for consultation was received within the 30 day response period. A more detailed discussion of tribal cultural resources is provided in SEIR Section 5.19, *Tribal Cultural Resources*.

## 5.5.4 Field Results

In total, sixty three resources have been identified, either previously recorded or newly recorded, within the project-level survey area (Table 5.5.2, *Cultural Resources Field Results for the Project for the Project-level Analysis Area*). One resource, P-37-039052/CA-SDI-22,936, a newly recorded prehistoric lithic scatter, located within Caliente Avenue, is considered significant under the California Environmental Quality Act (CEQA) and eligible for designation under the California Register of Historic Resources (CRHR) and City criteria. Sixty-two of the resources are not significant under CEQA and are not eligible for designation under the CRHR or the City Register. Four resources were identified in multiple project-level areas. A total of 31 resources were encountered within PA 8 through PA 20 (7 resources within PA 8 through 10, 12 resources within PA 11 through PA 14, and 12 resources within PA 15 through PA 20). Seven resources within the vernal pool restoration area, two within the cactus wren habitat restoration area, one within the primitive trails and trails restoration area, 15 within the Beyer Boulevard extension, four resources within Caliente Avenue south of Central Avenue extension, including P-37-039052/CA-SDI-22,936, identified above, which is significant under CEQA, two resources within the Infrastructure Improvement Areas and one within the wetland restoration area.

**Table 5.5-2**
**Cultural Resources Field Results for the Project for the Project-level Analysis Area**

| P Number | Trinomial | Resource Type | Gallegos Site Type | Location | Impact Significance** | New or Previous |
|---|---|---|---|---|---|---|
| 37-010516 | CA-SDI-10,516 | Lithic Scatter | Non-site | PAs 8-10 | Not significant | Previous |
| 37-010522 | CA-SDI-10,522 | Lithic Scatter | Artifact Scatter | PAs 8-10 | Not significant | Previous |
| 37-010523 | CA-SDI-10,523 | Lithic Scatter | Non-site | PAs 8-10, Central Avenue | Not significant | Previous |
| 37-010524 | CA-SDI-10,524 | Lithic Scatter | Artifact Scatter | PAs 8-10, Otay Mesa B Restoration Area | Not significant | Previous |
| 37-025213 | CA-SDI-16,705 | Lithic Scatter | Artifact Scatter | PAs 8-10 | Not significant | Previous |
| 37-037532 | N/A | Lithic Scatter | Non-site | PAs 8-10 | Not significant | New |
| 37-037533 | N/A | Lithic Scatter | Non-site | PAs 8-10 | Not significant | New |
| 37-010514 | CA-SDI-10,514* | Lithic Scatter | Non-site | PAs 11-14, Beyer Blvd. | Not significant | Previous |
| 37-039055 | CA-SDI-22,939 | Lithic Scatter | Artifact scatter | PAs 11-14 | Not significant | New |
| 37-037535 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037536 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037568 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037569 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037570 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037571 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037572 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037573 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037574 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-037575 | N/A | Isolate | Non-site | PAs 11-14 | Not significant | New |
| 37-026735 | CA-SDI-17,523 | Lithic Scatter | Artifact Scatter | PAs 15-18 | Not significant | Previous |
| 37-026736 | CA-SDI-17,524* | Lithic Scatter | Artifact Scatter | PAs 15-18 | Not significant | Previous |
| 37-038485 | N/A | Isolate | Non-site | PAs 15-18 | Not significant | New |
| 37-038486 | N/A | Isolate | Non-site | PAs 15-18 | Not significant | New |
| 37-038487 | N/A | Isolate | Non-site | PAs 15-18 | Not significant | New |
| 37-038488 | N/A | Isolate | Non-site | PAs 15-18 | Not significant | New |
| 37-010810 | CA-SDI-10,810 | Lithic Scatter | Artifact Scatter | Vernal Pool Restoration, PAs 15-18 | Not significant | Previous |
| 37-026731 | CA-SDI-17,519 | Lithic Scatter | Artifact Scatter | Vernal Pool Restoration | Not significant | Previous |
| 37-026732 | CA-SDI-17,520 | Lithic Scatter | Artifact Scatter | Vernal Pool Restoration | Not significant | Previous |
| 37-026733 | CA-SDI-17,521 | Lithic Scatter | Artifact Scatter | Vernal Pool, PAs 19 and 20 | Not significant | Previous |

| P Number | Trinomial | Resource Type | Gallegos Site Type | Location | Impact Significance** | New or Previous |
|---|---|---|---|---|---|---|
| 37-038489 | N/A | Isolate | Non-site | Vernal Pool Restoration | Not significant | New |
| 37-038490 | N/A | Lithic Scatter | Non-site | Vernal Pool Restoration | Not significant | New |
| 37-038491 | N/A | Isolate | Non-site | Vernal Pool Restoration | Not significant | New |
| 37-038493 | N/A | Lithic Scatter | Non-site | Vernal Pool Restoration | Not significant | New |
| 37-010206 | CA-SDI-10,206 | Lithic Scatter | Artifact Scatter | Beyer Blvd. | Not significant | Previous |
| 37-010512 | CA-SDI-10,512* | Lithic Scatter | Non-site | Beyer Blvd. | Not significant | Previous |
| 37-010515 | CA-SDI-10,515* | Lithic Scatter | Non-site | Beyer Blvd. | Not significant | Previous |
| 37-037597 | CA-SDI-22,448 | Lithic Scatter | Non-site | Beyer Blvd. | Not significant | Previous |
| 37-028467* | N/A | Isolate | Non-site | Beyer Blvd, | Not significant | Previous |
| 37-037600* | N/A | Isolate | Non-site | Beyer Blvd. | Not significant | Previous |
| 37-037601* | N/A | Isolate | Non-site | Beyer Blvd. | Not significant | Previous |
| 37-038925 | N/A | Isolate | Non-site | Beyer Blvd. | Not significant | New |
| 37-038926 | N/A | Telephone Pole | Non-site | Beyer Blvd. | Not significant | New |
| 37-039762 | N/A | Isolate | N/A | Beyer Blvd. | Not significant | New |
| 37-039763 | CA-SDI-23,232 | Lithic Scatter | Artifact scatter | Beyer Blvd. | Not significant | New |
| 37-039765 | CA-SDI-23,234 | Lithic Scatter | Artifact scatter | Beyer Blvd. | Not significant | New |
| 37-039766 | CA-SDI-23,235 | Lithic Scatter | Artifact scatter | Beyer Blvd. | Not significant | New |
| 37-039767 | CA-SDI-23,236 | Lithic Scatter | Artifact scatter | Beyer Blvd. | Not significant | New |
| 37-008642 | CA-SDI-8642* | Lithic Scatter | Artifact Scatter | Central Avenue | Not significant | Previous |
| 37-006491 | CA-SDI-6941/Loci South of Otay Mesa Road | Lithic Scatter | N/A | Infrastructure Improvement Areas | Not significant | Previous |
| 37-011079 | CA-SDI-11,079 | Lithic and Shell Scatter | N/A | Infrastructure Improvement Areas | Not significant (Mitigated) | Previous |
| 37-032101 | CA-SDI-20,343 | Lithic Scatter | Non-site | Cactus Wren Habitat Restoration | Not significant | New |
| P37-040924/NDY-042524-1 | N/A | Lithic Scatter | Non-site | Cactus Wren Habitat Restoration | Not significant | New |
| 37-008644 | CA-SDI-8,644 | Lithic Scatter | N/A | Caliente Avenue | Not significant | Previous |
| **37-039052/ NDY0618-01** | **CA-SDI-22,936** | **Lithic Scatter** | N/A | **Caliente Avenue** | **Significant** | **New** |
| 37-039434/ ISO-618-01 | N/A | Isolate | N/A | Caliente Avenue | Not significant | New |

| P Number | Trinomial | Resource Type | Gallegos Site Type | Location | Impact Significance** | New or Previous |
|---|---|---|---|---|---|---|
| P-37-040875/NDY-01H | N/A | Historic Road | N/A | Caliente Avenue | Not significant | New |
| 37-025214 | CA-SDI-16,706 | Lithic Scatter | N/A | Planning Areas 19 and 20 | Not significant | Previous |
| 37-026729 | CA-SDI-17,517 | Lithic Scatter | N/A | Planning Areas 19 and 20 | Not significant | Previous |
| 37-026730 | CA-SDI-17,518 | Lithic Scatter | N/A | Planning Areas 19 and 20 | Not significant | Previous |
| 37-026734 | CA-SDI-17,522 | Lithic Scatter | N/A | Planning Areas 19 and 20 | Not significant | Previous |
| 37-038928 | N/A | Isolate | N/A | Primitive Trails and Trails Restoration | Not significant | |
| 37-010811 | CA-SDI-10,811 | Lithic Scatter | N/A | Wetland Restoration | Not significant | Previous |

*No cultural material found at this resource.
** Evaluation based on the CRHR and/or City Register Criteria. Resources significant under CEQA shown in bold
PA = Planning Area

### 5.5.4.1 Project-level Field Results

Project archaeologists, accompanied by a Native American monitor, surveyed the project-level areas (PA 8 through PA 20), roadway extensions, EVA road, Spring Canyon drainage outfall area, and proposed restoration areas, on numerous site visits between January 12, 2018, and June 15, 2023. Figure 5.5-1, *Historical Resources Survey Area in Relation to Project-Level and Program-Level Analysis Areas,* depicts the extent of the project-level analysis area in addition to habitat restoration areas that were included in survey efforts.

Resource types were defined using the *Management Plan for Otay Mesa Prehistoric Resources* (see Appendix D for reference). This Management Plan determined that three site types dominate Otay Mesa: habitation sites, artifact scatters/temporary camps, and non-sites. An excavation program was conducted for resources that were determined artifact scatters/temporary camps based on the Management Plan's site types. The purpose of the excavation program was to gather sufficient data to make a determination of eligibility for listing on the CRHR or the City Register. The program consisted of surface collection of artifacts within the site boundaries and excavating a series of surface scrapes, shovel test pits, and/or units at each site.

## a. Development Areas PA 8 to 20

### *Planning Areas 8 through 10*

The survey identified cultural material at all of the five previously recorded sites within PA 8 through PA 10. Per the Archaeological Report (Appendix D), these previously recorded resources (CA-SDI-10,516, CA-SDI-10,522, CA-SDI-10,524, and CA-SDI-16,705) were tested previously and were determined not to be significant historical resources. CA-SDI-10,523 was classified as a non-site and was therefore found to not be a significant historical resource. The two newly recorded resources within PA 8 through PA 10, P-37-037533 and P-37-037532, were identified as lithic scatters and classified as a non-sites, and were therefore found to not be significant historical resources.

### *Planning Areas 11 through 14*

The only previously recorded resource within PA 11 through PA 14, CA-SDI-10,514, was not relocated during surveys; however, resources were mapped outside the recorded boundary between it and CA-SDI-10,512. CA-SDI-10,512 was classified as a non-site and was therefore found to not be a significant historical resource. In 2005, it was determined that the portion of CA-SDI-10,514 within the project boundaries was not a significant historical resource.

The 2018 survey resulted in 11 new prehistoric resources found within PA 11 through PA 14, including CA-SDI-22,939/NDY0430-02, small artifact scatter, and 10 isolated tools/cores (P-37-037535, P-37-037536, and P-37-037568 through P-37-037575). CA-SDI-22,939 was evaluated for significance under CEQA and eligibility to the CRHR and to the City Register under the guidelines provided in the City's Historical Resources Regulations, during the current investigation and was determined to not provide enough data to answer regional research questions and therefore does not meet the criteria to be a significant historical resource under CEQA. As isolates P-37-037535, P-37-037536, and P-37-037568 through P-37-037575 are not eligible for the CRHR or City Register.

### *Planning Areas 15 through 18*

Material was observed at two of the three recorded sites within PAs 15 through 18: CA-SDI-10,810, and CA-SDI-17,523. No cultural material was observed at or adjacent to the mapped location of CA-SDI-17,524. These three sites were tested in 2004-2005 and determined not to be significant historical resources (Appendix D).

Four isolated cores/tools (P-37-038485 through P-37-038488) were recorded within PAs 15 through 18. These isolated artifacts do not qualify as significant historical resources.

### *Planning Areas 19 and 20*

Cultural material was observed at two of the five recorded sites within PAs 19 and 20: CA-SDI-16,706 and CA-SDI-17,518. No cultural material was observed at or adjacent to the mapped location of CA-SDI-17,517, CA-SDI-17,521, and CA-SDI-17,522. Four of the above sites were tested in 2004-2005 and recommended not significant historical resources (Appendix D).

CA-SDI-17,518, was tested in 2004-2005 and recommended to be a significant historical resource (Appendix D). The testing program consisted of the excavation of 22 shovel test pits and two excavation units and resulted in a sparse subsurface deposit, consisting of 1 core, 7 tools, 16 flakes/debitage, 2 FAR, and 1 marine shell fragment. However, due to the presence of fire-affected rock and one marine shell fragment it was recommended that the site was a historical resource (Appendix D).

The current project reevaluated CA-SDI-17,518 under the Gallegos et al. (1998) *Management Plan for Otay Mesa Prehistoric Resources*. Under the Management Plan CA-SDI-17,518 does not qualify as a habitation site as it had a subsurface density of much less than 100 artifacts per square meter. Therefore, it was determined that CA-SDI-17,518 is not eligible for the CRHR under criterion 4 because the low-density artifact recovery and limited represented artifact types, which do not provide enough data to answer regional research questions. Therefore, it was determined that CA-SDI-17,518 does not qualify as a significant historical resource.

No new cultural resources were recorded in PAs 19 and 20.

## b. Restoration Areas

### *Vernal Pool Restoration Area*

Artifacts were observed at three previously recorded sites within the vernal pool restoration area: CA-SDI-17,519, CA-SDI-17,520, and CA-SDI-10,810. No cultural material was observed at or adjacent to the mapped location of CA-SDI-17,521. All four of these sites were previously tested and determined not to be significant historical resources.

In the vernal pool restoration area, four previously unrecorded resources were identified during field surveys (P-37-038489, P-37-038491, P-37-038490, and P-37-038493). These four newly recorded resources were evaluated and were determined to not qualify as significant historical resources.

### *Otay Tarplant Restoration Area*

No previously recorded and no newly recorded cultural resources are within the Otay tarplant restoration area.

### *Cactus Wren Habitat Restoration Area*

Artifacts were observed at the previously recorded site within the cactus wren habitat restoration area (CA-SDI-20,343) but CA-SDI-20,343 was classified as a non-site and therefore was determined to not qualify as a significant historical resource.

P-37-040924/NDY-042524-1 was newly recorded as a dispersed lithic scatter, but it was classified as a non-site and therefore was determined to not qualify as a significant historical resource.

### *Wetland Restoration Area*

The SCIC mapped location of CA-SDI-10,811 was surveyed and no site material was observed. CA-SDi-10,811 has been previously evaluated and determined to not qualify as a significant historical resource.

No new cultural resources were recorded in this area.

### *Primitive Trails and Trail Restoration Area*

No previously recorded cultural resources were recorded within the primitive trails and trails restoration area, which includes the primitive trail network. A single core, P-37-038928, was identified during the survey. This newly recorded isolated artifact does not qualify as a significant historical resource.

### *Otay Mesa B Restoration Area*

The western portion of the previously mapped location of CA-SDI-10,524 is within the Otay Mesa B Restoration Area. No cultural material was observed at the mapped location of CA-SDI-10,524, within the Otay Mesa B Restoration Area. CA-SDI-10,524 has been previously tested and determined not to be a significant historical resource.

## c. Beyer Boulevard Extension

Seven new cultural resources were recorded in the Beyer Boulevard extension (CA-SDI-23,232/NDY-1-0512421, CA-SDI-23,234/NDY-2-0512421, CA-SDI-23,235/NDY-3-0512421, and CA-SDI-23,236/ NDY-4-0512421) which were evaluated for significance under CEQA and City guidelines during the current investigation. The resources were either identified as non-sites based on the Gallegos criteria or were tested and did not meet the evaluation criteria. These resources were determined to not provide enough data to answer regional research questions and therefore, are not significant under CEQA.

Eight previously recorded resources fall within the Beyer Boulevard extension: CA-SDI-10,206, CA-SDI-10,512, CA-SDI-10,514, CA-SDI-10,515, CA-SDI-22,448, P-37-028467, P-37-037600, and P-37-037601. P-37-028467, P-37-037600, and P-37-037601 are isolates. Isolated artifacts are not historical resources under the CRHR or the City's inventory requirements.

CA-SDI-10,206 and CA-SDI-22,448 qualified as artifact scatters and therefore an evaluation testing program was completed on the sites. It was determined that CA-SDI-10,206 and CA-SDI-22,448 did not qualify under criterion 4 as likely to yield information important in prehistory and the information collected during the testing program exhausted their data potential. Therefore, CA-SDI-10,206 and CA-SDI-22,448 were determined to not be significant historical resources.

CA-SDI-10,512, CA-SDI-10,514, and CA-SDI-10,515 were classified as non-sites and were therefore found to not be significant historical resources.

## d. Central Avenue Extension

CA-SDI-8,642 was previously recorded, had been tested for significance in 1989, and determined to not be a significant historical resource. No new cultural resources were observed.

## e. Caliente Avenue North of Central Avenue

CA-SDI-8,644 was previously recorded in Caliente Avenue north of Central Avenue. The site was tested in 1989 and determined to not be a significant historical resource.

## f. Caliente Avenue South of Central Avenue and Portions of PAs 1, 2, and 7

No cultural resources were previously recorded within Caliente Avenue south of Central Avenue.

Three previously unrecorded cultural resources were observed during the survey: P-37-040875/NDY-01H, CA-SDI-22,936/NDY0618-01, and P-37-039434/ISO-0618-01. P-37-039434/ISO-0618-01 is an isolated core and therefore, does not qualify as a historical resource. P-37-040875/NDY-01H is a historic road segment. The road segment was evaluated and was determined not eligible for listing on the CRHR or the City Register and determined to not be a significant historical resource.

CA-SDI-22,936/NDY0618-01 is a lithic scatter that qualifies as an artifact scatter per Gallegos et al.'s (1998) criteria. CA-SDI-22,936/NDY0618-01 was evaluated for significance under CEQA and City guidelines during the current investigation. Eight units and two shovel test pits were excavated and over 1,000 artifacts were collected. Based on Binford's (1982) model for foraging and gathering societies, CA-SDI-22,936 can be classified as a location, where all tool manufacturing stages occurred. The high-density artifact recovery provides enough data to answer regional research questions and is recommended as significant under CEQA and City criteria. CA-SDI-22,936 retains the integrity required to qualify for CEQA criterion 4 and City criterion. Therefore, CA-SDI-22,936 is determined to be a significant historical resource. CA-SDI-22,936 was designated by the City Historical Resources Board (HRB) under Criterion A for its archaeological and cultural significance, on September 26, 2024.

## g. Off-site Infrastructure Areas

The infrastructure transportation improvement along SR-905 and the sewer and water improvement areas were not surveyed due to their developed nature and lack of visibility at these locations. Two resources were previously mapped within the infrastructure improvement areas: CA-SDI-6,941 has been previously recorded in State Route 905 (SR-905) and CA-SDI-11,079 has been previously recorded within the water and sewer lines infrastructure improvements area along Otay Mesa Place. CA-SDI-6,941 was recorded in 1979 as a temporary camp with 24 loci. Various loci were tested in 1986 and 1996. The portion within the project area was recommended not significant because of the high degree of disturbance from agricultural activities. CA-SDI-11,079 was recorded in 1988 as a lithic and shell scatter. The site was tested by ASM Affiliates in 1993 and 1994 and determined to be a significant historical resource. A data recovery program was completed in 1998 to mitigate the site, and it was subsequently destroyed.

The Spring Canyon drainage outfall was surveyed and no cultural resources were identified.

### h. Emergency Vehicle Access Road

Portions of P-37-040875/NDY-01H are within the EVA road. P-37-040875/NDY-01H is a historic road segment. The road segment was evaluated and was determined not eligible for listing on the CRHR or the City Register and determined to not be a significant historical resource.

## 5.5.5 Regulatory Framework

The regulatory framework discussed in the FEIR Section 5.5.1.3 is hereby incorporated by reference. The framework includes the National Register of Historic Places, CRHR, CEQA, California Native American Graves Protection and Repatriation Act (2001), Historical Resources Regulations (San Diego Municipal Code [SDMC] Chapter 14, Article 3, Division 2: Purpose of Historical Resources Regulations SDMC Sections 143.0201-143.0280), Historical Resources Guidelines, and City General Plan (2008). Changes and updates to regulations related to historical resources since FEIR preparation are summarized below.

### 5.5.5.1 State

### a. Native American Burials (Public Resources Code [PRC] Section 5097 et seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and designates the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to a year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

### b. California Health and Safety Code (PRC Section 7050.5)

These sections collectively address the illegality of interference with human burial remains, as well as the disposition of Native American burials in archaeological sites. The law protects such remains from disturbance, vandalism, or inadvertent destruction, and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation, and reburial procedures. Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98 (refer to second paragraph below). The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric (Native American), the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification, and may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials.

## c. Historic Resources (PRC Section 21084.1)

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the CRHR. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the CRHR, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.

Archaeological resources that are also historic resources under PRC Section 21084.1 are governed by CEQA Guidelines Section 15126.4(b)(3), which indicates agencies should seek to avoid effects that could damage a historical resource of an archaeological nature whenever it is feasible to do so.

State CEQA Guidelines Section 15126.4(b)(3), also lists methods of mitigation including preservation and data recovery. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

(A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

(B) Preservation in place may be accomplished by, but is not limited to, the following:

1. Planning construction to avoid archaeological sites;

2. Incorporation of sites within parks, greenspace, or other open space;

3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.

4. Deeding the site into a permanent conservation easement.

(C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.

(D) Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

## d. Assembly Bill 52

As of July 1, 2015, PRC Section 21084.2 establishes that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment." AB 52 requires lead agencies to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. If a project will result in an adverse effect to tribal cultural resource, the lead agency must consider measures to mitigate the impact, when feasible (PRC Section 21084.3). Examples include:

(1) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

(2) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

(A) Protecting the cultural character and integrity of the resource

(B) Protecting the traditional use of the resource

(C) Protecting the confidentiality of the resource.

(3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

(4) Protecting the resource

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources:

1. "Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria: 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 5020.1(k), or

2. A cultural 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Assembly Bill 52 amended PRC Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a Notice of Preparation or a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (MND) is filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under CEQA, known as tribal cultural resources. PRC Section 21074(a)(1) and (2) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe" that are either included or determined to be eligible for inclusion in the CRHR or included in a local register of historical resources, or a resource that is determined to be a tribal cultural resource by a lead agency, in its discretion and supported by substantial evidence.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project's impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt an MND (PRC Section 21082.3(d)(2) and (3)).

PRC Section 21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the tribal cultural resources, which is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the

environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

Confidentiality does not however apply to data or information that are, or become publicly available, are already in lawful possession of the project applicant before the provision of the information by the California Native American tribe, are independently developed by the project applicant or the project applicant's agents, or are lawfully obtained by the project applicant from a third party that is not the lead agency, a California Native American tribe, or another public agency (PRC Section 21082.3[c][2][B]).

### e. Senate Bill 18

As of March 1, 2005, SB 18 permits California Native American tribes recognized by the NAHC to hold conservation easements on terms mutually satisfactory to the tribe and the landowner. The term "California Native American tribe" is defined as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC." The bill also requires that, prior to the adoption or amendment of a city or county's general plan, the city or county consult with California Native American tribes for the purpose of preserving specified places, features, and objects located within the city or county's jurisdiction. SB 18 also applies to the adoption or amendment of specific plans. This bill requires the planning agency to refer to the California Native American tribes specified by the NAHC and to provide them with opportunities for involvement. Similar to AB 52 requirements found at Government Code Section 21080.3.2, per the Governor's Office of Planning and Research's SB 18 Tribal Consultation Guidelines, "[o]nce a tribe requests consultation, consultation for the purpose of preserving or mitigating impacts to cultural places should begin within a reasonable time. Consultation should focus on how the proposed general plan or specific plan amendment or adoption might impact cultural places located on land affected by the plan proposal."

## 5.5.3.2 Local

### a. San Diego Municipal Code

The regulatory framework discussed in the FEIR Section 5.5.1.3 is hereby incorporated by reference, including the Historical Resources Regulations contained in Chapter 14, Division 3, Article 2 of the Land Development Code (LDC).

Impacts to Important Archaeological Sites require a Site Development Permit (SDP), as outlined in LDC Section 126.0502(d) and the Supplemental SDP Findings in Section 126.0505(f) would be required to be made. Deviation to Important Archaeological Sites also require the Findings in Section 126.0505(g) to be made.

> Section 126.0502 When a Site Development Permit is Required
>
> (d) A Site Development Permit decided in accordance with Process Four is required for the following types of development.

(1) Within historical districts or when designated historical resources are present, unless exempt under Section 143.0220:

(A) Subdivisions;

(B) Single or multiple unit residential development;

(C) Commercial or industrial development;

(D) Public works projects; and

(E) Development that deviates from the historical resources regulations, as described in Section 143.0210.

Section 126.0505 Findings for Site Development Permit Approval

A Site Development Permit may be approved or conditionally approved only if the decision maker makes all of the findings in Section 126.0505(a) and the supplemental findings in Section 126.0505(b) through (m) that are applicable to the proposed development as specified in this section.

(f) Supplemental Findings--Important Archaeological Sites and Traditional Cultural Properties

A Site Development Permit required in accordance with Section 143.0210 because of potential impacts to an important archaeological site or traditional cultural property may be approved or conditionally approved only if the decision maker makes the following supplemental findings in addition to the findings in Section 126.0505(a):

(1) The site is physically suitable for the design and siting of the proposed development, the development will result in minimum disturbance to historical resources, and measures to fully mitigate for any disturbance have been provided by the applicant; and

(2) All feasible measures to protect and preserve the special character or the special historical, architectural, archaeological, or cultural value of the resource have been provided by the applicant.

(g) Supplemental Findings--Historical Resources Deviation for Important Archaeological Sites and Traditional Cultural Properties

A Site Development Permit required in accordance with Section 143.0210 because of potential impacts to an important archaeological site or traditional cultural property where a deviation is requested in accordance with Section 143.0260 may be approved or conditionally approved only if the decision maker makes the following supplemental findings in addition to the findings in Section 126.0505(a):

(1) There are no feasible measures, including a less environmentally damaging location or alternative, that can further minimize the potential adverse effects on historical resources;

(2) The proposed deviation is the minimum necessary to afford relief and accommodate the development and all feasible measures to mitigate for the loss of any portion of the resource have been provided by the applicant; and

(3) There are special circumstances or conditions apart from the existence of historical resources, applying to the land that are peculiar to the land and are not of the applicant's making, whereby the strict application of the provisions of the historical resources regulations would deprive the property owner of reasonable use of the land.

In addition to the Municipal Code requirements included in the FEIR and above the following applies:

Section 143.0251 Development Regulations for Designated Historical Resources and Historical Districts

In general development regulations in Section 143.0250, the following regulations apply to designated historical resources and historical districts.

(a) It is unlawful to substantially alter, demolish, destruct, remove, or relocate any designated historical resource or any historical building, historical structure, historical object or historical landscape located within a historical district except as provided in Section 143.0260.

(b) Minor alteration of any designated historical resource, or any historical building, historical structure, historical object or historical landscape located within a historical district, or any new construction within a historical district may be permitted if the minor alteration or new construction would not adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource consistent with the Secretary of Interior's Standards and Guidelines.

(c) Development affecting designated historical resources or historical districts shall provide full mitigation for the impact to the resource, in accordance with the Historical Resources Guidelines of the Land Development Manual, as a condition of approval.

Section 143.0252 Development Regulations for Traditional Cultural Properties

In addition to the general development regulations in Section 143.0250, development shall not be permitted on any traditional cultural property unless all feasible measures to protect and preserve the resource are required as a condition of development approval except as provided in Section 143.0260.

Section 143.0253 Development Regulations for Important Archaeological Sites

In addition to the general development regulations in Section 143.0250, the following regulations apply to important archaeological sites.

(a) Important archaeological sites shall be preserved in their natural state, except that development may be permitted as provided in this section or as provided in Section 143.0260.

(1) Development may be permitted in areas containing important archaeological sites if necessary to achieve a reasonable development area, with up to 25 percent encroachment into any important archaeological site allowed. This 25 percent encroachment includes all grading, structures, public and private streets, brush management except as provided in Section 143.0225, and any project-serving utilities.

(2) An additional encroachment of up to 15 percent, for a total encroachment of 40 percent, into important archaeological sites may be permitted for essential public service projects that are sited, designed, and constructed to minimize adverse impacts to important archaeological sites, where it has been demonstrated that there is no feasible, less environmentally damaging location or alternative. Essential public service projects include publicly owned parks and recreation facilities, fire and police stations, publicly owned libraries, public schools, major streets and primary arterials, and public utility systems.

(b) Any encroachment into important archaeological sites shall include measures to mitigate for the partial loss of the resource as a condition of approval. Mitigation shall include the following methods, consistent with the Historical Resources Guidelines of the Land Development Manual:

(1) The preservation through avoidance of the remaining portion of the important archaeological site; and

(2) The implementation of a research design and excavation program that recovers the scientific value of the portion of the important archaeological site that would be lost due to encroachment.

(c) The following types of development shall not be considered encroachment provided that no structures, other than portable structures are erected or maintained on the premises and that adequate measures to preserve and protect the important archaeological site, consistent with the Historical Resources Guidelines of the Land Development Manual, are included as conditions of approval:

(1) Parks and playgrounds;

(2) Low-intensity, passive recreational uses such as trails, access paths, and public viewpoints; and

(3) Parking lots.

Section 143.0260 Deviations from the Historical Resources Regulations

(a) If a proposed development cannot to the maximum extent feasible comply with this division, a deviation may be considered in accordance with decision Process Four, or Process CIP-Five for capital improvement program projects or public projects.

(b) The minimum deviation to afford relief from the regulations of this division and accommodate development may be granted only if the decision maker makes the applicable findings in Section 126.0504.

(c) If a deviation for demolition or removal of a designated historical resource or a contributing structure within a historical district is approved, a Building Permit application must be deemed complete for the new development on the same premises prior to issuance of a Demolition/Removal Permit

Per SDMC 111.0206(d)(2) the SDP must also go to the Historical Resources Board prior to public comment and City Council for a recommendation:

Section 111.0206 Historical Resources Board

(d) Powers and Duties. The powers and duties of the Historical Resources Board are as follows:

(2) To review and make a recommendation to the appropriate decision making authority on applications for development permits involving designated historical resources in accordance with the decision making procedures of the Land Development Code.

## 5.5.6 Issue 1: Prehistoric or Historic Resources

*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?*

### 5.5.6.1 Significance Thresholds

Consistent with the FEIR, impacts related to historical resources would be significant if the project would:

- Result in the alteration or destruction of a prehistoric or historical archaeological site? Result in any adverse physical or aesthetic effects on a prehistoric or historic building, structure, object, or site?

In accordance with the City's 2022 CEQA Significance Determination Thresholds, the determination of significance of impacts on historical and unique archaeological resources is based on the criteria found in Section 15064.5 of the State CEQA Guidelines. Section 15064.5 clarifies the definition of a substantial adverse change in the significance of a historical resource as "physical demolition,

destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

## 5.5.6.2 Analysis

### a. FEIR

The FEIR found that of the total 262 previously recorded prehistoric and historic-era resources within the CPU, 180 of those resources are on undeveloped or partially developed parcels. Based on the development footprint of the OMCP, future development would have the potential to significantly impact 61 resources and any additional unrecorded resources. The FEIR found that implementation of the Mitigation Framework HIST-1 and HIST-2 would reduce project-level impacts to below significance.

### b. Program-level

As detailed in FEIR Section 5.4.2, the record search mapped two resources (CA-SDI-8,645 and CA-SDI-16,704 in PAs 4 and 5) within the program-level areas. CA-SDI-8,645 was tested in 1989 and determined not to be a significant historical resource (Appendix D). Based on site form data, CA-SDI-16,704 has not been evaluated for CEQA or City significance and therefore, could be a historical resource.

While these two resources (CA-SDI-8,645 and CA-SDI-16,704 in PAs 4 and 5), are listed in the FEIR, the majority of the program-level areas have not been surveyed, and the potential for the presence of historical resources is considered moderate to high. Future development and ground disturbance within the program-level areas would have the potential to result in adverse impacts to historical resources, including both archaeological and built environment (historic architectural) resources.

### c. Project-level

Consistent with FEIR Mitigation Framework HIST-1, a Historical Resources Investigation (see Appendix D) was completed for the project and has determined that the project-level analysis area contains archaeological resources, as detailed in Section 5.4.2, Record Search. Based on these findings, the proposed project has completed the requirements detailed in the FEIR Mitigation Framework HIST-1 Step 1, which includes the preparation of a historic evaluation report (see Appendix D), a record search with SCIC, a review of the Sacred Lands File from NAHC, and a field survey accompanied by a Native American monitor, as detailed in Section 5.5.4.1 Project-level Field Results.

As part of the requirements under Step 2 of the FEIR Mitigation Framework HIST-1, the potential for historical resources has been assessed for eligibility for listing on the CRHR or the City's historical resources register through a testing program for the known prehistoric archaeological resources within the project-level areas.

Sixty-three resources have been recorded within the project-level analysis area. A wooded telephone pole (P-37-038926) and a road segment (NDY-01H) are the only recorded built-

environment historic resources within the proposed grading footprint of the Beyer Boulevard extension and Caliente Avenue, respectively. Both resources are not eligible for listing on the CRHR or the City's historical resources register; therefore, there are no built environment resources that are considered a historical resource under CEQA, and the project would not result in a significant impact. FEIR Mitigation Framework HIST-2 is not applicable due to this finding.

Of the 63 resources, the remaining 61 are prehistoric resources. One prehistoric archaeological resource (CA-SDI-22,936) is recommended eligible for listing on the CRHR and has been designated as a historical resource by the HRB and is on the City's historical resources register. The other 60 prehistoric archaeological resources within the project-level analysis area are not eligible for listing on the CRHR or the City's historical resources register and are therefore not significant resources. Of these resources, 23 are isolated prehistoric artifacts that do not qualify for listing. Of the 37 lithic scatters, 9 of them were re-categorized from previously recorded lithic scatters to non-sites per the Gallegos et al. (1998) site types due to low artifact density (and counted as non-sites). Significance evaluation excavations for the remaining 28 lithic scatters were completed, resulting in CA-SDI-22,936 determined eligible for listing on the CRHR and the City's historical resources register, making it a significant historical resource. CA-SDI-22,936 was designated by the City HRB under Criterion A for its archaeological and cultural significance, on September 26, 2024. The other twenty-seven sites were recommended not eligible for listing on the CRHR or the City's historical resources register. CA-SDI-17,518 was included in the 27 recommended not eligible for listing on the CRHR, or the City's historical register based on analysis of the significance excavations results. The subsurface density of CA-SDI-17,518 did not meet the definition of Gallegos et al.'s (1998) as a habitation site, so, therefore, the low-density artifact recovery and limitedly represented artifact types lack potential to answer regional research questions.

Implementation of the project-level components, specifically the proposed Caliente Avenue alignment and related utilities, would impact 100% of CA-SDI-22,936, which is designated as a significant historical resource.

Additionally, implementation of the project could result in ground-disturbing activities that could unearth unknown buried archaeological resources that have not been evaluated for significance and have potential to be significant.

## 5.5.6.3 Significance of Impacts

### a. Program-level

Based on the results of the record search within the program-level analysis area, two resources (CA-SDI-8,645 and CA-SDI-16,704 in PAs 4 and 5) have been previously recorded within the program-level areas. CA-SDI-8,645 was tested in 1989 and determined not to be a significant historical resource (Appendix D). Based on site form data, CA-SDI-16,704 has not been evaluated for CEQA or City significance and therefore, could be a historical resource. The likelihood of future pedestrian surveys identifying additional historical resources, either prehistoric or historical archaeological resources or built environment resources, that may require evaluation in unsurveyed areas is also moderate to high. Therefore, impacts from future development to historical resources, both prehistoric and

historical archaeological resources and built environment resources, are potentially significant, consistent with the conclusions of the FEIR.

## b. Project-level

Based on the results of the record search, surveys, and evaluation excavations, implementation of the project would impact CA-SDI-22,936, which would constitute a significant effect to a known historical resource. The entire boundary of CA-SDI-22,936 (100%of the site) is within project impacts, specifically the proposed Caliente Avenue alignment and related utilities, and would therefore exceed standard encroachment limits with SDMC Section 143.0253 for important archaeological sites. Because 100% of an important archaeological site would be impacted, a deviation would need to be considered in accordance with decision Process Four per Section 143.0260 (a) and Section 126.0502(d) of the SDMC. A recommendation from the Historical Resources Board would be required, as well as a supplemental finding pursuant to SDMC Section 126.0505(f) and Section 126.0505(g).

Additionally, there is a potential for unknown subsurface resources to be uncovered during grading activities, which would constitute a potentially significant impact to unknown prehistoric/archaeological resources. Therefore, impacts to historical resources would be significant, consistent with the conclusions of the FEIR. There is no potential for unknown built environment resources to be identified during grading activities.

# 5.5.6.4 Mitigation, Monitoring, and Reporting

## a. Program-level

Future development within the program-level areas would be required to implement FEIR Mitigation Framework HIST-1 and HIST-2 as revised and carried forward as mitigation measures SP-HIST-1 and SP-HIST-2 below.

**SP-HIST-1: Archaeological Resources**

Prior to issuance of any permit for a future development project implemented in accordance with the Specific Plan that could directly affect an archaeological resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities.

INITIAL DETERMINATION

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g.,

Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological resources, then a historic evaluation consistent with the City Land Development Code Historical Resources Guidelines shall be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

STEP 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report shall generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance shall occur, background research is required which includes a record search at the SCIC at San Diego State University. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information shall be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance must be performed by a qualified archaeologist.

STEP 2:

Once a historical resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American

representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will be required which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. At this time, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicate there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

STEP 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not a feasible option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American Traditional Cultural Property or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of PRC Section 5097.98 must be followed. These provisions are outlined in the Mitigation Monitoring and Reporting Program included in the environmental document.

The Native American monitor shall be consulted during the preparation of the written report, at which time they may make recommendations about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

STEP 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that will reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental Analysis Section staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and traditional cultural properties containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

STEP 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring

research access to the collections consistent with state and federal standards. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan shall be required in accordance with the project Mitigation Monitoring and Reporting Program. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., Assembly Bill 2641 and California Native American Graves Protection and Repatriation Act of 2001) and federal (i.e., Native American Graves Protection and Repatriation Act) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, 36 Code of Federal Regulations 79 of the Federal Register. Additional information regarding curation is provided in Section II of the City Land Development Code Historical Resources Guidelines.

**SP-HIST-2: Historic Architectural Resources**

Prior to issuance of any permit for a future development project implemented in accordance with the Specific Plan that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, and any significant historic resources shall be treated in accordance with the Historic Resources Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

a. Preparing a historic resource management plan;

b. Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);

c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;

d. Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and

e. Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.

Specific types of historical resource reports, outlined in Section III of the HRG, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these reports will also recommend appropriate mitigation to reduce the impacts to below a level of significance. If required, mitigation programs can also be included in the report.

## b. Project-level

As detailed in Section 5.4.6.2.c, Steps 1 and 2 of the FEIR Mitigation Framework HIST-1 have been implemented through the completion of a survey and testing program.

Per State CEQA Guidelines Section 15126.4(b)(3), preservation mitigation was considered to avoid significant impacts to CA-SDI-22,936. Although preservation in place is the preferred method of mitigation, it is not a feasible method of mitigation for the project due to existing development and environmental constraints that dictate the location of the proposed Caliente Avenue alignment. In addition, the proposed project requires disturbance and grading not just for the roadway but also for the placement of required utilities within the roadway. Furthermore, as described in more detail in Section 7.2.3.1 of Appendix D, preservation in place through incorporation of the CA-SDI-22,936 within parks, greenspace, or other open space, covering the site with a layer of chemically stable soil or deeding the site into permanent conservation easement is not feasible as the proposed Caliente Avenue alignment and utilities within the roadway are required for access to and the development of PA 8 through PA 10. Therefore, while preservation in place is the preferred method of mitigating impacts to archaeological sites; it is not feasible to preserve CA-SDI-22,936 in place.

The following project-specific measures would implement the remaining provisions of Mitigation Framework HIST-1. Mitigation measure PR-HIST-1 shall be implemented to reduce impacts to CA-SDI-22,936. Mitigation measure PR-HIST-2 shall be implemented to reduce impacts due to inadvertent discovery of previously unknown historical resources during ground disturbing activities in the project-level areas.

**PR-HIST-1: Data Recovery for CA-SDI-22, 936**

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, the Applicant shall provide a letter of completion prepared by the Qualified Archaeologist (as defined in the Historical Resources Guidelines) that oversaw the recovery program that demonstrates, to the satisfaction of MMC, that the Archaeological Data Recovery Program (ADRP) for archaeological site (CA-SDI-22,936)

was completed. This letter shall include the Final ADRP Report with documentation of the Acceptance Verification from the curation institution for all recovered materials. The ADRP with Native American participation shall consist of a statistical sample and shall be implemented in accordance with the Results of the Historical Resources Investigation of the Southwest Village Specific Plan, San Diego, California prepared by RECON Environmental dated MarchNovember 2026 4 for the project, as follows:

Archaeological Data Recovery Program

A. A two-phased data recovery program shall occur within the low-disturbance central area (665-square-meter portion) of CA-SDI-22,936 that contains the potential intact subsurface deposits.

   i. Phase I shall consist of seven 1x1-meter units to be hand-excavated in 10-centimeter increments until two 10-cm level or sterile subsoil have been encountered, which represents a sample size of 1 percent. Soils shall be dry-screened through a 1/8$^{th}$ inch mesh. Five column samples for macrobotanical analyses will be taken from productive units. A sample of flaked lithic artifacts shall be selected for protein residue analysis.

   ii. Phase II shall occur if data redundancy of the results from the test excavations described in the above 2026 4 report is not achieved. Data redundancy would be achieved if there is a lack of intra-site variation in artifact distribution, no noticeable increase in amounts of material recovered per volume excavated, or a lack of features that mirror the initial test excavation results. If intra-site variability in artifact type clustering or features are discovered, Phase II shall be implemented and consist of excavating an additional seven 1x1-meter units, which represents a sample size of 2 percent.

B. Laboratory analysis including specialized studies shall be conducted in accordance with the ADRP in the Historical Resources Investigation prepared by RECON Environmental dated MarchNovember 2026 4 for the project.

C. Curation of materials recovered during the ADRP with the exception of human remains and any associated grave goods shall be prepared in compliance with local and state standards and be permanently curated at an approved facility that meets the City standards. Provisions for the discovery of Human Remains are described below in PR-HIST-2, IV. Discovery of Human Remains.

D. A Final ADRP Report shall be completed under the oversight of the Qualified Archaeologist and provided to MMC prior to the issuance of any construction permits. The Final ADRP Report shall include documentation of the Acceptance Verification from the curation institution for all recovered materials. The cost of implementing the ADRP, report preparation and curation is the responsibility of the property owner.

E. The results shall be included in the overall construction monitoring report described below in PR-HIST-2, VI. Post Construction.

**PR-HIST-2: Construction Monitoring**

The following project-specific mitigation measure shall be implemented to reduce impacts to unknown or buried historical resources at the project-level:

**I. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

**II. Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (¼-mile radius) has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from the South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼-mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the CM and/or Grading Contractor.

    a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

    a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME; with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

    b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

    b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

**III. During Construction**

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs shall be sent by the CM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

   a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

   b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program which has been reviewed by the Native American consultant/monitor and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

   c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains and the soils have been cleared by the Most Likely Descendant (MLD) and the Archaeological Monitor. The following procedures as set forth in CEQA Section 15064.5(e), the California PRC (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains in accordance with PRC section 5097.98.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.

2. NAHC will immediately identify the person or persons determined to be the MLD and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI, as follows, and, if:

a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;

b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with Public Resources Code (PRC) 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate

dignity on the property in a location not subject to further and future subsurface disturbance, THEN

c. In order to protect these sites, the Landowner shall do one or more of the following:

(1) Record the site with the NAHC;

(2) Record an open space or conservation easement on the site;

(3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

D. If Human Remains are NOT Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.

2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).

3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

**V. Night and/or Weekend Work**

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 A.M. of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV – Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8 A.M. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

**VI. Post-construction**

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D), which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms—DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or for preparation of the Final Report.

3. The PI shall submit a revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued

2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## 5.5.6.5 Significance after Mitigation

### a. Program-level

With implementation of SP-HIST-1 and SP-HIST-2, impacts associated with future development at the program-level would remain potentially significant, to both archaeological and built environment resources, which is a greater impact compared to the FEIR. The FEIR identified archaeological impacts would be less than significant with mitigation. No additional feasible mitigation or project alternative has been identified that could reduce this impact. This impact would remain significant and unmitigated.

### b. Project-level

Implementation of project-level mitigation measure PR-HIST-1 and PR-HIST-2 would reduce impacts to CA-SDI-22,936 and to unknown or buried cultural resources discovered during ground disturbance. The presence of an archaeological and Native American monitor during ground disturbing activities would allow for the identification of buried resources to occur so that work can stop, and any resources be evaluated. If significant resources are recovered, implementation of a Research Design and Data Recovery Program would ensure significant resources are treated properly to reduce significant impacts. However, even with the implementation of measures PR-HIST-1 and PR-HIST-2, impacts associated with future development at the project-level would remain significant considering the nature of the loss (e.g., loss of a minimally disturbed habitat site in Otay Mesa where such resources are scarce) and 100% of the site would continue to be impacted, which is a greater impact compared to the FEIR. The FEIR identified archaeological impacts would be less than significant with mitigation. No additional feasible mitigation or project alternative has been identified that could reduce this impact. This impact would remain significant and unmitigated.

## 5.5.7 Issue 2: Religious or Sacred Uses

*Would the project result in any impact to existing religious or sacred uses within the potential impact area?*

### 5.5.7.1 Significance Thresholds

Consistent with the FEIR, impacts related to historical resources would be significant if the project would:

- Result in any impact to existing religious or sacred uses within the potential impact area.

In accordance with the City's 2022 CEQA Significance Determination Thresholds, prehistoric and historic resource impacts may be significant if the project would result in:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance.
- A site associated with a burial or cemetery; religious, social, or traditional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the belief system of a discrete ethnic population.

### 5.5.7.2 Analysis

The following sections include a summary of the findings of the FEIR, followed by an analysis of the potential impacts related to implementation of program-level and project-level components, in light of the FEIR.

#### a. FEIR

The FEIR found no known religious or sacred places within the OMCP area. However, if a connection that someone has to a religious or sacred place is severed, harm is done to them in ways that cannot be mitigated. Therefore, significant, irrevocable impacts could occur through insensitive planning and project implementation. FEIR Mitigation Framework HIST-1 was identified to reduce this impact to less than significant.

#### b. Program-level

As detailed in Section 5.5.3 a letter was sent to the NAHC in Sacramento in 2023 requesting a Sacred Lands File search for the program-level and project-level areas. The NAHC provided a list of tribes and interested Native Americans to contact for more information regarding the positive search records. Because the search was positive, there is a potential to encounter a religious or sacred resource during future implementation of development within the program-level areas.

### c. Project-level

As noted above, the NAHC search was positive; therefore, religious or sacred resources could be encountered during ground-disturbing activities.

## 5.5.7.3 Significance of Impacts

### a. Program-level

Future ground disturbance into native soils in the program-level areas during the implementation of future development within the program-level areas could expose buried religious or sacred resources. Potential impacts to religious or sacred resources associated with construction of future projects implemented in accordance with the program-level components would be considered significant, similar to the conclusions in the FEIR.

### b. Project-level

Implementation of the project-level components could adversely affect the sacred site identified by the NAHC. Additionally, ground disturbing activities could unearth an unknown subsurface religious or sacred resource, which would constitute a potentially significant impact. Therefore, impacts to religious or sacred resources would be significant, similar to the conclusions in the FEIR.

## 5.5.7.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Mitigation measure SP-HIST-1 would be required.

### b. Project-level

Mitigation measure PR-HIST-2 would be required.

## 5.5.7.5 Significance after Mitigation

### a. Program-level

Potential impacts to religious or sacred resources would remain significant with the implementation of mitigation measure SP-HIST-1, which would require that a Native American monitor be present during resource evaluation and an Archaeological Resource Management report including additional mitigation measures be prepared for future projects within the program-level areas.

### b. Project-level

Potential impacts to religious or sacred resources would remain significant with the implementation of project-level mitigation measure PR-HIST-2.

## 5.5.8 Issue 3: Human Remains

*Would the proposed project result in the disturbance of any human remains, including those interred outside of formal cemeteries?*

### 5.5.8.1 Significance Thresholds

Consistent with the FEIR, impacts related to historical resources would be significant if the project would:

- Result in the disturbance of any human remains, including those interred outside of formal cemeteries.

In accordance with the City's 2022 CEQA Significance Determination Thresholds, discovery of human remains shall always be treated as a significant discovery.

#### ~~a. FEIR~~

~~The FEIR found that there is a potential for future grading of in situ soils to expose buried human remains. Potential impacts to human remains associated with implementation of the OMCP were found to be significant. Mitigation Framework HIST-1 was proposed to reduce this impact to less than significant.~~

### 5.5.8.2 Analysis

#### a. FEIR

The FEIR found that there is a potential for future grading of in situ soils to expose buried human remains. Potential impacts to human remains associated with implementation of the OMCP were found to be significant. Mitigation Framework HIST-1 was proposed to reduce this impact to less than significant.

#### b~~a~~. Program-level

No known burial sites or cemeteries exist within the vicinity of the program-level area, and it is not expected that human remains would be disturbed as a result of the project. However, future ground disturbance into native soils in the program-level area as a result of future development within the program-level areas could expose buried human remains.

#### c~~b~~. Project-level

Implementation of the project-level components would not adversely affect any known burial sites or cemeteries. However, there is a potential that unanticipated human remains would be disturbed as a result of ground disturbance associated with the grading of the project-level areas. Although the project area is vacant and was historically used for agricultural purposes, the potential for human

burials to be encountered is low. However, as no large-scale excavation has previously been completed on the site, the potential for unanticipated discovery of human remains is possible. In the unlikely event of the discovery of human remains during project grading, work shall halt in that area and the procedures set forth in the California PRC (Section 5097.98) and state Health and Safety Code (Section 7050.5) shall be undertaken.

## 5.5.8.3 Significance of Impacts

### a. Program-level

Although it is not expected that human remains would be located on the program-level areas, there is a potential for buried human remains to be disturbed by grading and construction activities. The potential to encounter human remains during construction is considered a significant impact by the City. Therefore, impacts associated with human remains continue to be considered significant, similar to the conclusions in the FEIR.

### b. Project-level

Although it is not expected that human remains would be located on the project-level areas, there is a potential for buried human remains to be disturbed by grading and construction activities. The potential to encounter human remains during construction is considered a significant impact by the City. Therefore, impacts associated with human remains continue to be considered significant, similar to the conclusions in the FEIR.

## 5.5.8.4 Mitigation, Monitoring, and Reporting

### a. Program-level

The following new program-level mitigation measure SP-HIST-3 would be implemented by future development proposed within the program-level areas if human remains were encountered:

**SP-HIST-3**:**Human Remains**

> Although no human remains have been found within the project area, there is a potential for the discovery of human remains during project grading. It is preferable to avoid impacting human remains, but this is not always possible given the potential of uncovering undocumented human remains during project grading or other ground-disturbing activities. When a data recovery program of an archaeological site is required, all possible pre-excavation planning should be implemented to reduce the possibility of the accidental discovery of human remains. Historic era burial locations can often be identified with background research. Forensic dogs can be used to identify human remains, especially in cases where scattered cremation remains are present. Non-destructive ground penetrating procedures such as ground penetrating radar can be used to identify subsurface anomalies that may indicate the presence of inhumations. Since data recovery programs never recover all the data from an archaeological site,

similar procedures implemented during project implementation would be helpful in reducing the potential for discovery of unanticipated human remains.

If human remains are found, existing laws and protocols are required to be followed before proceeding with any project action that would further disturb the remains. Provisions set forth in California PRC Section 5097.98 and state Health and Safety Code Section 7050.5 shall be implemented in consultation with the Most Likely Descendant identified by the NAHC and as described in PR-HIST-2 IV A-C. Discovery of Human Remains, the requirements of which are incorporated here by reference.

### b. Project-level

As described above, regulations are in place for the recovery of any unknown human remains that may be uncovered during grading of the project site. In addition, project-level mitigation measure PR-HIST-2 outlined above would be implemented in the event of unanticipated discovery of human remains.

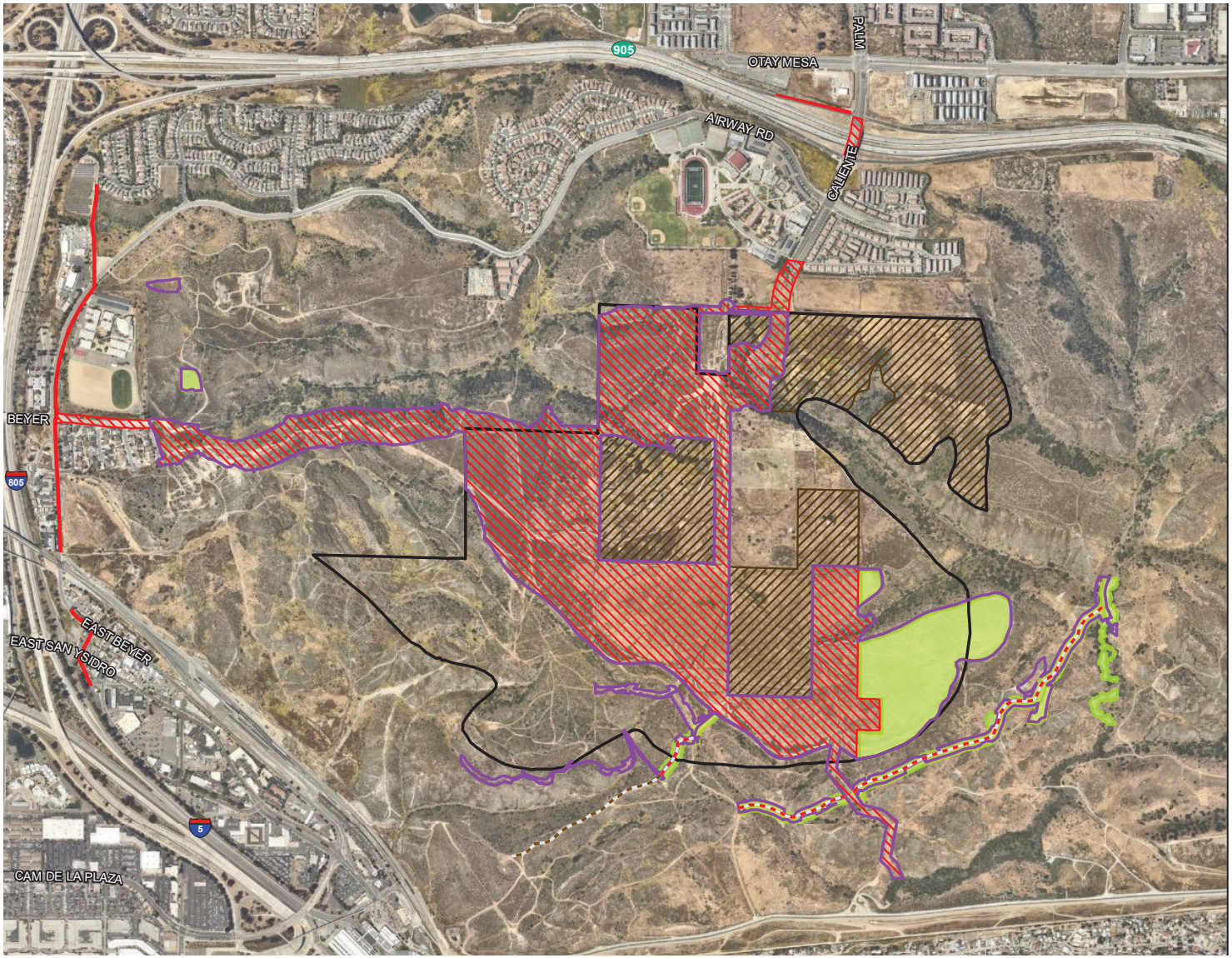
## 5.5.8.5 Significance after Mitigation

### a. Program-level

With implementation of program-level mitigation measure SP-HIST-3, impacts to human remains would be less than significant.

### b. Project-level

With implementation of project-level mitigation measure PR-HIST-2, impacts to human remains would be less than significant.




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Source: RECON 2026 ~~RECON 2023~~

# Historical Resources Survey Area in Relation to Project-Level and Program-Level Analysis Areas

Figure 5.5-1

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# 5.6 Human Health/Public Safety/Hazardous Materials

The analysis in this section updates the human health/public safety/hazardous materials analysis in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to human health including wildfire and airport safety hazards, public safety, and hazardous materials impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation.

This section is based on review of regulatory databases, other secondary source information, in addition to review of Phase I and Phase II Environmental Site Assessments (ESAs) completed for properties within the Southwest Village Specific Plan (Specific Plan) area (Converse 2002a-k, 2004a-j, 2006a-b, 2008a-b and the Air Quality Analysis (see Appendix B-1). This section also incorporates the Wildfire Evacuation Study (WES) for the Southwest Village Project (Appendix E).

## 5.6.1 Existing Conditions

As noted in the FEIR, the project area is generally undeveloped with areas of disturbance from prior scattered habitations and agricultural use. Unauthorized off-road-vehicle activity also continues to be noticeable throughout the area. Scattered historical residential development is observed in various areas on the mesa top with many prior homes having been removed or with only remnants of home sites and associated debris and trash remaining. Physical conditions within the project area have not changed substantially since the FEIR was prepared.

### 5.6.1.1 Hazardous Materials and Sites

Hazardous materials are substances with certain physical or chemical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Title 22 of the California Code of Regulations (CCR), Division 4.5, Chapter 11, Article 3 groups hazardous materials into four categories based on their properties: toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), and reactive (causes explosions or generates toxic gases). Hazardous materials are commonly used in commercial, agricultural, and industrial applications as well as in residential areas to a limited extent.

Hazardous materials release or disposal can result in hazardous conditions in areas proposed for development. In order to determine the potential for hazardous conditions to occur within the project area, a number of data sources were reviewed. FEIR Section 5.6, *Human Health/Public Safety/Hazardous Materials*, was reviewed to determine if any potentially hazardous sites were identified that would affect the Specific Plan area. Of the sites listed in FEIR Table 5.6-1, one site was

listed in the vicinity of the Specific Plan area, referred to as the Dillons Trail site. The Dillons Trail site was identified in the FEIR at the southwest terminus of Caliente Avenue and consisted of several parcels where illegal disposal activities were initially discovered by the County of San Diego (County) Local Enforcement Agency (LEA) in 1987. The discarded material primarily consisted of demolition debris with minor amounts of solid waste. According to the City of San Diego's (City's) LEA, the majority of the waste from the illegal disposal activities at the property has been removed, and the City LEA no longer conducts inspections at this location. The Dillons Trail site no longer appears in the California Department of Resources Recycling and Recovery Solid Waste Information System database.

## a. Database Search

In addition to a review of potential hazardous sites identified in the FEIR, applicable regulatory databases were reviewed to determine the presence of any sites listed within a one-mile radius of the Specific Plan and off-site improvement areas. Two GeoTracker sites and one Envirostor site were identified within a one-mile radius as detailed in Table 5.6-1, *Hazardous Sites Listings*, and shown on Figure 5.6-1, *Hazardous Sites Listings Locations*.

**Table 5.6-1**
**Hazardous Sites Listings**

| Site Listing | Site Name | Location | Status | Distance from Specific Plan area |
|---|---|---|---|---|
| GeoTracker | San Ysidro Land Port of Entry Site H02690-001 (T10000002836) | 720 E. San Ysidro Blvd. San Diego, CA 92173 (APN 667-030-23-00 and 667-030-26-00) | Contaminated soils were identified during geotechnical borings. A property mitigation plan was prepared in 2011. Case remains open pending status update of site activities. | Within 1 mile |
| EnviroStor | Goodwill Property (37000082) | 626-630 Front Street San Diego, CA 92173 | Site is listed as an evaluation site. No contamination specified. Senate Bill 1248 Notification completed 11/22/2000 referring site to local agency. | 2,000 feet |
| GeoTracker | San Diego and Imperial Valley Railroad (UST1000019488) | 2711 E Beyer Blvd. San Diego, CA 92173 | Site is listed as case closed as of 2007. Former LUST. | 2,000 feet |

APN = Assessor's Parcel Number; LUST = leaking underground storage tank.
Source: State Water Resources Control Board 2023; Department of Toxic Substances Control 2023.

## b. Phase I and II Environmental Site Assessments

Several Phase I and II ESAs prepared for areas within the Specific Plan area between 2002 and 2008 were reviewed to identify potential contamination concerns within the project area (see Table 5.6-2, *Phase I and II Environmental Site Assessments Reviewed*, and Figure 5.6-2, *Phase I and II Environmental Site Assessments Locations*). These ESAs were not originally considered in the FEIR as they were not prepared as part of the project at the time.

**Table 5.6-2**
**Phase I and II Environmental Site Assessments Reviewed**

| REF[1] | APNs | Location | Report Title | Key Findings |
|---|---|---|---|---|
| 1 | 645-074-04<br>645-074--05<br>645-074--22 | Future Caliente Alignment | Phase I Environmental Site Assessment Report Otay Mesa – Anson Parcels San Diego, California dated July 28, 2008 (Converse 2008a) | No Recognized Environmental Conditions (RECs). |
| 2 | 667-010-19<br>667-010-20 | Within eastern grading areas and program-level development area. | Phase I Environmental Site Assessment Report Brown/Kay-Mark Property Approximate 13.8-Acre Parcel San Diego, California dated May 22, 2002 (Converse 2002a) | Property was occupied by agricultural fields from as early as 1953 to at least 1966, resulting in a potential for environmental impacts from residual pesticides/herbicides. However, based on previous subsurface soil sampling of other parcels in the Otay Mesa Assemblage by Converse Consultants (e.g., KMPA, Crandall, Charles Brown, and Ivernia properties), no subsurface contamination above regulatory levels due to the historical agricultural uses is anticipated. No further assessment is warranted. |
| 14 | 645-061-09 | The northern portion of project-level PAs 26 and 27, eastern end of future Beyer Boulevard alignment. | Phase I Environmental Site Assessment Report Crandall Property Approximate 10-Acre Parcel San Diego, California dated March 23, 2002 (Converse 2002b) | Recommended further assessment of the property for potential presence of residual pesticides and herbicides in the soil (refer to Limited Phase II results below). |
| 3 | 645-061-09 | The northern portion of project-level PAs 26 and 27, eastern end of future Beyer Boulevard alignment. | Limited Phase II Environmental Site Assessment Crandall Property Approximate 10-Acre Parcel San Diego, California dated May 6, 2002 (Converse 2002c) | Six hand-auger borings were advanced to a depth of 3 feet below ground surface in the areas of potential environmental concern. A total of 24 soil samples were taken. Soil samples collected at 0.5 and 3 feet below ground surface. Results found concentrations of residual pesticides below regulatory thresholds and no further assessment of the property is warranted. |
| 6 | 667-010-01<br>667-010-22 | The easternmost portion of this area is within the project-level development footprint and grading borrow site. The remainder is program-level open space. | Phase I Environmental Site Assessment Report South Otay - Pipitone San Diego, California dated May 29, 2008 (Converse 2008b) | The historic use of the property for agriculture is a Historic REC. However, previous subsurface soil sampling of other parcels in the Otay Mesa Assemblage by Converse Consultants (e.g., KMPA, Crandall, Charles Brown, and Ivernia properties) indicated no subsurface contamination above regulatory levels due to the historical agricultural uses. No further assessment is warranted. |

| REF[1] | APNs | Location | Report Title | Key Findings |
|---|---|---|---|---|
| 7 | 667-010-15 | Includes a 42-acre area including portions of the project-level grading area, program-level development areas, and mitigation lands. | Phase I Environmental Site Assessment Report Security Title Insurance (Kuta) Property Approximate 42-Acre Parcel APN 667-010-15 San Diego, California dated March 24, 2004 (Converse 2004a) | No RECs; however, all debris should be removed and disposed of appropriately. |
| 8 | 645-072-14 | This is a 1-acre parcel within a fill area associated with the program-level development areas. | Phase I Environmental Site Assessment Report Ablao Property Approximate 1-Acre Parcel APN 645-072-14 San Diego, California dated March 12, 2004 (Converse 2004b) | All debris should be removed and disposed of appropriately. |
| 9 | 645-061-04 | Project-level development areas encompassing PA 8 through 10 and PA 28. | Phase I Environmental Site Assessment Report South Otay Mesa Assemblage Approximate 35-Acre KPMA Property San Diego, California dated April 29, 2002 (Converse 2002d) | Remove all trash and debris on-site including removal of debris piles consisting of asbestos containing materials by a licensed asbestos abatement company. Additional property analysis is recommended. Refer to Phase II results below. |
| 15 | 645-061-04 | 35-acre northern portion of the project-level development areas encompassing PAs 8 through 10 and PA 28. | Limited Phase II Site Assessment Report KMPA Property Approximate 35-Acre Parcel San Diego, California dated November 5, 2002 (Converse 2002e) | Soil testing showed no concentrations of pesticides, herbicides, or asbestos in soil samples near debris piles. Recommend the asbestos-containing debris pile, the abandoned batteries and approximately 2 cubic yards of hazardous lead impacted soils be removed from the site by a licensed hazardous waste contractor and handled transported and disposed of in accordance with all local, state, and federal regulations. |
| 16 | 667-010-06 | Within project-level grading areas and future program-level development areas encompassing PAs 15 through 17 and portions of PA 28 and PA 29. | Phase I Environmental Site Assessment Report Martinez Property Approximate 61-Acre Parcel San Diego, California dated December 4, 2002 (Converse 2002f) | Abandoned water well located in southeastern portion of the property shall be abandoned prior to development. Scattered debris shall be disposed of. No further assessment warranted. |

| REF[1] | APNs | Location | Report Title | Key Findings |
|---|---|---|---|---|
| 18 | 667-040-11 | Vernal pool restoration area, drainage outfall, pump station, and mitigation lands. | Phase I Environmental Site Assessment Report Portion of Ivernia Property Approximate 64-Acre Parcel San Diego, California dated March 26, 2002 (Converse 2002g) | Identified historic agricultural use and potential for residual pesticides/herbicides. Sewage flows and contamination from scattered refuse identified from Mexico identified Refer to Phase II findings below. |
| 18 | 667-040-11 | Vernal pool restoration area, drainage outfall, pump station, and mitigation lands south of the Specific Plan boundary. | Limited Phase II Environmental Site Assessment Ivernia Property Approximate 64-Acre Parcel San Diego, California dated December 17, 2002 (Converse 2002h) | Water and soil samples collected from the effluent stream were not classified as a hazardous waste according to 22 CCR 66261. No further assessment recommended. |
| 19 | 667-010-27<br>667-010-28<br>667-010-30<br>667-010-31 | Approximately 155 acres within proposed mitigation lands south of the Specific Plan boundary. | Phase I Environmental Site Assessment Report Princess Beach Mitigation Parcels Approximate 155-Acre Parcel APNs 667-010-27, -28, -30, -31 San Diego, California dated August 3, 2004 (Converse 2004c) | No RECs identified; however, recommend removal of trash and debris. |
| 25 | 645-071-06 | Portion within graded slope for the project-level development areas, remainder in program-level development area. | Phase I Environmental Site Assessment Report Wilkinson Property Approximate 1-Acre Parcel APN 645-071-06 San Diego, California dated March 24, 2004 (Converse 2004d) | An outhouse was located at the northwest portion of the property, scattered debris and old metal container identified (no staining), and a protruding metal pipe identified in southern portion. Recommend that all debris be removed from the property prior to development. |
| 26 | 645-073-02<br>645-073-03<br>645-073-12 | One parcel within canyon fill area for project-level area, remainder within future Specific Plan development area. | Phase I Environmental Site Assessment Report Williams and Alcaraz Property Three Approximate 1-Acre Parcels APN 645-073-02, -03, -12 San Diego, California dated April 29, 2004 (Converse 2004e) | The report concluded a low potential for environmental impact to the property from current or historical site usage but recommends removal and disposal of all debris on-site (tires, construction debris). |
| 5 | 645-073-08 | Program-level development area, approximately 0.84 acre within the proposed Village Core. | Phase I Environmental Site Assessment Report Otay Mesa-Olsher Parcel APN 645-073-08 San Diego, California dated July 21, 2006 (Converse 2006a) | The soil dumped on the property is of unknown origin and should be properly screened prior to removal from the Property. All waste tires and other miscellaneous debris on the Property should be removed and disposed of appropriately |

| REF[1] | APNs | Location | Report Title | Key Findings |
|---|---|---|---|---|
| 4 | 645-073-08 | Program-level development area, approximately 0.84 acre within the proposed Village Core. | Addendum Letter – Phase I Environmental Site Assessment Otay Mesa Assemblage Olsher Parcel APN 645-073-08 dated August 18, 2006 (Converse 2006b) | Addendum Letter to Phase I was prepared that notes the imported soil of unknown origin has been removed. |
| 20 | 645-075-05 | Program-level development area | Phase I Environmental Site Assessment Report Rice Property Approximate 1-Acre Parcel San Diego, California dated August 23, 2002 (Converse 2002i) | Low potential for potential environmental impact to the property from current or historical usage. |
| 21 | 645-075-05 | Program-level development area | Update – Phase I Environmental Site Assessment Report Approximate 1-Acre Rice Property APN 645-075-05 San Diego, California Converse Project No. 02-41-242-01 dated March 22, 2004 (Converse 2004f) | Low potential for potential environmental impact to the property from current or historical usage; however, removal of the car battery from the property is recommended. |
| 22 | 645-074-23 | Program-level development area | Phase I Environmental Site Assessment Report Royce Property Approximate 1-Acre Parcel APN 645-074-23 San Diego, California dated April 29, 2004 (Converse 2004g) | No evidence of RECs; however, removal of all debris from the property is recommended. |
| 23 | 645-076-22 | Portion of program-level development area | Phase I Environmental Site Assessment Report Ruiz Property Approximate 1-Acre Parcel APN 645-076-22 San Diego, California dated March 24, 2004 (Converse 2004h) | No evidence of RECs; however, removal of all debris from the property including removal of asbestos-containing materials by a licensed asbestos abatement company is recommended. |
| 24 | 645-076-12<br>645-076-13 | Portion of program-level development area | Phase I Environmental Site Assessment Report Velazquez Property Two Approximate 1-Acre Parcels APNs 645-076-12 and 645-076-13 San Diego, California dated April 29, 2004 (Converse 2004i) | There was a former dwelling on-site with two outhouses observed near former residential structures and two partially buried 55-gallon drums containing rocks. No RECs identified; however, the report recommends removal of all debris and outhouses prior to development and monitoring the area for soil discoloration and odors during construction. |

| REF[1] | APNs | Location | Report Title | Key Findings |
|---|---|---|---|---|
| 13 | 645-076-02 | Program-level development area | Phase I Environmental Site Assessment Report Bryant Property Approximate 1-Acre Parcel San Diego, California dated August 23, 2002 (Converse 2002j) | No further assessment is warranted. |
| 17 | 645-075-23<br>645-075-03<br>645-075-04 | Within program-level development area and future Caliente extension. | Phase I Environmental Site Assessment Report N.D.G Baja Vista Property Approximately 3-Acres of Parcels San Diego, California dated August 23, 2002 (Converse 2002k) | No evidence of RECs. |
| 11 | 645-073-05<br>645-073-06<br>645-073-10<br>645-073-11 | One-acre parcels within program-level development area (Village Core) | Phase I Environmental Site Assessment Report Assoc. Investors Property Four Approximate 1-Acre Parcels APNs 645-073-05, -06, -10, and -11 San Diego, California dated March 12, 2004 (Converse 2004j) | No further assessment is warranted. |

APN = Assessor's Parcel Number; PA = Planning Area; REC = Recognized Environmental Condition
Source: Converse 2002a-k, 2004a-j, 2006a-b, 2008a-b.
[1] REF = Reference number correspond to the location of the assessment as shown on Figure 5.6-2.

### 5.6.1.2 Wildfire Hazards

As discussed in FEIR Section 5.6.1.3, wildfire hazards within the OMCP include areas with steep slopes, limited precipitation, and vegetation for fuel and future development. While the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program has mapped fire hazards severity zones since before the FEIR was prepared, the FEIR did not identify or describe any of the OMCP, including the project area, as within a fire hazard severity zone. Currently, the entire project area is mapped as a Very High Fire Hazard Severity Zone according to CAL FIRE's Resource Assessment Program maps (Appendix E). Fire Hazard Severity Zone maps are based on the physical conditions and likelihood that an area will burn over a 30- to 50-year period without considering modifications such as fuel reduction efforts. The project area's steep slopes, limited precipitation and available vegetation fuel presents a high wildfire risk.

### 5.6.1.3 Aircraft Hazards

FEIR Section 5.6.1.4 summarized that aircraft hazards are addressed through compatibility with Airport Land Use Plans (ALUCP) through coordination with the City and the San Diego County Regional Airport Authority Board as the Airport Land Use Commission (ALUC). One airport, Brown Field Municipal Airport (Brown Field) was mentioned within the OMCP area. Since preparation of the FEIR, an ALUCP for the Naval Outlying Landing Field Imperial Beach (NOLF IB) was adopted in October 2015 within the OMCP area.

### 5.6.1.4 Emergency Preparedness

FEIR Section 5.6.1.5 summarized the coordination efforts of the County of San Diego Office of Emergency Services (OES) and the Multi-Hazard Mitigation Plan from 2010.

## 5.6.2 Regulatory Framework

The regulatory framework discussed in the FEIR Section 5.6.1.1 identified applicable requirements for human health/public safety/hazardous materials. These include the 1972 Federal Water Pollution Control Act (i.e., Clean Water Act), Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (i.e., "Superfund"), Federal Resource Conservation and Recovery Act (RCRA) of 1976, Title 40 Code of Federal Regulations (CFR), Part 257 (i.e., classification of solid waste disposal facilities), Title 40 CCR, Part 290 (i.e., underground storage tanks [USTs]), Title 8 CCR, Industrial Relations, Title 23 CCR, Part 2620 (i.e., regulation of USTs to protect waters from contamination), Water Quality Control Plan ("Basin Plan") for the San Diego Region, San Diego County Area Plan, Hazardous Materials Transportation Act (49 CFR Parts 101, 106, and 107), San Diego County Operational Area Emergency Plan, San Diego County Multi-jurisdictional Hazard Mitigation Plan, San Diego Municipal Code (SDMC) Sections 42.0801, 42.0901, 54.0701 (i.e., general hazardous materials regulations), SDMC Section 55.3301 (i.e., explosives), SDMC Section 142.0412 Brush Management, SDMC Chapter 14 Article 5 Construction Materials for Development near Open Space. Changes and updates to regulations related to human health/public safety/hazardous materials are summarized in SEIR Section 5.6.2.1 below.

## 5.6.2.1 State

### a. California Fire Code (CFC)

The 2022 CFC (CCR Title 24, Part 9) establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The CFC also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas. The City has adopted the CFC as Chapter 5, Article 5, Division 1 of the SDMC, including appendices addressing fire-flow requirements for buildings.

### b. California Wildland-Urban Interface Code

On September 20, 2007, the California Building Standards Commission approved the Office of the State Fire Marshal's emergency regulations amending the California Building Code (CBC) CCR Title 24, Part 2) (California Department of General Services 2025). Section 701A of the CBC included~~s~~ regulations addressing materials and construction methods for exterior wildfire exposure and applies to new buildings located in State Responsibility Areas or Very High Fire Hazard Severity Zones in Local Response Areas. In 2025, the contents of CBC Chapter 7A, *Materials and Construction Methods for Exterior Wildfire Exposure*, were moved out of the CBC and into a new standalone Part 7 of Title 24 referred to as the California Wildland-Urban Interface Code (CWUIC). The CWUIC took effect on January 1, 2026 and is the governing standard for development in the wildland-urban interface, which includes the Very High Fire Hazard Severity Zone as designated by CAL FIRE.

## 5.6.2.2 Regional

### a. San Diego County Operational Area Hazardous Materials Area Plan

The 2020 San Diego County Operational Area Hazardous Materials Area Plan (HAZMAT Area Plan) describes the system currently being used within the County for managing hazardous materials emergencies. The HAZMAT Area Plan has been prepared pursuant to Division 20 Chapter 6.95 (Section 25503) of the California Health and Safety Code and in accordance with Title 19 of the CCR. The activities carried out by the County of San Diego Hazardous Materials Division (HMD), Hazardous Materials Incident Response Team (HIRT), and the San Diego County OES to effectively manage hazardous materials emergencies are coordinated, in part, through the HAZMAT Area Plan. This document also references information covering hazardous substance inventories and emergency response spill planning received from regulated businesses, community groups, State and federal agencies including the U.S. Coast Guard, which also are integrated into this HAZMAT Area Plan, and the Unified San Diego Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (Unified OES/COSD Op Area Emergency Ops Plan).

## b. San Diego County Emergency Operations Plan

The San Diego County Emergency Operations Plan (EOP) was approved by the County Board of Supervisors August 30, 2022. The EOP is used by all key partner agencies within the County to respond to major emergencies and disasters. The EOP is updated every four years by the OES and the Unified Disaster Council of the Unified San Diego County Emergency Services Organization.

## c. Multi-Jurisdictional Hazard Mitigation Plan: City of San Diego Annex

The 2023 Multi-Jurisdictional Hazard Mitigation Plan is a countywide plan that identifies risks and ways to minimize damage by natural and human-caused disasters. The plan is a comprehensive resource document that serves many purposes such as enhancing public awareness, creating a decision tool for management, promoting compliance with state and federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination. The Board of Supervisors of the County adopted the revised 2023 Multi-Jurisdictional Hazard Mitigation Base Plan on February 7, 2023 (County 2023).

## d. County of San Diego Department of Environmental Health

### *Hazardous Materials Division*

The HMD of the County's Department of Environmental Health and Quality (DEHQ) regulates hazardous waste and tiered permitting, UST, aboveground petroleum storage and risk management plans, hazardous materials business plans and chemical inventory, and medical waste. The HMD's goal is "to protect human health and the environment by ensuring that hazardous materials, hazardous waste, medical waste, and underground storage tanks are properly managed" (County 2024).

The County's DEHQ HMD offers a Voluntary Assistance Program that provides staff consultation, project oversight, and technical and environmental report evaluation on projects pertaining to properties suspected or known to be contaminated with hazardous substances. This program allows for oversight of environmental assessment, cleanup, and risk evaluation to facilitate the rapid and cost-effective resolution of soil and groundwater contamination problems. A "No Further Action" letter or "Concurrence" letter is issued when the technical information, findings and recommendations in the reports submitted demonstrate that human health and the environment are adequately protected.

# 5.6.2.3 Local

## a. City of San Diego General Plan

The following provides a summary of the applicable General Plan (2024) elements related to human health/public safety/hazardous materials.

## *Public Facilities, Services and Safety Element*

The following are policies applicable to health and safety:

**Wildfire Planning**

- **Policy PF-D.12.** Protect communities from unreasonable risk of wildfire within very high fire hazard severity zones.

    a. Assess site constraints when considering land use designations near wildlands to avoid or minimize wildfire hazards as part of a community plan update or amendment. (see also LU-C.2.a.4)

    b. Identify building and site design methods or other methods to minimize damage if new structures are located in very high fire hazard severity zones on undeveloped land and when rebuilding after a fire.

    c. Require ongoing brush management to minimize the risk of structural damage or loss due to wildfires.

    d. Provide and maintain water supply systems to supplies for structural fire suppression.

    e. Provide adequate fire protection. (see also PF-D.1 and PF-D.2)

- **Policy PF-D.13.** Incorporate fire safe design into development within very high fire hazard severity zones to have fire-resistant building and site design, materials, and landscaping as part of the development review process.

    a. Locate, design and construct development to provide adequate defensibility and minimize the risk of structural loss from wildland fires.

    b. Design development on hillsides and canyons to reduce the increased risk of fires from topography features (i.e., steep slopes, ridge saddles).

    c. Minimize flammable vegetation and implement brush management best practices in accordance with the Land Development Code.

    d. Design and maintain public and private streets for adequate fire apparatus vehicles access (ingress and egress) and install visible street signs and necessary water supply and flow for structural fire suppression.

    e. Coordinate with the Fire-Rescue Department to provide and maintain adequate fire breaks where feasible or identify other methods to slow the movement of a wildfire in very high fire hazard severity zones.

- **Policy PF-D.14.** Implement brush management along City maintained roads in very high fire hazard severity zones adjacent to open space and canyon areas.

- **Policy PF-D.15.** Maintain access for fire apparatus vehicles along public streets in very high fire hazard severity zones for emergency equipment and evacuation.

- **Policy PF-D.16.** Provide wildland fire preparedness education for fire safety advance planning.

## b. City of San Diego Municipal Code

### *California Building Code Title 24*

The 2022 iteration of the CBC ~~was last updated in 2022 and~~ has been incorporated into the City's Building Regulations (SDMC Chapter 14, Article 5) which are intended to regulate the construction of applicable facilities and encompasses (and formally adopts) associated elements of the CBC. The City's Building Regulations also establish acceptable construction materials for development near open space to minimize fire risk through adoption of Chapter 7, "Fire Resistance-Rated Construction," and Chapter 7A, "Materials and Construction Methods for Exterior Wildfire Exposure," of the CBC (SDMC Chapter 14, Article 5, Division 7). As described under Section 5.6.2.1 above, the wildfire hardening requirements previously housed in CBC Chapter 7A were moved to the CWUIC in 2025, and the SDMC will be updated to reflect these changes.

### *Hazardous Materials*

The Hazardous Waste Establishment section of SDMC (Chapter 4, Article 2, Division 8) enables the Health Officer to establish a program to monitor establishments where hazardous wastes are produced, stored, handled, disposed of, treated, or recycled, and to provide health care information and other appropriate technical assistance on a 24-hour basis to emergency responders in the event of a hazardous waste incident involving community exposure. The Disclosure of Hazardous Materials section (SDMC Chapter 4, Article 2, Division 9) establishes a system for the provision of information on potential hazards or hazardous materials in the community, including appropriate education and training for use of information. Elements of the system include the Health Officer's ability to seek advice from the Hazardous Materials Advisory Committee, the filing of a hazardous substance disclosure form, the content of the disclosure form, emergency response information, and penalty for violations.

### *Airport Land Use Compatibility Zone*

As discussed in FEIR Section 5.6.3.1 (c), policies and criteria contained in the ALUCP for Brown Field are implemented by the supplemental development regulations in the Airport Land Use Compatibility Overlay Zone of the SDMC. Since preparation of the FEIR, an ALUCP for the NOLF IB was adopted in October 2015 within the OMCP area. The SDMC addresses issues related to safety compatibility in the airport land use compatibility overlay zone. Chapter 13 Article 2, Division 15 establishes the Airport Land Use Compatibility Overlay Zone, which ensures that new development located within an airport influence area are compatible with respect to airport-related noise, public safety, airspace protection, and aircraft overflight areas. Regulations include safety compatibility and aircraft overflight notification requirements.

### *Fire Safety*

SDMC Chapter 5, Article 5: Fire Protection and Prevention is the San Diego Fire Code, which adopts the 2022 CFC, as amended.

### *Fire Prevention Bureau Policy B-18-01 Mitigation for Reduced Brush Management Zones*

Brush management is noted briefly under the regulatory setting of FEIR Section 5.6.1.1. Fire Prevention Bureau Policy B-18-01 Mitigation for Reduced Brush Management Zones (BMZs; CFC Chapter 49, CBC Chapter 7A, California Residential Code Section R337, SDMC Section 142.0412) clarifies construction mitigation requirements when 100 feet of defensible space (35 feet of Zone 1 and 65 feet of Zone 2) cannot be provided for construction in the High or Very High Fire Hazard Severity Zone. This policy applies to new buildings or additions/remodels located in any Fire Hazard Severity Zone for which an application for a building permit is submitted on or after July 1, 2008, that cannot meet the defensible space requirements per CFC Section 4907 (City 2018).

## 5.6.3 Issue 1: Health and Safety Hazards

*Would the project expose people or property to health hazards, including wildfire and airport operations?*

### 5.6.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to human health/public safety/hazardous materials would be significant if the project would:

- Expose people or property to health hazards, including wildfire and airport operations.

### a. Health Hazards

The use, disposal, or transport of hazardous materials is of potential concern where sensitive land uses such as residential, parks, or institutional uses are in proximity to industrial uses. As discussed in the OMCP FEIR Section 5.6.3.1(a), potential health hazards associated with the project relate to the use, disposal, or transport of hazardous materials; and/or exposure to sites containing hazardous materials, including pesticides associated with current and past agricultural operations, and exposure to air contaminants. The use, disposal, or transport of hazardous materials is of potential concern where sensitive land uses such as residential, parks, or institutional uses are in proximity to industrial uses. This issue is addressed in SEIR Section 5.6.4 Issue 2 below. Exposure to sites containing hazardous materials is discussed in SEIR Section 5.6.5 Issue 3. The discussion of health hazards from exposure to toxic air contaminants is discussed in this Issue 1 in SEIR Section 5.6.3.2 below.

### b. Wildfire Hazards

Per the City's 2022 CEQA Significance Determination Thresholds, health and safety impacts may be significant if the project would:

- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands; or
- Substantially impair an emergency response plan or emergency evacuation plan.

In addition, since the adoption of the OMCP FEIR, the California Environmental Quality Act (CEQA) Guidelines were amended to include additional issue questions related to wildfire risk. While the amendment to the CEQA Guidelines does not represent new information that could result in new or more severe impacts; the project is additionally evaluated against the following questions from the CEQA Guidelines, Appendix G related to the exacerbation of wildfire and increased release of pollutants from wildfire:

- Due to slope, prevailing winds, and other factors, would the proposed project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- Would the proposed project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- Would the proposed project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

## c. Airport Safety

The City's 2022 CEQA Significance Determination Thresholds are used to determine whether the project would have a significant environmental impact associated with airport safety.

- Projects located in a designated airport influence area and where the Federal Aviation Administration (FAA) has reached a determination of "hazard" through FAA Form 7460-1, "Notice of Proposed Construction or Alteration" as required by FAA regulations in CFR Title 14 §77.13.
- Inconsistency with an ALUCP could be a significant impact.
- For a project within the boundaries of a comprehensive airport land use plan, or if a comprehensive land use plan has not been adopted for a project within two nautical miles of a public airport or public use airport, CEQA Section 21096 and CEQA State Guidelines Section 15154 requires that the lead agency consider whether the project would result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area in order to adopt a negative declaration or mitigated negative declaration.

## 5.6.3.2 Analysis

## a. Health Hazards

### *FEIR*

The FEIR found that potential hazards associated with future development relate to the use, disposal, or transport of hazardous materials; and/or exposure to sites containing hazardous materials, including pesticides associated with current and past agricultural operations, and exposure to air contaminants. The FEIR found that the use, disposal, or transport of hazardous materials is of potential concern where sensitive land uses such as residential, parks, or institutional uses are in proximity to industrial uses. The FEIR referred to the FEIR Sections 5.3.5, 5.6.4, and 5.6.5 for a discussion of exposure to health hazards and provided Table 5.3-7, *California Air Resources Board (CARB) Land Use Siting Constraints*, which detailed CARB siting recommendations applicable to the OMCP area. The FEIR noted that sites of potential environmental concern are located in the OMCP area and that development in accordance with the OMCP had the potential to place sensitive receptors on, or adjacent to these sites. The FEIR identified the OMCP would result in the potential to expose inhabitants to unacceptable levels of contamination associated with hazardous materials sites. The FEIR concluded that after implementation of the Mitigation Framework AQ-3 and AQ-4 detailed in FEIR Section 5.3.5.2 and HAZ-3, impacts associated with exposure to toxic air contaminants would remain significant and unavoidable.

### *Program-level*

As discussed in SEIR Section 5.6.1.1 above, and noted on Figure 5.6-1, there are no known open hazardous sites within the program-level areas. Per the Air Quality Report prepared for the project (Appendix B-1), CARB provides guidance on siting land uses near major emitters or facilities of concern to reduce potential exposure to air toxics (see also Table 5.3-8, *Summary of Project-level Operational Emissions*). These facilities include distribution centers, chrome platers, dry cleaners using perchloroethylene, and large gas stations. The Specific Plan anticipates the development of residential, school, park, and commercial uses within program-level areas. While the commercial uses are anticipated to include commercial uses that may include a grocery store and coffee shop and other retail uses, there is a potential for a dry cleaner or gas station to be sited within the Specific Plan commercial core. Should a gas station, dry cleaner, or other use identified by Table 5.3-8 be proposed within the program-level area, the exposure of sensitive receptors to toxic air contaminants would potentially occur.

### *Project-level*

As discussed in SEIR Section 5.6.1.1 above, and noted on Figure 5.6-1, there are no known open hazardous sites within the project-level areas. Sensitive receptors near the project site include existing residential uses and San Ysidro High School to the north of the project site located south of State Route 905 (SR-905) along Airway Road. However, the project-level components would not include any stationary sources of toxic emissions, such as those identified above under the program-level analysis, including but not limited to distribution centers, chrome platers, dry cleaners using perchloroethylene, and large gas stations. In addition, the project-level components, which

include sensitive residential uses, are not located in the vicinity of the sources identified by CARB for siting constraints (see Table 5.3-8). The nearest stationary sources of toxic emissions, such as distribution centers and industrial uses, are located within the OMCP area, but are situated to the most eastern edge of the OMCP area.

## b. Wildfire Hazards

### *FEIR*

The FEIR found that future development projects proposed under the OMCP would have the potential to result in significant impacts related to wildland fires as the OMCP would allow development to occur in areas adjacent to open space areas and in close proximity to areas that contain wildland fire fuels. The FEIR identified FEIR Mitigation Framework HAZ-1 to reduce impacts which requires future projects to incorporate measures in accordance with the City's Brush Management Regulations and Landscape Standards intended to reduce the risk of wildfires. The FEIR concluded that compliance with applicable policies of the 2010 Fire Code, Land Development Code (LDC), and CBC and implementation of FEIR Mitigation Framework HAZ-1, impacts related to wildland fires would be less than significant. The FEIR did not specifically address impacts related to emergency evacuation as it was not required at the time; however, it was discussed in the response to comments to the FEIR (Comment H-28) and noted to be indetermined until future development of the OMCP.

### *Program-level*

The entire project area is mapped as a Very High Fire Hazard Severity Zone according to CAL FIRE's Resource Assessment Program maps and wildfire exposure. Consistent with FEIR Mitigation Framework HAZ-1, future projects implemented in accordance with the OMCP shall be required to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan (2024) and OMCP policies intended to reduce the risk of wildfires. In addition, all future projects shall be reviewed for compliance with the most recent CFC, Section 145.0701 through 145.0711 of the LDC, and ~~Chapter 7 of~~ the CWUIC~~CBC~~. As detailed in the following program-level analysis, the Specific Plan addresses proposed design features, policies, and regulations of the proposed project that would ensure compliance with these regulations and implementation of sustainable development that would reduce risks and impacts associated with wildfires.

**Exposure to Wildfire**

Since certification of the FEIR, the physical conditions of the project site have not substantially changed in a way that would exacerbate wildfire risk beyond what was previously disclosed; however, buildout of the Specific Plan would result in less residential development (a total of 5,130 residential units compared to 5,880 residential units assumed in the OMCP and FEIR). As a result, there would be a general reduction in the number of people exposed to wildfire hazards and a reduction in the number of people that would be involved in the event of an evacuation. These reductions in total development would generally reduce the number of people exposed to wildfire compared to that assumed in the FEIR.

Future development within the Specific Plan area would be required to comply with the City's Brush Management Regulations and Landscape Standards to reduce the risk of wildfires, consistent with FEIR Mitigation Framework HAZ-1 and Public Facilities, Services and Safety Element Policy PF-D.14. City regulations require that BMZs be established adjacent to development to reduce the risk from wildland fires. Pursuant to the LDC, a brush management program is required to reduce the risk of wildfire while minimizing visual, biological, and erosion impacts to natural areas. BMZs are required for buildings that are within 100 feet of highly flammable, native/naturalized vegetation to reduce fire hazards around structures and to help firefighters protect life and property when fires occur. In all areas requiring brush management, a combination of two BMZs is required. Zone 1 consists of paving or ornamental plantings, which would be located within the development pad of each lot or within a common MMA~~HOA~~ lot. Zone 2 involves the selective thinning and pruning of native vegetation and is considered impact neutral. The Specific Plan proposes a perimeter trail planned around the project boundary between homes and open space, which would be incorporated into BMZ 1.

Future development within the Specific Plan area may include reductions in standard BMZs by implementing alternative compliance standards to the satisfaction of the Fire Chief, consistent with the City's LDC. Potential alternative compliance measures may include increased fire-rated site walls, upgraded windows as authorized by the Fire Chief, and private ownership areas maintained by the property owner(s). BMZs are prohibited in designated mitigation lands. All future development would be required to demonstrate compliance with current building 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 Fire Code requirements of the CBC.

**Emergency Evacuation**

A detailed evaluation of the adequacy of emergency evacuation for the Specific Plan area was not completed as part of the FEIR; however, the FEIR generally anticipated residential and commercial development within the Specific Plan area with access via Beyer Boulevard (including Beyer Boulevard West and East) and Caliente Avenue (including South Caliente Avenue). To address emergency evacuation for the Specific Plan area with all available project details including anticipated buildout and planned roadway classifications, a WES was prepared to address evacuation of the Specific Plan area in the event of an emergency related to wildland fires (see Appendix E). The WES establishes jurisdictional emergency operations procedures, identifies available evacuation routes, roadway capacities, contingencies, potential for shelter-in-place, occupant planning and preparedness, and other related issues. The potential for wildfire evacuation would be primarily associated with wind-driven fires, such as those associated with Santa Ana wind conditions. Whereas, wildfires during typical weather conditions are less aggressive and more manageable, rarely resulting in large evacuations. As is now typical with wildfires response, an early evacuation of an area may occur hours prior to actual threatening conditions at a site, depending on conditions and fire spread projections. For no-notice events or wildfires that do not provide enough time to safely evacuate the area, the WES noted that although the Specific Plan area is not a designated shelter-in-place community, the structures within the project areas would include the level of ignition resistance and landscape maintenance that would provide defensibility against the type of short-duration wildfire exposure anticipated for the site.

Emergency evacuation was considered in the WES during the three interim phases in Phase 1 (evaluated below at the project level for Phase 1a, 1b, and 1c) as part of the project-level analysis and also at buildout, which is discussed here for the program-level areas. As shown on Figure 5.6-3, *Specific Plan Buildout Evacuation Routes*, two emergency vehicle access (EVA) Roads are identified within the Specific Plan area, including an EVA Road extending south along an existing dirt road along proposed South Caliente Avenue through the Specific Plan boundary and southwest to Rail Court would be constructed during Phase 1 at the 201st dwelling unit if Beyer Boulevard West is not yet constructed. The EVA Road would be gated and accessible only in the event of an emergency to ensure adequate emergency access and evacuation in case of a fire emergency prior to Beyer Boulevard West being constructed. Another EVA Road is proposed as an extension of Street A, east of South Caliente Avenue, north of Planning Area (PA) 23, which would be gated and constructed concurrent with buildout of PA 22 as part of the program-level components in Phase 6 (Figure 5.6-3).

The primary roadways that would be used for evacuation include Caliente Avenue/South Caliente Avenue, Beyer Boulevard East and West (to be completed to San Ysidro at Enright Drive prior to the 700th dwelling unit or earlier in Phase 1), Otay Mesa Road, and local streets. These major evacuation routes were evaluated to determine the best routes for fire response equipment and probable evacuation routes for relocating people to designated safety areas. Depending on the nature of the emergency requiring evacuation, at buildout of the Specific Plan, it is anticipated that most of the area residents and visitors would be directed to either Caliente Avenue/South Caliente Avenue or Beyer Boulevard East and West and be directed westbound toward SR-905. Beyer Boulevard West was anticipated to be a 4-lane roadway in the FEIR; however, portions of Beyer Boulevard West would be reduced to 2 lanes, which was analyzed in the WES. Roadway capacities were evaluated in the surrounding areas, including capacities in the event one-directional closures were implemented to allow traffic to use all lanes to exit an area (referred to as Contra Flow in Appendix E).

Based on existing roadway capacities and populations that would require evacuation in the event of a wildfire, evacuation time estimates were identified. Populations requiring evacuation considered Specific Plan buildout estimates in addition to other surrounding populations including residential and schools. Based on the project's estimated generation of 10,260 vehicles at build out and utilizing a vehicle roadway capacity of 2,500 vehicles per hour, assuming a full-scale mass Specific Plan area evacuation, it is estimated that the last vehicle would be evacuated from the Specific Plan area and onto one of the primary evacuation roadways in approximately 246 minutes. The estimated evacuation time under existing conditions is estimated to be approximately 91 minutes during an evacuation, and project buildout would contribute approximately 155 minutes to the existing evacuation time estimates. This calculation 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.

Mass evacuation during the 2007 Witch Creek Fire along with other County evacuations provided evidence that supports phased evacuations to avoid overwhelming roadways despite their construction to code requirements. Phased evacuations reduce congestion and transportation demand on designated evacuation routes by controlling access to evacuation routes in stages and sections. This strategy can also be used to prioritize the evacuation of certain communities that are in proximity to the immediate danger. Evacuations in the County are managed by Genasys Protect, a

system that enables emergency managers to designate small areas in a surgical approach that can target neighborhoods, blocks or streets for alert messaging. Ultimately, the amount of time needed to evacuate the project would vary by the type of incident, the number of evacuation routes utilized, the amount of mobilization time, actual areas at risk, and other factors. It has also been established herein (in this SEIR based on the WES) that the targeted approach would minimize the size of the area being evacuated and use a phased approach, which may further reduce the evacuation time estimates. There is no evacuation timeframe threshold that projects must meet in order to avoid an impact under CEQA or to be consistent with codes, regulations or policies. Regardless, the project has provided a comprehensive evacuation evaluation, and the evacuation time results are comparable to similar sized populations under a mass evacuation.

Furthermore, the project's level of building ignition resistance and fire breaks provided through compliance with enhanced building requirements and brush management standards support smaller scale, focused evacuations that can be implemented in a way that would not affect exiting communities during an evacuation. In addition, the project has eliminated street parking along these main evacuation corridors (such as South Caliente Avenue and Caliente Avenue), which would maximize available access, road lanes and shoulders during evacuation events. Additionally, no street parking would be permitted for any streets that are 26' or less in width at any time and would be posted with "No Parking At Anytime" signs.

Future development within the program-level areas would be subject to the City's Fire Protection and Prevention regulations (SDMC Section 511.0104), which adopted the 2022 CFC, Appendix D, Section D106.2., "Multiple-Family Residential Developments with Significant Fire Risk" which states that multi-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. As shown on Figure 5.6-3, primary access routes would be provided via Caliente Avenue and Beyer Boulevard as well as an EVA Road, which would satisfy the requirement to provide two separate fire apparatus access roads.

Consistent with the FEIR Mitigation Framework HAZ-1, the project has demonstrated consistency with the City's Brush Management Regulations, Landscape Standards, the General Plan (2024) and OMCP to reduce the risk of wildfires. The program-level components have been reviewed for compliance with the most recent 2022 CFC, including Sections 145.0701 through 145.0711 of the LDC, and ~~Chapter 7 of~~ the CWUIC~~CBC~~. In addition to the project demonstrating compliance with the applicable requirements identified in the FEIR, additional wildfire risk analysis has been provided.

**Exacerbation of Wildfire Risk**

Although the program-level areas are in a wildfire prone location, buildout of the program-level components of the Specific Plan would not change conditions related to slope, prevailing winds, or other factors that could exacerbate wildfire risks as previously noted in the FEIR under FEIR Section 5.6.1.3. As noted in the FEIR, the existing conditions that contribute to the exacerbation of wildfire risk include steep slopes, limited precipitation, vegetation fuel, and the amount of natural, unmaintained open space and new development anticipated in this area. Since the adoption of the FEIR, these conditions have not changed as the site has remained generally undeveloped and the OMCP continues to identify future development within the Specific Plan area.

While the proposed Specific Plan would result in the introduction of less development and fewer residents into an area than was anticipated in the FEIR, the project would result in construction activities, the development and operation of residential and non-residential uses, and the addition of new residents (conservatively assumed to be 17,391 residents in the WES) to an undeveloped area. To support this level of development, the project would also involve the construction and operation of a number of infrastructure components such as the Beyer Boulevard West roadway extension, EVA Roads, and associated public facilities. Although the Specific Plan area is not currently without risk of human-induced fire due to trespass, including evidence of unauthorized gatherings and the use of fire rings, the project would result in increased human presence and wildfire risk associated with project construction and ongoing operational activities when compared to existing conditions. This includes human-caused increased ignition risks from cigarettes, litter, construction, restoration, and landscape equipment, and other combustible and incendiary devices.

To alleviate human-caused increases in wildfire risks, FEIR Framework Mitigation HAZ-1 requires future projects to incorporate sustainable development measures and other measures to reduce the risk of wildfire. Construction would include enhanced ignition-resistant construction features, the installation of automatic interior residential fire sprinkler systems conforming to National Fire Protection Association 13-D requirements, appropriate fire flow and water capacity, emergency access roads, and supporting infrastructure. The project would also establish a brush management program surrounding proposed structures, consistent with FEIR Framework Mitigation HAZ-1. Measures such as ignition-resistant construction features would alleviate human-caused increases in wildfire risks because they would make development less likely to ignite in the event of a fire and would promote avoidance of damage to life and property. Automatic interior residential fire sprinklers would also further reduce human-caused wildfire risk because in the event a building were to catch fire, the sprinklers would emit water which would assist in extinguishing the fire, opposed to relying on emergency response from firefighters to provide water to extinguish a building structure fire. Emergency access would be provided via the primary evacuation routes identified above, which would provide roadway connections that do not currently exist. In addition, in the event Beyer Boulevard West is not completed prior to the 201$^{st}$ dwelling unit an EVA Road extending south along South Caliente Avenue and through the Specific Plan area would provide interim emergency access. By providing additional roadway connections, first responders to a fire event would have additional options to access the fire. Also, additional roadway connections would provide additional evacuation routes and options for residents that may be leaving the area during a human-caused wildfire.

Proposed roadways would be constructed in compliance with local regulations to provide all weather surfaces capable of supporting the weight of fire department vehicles and the load of vehicles from evacuation events. In addition, various project design features would ensure that wildfire risk is not exacerbated from the introduction of development into this area. Existing overhead utility lines are proposed to be undergrounded in proximity to the development area, reducing potential wildfire risk. In addition, open space areas would be fenced and gated to prevent human trespassing which would reduce ignition risk events from such activities as littering and smoking. The Specific Plan area would be connected to existing County Water Authority water infrastructure through extensions into the Specific Plan area, which would provide adequate emergency sources of water, Adequate water supply, water pressure, and electricity would be available to serve the program-level areas (see SEIR Section 5.14, *Utilities*).

Additionally, the Specific Plan would involve development in a consolidated design on the mesa top, relying on higher density infill developments as much as possible in a way that would limit development along steep slopes and amidst rugged terrain, so as to decrease exposure to rapid fire spread and increase accessibility for firefighting. Structures would be designed and built in compliance with the State of California, CWUIC~~Chapter 7A~~ structure requirements for structures built within Wildland/Urban Interface Zones to reduce exacerbating wildfire risk. All landscaping on site would be consistent with the fire resistant/drought resistant landscaping plant palettes designed for the Specific Plan (see Specific Plan Appendix A).

**Post Fire Exposure to Flooding or Landslides**

The program-level areas would not be subject to slope instability in post-fire conditions based on grading and geotechnical requirements implemented during site grading that ensure slope compaction and stability. Post-project drainage patterns would be similar to the existing condition with drainage flow being conveyed through the project site and discharged to the Tijuana River in a manner that would not change drainage patterns or result in downstream flooding (refer to SEIR Section 5.6.4 for discussion of drainage patterns and SEIR Section 5.6.5 for discussion related to downstream flooding). In post-fire conditions, the potential risk associated with downstream flooding as a result of runoff or drainage changes would not be expected due to the location of the project on mesa tops, the avoidance of development on sloped areas and the San Ysidro Landslide area to the west, and the drainage changes to avoid drainage into the known San Ysidro Landslide area. As detailed in SEIR Section 5.6.3.2, the Specific Plan includes policies that would require the management of stormwater runoff and future development areas that would be subject to site-specific studies to determine design considerations to avoid flood hazards. Priority Development Projects are required to address hydromodification management requirements to control runoff volumes and flow durations (hydromodification requirements) for non-exempt projects. The Specific Plan identifies a network of storm drains, water quality management features, and Hydromodification Management Plan features to collect, convey, and manage storm water runoff throughout the Specific Plan roadway network prior to discharging through outfalls into Moody Canyon or Spring Canyon. Compliance with applicable drainage and stormwater quality regulations including the City's Drainage Design Manual would ensure future drainage designs would mimic existing drainage patterns and avoid increases in flooding risk and would implement FEIR Mitigation Framework HAZ-1.

Additionally, extensive evaluation of existing geotechnical constraints was completed due to the presence of the San Ysidro Landslide complex within the project area, including in relation to future development within Phase 2 which would be adjacent to the San Ysidro Landslide to the south (see Appendix G-3). Development within Phase 2 areas has been set back from the landslide formation sufficiently to avoid risk of landslide. Based on extensive geotechnical and groundwater investigations completed that address landslide stability in relation to future Specific Plan development (see Appendices G-1 through G-10, H-1, and H-2), in addition to required compliance with specific geotechnical investigations associated with program-level development areas, post-fire exposure to landslide would be avoided.

## *Project-level*

### Exposure to Wildfire

The project-level components are also located adjacent to natural open space areas and are subject to risk of wildfire hazards based on the climate, topography, and vegetation. The WES prepared for the project (Appendix E) noted that the wildfire potential within the project-level area is considered moderate; however, as the surrounding program-level areas to the east continues to develop, direct exposure to unmaintained fuels would be reduced. As detailed in SEIR Sections 3.5.5.3 and 5.1.5.2.c, the project-level components would be consistent with the City's Brush Management Regulations, which ensure adequate fire buffers are provided between development areas and naturalized vegetation. Brush management along the western portions of Phase 1 is depicted on Figures 3-37, *Brush Management Adjacent to Planning Area 10* and 3-38, *Brush Management Adjacent to Planning Area 12 and 14*. BMZs incorporate a 35-foot Zone 1 and 65-foot Zone 2, where feasible. For some units, the width of Zone 2 is reduced to less than 65 feet with incorporation of alternative compliance measures. Final alternative compliance measures are determined by the Fire Chief in conjunction with the final layout of residential structures based on zone reduction provisions set forth in the LDC Section 142.0412(f), which requires alternative compliance where composite BMZs are less than standard minimums. Alternative compliance measures shall be implemented per LDC Sections 142.0412(i) through (j), including upgraded window openings with dual-glazed, dual-tempered panes along brush side of structures plus a typical 10-foot perpendicular return along adjacent wall faces. These areas of alternative compliance include units along Private Drive A in PA 10.

In addition to brush management requirements, the project-level components would comply with the City's Building Regulations, which establish acceptable construction materials for development near open space to minimize fire risk, consistent with FEIR Mitigation Framework HAZ-1. Specifically, the fire-hardening and building siting requirements of the CWUIC~~CBC Chapter 7, "Fire Resistance-Rated Construction," and Chapter 7A, "Materials and Construction Methods for Exterior Wildfire Exposure,"~~ apply to all project-level development ~~per SDMC Chapter 14, Article 5, Division 7~~. With incorporation of BMZs, alternative compliance features in addition to enhanced fire building safety features required by the CWUIC~~CBC~~, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

### Emergency Evacuation

The analysis of emergency evacuation provided for the program-level components considered build-out of the Specific Plan area; however, this discussion includes analysis for the project-level components during Phases 1a, 1b, and 1c prior to buildout. As detailed in the project description, development of Phase 1 would occur in three phases. Emergency access has been identified in the WES during each of these phases. Phase 1a would involve development of the first 200 proposed residential units with access to be provided from an extension of Caliente Avenue and Central Avenue in the northwestern part of the Specific Plan area (see Figure 5.6-4, *Phase 1a Evacuation Routes*). A temporary cul-de-sac would be installed at the southern end of Central Avenue. Caliente Avenue and Central Avenue would provide emergency and wildfire evacuation throughout Phase 1a.

Phase 1b would involve the development of 499 units and development into areas in the western part of the Specific Plan. As shown on Figure 5.6-5, *Phase 1b Evacuation Routes,* emergency evacuation would be provided by the construction of portions of Central Avenue and Beyer

Boulevard East. The temporary cul-de-sac in Phase 1a would be removed within Central Avenue and temporary cul-de-sacs would be installed at the western and eastern ends of Beyer Boulevard East. Also, prior to the occupancy of the 201st dwelling unit, the City would require a secondary access route to be available, which would be satisfied by the construction of the EVA Road along South Caliente Avenue. The EVA Road would be gated at the eastern terminus of Beyer Boulevard East. Primary evacuation would remain via Central Avenue and Caliente Avenue to SR-905, and the EVA Road would serve as access for emergency vehicles and first responders and could be used as an evacuation route under the discretion of the San Diego Fire Rescue Department.

The EVA Road would extend along the future alignment of Caliente Avenue and South Caliente Avenue from the Specific Plan area southward along an existing dirt road to the southern border road, then westward to existing Rail Court and a variety of surface and arterial roadways. It is noted that the EVA Road would provide additional emergency plan flexibility by presenting another option for firefighter ingress and potentially, public evacuation in some emergency evacuation scenarios (see Figure 5.6-6, *Phase 1c Evacuation Routes*). The temporary cul-de-sac in Phase 1b would be removed at West Avenue/Beyer Boulevard and the cul-de-sac and access gate would remain at Beyer Boulevard East and Caliente Avenue.

The EVA Road would continue to be available after that connection. The EVA Road would be improved to include an all-weather surface with asphalt and/or concrete to address the sections with steeper grades. Primary evacuation routes available to project occupants would include Caliente Avenue, Central Avenue, Beyer Boulevard West, Otay Mesa Road and local streets and roadways that may be used to accommodate evacuating traffic. Evacuees are likely to be directed north or west towards SR-905, away from at-risk areas, in a wildland fire event. During Phase 1, roadway infrastructure would be established or improved during each subphase to accommodate the necessary emergency access and evacuation routes to support the project. At buildout of Phase 1, the project-level development areas would have emergency vehicle and evacuation access to support the anticipated population.

**Exacerbation of Wildfire Risk**

As noted in the program-level analysis above, the project would result in increased human presence and wildfire risk associated with project construction and ongoing operational activities when compared to existing conditions. The design of the residential developments would be fire resistant per ~~Chapter 7A of~~ the CWUIC~~CBC~~. In addition, project landscaping would be consistent with the planting palette proposed as part of Appendix A of the Specific Plan which would reduce ignition risks. Development of the project-level areas would reduce the vegetation fuel of the existing unmanaged open space and would reduce wildfire risk, despite continuing to allow residents into the area. The project-level development would ensure that BMZs would be implemented, existing overhead utility lines would be undergrounded, and roadways would be constructed that would reduce the spread of wildfires by allowing fire breaks and access by firefighters.

The project area is mostly located on flat areas within the Vesting Tentative Map (VTM) where residential development is proposed. While the San Ysidro Landslide area is west of the site and includes steep slopes, these areas would be avoided and not developed. In addition, drainage improvements would divert drainage from the western slopes near the project-level areas. The proposed roadways and utilities throughout the project-level areas would not exacerbate fire risk,

rather they would facilitate evacuation and fire suppression actions by providing roadways for emergency personnel to reach the area and the utilities constructed in the area related to water pipelines and fire hydrants would provide water for firefighting purposes. There are no power lines or improvements that would specifically exacerbate wildfire risks.

With implementation of development consistent with wildfire related regulations along with stringent fire safety measures, the introduction of residents into a wildfire hazard area would not exacerbate wildfire risk. The project would also not increase the potential that residents would be exposed to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

**Post Fire Exposure to Flooding or Landslides**

As detailed for the program-level areas, a number of geotechnical studies were completed to assess the potential landslide risk in the surrounding area and ensure the project, including project-level components, would be sited and designed in a way to not exacerbate landslide risk. The project's drainage design considers existing landslide potential associated with the San Ysidro Landslide. As noted in SEIR Section 5.6.3.2, the project would implement a drainage design that would ensure post-project drainage conditions match that of the pre-project conditions to avoid impacts from flooding. Outfall locations were selected at points of concentration around the project-level areas where the existing topography narrows to form existing channels. The drainage area that originally discharged to the west was diverted away from the San Ysidro Landslide complex and outfalls have been designed and located to avoid potential downstream landslide impacts. As the project would maintain drainage patterns through utilization of the existing canyons, post-fire conditions would not be substantially altered despite the burning of vegetation. The proposed grading for the project-level components and root systems established by the landscaping would ensure that erosion post-fire would not result in landslides. Overall, through project design features aimed at reduction of runoff, drainage improvements, and landscaping to provide slope stability, the project would not result in exposure of people to risks related to downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

## c. Aircraft Hazards

### *FEIR*

The FEIR found that future development projects associated with the OMCP would have the potential to result in significant impacts related to airport operations at Brown Field. While aircraft hazards were not discussed in the impact analysis for the Abelardo L. Rodríguez (Tijuana) International Airport, hazards were discussed in the response to comments to the FEIR (Comments O-20 and O-42) concluding that the Tijuana International Airport would not result in aircraft hazards for the OMCP and it is not subject to federal, state, or local regulation and does not require an ALUCP. The FEIR identified Mitigation Framework HAZ-2 to reduce impacts related to Brown Field to require future development projects to obtain a FAA determination of "No Hazard to Air Navigation." The FEIR concluded that compliance with applicable policies of the LDC and CBC, and with implementation of Mitigation Framework HAZ-2, impacts related to airport operations would be reduced to below a level of significance.

### *Program-level*

The Specific Plan area is located within the FAA Height Notification Boundary. FAA notifications may be required, consistent with City Development Services Department Information Bulletin 520. This review, which is required during building permit issuance, would ensure that if FAA notification is required, a determination of "No Hazard to Air Navigation" would be required. Per FEIR Mitigation Framework HAZ-2, the City shall not recommend approval of subsequent development projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation". The City's Department of Real Estate and Airport Management reviewed the project and determined that the site is located within Brown Field Airport Influence Area (AIA) Review Area 2, airspace protection zone, and would be subject to height restrictions. The ALUC responded that no ALUC action is required pursuant to 2.6.1 of the ALUCP for Brown Field. Additionally, the requirements of Title 14 CFR Part 77 requiring FAA notification of proposed construction or alteration would not apply as no structures would exceed the Part 77 Airspace Surfaces identified in the ALUCP Compatibility Policy Map, Part 77: Airspace Protection.

As discussed in SEIR Section 5.1, *Land Use,* the Specific Plan area is located within the NOLF IB AIA Review Area 2. The Specific Plan area covered by Review Area 2 consists of open space and Beyer Boulevard West, which would not require review for airport hazards.

As stated above, hazards were discussed in the response to comments to the FEIR (Comments O-20 and O-42) concluding that the Tijuana International Airport would not result in aircraft hazards for the OMCP and it is not subject to federal, state, or local regulation and does not require an ALUCP. No safety compatibility maps are available for the Tijuana International Airport and no safety hazards associated with this airport have been identified.

### *Project-level*

Per ALUC review of the project pursuant to 2.6.1 of the Brown Field ALUCP, the project does not meet criteria to require ALUC review. Despite this, development of the project-level areas would be subject to FAA notification prior to issuance of building permits to avoid risks related to airport proximity. The applicant would comply with FAA notification requirements as a condition of the building permit phase for the project-level components.

As detailed in FEIR Section 5.1.1.2 (d), the Specific Plan is located within the AIA Review Area 2 for Brown Field. No portions of the Specific Plan area are located within the Brown Field Safety Zones (County 2010).

As discussed in SEIR Section 5.1, *Land Use,* project-level areas are located within the NOLF IB AIA Review Area 2. The project-level areas covered by Review Area 2 consist of open space and Beyer Boulevard West, which would not require review for airport hazards.

## 5.6.3.3 Significance of Impacts

### a. Health Hazards

#### *Program-level*

Health hazard impacts related to air toxics would be considered significant at the program-level, as the potential of a gas station, dry cleaner, or other use with siting constraints identified by CARB may be proposed within PAs 24 through 27 which could expose sensitive receptors to toxic air contaminants and impacts would be significant, similar to the impact conclusions in the FEIR.

#### *Project-level*

As the project-level components are not located in the vicinity of the sources identified by CARB for siting constraints and would not include any stationary sources of toxic emissions, impacts would be less than significant compared to the significant impact conclusions in the FEIR.

### b. Wildfire Hazards

#### *Program-level*

**Wildfire Exposure**

The program-level components would be located adjacent to natural open space areas and thus, would be subject to risk of wildfire hazards. The program-level components could be subject to a significant impact related to wildfire hazards, specifically exposure to wildfire. Although the project reduces the planned number of residents within the project area as compared to the FEIR, the wildfire exposure risk is potentially significant, similar to the impact conclusions in the FEIR.

**Evacuation and Exacerbation of other Wildfire Risks**

Implementation of the program-level components the planned emergency access routes to accommodate evacuation, and the fire safe building measures and fuel breaks, would not impair an emergency response plan or emergency evacuation plan or exacerbate fire risk. Additionally, required compliance with stormwater regulation including the City's Drainage Design Manual in addition to required compliance with geotechnical investigations would ensure post-fire exposure to flooding and landslides would be avoided in the program-level development areas. Impacts related to conflicts with emergency response plans, exacerbation of wildfire risk, and risk of post fire exposure to flooding or landslide risks would be less than significant, similar to the impact conclusions in the FEIR.

#### *Project-level*

**Wildfire Exposure**

Implementation of the project-level components would comply with applicable regulations including the City LDC Brush Management Regulations, Landscape Standards, and CBC standards adopted by the City. With incorporation of BMZs, alternative compliance features in addition to enhanced fire

building safety features required by the building code, the project-level components would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant, similar to the impact conclusions in the FEIR.

**Evacuation and Exacerbation of Other Wildfire Risks**

Implementation of the project-level components would not impair an emergency response plan or emergency evacuation plan, or exacerbate fire risk due to compliance with Brush Management Regulations and enhanced building requirements of the CWUIC~~CBC Chapter 7~~. Post-fire exposure to flooding and landslides would be avoided through project design that complies with stormwater and drainage regulations including the City's Drainage Design Manual in addition to required compliance with recommendations of the project's geotechnical investigations. Impacts related to conflicts with emergency response plans, exacerbation of wildfire risk, and risk of post fire exposure to flooding or landslide risks would be less than significant, similar to the impact conclusions in the FEIR.

## c. Aircraft Hazards

### *Program-level*

Pursuant to 2.6.1 of the Brown Field ALUCP, this project does not meet the criteria to require ALUC review and therefore is consistent with the Brown Field ALUCP. The Specific Plan area covered by Review Area 2 within the NOLF IB ALUCP consists of open space and Beyer Boulevard West, which would not require review for airport hazards, and the Specific Plan would be consistent with the ALUCP for NOLF IB. Submittal of the FAA notification during the building permit phase for future VTMs would ensure FAA requirements are met and no hazard to air navigation would occur prior to issuance of permits. Therefore, impacts would be less than significant at the program-level, similar to the impact conclusions in the FEIR.

### *Project-level*

Pursuant to 2.6.1 of the Brown Field ALUCP, this project does not meet the criteria to require ALUC review and therefore the project is consistent with the ALUCP for Brown Field. The project-level areas covered by Review Area 2 within the NOLF IB ALUCP consist of open space and Beyer Boulevard West, which would not require review for airport hazards, and the project is consistent with the ALUCP for NOLF IB. Additionally, required FAA notifications as a condition of the building permits for the project-level components would ensure impacts would be less than significant, similar to the impact conclusions in the FEIR.

# 5.6.3.4 Mitigation, Monitoring, and Reporting

## a. Human Health

### *Program-level*

See SEIR Section 5.3, *Air Quality/Odor*, for mitigation measure SP-AQ-3 and SP-AQ-4.

### *Project-level*

Impacts would be less than significant; therefore, no mitigation is required.

## b. Wildfire Hazards

### *Program-level*

FEIR Mitigation Framework HAZ-1 would be carried forward as mitigation measure SP-HAZ-1 for future development in the program-level areas.

**SP-HAZ-1:** Future projects implemented in accordance with the Specific Plan shall be required to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan, Otay Mesa Community Plan, 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 California Fire Code, Section 145.0701 through 145.0711 of the LDC, and the CWUIC in Title 24, Part 7~~Chapter 7 of the CBC~~.

### *Project-level*

Impacts would be less than significant; therefore, no mitigation is required.

## c. Aircraft Hazards

### *Program-level*

Impacts related to aircraft hazards would be less than significant; therefore, no mitigation is required.

### *Project-level*

Impacts related to aircraft hazards would be less than significant; therefore, no mitigation is required.

# 5.6.3.5 Significance after Mitigation

## a. Human Health

### *Program-level*

While the mitigation measures SP-AQ-3 and SP-AQ-4 would reduce the potential impacts associated with exposure to air toxics, specific land uses that would require implementation of these measures are not known at this time. Therefore, it cannot be determined whether the proposed mitigation would reduce all impacts to below a level of significance. With implementation of SP-AQ-3 and SP-AQ-4, impacts would be significant at the program level. No other mitigation measures have been identified to reduce this impact to less than significant.

### b. Wildfire Hazards

#### *Program-level*

With implementation of mitigation measure SP-HAZ-1, impacts related to wildfire hazards would be less than significant.

## 5.6.4 Issue 2: Hazardous Substances

*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?*

### 5.6.4.1 Significance Thresholds

Consistent with the FEIR, a significant health and safety impact would occur if the project would:

- Create a future risk of an explosion or the release of hazardous substances (including, but not limited to, gas, oil, pesticides, chemicals, or radiation) or expose people or the environment to a significant hazard through the routine transport, use, or disposal of hazardous materials.

In addition to the OMCP issue question identified above, the City has identified the following questions to provide guidance in determining potential significance of impacts related to hazardous materials.

Would the project:

- Result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The City's 2022 CEQA Significance Determination Thresholds are used to determine whether the project would have a significant environmental impact associated with hazardous materials.

- Projects which propose the handling, storage, and treatment of hazardous materials.

Additional City thresholds related to site contamination are addressed under Issue 3, in SEIR Section 5.5.5.

### 5.6.4.2 Analysis

#### a. FEIR

The FEIR found that the OMCP would site residential uses near existing industrial development or existing properties of environmental concern, as well as industrial and commercial land use

designations that would allow certain business and industrial operations to generate, transport, or temporarily store hazardous waste within the vicinity of residential uses. Additionally, the FEIR noted that trucks serving local businesses would expose residents to hazards associated with the release of hazardous materials (i.e., spillage, accidents, and explosions) that would be transported through the OMCP area. However, the FEIR concluded that improved roadway and transportation modifications would reduce the potential risk of exposure from hazardous materials to residents as a result of transporting hazardous materials. Additionally, the FEIR noted that implementation of the policies contained in the General Plan (2008), OMCP Update, and regulations imposed by federal, state, and local agencies, including the U.S. Environmental Protection Agency (U.S EPA), RCRA, California Department of Health Services, County DEHQ, and the California Department of Transportation would reduce potential impacts to below a level of significance. As such, the FEIR concluded that impacts due to the exposure of people or the environment to a significant hazard through the release of hazardous substances or routine transport, use, or disposal of hazardous materials would be less than significant and no mitigation was required.

## b. Program-level

Development within program-level components of the Specific Plan area is anticipated to include residential, school, park, and commercial uses. The proposed land uses would involve the handling and storage of common hazardous materials. Hazardous materials are any substance or combination of substances that may pose a risk to human health and safety or to the environment. Hazardous materials include toxic, corrosive, infectious, flammable, explosive and radioactive materials. The residential components of the program-level development areas would not include uses that would involve the ongoing or routine use of substantial quantities of hazardous materials during operations. Hazardous materials associated with the residential dwellings, associated landscape, and recreational uses would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. Although the project would result in the future development of the program-level areas, resulting in an increased use of commercially available potentially hazardous materials, the use of these substances would be subject to all applicable safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials. Only small quantities of hazardous materials associated with household hazards would be anticipated to occur.

With respect to project construction, activities would involve temporary transport, management, handling, use, and storage of hazardous materials such as diesel fuels, lubricants, petroleum products, paints, solvents, and other typical chemicals required during construction. These activities could potentially expose workers, the public, and/or the environment to hazardous materials. Any potential exposure to hazardous materials would be handled in accordance with current and applicable federal, state, and local laws regarding safe transport, handling, and management. Such laws include the California Occupational Safety and Health Administration program (CCR Title 8, Section 330 et seq.), which would require the enforcement of worker safety standards and requires proper handling and disposal of hazardous materials. Additionally, the Department of Toxic Substances Control (DTSC) implements the state's hazardous waste management program which ensures local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities.

Within PA 24 through PA 27, commercial uses are anticipated. Any hazardous materials that may generate air toxics would be subject to the requirements specified in SEIR Section 5.6.3.4.a. Additionally, should any future commercial use propose to handle hazardous materials in excess of specified quantities, the requirements for a Hazardous Materials Business Plan (HMBP) would be triggered. A HMBP contains detailed information including an inventory of hazardous materials at a facility, emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material, requirements to train employees in safety procedures in the event of a release or threatened release of a hazardous material, a site map that depicts loading areas, internal roads, adjacent streets, storm and sewer drains, access and exit points, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas, and emergency response equipment. Additionally, the DTSC implements the state's hazardous waste management program which ensures local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. Implementation of a HMBP and required compliance with regulations imposed by federal, state, and local agencies, including the U.S. EPA, RCRA, and California Department of Health Services would ensure potential impacts related to the handling, storage, and treatment of hazardous materials would be avoided.

### c. Project-level

The project-level components involve residential development, construction of roads, and utilities. Small quantities of hazardous materials use are anticipated during construction and operations, consistent with the descriptions provided above for the program-level residential and construction components. Like the discussion for the program-level areas, hazardous materials use and handling during construction and operations would occur in accordance with current and applicable federal, state, and local laws regarding safe transport, handling, and management. Applicable regulations include the California Occupational Safety and Health Administration program (CCR Title 8, Section 330 et seq.), which would require the enforcement of worker safety standards and requires proper handling and disposal of hazardous materials.

## 5.6.4.3 Significance of Impacts

### a. Program-level

The program-level areas would adhere to federal, state, and local regulations during construction and operation activities which would ensure that impacts relating to the transport, storage and disposal of hazardous materials would be less than significant, similar to the impact conclusions in the FEIR.

### b. 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 impacts related to hazardous materials routine use, transport, and disposal would be less than significant, similar to the impact conclusions in the FEIR.

#### 5.6.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts would be less than significant; therefore, no mitigation required.

### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

## 5.6.5 Issue 3: Hazardous Sites

*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?*

### 5.6.5.1 Significance Thresholds

Consistent with the FEIR, a significant health and safety impact would occur if the project would:

- 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.

The City has identified the following questions to provide guidance in determining potential significance of impacts related to hazardous materials.

Would the project:

- Be located on or near known contamination sources.
- Be located within 1,000 feet of a known contamination site.
- Be located within 2,000 feet of a known —border zone property (also known as a "Superfund" site) or a hazardous waste property subject to corrective action pursuant to the Health and Safety Code.
- DEHQ site file closed.
- Located in Centre City San Diego, Barrio Logan, or other areas known or suspected to contain contamination sites.
- Located on or near an active or former landfill.
- A site that has been historically developed with industrial or commercial uses which involved dewatering (the removal of groundwater during excavation), in conjunction with major excavation in an area with high groundwater (such as downtown).

## 5.6.5.2 Analysis

### a. FEIR

The FEIR found that the OMCP area contained hazardous material sites pursuant to Government Code Section 65962.5 and that these sites, along with any unknown hazardous sites within the OMCP area, would have potentially significant impacts on future development and land uses within the OMCP area. The FEIR identified FEIR Mitigation Framework HAZ-3 to reduce impacts, which requires the preparation of a Phase I ESA prior to the approval of implementing development and to require that all on-site contamination be avoided or remediated in compliance with local, state, and federal regulations. The FEIR concluded that with compliance to General Plan (2008) and OMCP policies and local, state, and federal regulations, and implementation of FEIR Mitigation Framework HAZ-3, potential impacts associated with hazardous sites would be reduced to below a level of significance (City 2014).

### b. Program-level

No hazardous sites compiled pursuant to Government Code Section 65962.5 (i.e., Cortese List) are located within the Specific Plan area. An updated database search was completed for the site and found that no open, active hazardous waste or cleanup sites were within 2,000 feet of the Specific Plan boundary. A number of Phase I and II ESAs for properties within the program-level area have been completed and shown on Figure 5.6-2. However, other program-level areas have not been studied and these areas may have conditions of environmental concern. These sites would require project-level review and assessment prior to future development.

### c. Project-level

As detailed in SEIR Section 5.6.1.1, no properties identified on a list compiled pursuant to Government Code Section 65962.5 (i.e., Cortese List) have been identified within 2,000 feet of the project site. In addition to various database searches, a number of Phase I and II ESAs were reviewed to identify any potential conditions of environmental concern. Table 5.6-2 provides a summary of findings of Phase I and II ESA completed within and surrounding the project-level grading footprint. These ESAs were prepared during the preparation of the FEIR; however, they were not prepared as part of the OMCP process and, therefore, are considered new information to be reviewed as part of this SEIR.

Phase I ESAs reported site conditions including a history of agricultural use, remnants of abandoned residences in some areas, and associated debris and trash. Several reports indicated recommendations for soils testing to determine the presence of residual pesticides. Soil testing was completed across several properties within the project-level areas including within the northern portion of the project-level areas and in areas proposed for vernal pool restoration. As detailed in Table 5.6-2, soil testing was completed on the Crandall Property (REF#3), Ivernia Property (REF#18), and KMPA (REF#15) property. All soils tests showed no subsurface contamination above regulatory levels due to historic agricultural use.

A majority of reported findings of the Phase I reports relate to debris and trash that was recommended for clean-up. Two instances of potential asbestos containing materials were noted, and one location of lead impacted soils was identified within the northern portion of the project-level area. All trash and debris, including asbestos containing materials, would be removed and handled in accordance with applicable regulations. Lead impacted soils would require removal to an off-site licensed disposal facility by a licensed environmental contractor. None of these conditions represent conditions that would require site remediation with regulatory oversight. While the Phase I and II reports reviewed are older studies, it is noted that since preparation of these reports, the project-level areas that are the subject of each report have been vacant and no new uses have occurred that could have created new hazardous conditions. While the site has been subject to ongoing trespass and dumping, these conditions are consistent with the findings of the Phase I reports and the overall recommendation to remove debris and trash from the site prior to grading.

Completion of Phase I and II ESAs within the project-level grading footprint demonstrates consistency with Public Facilities, Services, and Safety Element Policies 6.11-1 and 6.11-2 which are policies to require remediation protocols to reduce public health risks to negligible levels and documentation of hazardous materials investigation addressing site and building conditions during review of development projects.

## 5.6.5.3 Significance of Impacts

### a. Program-level

In the absence of site-specific review for hazardous sites within future development areas in the Specific Plan area at the program-level, there remains a potential for hazardous conditions to be present on-site, especially as known contamination sites have been documented within the program-level area. Impacts would be significant at the program level, similar to the impact conclusions in the FEIR.

### b. Project-level

There are no hazardous sites compiled pursuant to Government Code Section 65962.5 (i.e., Cortese List) within 2,000 feet of the project site. As detailed in the Phase I and II reports completed for the project-level areas, there are no hazardous conditions present within the project-level areas; however, trash and debris removal, in addition to appropriate disposal of asbestos and lead-containing soils and materials, is recommended. Although debris removal and standard soil management procedures prior to grading would generally reduce any risk associated with on-site hazardous conditions, the presence of site conditions that require special handling procedures could represent a significant impact, similar to the impact conclusions in the FEIR.

## 5.6.5.4 Mitigation, Monitoring, and Reporting

### a. Program-level

The following program-level mitigation measure SP-HAZ-2 is provided consistent with the FEIR Mitigation Framework HAZ-3, with modifications to clarify references to the SEIR, where appropriate.

Due to the potential for hazardous conditions and soil contamination to exist within the program-level area where a Phase I ESA has not been completed, implementation of SP-HAZ-2 would be required.

**SP-HAZ-2: Hazardous Sites**

a. A Phase I ESA shall be completed in accordance with federal, state, and local regulations for any property identified on a list compiled pursuant to Government Code Section 65962.5. The report shall include an existing condition survey, detailed project description, and specific measures proposed to preclude upset conditions (accidents) from occurring. If hazardous materials are identified, a Phase II risk assessment and remediation effort shall be conducted in conformance with federal, state, and local regulations.

b. The applicant shall retain a qualified environmental engineer to develop a soil and groundwater management plan to address the notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater). The qualified environmental consultant shall monitor excavations and grading activities in accordance with the plan. The groundwater management and monitoring plans shall be approved by the City prior to development of the site.

c. The applicant shall submit documentation showing that contaminated soil and/or groundwater on proposed development parcels have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (Regional Water Quality Control Board/Department of Toxic Substances Control/DEHQ) based on the future planned land use of the specific area within the boundaries of the site (i.e., commercial, residential), and that the risk to human health of future occupants of these areas therefore has been reduced to below a level of significance.

d. The applicant shall obtain written authorization from the regulatory agency (Regional Water Quality Control Board/Department of Toxic Substances Control/DEHQ) confirming the completion of remediation. A copy of the authorization shall be submitted to the City to confirm that all appropriate remediation has been completed and that the proposed development parcel has been cleaned up to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEHQ shall be notified of the proposed land use.

e. All cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, and required permits shall be secured prior to commencement of construction to the satisfaction of the City and subject to compliance with applicable regulations such as but not limited to SDMC Section 42.0801 et seq, Division 9, and Section 42.0901 et seq.

## b. Project-level

The following mitigation measures PR-HAZ-1 are provided consistent with the FEIR Mitigation Framework HAZ-3, with modifications to reflect the applicable portions of the measure. Completion

of the Phase I and II reports detailed in SEIR Section 5.6.1.1.b documents completion of FEIR Mitigation Framework HAZ-3, part a. Due to no Recognized Environmental Conditions being within the project-level areas, the requirements of Mitigation Framework HAZ-3, part c. and d. would not apply. The remaining applicable portions of FEIR Mitigation Framework HAZ-3 (items b. and e.) would be carried forward as PR-HAZ-1 items a. and b. and no new impacts or mitigation measures are required. Mitigation measure PR-HAZ-1, as applicable to the project-level areas, is provided below.

**PR-HAZ-1: Hazardous Sites**

a. The applicant shall retain a qualified environmental engineer to develop a soil and groundwater management plan to address the notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater). The qualified environmental consultant shall monitor excavations and grading activities in accordance with the plan. The groundwater management and monitoring plans shall be approved by the City prior to development of the site.

b. All cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, and required permits shall be secured prior to commencement of construction to the satisfaction of the City and compliance with applicable regulations such as but not limited to SDMC Section 42.0801, Division 9, and Section 42.0901.

## 5.6.5.5 Significance after Mitigation

### a. Program-level

Implementation of SP-HAZ-2 would ensure that all cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, consistent with OMCP Public Facilities, Services and Safety Element Policy 6.11-1 which encourages the implementation of established remediation protocols to reduce public health risks to negligible levels. After implementation of mitigation measure SP-HAZ-2, impacts would be less than significant.

### b. Project-level

Similar to the program-level mitigation, the implementation of PR-HAZ-1 would ensure that all cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, consistent with OMCP Public Facilities, Services and Safety Element Policy 6.11-1 which encourages the implementation of established remediation protocols to reduce public health risks to negligible levels. After implementation of mitigation measure PR-HAZ-1, project-level impacts related to site conditions that require special handling procedures would be less than significant.

Southwest Village Specific Plan

- Project-level Areas
- Specific Plan Area
- EnviroStor Cleanup Site
- GeoTracker Cleanup Site

Via Del Bardo
Diza Rd
Elivo Ct
Avenida De La Madrid
Blandel Ln
Avenida De La Cruz
Padre Tullio Dr
Alaquines Dr
Masterson Ln
Remington Hills Dr
Lemat Pl
Beretta Pl
Carbine Way
Hawken Dr
Cimarron Way
Otay Mesa Rd
Crescent Bay Dr
Sunrise Bluff Dr
Airway Rd
905
Caliente Ave
San Virgilio
Santa Alicia
San Roberto
Beyer Blvd
Mesa Ave
W Seaward Ave
Cottonwood Rd
Sellsway St
W Hall Ave
Tennie St
Blanche St
W San Ysidro Blvd
Cypress Dr
West Park Ave
East Park Ave
Hall Ave
Pepper (SB) Dr
West Olive Dr
805
Hill St
East Beyer Blvd
E San Ysidro Blvd
Via De San Ysidro
W Calle Primera
Calle Primera
Bolton Hall Rd
Sycamore Rd
Willow Rd
Border Village Rd
Virginia Ave
Virginia (SB) Ave
Sipes Ln
Camino De La Plaza
Coral Shores Ct
Rail Ct
Camiones Way
5
UST100019488
37000100
T0608172902
T100000002836
UNITED STATES
MEXICO

0 1,000 Feet

Source: Aerial (Nearmap May 2024)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5.aprx Fig5.6-1_HazardousSites : 01667.00030.001: 1/16/2025 - RK

# Hazardous Sites Listing Locations

Figure 5.6-1

Southwest Village Specific Plan

Project-level Areas
Specific Plan Area
Parcels with Phase I and II Reports

9, 15
3, 14
25
6
6
6
16
19
19
19
19
8
26
26
26
11
11
11
11
4, 5
1
22
17
17
17
1
1
20, 21
23
12
13
10
10
24
24
2
2
18
7

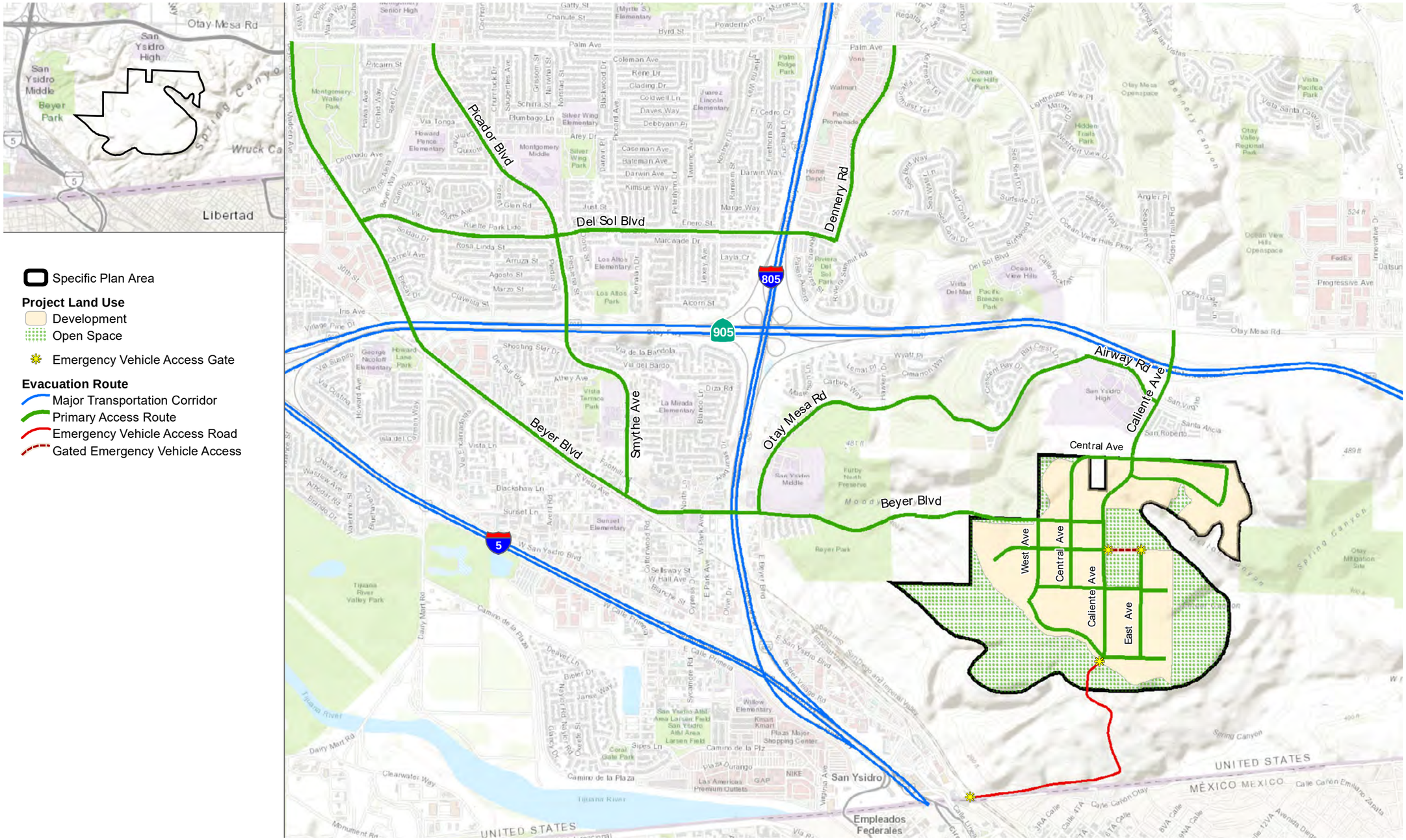
0
2,000 Feet

Source: Aerial (SanGIS 2023)

I:\PROJECTS\TI\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5.aprx Fig5.6-2_EnvironmentalSite_Assessments : 01667.00030.001: 1/16/2025 - RK

# Phase I and II Environmental Site Assessments Locations

Figure 5.6-2

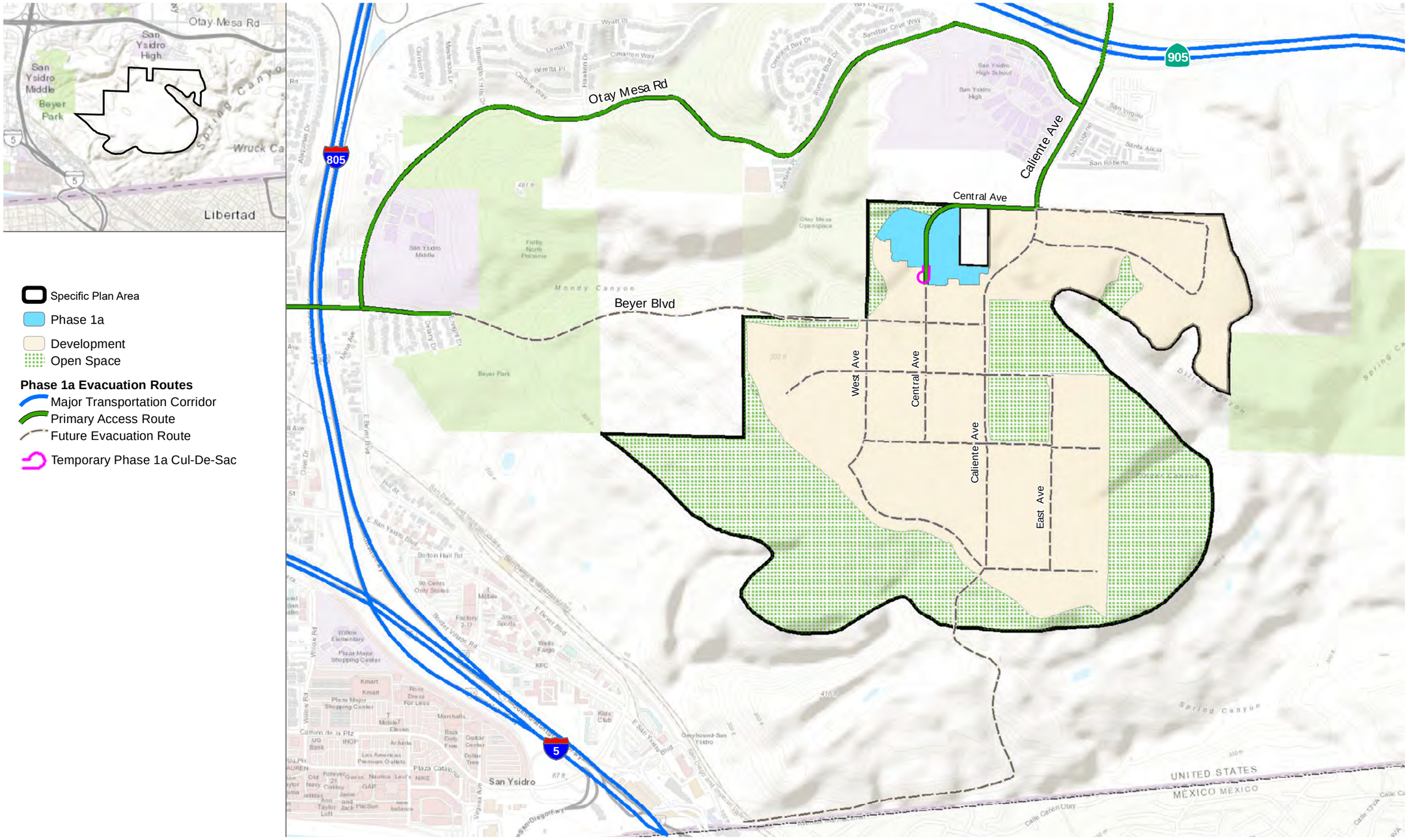



Source: Dudek 2024 ~~Dudek 2022~~

# Specific Plan Buildout Evacuation Routes

Figure 5.6-3

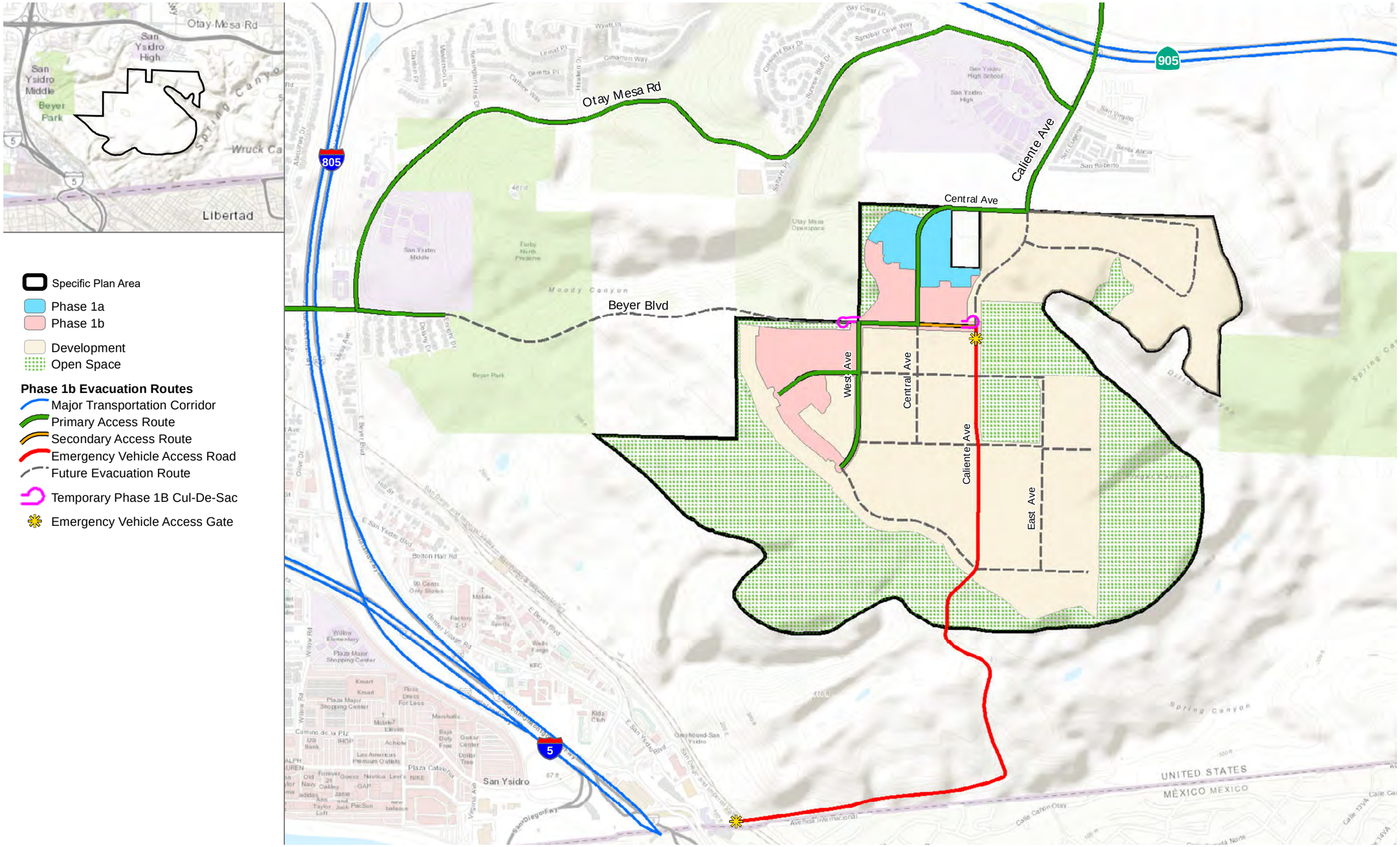
I:\PROJECTS\1\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\FEIR_SOU\Fig5.6-3_EvacuationRoutes_Buildout.indd 01667.00030.001 03/30/26 -RK




Source: Dudek 2024 ~~Dudek 2022~~

# Phase 1a Evacuation Routes

Figure 5.6-4

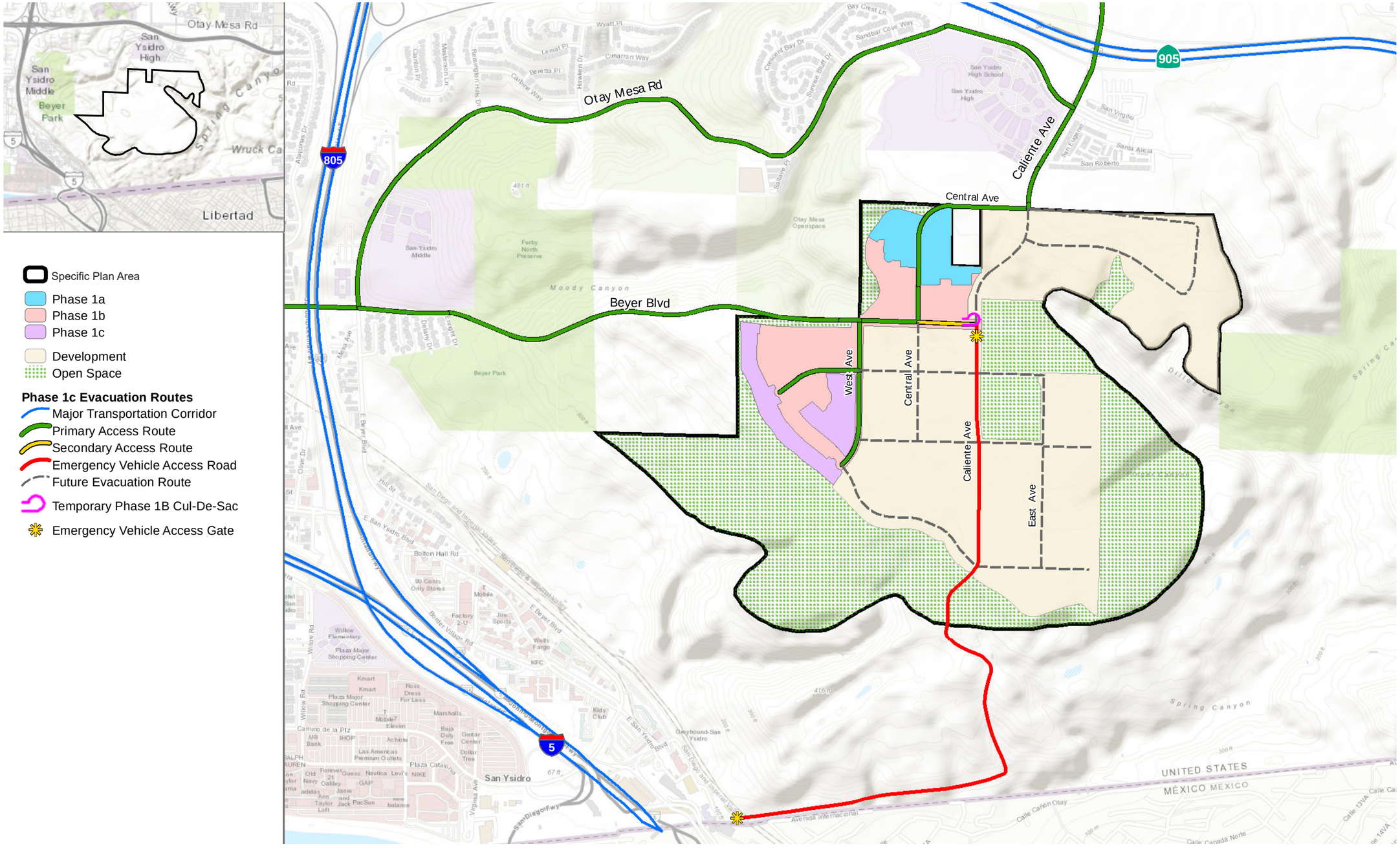



Source: Dudek 2024 ~~Dudek 2022~~

# Phase 1b Evacuation Routes

Figure 5.6-5

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Source: Dudek 2024 ~~Dudek 2022~~

# Phase 1c Evacuation Routes

Figure 5.6-6

I:\PROJECTS\TI\TriPointeHomes 01667\00030 SouthwestVillage\Map\EIR\FEIR SOU\Fig5.6-6 EvacuationRoutes Phase1c.indd 01667.00030.001 03/30/26 -RK

# 5.7 Hydrology/Water Quality

The information in this section updates the hydrology/water quality information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstance, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to hydrology/water quality impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation.

The hydrology/water quality analysis is based on the Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP; Appendix F-1), the Conceptual Drainage and Water Quality Summary for Southwest Village Specific Plan (Specific Plan; Appendix F-2), the Drainage Study for Southwest Village Vesting Tentative Map (VTM; Appendix F-3), and the Technical Memorandum Addressing Hydrology and Water Quality for Emergency Vehicle Access Road (EVA Road) "Project Alternative" (Appendix F-4). This section is also based on review of the Phase II Groundwater Assessment Otay Mesa Southwest Village and the Updated Phase II Groundwater Assessment Otay Mesa Southwest Village, included as Appendices H-1 and H-2, respectively.

## 5.7.1 Existing Conditions

### 5.7.1.1 Watershed Management Areas, Hydrologic Units, and Hydrologic Subareas

The southern portion of the OMCP is in the Tijuana River Watershed Management Area, Tijuana Hydrologic Unit, Tijuana Valley Hydrologic Area, and the project area remains within these hydrologic geographies under existing conditions. The project area is split diagonally between the San Ysidro and Water Tanks hydrologic subareas, as shown on Figure 5.7-1, *Existing Watershed Management Areas and Hydrologic Units*. Areas that drain to Moody Canyon Creek are generally within the San Ysidro hydrologic subarea (911.11), which drains to the Tijuana River on the United States side of the border. Areas that drain to Dillon Canyon and Spring Canyon Creek are generally within the Water Tanks hydrologic subarea (911.12), which drains to the Tijuana River on the Mexican side of the border (see Figure 5.7-1). There are no groundwater wells within the Specific Plan area.

### 5.7.1.2 Topography and Drainage

Since the FEIR was prepared, no major changes to the topography or drainage patterns have occurred. The topography for most of the OMCP area remains flat; however, some areas experience flooding during moderate storm events. All the flow from the watershed flows into Mexico at the Spring Canyon concentration point. The topography within the project area is characterized by mostly gently sloping areas (2 percent to 9 percent slopes on the mesa tops), with portions of the perimeter of the project area within steep canyon areas. There are no drainage improvements

within the project area. Landslide areas and deflected drainages are evident within the San Ysidro landslide area west and south of the OMCP.

Existing drainage characteristics were evaluated for the Specific Plan area, the VTM, and the EVA Road, as shown in Table 5.7-1, *Existing Project Area Drainage Conditions* (Appendix F-2, F-3, and F-4). As shown, a total of 19 drainage basins are identified, including 16 drainage basins within the Specific Plan area (Basins 100 through 1400), six of which are within the VTM (Basins 100 through 500 and 1400), and three within the EVA Road (Basins 1 through 3).

**Table 5.7-1**
**Existing Project Area Drainage Conditions**

| Drainage Basin | Area (acres) | 100-Year Flow Rates (cubic feet per second) |
|---|---|---|
| *Specific Plan Area* | | |
| 100* | 17.2 | 22.3 |
| 200* | 61.0 | 77.7 |
| 300* | 27.6 | 36.1 |
| 400* | 7.3 | 9.8 |
| 500* | 14.3 | 18.0 |
| 600 | 74.0 | 94.6 |
| 700 | 36.5 | 41.4 |
| 800 | 3.7 | 4.5 |
| 800A | 4.5 | 6.0 |
| 800B | 1.9 | 2.6 |
| 900 | 6.9 | 8.4 |
| 1000 | 59.6 | 85.3 |
| 1100 | 21.6 | 28.5 |
| 1200 | 21.6 | 24.0 |
| 1300 | 15.9 | 21.0 |
| 1400* | 319.9 | 337.0 |
| *EVA Road* | | |
| 1 | 21.1 | 41.8 |
| 2 | 5.4 | 10.7 |
| 3 | 12.8 | 25.3 |

Source: Appendix F-2, F-3, and F-4.
* Drainage Basins within the VTM.

Per the Drainage Study prepared for the Specific Plan area (Appendix F-2), the northwesterly portion of the Specific Plan area, which includes Basins 100, 200, 300 and Basin 1400, drain to the northwest to Moody Canyon Creek, located directly south of Otay Mesa Road. After entering Moody Canyon, the runoff is then conveyed west into a 54-inch culvert underneath Enright Drive. After crossing Enright Drive, the runoff combines with other runoff draining from downstream areas including California Department of Transportation right-of-way and then ultimately drains to the Tijuana River. The southwesterly portion of the Specific Plan area, including Basins 400, 500, and 700, drains in a southwesterly direction to collection points in the vicinity of the intersection west of the project area at East Beyer Boulevard and San Ysidro Boulevard. From these locations, runoff is conveyed in an existing storm drain system (pipes and channels) to the Tijuana River by the border line with Mexico.

Per the Drainage Study prepared for the project (Appendix F-2), runoff from Basins 600 and 800 through 1300 currently drains to the south to Spring Canyon Creek either directly or via Dillon Canyon, which is tributary to Spring Canyon Creek. Runoff is conveyed south within Spring Canyon Creek towards an existing culvert at the Spring Canyon concentration point along the border with Mexico. It appears runoff entering Mexico is conveyed via a system of storm drain and open channels to a concrete-lined reach of the Tijuana River.

Per the Technical Memorandum prepared for the EVA Road (Appendix F-4), existing drainage runoff sheet flows across the pervious areas surrounding the EVA Road within Basins 1 and 2, and is conveyed via ditches in Basin 3 to an existing storm drain inlet located adjacent to the border fence. Existing drainage conditions for the EVA Road are shown on Table 5.7-1.

### 5.7.1.3 Flood Hazards

The project area is located within an area of the non-printed Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 06073C21760G. FEMA flood hazards within the OMCP area are in the northwest watershed along the Otay River and no other FEMA 100- or 500-year floodplains occur within the project area (see Figure 5.7-1). There are no special flood hazard areas (SFHAs) as mapped by FEMA, although there may be areas of localized flooding in the canyons and other drainage concentration points. As part of the Drainage Study (Appendix F-2) completed for the project-level area, the project-level area is subjected to minimal flood hazard and is designated Zone X (areas determined to be outside the 0.2 percent annual chance floodplain).

### 5.7.1.4 Water Quality

The Moody Canyon and Spring Canyon systems serve as the major drainage systems that flow into the Tijuana River. The Tijuana River flows through Mexico and empties into the Pacific Ocean in an estuary in the City of Imperial Beach. Storm water runoff from the Specific Plan area is ultimately discharged into the Pacific Ocean via the Tijuana River. As noted in the SWQMP and consistent with the FEIR, the Tijuana River is still classified as an Environmentally Sensitive Area as well as a 303(d) impaired water body for eutrophic, indicator bacteria, low dissolved oxygen, pesticides, phosphorus, sedimentation/siltation, selenium, surfactants, solids, synthetic organics, total nitrogen, toxicity, trace elements, and trash. The SWQMP also noted that the Tijuana River Estuary is a 303(d) impaired water body for eutrophic, indicator bacteria, lead, low dissolved oxygen, nickel, pesticides, thallium, trash, and turbidity.

## 5.7.2 Regulatory Framework

The regulatory framework in FEIR Section 5.7.1.2 identified applicable requirements for hydrology and water quality, including the Federal Clean Water Act, Federal Emergency Management Agency Flooding Regulations, Porter Cologne Water Quality Control Act, Water Quality Control Plan for the San Diego Basin, California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement, Storm Water Management and Discharge Control Regulations (San Diego Municipal Code Section 43.0301, et seq.), Lock Drainage Design Manual, Storm Water Standards Manual, General Plan (2008), the National Pollutant Discharge Elimination System (NPDES) program,

Municipal Storm Water Permit, the General Construction Permit, and the General Industrial Permit. Changes and updates to regulations related to hydrology and water quality are summarized below.

## 5.7.2.1 Federal

### a. U.S./Mexico International Waters Detention Notice

The drainage area flowing into Mexico at the Spring Canyon concentration point would be required to comply with the U.S./Mexico international flood control detention requirements (i.e., – 5, 10, 25, 50, and 100-year storm events). To minimize the effects of increased storm water runoff in Mexico, due to development of property in Otay Mesa, all property in Otay Mesa that is within the watershed that drains into Mexico, shall be developed with the following requirements:

1. Each property owner shall provide storm water detention facilities so that there would be no increase in the rate of runoff due to development of the property.

2. The detention facilities shall be designed so that the rate of runoff from the property would not be greater after development than it was before development for a 5-year, 10-year, 25-year and 50-year storm.

3. All drainage facilities crossing four-lane major or higher classification streets shall be designed for the peak flow rate for a 100-year average storm (Q100) (existing). Other facilities, except the major channel referred to in paragraph 5, may be designed for the peak flow rate for a 50-year average storm (Q50) (existing).

4. The Drainage Design Manual shall be used as guidelines for design of drainage facilities and computing design discharges.

## 5.7.2.2 Regional

### a. Water Quality Control Plan for the San Diego Basin

The Water Quality Control Plan for the San Diego Basin (Basin Plan) designates beneficial uses for water bodies in the San Diego Region and establishes water quality objectives and implementation plans to protect those beneficial uses. Since the certification of the FEIR, the Basin Plan has been amended as of September 1, 2021. These amendments included:

- Resolution No. R9-2015-0008 which updated water quality objectives for nitrate ($NO_3$) in groundwater basins, that currently have numeric objectives, to 45 mg/L as $NO_3$. This amendment also incorporated the Onsite Wastewater Treatment Systems Policy, added implementation measures for areas where surface and groundwater are interconnected and made some other non-substantive changes to the Basin Plan,
- Resolution No. 2017-0027, which approved "Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions",

- Resolution No. 2017-0027, the State Water Board established three new beneficial use definitions for use by the State and Regional Water Boards. Through Resolution No. R9-2020-0254, to amend the Water Quality Control Plan for the San Diego Region (Basin Plan) to incorporate non-regulatory updates to Chapters 2, 3, and 4, including removing and/or updating outdated tables and text, identifying and incorporating applicable statewide regulations adopted by the State Water Board, adding hyperlinks to Resolutions, Plans and Policies, correcting typographical errors, and rearranging and renumbering tables,
- Resolution No. R9-2017-0015 amending the San Diego Basin Plan to incorporate site specific Water Effect Ratios into water quality objectives for toxic pollutants and Total Maximum Daily Loads for Copper and Zinc in Chollas Creek, and
- Resolution No. 2015-0043, "Adopting a Prioritized List of Suggested Basin Plan Revisions Developed Through the 2014 Basin Plan Review" which allowed the Board members to identify priority focus areas for revision of the Basin Plan. Biological Objectives were identified as a Tier 1 Issue.

#### 5.7.2.3 Local

### a. City Stormwater Standards Manual

The City Stormwater Standards Manual was updated in August 2024. The City Stormwater Standards Manual provides guidance for complying with stormwater requirements for Standard Projects and PDPs, and provides updated procedures for planning, preliminary design, selection, and design of permanent stormwater best management practices (BMPs) (City 2024). Updates to stormwater requirements since the FEIR was prepared include updated PDP categories and a reduced minimum threshold of impervious area, low impact development (LID) requirements for site design applicable to all projects, biofiltration requirements, flow control performance standards for hydromodification management based on pre-development instead of pre-project conditions, and alternative compliance approaches to satisfy pollutant control or hydromodification flow control performance standards.

## 5.7.3 Issue 1: Runoff

*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?*

#### 5.7.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to hydrology/water quality would be significant if the project would:

- Result in an increase in impervious surfaces and associated increased runoff, or result in substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes.

According to the City's 2022 CEQA Significance Determination Thresholds, potentially significant impacts related to runoff could occur if a project would:

- Result in increased flooding on- or off-site there may be significant impacts on upstream or downstream properties and to environmental resources;
- Grade, clear, or grub more than one acre of land, especially into slopes over a 25 percent grade and drain into a sensitive water body or stream, causing uncontrolled runoff that results in erosion and subsequent sedimentation of downstream water bodies; or

## 5.7.3.2 Analysis

### a. FEIR

The FEIR concluded that future development within the OMCP area would result in an increase of impervious surfaces on vacant land and that hydrology/water quality impacts would depend on the actual design of a future project, including the amount of open space and pervious areas, and the manner of implementation of LID practices, adherence to regulations and conformance with General Plan (2008), OMCP policies, and existing City of San Diego (City) regulations. The Drainage Study for the OMCP stated that "detention basins would be required to reduce the post-development peak flows to predevelopment levels for the 50-year and 100-year storm. If the detention basins concentrate flows at the upper edge of canyons, care must be taken to ensure that erosion potential is not increased downstream." Because the amount and rate of runoff was discussed as dependent upon future project design, the FEIR concluded that implementation of the OMCP could potentially result in significant impacts from increased runoff from impervious surfaces. The FEIR noted that existing watershed drainage courses within the OMCP would be retained and development would include detention basins to control the runoff rates; however, construction of drainage facilities dependent on future project design could result in significant alterations to on- and off-site drainage to accommodate future increases in flow. Adherence to the FEIR Mitigation Framework HYD/WQ-1, which requires regulatory and policy compliance related to runoff and drainage, was concluded to result in less than significant impacts related to increases in impervious surfaces and alterations to on and off-site drainage.

### b. Program-level

As noted in the Drainage Study for the Specific Plan (Appendix F-2), existing drainage flows west into existing pipes and channels near the intersection of East Beyer Boulevard and San Ysidro Boulevard, south to Spring Canyon Creek (either directly or via a tributary in Dillon Canyon), or northwest to Moody Canyon Creek. Future development within the program-level areas of the Specific Plan would involve new impervious areas associated with development of housing, roads, and utilities. Future development would include a network of storm drains, water quality management features/BMPs, and Hydromodification Management Plan (HMP) features to collect, convey, and manage storm water runoff throughout the Specific Plan roadway network prior to discharging through outfalls into Moody Canyon or Spring Canyon. The sizing and design of these facilities would be designed in more detail during the future entitlement phases. It is anticipated that future projects within the program-level areas would be subject to hydromodification control requirements considering the addition of impervious surfaces and network of storm drains and water quality management

features/BMPs. Figure 5.7-2, *Conceptual Drainage System*, shows the Specific Plan drainage system storm drain, outfall, BMP locations including detention basins, and flow path directions.

As noted in the Drainage Study (Appendix F-2), the Specific Plan land use plan has identified potential pollutant control BMP locations based on the existing drainage patterns, with the understanding that future developments would generally preserve existing drainage patterns with the exception of western-draining areas that would be diverted either north and piped within Beyer Boulevard West or into Spring Canyon to avoid the San Ysidro landslide area. However, the basin sizing would be studied in the future Drainage Studies and SWQMPs to be prepared during the future entitlement projects. These future studies would help determine the location and sizing of the areas that would need to be set aside for drainage/water quality purposes.

Development projects on previously undeveloped land are classified as PDPs if they satisfy one or more of the categories listed in the City's Storm Water Standards Appendix I (Form I-1) (City 2024). As the program-level components would involve development on undeveloped land and would qualify as a PDP under multiple criteria of the City's Storm Water Standards Appendix I (Form I-1), including but not limited to the development of 10,000 square feet or more of impervious surfaces, a SWQMP was developed. As noted in the PDP SWQMP (Appendix F-1), PDPs are required to address hydromodification management requirements to control runoff volumes and flow durations (hydromodification requirements) for non-exempt projects. The Specific Plan includes policies (see Specific Plan Section 6.4.3 Stormwater Quality Best Management Practices) that would require the management of stormwater runoff through biofiltration and bioretention measures in parking and roadway designs, along edges of paved areas, and other landscaped areas. The Specific Plan also encourages the use of landscape features, such as open tree grates, green roofs, and pockets of open space to allow the natural percolation of runoff (see Specific Plan Section 3.6 Landscape Design Policies).

Per Mitigation Framework HYD/WQ-1, hydraulic analyses were performed for the Specific Plan (see Appendix F-2). As shown in Table 5.7-2, *Specific Plan Drainage with Project*, without effective drainage design the post-project 100-year flow rates would increase compared to pre-project conditions due to the amount of impervious area proposed.

**Table 5.7-2**
**Specific Plan Drainage with Project**

| Drainage Basin | Existing (pre-project) | | Proposed (post-project) | |
|---|---|---|---|---|
| | Area (acres) | 100-Year Flow Rates (cubic feet per second) | Area (acres) | 100-Year Flow Rates (cubic feet per second) |
| 100 | 17.2 | 22.3 | 16.5 | 29.8 |
| 200 | 61.0 | 77.7 | 60.7 | 99.7 |
| 300 | 27.6 | 36.1 | 39.5 | 110.0 |
| 400A | 5.4 | 7.3 | 0.0* | 0.0* |
| 400B | 1.9 | 2.5 | 0.0* | 0.0* |
| 500 | 14.3 | 18.0 | 0.0* | 0.0* |
| 1400 | 319.9 | 337.0 | 346.1 | 429.0 |

| Drainage Basin | Existing (pre-project) | | Proposed (post-project) | |
|---|---|---|---|---|
| | Area (acres) | 100-Year Flow Rates (cubic feet per second) | Area (acres) | 100-Year Flow Rates (cubic feet per second) |
| 600 | 74.0 | 94.6 | 67.0 | 134.6 |
| 700 | 36.5 | 41.4 | 0.0* | 0.0* |
| 800 | 3.7 | 4.5 | 0.0* | 0.0* |
| 800A | 4.5 | 6.0 | 0.0* | 0.0* |
| 800B | 1.9 | 2.6 | 0.0* | 0.0* |
| 900 | 6.9 | 8.4 | 53.0 | 99.3 |
| 1000 | 59.6 | 85.3 | 49.7 | 117.8 |
| 1100 | 21.6 | 28.5 | 18.4 | 47.0 |
| 1200 | 21.6 | 24.0 | 28.3 | 74.9 |
| 1300 | 15.9 | 21.0 | 21.1 | 39.5 |

Source: Appendix F-2

* Zero values indicate that flows would be diverted entirely from these basins in the post-project condition.

## c. Project-level

Per Mitigation Framework HYD/WQ-1, which requires that projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in compliance with NPDES permit requirements including the San Diego Regional Water Quality Control Board (RWQCB) water quality objectives and bacteria total maximum daily load (TMDL), detailed hydraulic analyses were performed for the project-level components to assess project-level drainage conditions (see Appendices F-3 and F-4). The drainage studies for the project were accepted by City staff and would be subject to RWQCB approval. The measures specifically relating to flood control in Mitigation Framework HYD/WQ-1 do not apply because there are no designated flood areas within the project area.

Drainage conditions within project-level areas are similar to those described for the program-level areas and include western flows into existing pipes and channels in San Ysidro, south to Spring Canyon Creek (and via Dillon Canyon), or northwest to Moody Canyon Creek. Areas along the southwest margin of the VTM within the San Ysidro landslide area were noted to have the potential for development of Phase 1 to increase stormwater volume in this area and affect stability. Future development within the project-level areas would involve storm drains and runoff conveyance improvements similar to those described for the program-level areas. Development of the project-level components would also involve excavation, grading, and the placement of fill to construct the proposed structures and associated surface roads, including the EVA Road, and parking. These changes would result in new impervious surface area on the site, considering the site is vacant and undeveloped.

The post-project condition would result in similar drainage patterns for Basins 100 and 200 and the EVA Road; however, to avoid drainage towards the San Ysidro landslide area, drainage from basins previously draining to the west in the existing condition (Basin 400A and 400B, 500, 700, and parts of 800) would be diverted either to the north into the proposed storm drain along the future Beyer

Boulevard West alignment or into the proposed storm drain along Spring Canyon to the south. The drainage area that originally discharged to the west would be diverted away from the San Ysidro landslide area and outfalls were relocated to avoid potential downstream landslide impacts. A total of 74.1 acres of new impervious surface area would be added within the 112-acre drainage management area associated with Phase 1 development comprising the VTM in PAs 8 through 14, resulting in a 66 percent increase in impervious areas (Appendix F-1). Impervious surfaces along the EVA Road would slightly increase by 2 – 5 percent (Appendix F-4). As shown in Table 5.7-3, *VTM and EVA Road Drainage with Project*, the post-project 100-year flow rates would increase compared to pre-project conditions due to the amount of proposed impervious area. As a result of this increase, a detention analysis for the 100-year storm event was prepared to confirm that runoff rates would not exceed existing conditions.

**Table 5.7-3**
**VTM and EVA Road Drainage with Project**

| Drainage Basin | Existing (pre-project) | | Proposed (post-project) | |
|---|---|---|---|---|
| | Area (acres) | 100-Year Flow Rates (cubic feet per second) | Area (acres) | 100-Year Flow Rates (cubic feet per second) |
| *VTM* | | | | |
| 100 | 17.2 | 22.3 | 16.5 | 29.8 |
| 200 | 61.0 | 77.7 | 60.7 | 99.7 |
| 300 | 27.6 | 36.1 | 39.5 | 110.0 |
| 400A | 5.4 | 7.3 | 0.0 | 0.0 |
| 400B | 1.9 | 2.5 | 0.0 | 0.0 |
| 500 | 14.3 | 18.0 | 0.0 | 0.0 |
| 1400 | 319.9 | 337.0 | 346.1 | 429.0 |
| *EVA Road* | | | | |
| 1 | 21.1 | 41.8 | 21.1 | 42.5 |
| 2 | 5.4 | 10.7 | 5.4 | 11.2 |
| 3 | 12.8 | 25.3 | 12.8 | 26.7 |

VTM = Vesting Tentative Map; EVA Road = Emergency Vehicle Access Road
Source: Appendix F-3 and F-4.

To reduce the runoff from the new impervious surfaces, drainage improvements are included in the project-level components to control runoff rates and design features to reduce runoff. Following conventional drainage design, existing drainage basins were delineated, and the proposed grading design considered impacts from flooding. Outfall locations were selected at points of concentration around the project-level areas where the existing topography narrows to form existing channels. Where water would be discharged into a receiving environment, managing water velocity is crucial to prevent erosion and protect the surrounding area. The use of both rip rap and energy dissipators helps achieve this goal and ensures that the high energy flow from a pipe outlet is effectively managed, gradually released into the receiving environment and thus minimizing the potential for erosion and damage to the downstream and surrounding areas. The detailed type of material, width, length, and the thickness of rip rap pads would be determined during final engineering design. As shown in Table 5.7-4, *VTM Detention Analysis Summary*, 100-year flow rates would be

reduced to less than runoff rates shown in existing conditions with the detention basin included as part of the project.

**Table 5.7-4**
**VTM Detention Analysis Summary**
**[100-Year Flow Rates (cubic feet per second)]**

| BMP | Existing | Proposed (Not Detained) | Proposed (Detained) |
|---|---|---|---|
| 1 | 21.3 | 29.8 | 18.4 |
| 2 | 76.1 | 99.7 | 72.5 |
| 14 | 337.0 | 429.0 | 336.0 |

BMP = best management practice
Source: Appendix F-3
Note: Existing and proposed values are in cubic feet per second.

As detailed in the PDP SWQMP (Appendix F-1) and as required by Mitigation Framework HYD/WQ-1, the project would include the installation of BMPs in accordance with the City's Stormwater Standards and San Diego RWQCB's stormwater NPDES permit. LID BMPs and Pollutant Control BMPs to be installed include modular wetlands, detention vaults, and biofiltration basins (Appendix F-1). The project-level components would also include the installation of LID BMPs and Pollutant Control BMPs that would further reduce and slow runoff for post-project conditions, as required by Specific Plan Section 3.6 Landscape Design Policies: (5) Incorporate biofiltration and bioretention measures in parking and road design, edges of paved areas, and other landscaped areas to slow and treat stormwater runoff; (8) Use rain gardens, open tree grates, green roofs, and pockets of open space to slow stormwater flow rates, allow natural percolation of runoff, and reduce the heat island effect; (9) Utilize permeable paving to capture and treat stormwater to the maximum extent possible. Examples of permeable paving include porous asphalt, reinforced grass, semi-impervious concrete paving blocks, and reinforced gravel with grass. Runoff dispersion areas have also been documented and design of drainage patterns post-project would take advantage of using homeowners association lots and multi-use areas to reduce the impacts of increase of impervious surfaces. Therefore, with these design considerations demonstrated by the detention analysis, the project-level components would not result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes with implementation of BMPs and design concurrence with the City Engineer.

## 5.7.3.3 Significance of Impacts

### a. Program-level

Although the program-level components would not result in future development within SFHAs and would not involve development in a FEMA floodplain or actions requiring a Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR), 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 unless avoidance, minimization, or design considerations are implemented. This is a potentially significant impact, similar to the impact conclusions in the FEIR.

## b. Project-level

The project-level area is not within a SFHA, would not involve development in a FEMA floodplain or actions requiring a CLOMR or LOMR, and would not result in runoff impacts that would lead to flooding impacts on-site or to off-site properties due to implementation of design considerations and compliance with the requirements included in the detailed hydraulic analyses completed for the project consistent with FEIR Mitigation Framework HYD/WQ-1. The FEIR identified a potentially significant impact related to runoff that would be reduced to below a level of significance with Mitigation Framework HYD/WQ-1. The project implemented FEIR Mitigation Framework HYD/WQ-1 and project-level impacts associated with runoff would be less than significant.

# 5.7.3.4 Mitigation, Monitoring and Reporting

## a. Program-level

FEIR Mitigation Framework HYD/WQ-1 would be carried forward as mitigation measure SP-HYD/WQ-1 for future development in the program-level areas.

**SP-HYD/WQ-1: Storm Water Runoff and Drainage**

Prior to approval of development projects implemented under the Specific Plan, the applicant shall demonstrate to the satisfaction of the City Engineer, based on the project application, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations. Future design of projects shall incorporate all practicable measures as further outlined below in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the Land Development Code [LDC]), and the LDC, and shall be based on the recommendations of a detailed hydraulic analysis.

**a. San Diego RWQCB**

- Comply with all NPDES permit(s) requirements, including the development of a Stormwater Pollution Prevention Plan (SWPPP) if the disturbed soil area is one acre or more, or a Water Quality Control Plan if less than one acre, in accordance with the City's Storm Water Standards.
- If a future project includes in-water work, it shall require acquiring and adhering to a 404 Permit (from the U.S. Army Corps of Engineers) and a Streambed Alteration Agreement (from CDFW).
- Comply with the San Diego RWQCB water quality objectives and bacteria TMDL.

**b. City of San Diego**

To prevent flooding, future projects shall be designed to incorporate any applicable measures from the City of San Diego LDC. Flood control measures that shall be incorporated into future projects within a SFHA, or within a 100-year floodway, include but are not limited to the following:

- Prior to issuance of building permits or approval of any project within or in the vicinity of a floodway or SFHA, all proposed development within a SFHA is subject to the following requirements and all other applicable requirements and regulations of FEMA and those provided in Chapter 14, Article 3, Division 1 of the LDC.
- In all floodways, any encroachment, including fill, new construction, significant modifications, and other development, is prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c) (13).
- If the engineering analysis shows that development will alter the floodway or floodplain boundaries of the SFHA, the developer shall obtain a CLOMR from FEMA.
- Fill placed in the SFHA for the purpose of creating a building pad shall be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials Granular fill slopes shall have adequate protection for a minimum flood water velocity of five feet per second.
- The applicant shall denote on the improvement plans "Subject to Inundation" all areas lower than the base elevation plus two feet.
- If the structures will be elevated on fill such that the lowest adjacent grade is at or above the base flood elevation, the applicant must obtain a Letter of Map Revision based on Fill (LOMR-F) prior to occupancy of the building. The developer or applicant shall provide all documentation, engineering calculations, and fees required by FEMA to process and approve the LOMR-F.
- In accordance with Chapter 14, Article 3, Division 1 of the LDC channelization or other substantial alteration of rivers or streams shall be limited to essential public service projects, flood control projects, or projects where the primary function is the improvement of fish and wildlife habitat. The channel shall be designed to ensure that the following occur:
    - Stream scour is minimized.
    - Erosion protection is provided.
    - Water flow velocities are maintained as specified by the City Engineer. There are neither significant increases nor contributions to downstream

bank erosion and sedimentation of sensitive biological resources; acceptable techniques to control stream sediment include planting riparian vegetation in and near the stream and detention or retention basins.

- Wildlife habitat and corridors are maintained.
- Groundwater recharge capability is maintained or improved.

- Within the flood fringe of a SFHA or floodway, permanent structures and fill for permanent structures, roads, and other development are allowed only if the following conditions are met:
  - The development or fill shall not significantly adversely affect existing sensitive biological resources on-site or off site.
  - The development is capable of withstanding flooding and does not require or cause the construction of off-site flood protective works including artificial flood channels, revetments, and levees nor shall it cause adverse impacts related to flooding of properties located upstream or downstream, nor shall it increase or expand a FIRM Zone A.
  - Grading and filling are limited to the minimum amount necessary to accommodate the proposed development, harm to the environmental values of the floodplain is minimized including peak flow storage capacity, and wetlands hydrology is maintained.
  - The development neither significantly increases nor contributes to downstream bank erosion and sedimentation nor causes an increase in flood flow velocities or volume.
  - There shall be no significant adverse water quality impacts to downstream wetlands, lagoons, or other sensitive biological resources, and the development is in compliance with the requirements and regulations of the NPDES as implemented by the City of San Diego.

### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

## 5.7.3.5 Significance After Mitigation

### a. Program-level

The City would be responsible for reviewing hydrologic and hydraulic studies and design features for conformance to criteria given in the "Drainage Design Manual" for every map or permit for which discretionary approval is sought from the City. These project-level studies for each development under the Specific Plan would need to address potential impacts to downstream storm drainage facilities with sufficient detail to support the discretionary action. In addition, new development projects would need to be able to demonstrate that the 50-year and 100-year detention

requirements have been addressed (in order to satisfy the design criteria of the Community Plan Update Drainage Study). Additionally, the drainage area flowing into Mexico at the Spring Canyon concentration point would be required to comply with the US/Mexico International flood control detention requirements (i.e., – 5, 10, 25, 50, and 100-year storm events). With implementation of SP-HYD/WQ-1, impacts would be less than significant.

## 5.7.4 Issue 2: Natural Drainage System

*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?*

### 5.7.4.1 Significance Thresholds

Consistent with the FEIR, impacts related to hydrology/water quality would be significant if the project would:

- Result in modifications to the natural drainage system or affect the Otay or Tijuana River Valley drainage basins.

According to the City's 2022 CEQA Significance Determination Thresholds, potentially significant impacts related to the natural drainage could occur if a project would:

- Result in decreased aquifer recharge or result in extraction from an aquifer resulting in a net deficit in the aquifer volume or reduction in the local groundwater table; or
- Modify existing drainage patterns such that environmental resources, including biological communities or archaeological sites, would be adversely affected.

If a project would result in decreased aquifer recharge there may be significant impacts on hydrologic conditions and well-water supplies because the area available for aquifer recharge is reduced. When a subsurface water source fails to be recharged by rainfall, its volume will be reduced. Reduced groundwater elevation can affect landholders who are dependent on well water, vegetation, and surface water replenishment. In addition, if a project would result in extraction of water from an aquifer, impacts on hydrologic conditions would be significant if there would be a net deficit in the aquifer volume or a reduction in the local groundwater table. Projects which would create over one acre of impermeable hardscape in areas utilizing well water and projects which would install groundwater extraction wells may result in significant impacts.

Projects where drainage patterns are influenced such that existing vegetation would decline because long- or short-term, soil-plant-water relationships would no longer meet habitat requirements. A project would generally have a significant hydrologic impact on biological resources if the project would result in a degradation in the function and value of the existing habitat or if the project would alter the habitat type. There may be significant impacts on downstream properties and/or environmental resources if drainage patterns are changed. Projects which, when identified in a drainage study would cause adverse impacts on downstream properties or environmental resources as a result of a change in the drainage pattern, would result in a significant impact.

## 5.7.4.2 Analysis

### a. FEIR

The FEIR discussed that the natural drainage system throughout the OMCP area drains to the south across the border with Mexico and eventually into the Tijuana River Valley drainage basin and the far western part of the OMCP area flows to the west through San Ysidro and then into the Tijuana River. Future development pursuant to the OMCP was expected to change the natural drainage system with the potential to result in a substantial change to stream flow velocities and drainage patterns on downstream properties. Adherence to the FEIR Mitigation Framework HYD/WQ-1, which requires regulatory and policy compliance related to runoff and drainage, was concluded to reduce impacts to less than significant impacts related to modifications to the natural drainage system, including groundwater recharge capacity.

### b. Program-level

As anticipated in the FEIR, buildout of the Specific Plan would modify the natural drainage system of the project site as it would introduce impervious surfaces to a primarily undeveloped area and would result in future development of a conceptual drainage system. While the project would increase impervious surfaces, the project is not in an area that uses wells and wells for groundwater extraction are not proposed. As a result, buildout would not result in a net deficit of aquifer volume or a reduction in the local groundwater table. Drainage flows would be maintained per the drainage design and requirements reflected in the conceptual drainage system design for the Specific Plan on Figure 5.7-2, and groundwater recharge would continue. The drainage system is designed to utilize natural drainage courses to the extent feasible, consistent with General Plan (2024) Public Facilities, Services, and Safety Element Policy 6.3.1 which encourages the use of sustainable infrastructure design using Drainage Design Standards. As discussed above, drainage from Basin 400 and 500 would be diverted into Basin 300 and directed north instead of west due to the location of the San Ysidro landslide area near the project. However, storm drain lines, channels, detention basins, water quality treatment features, and other components of the drainage system are based on existing drainage patterns, where feasible.

Conceptual drainage design includes two drainage outfalls in the southern and southeastern part of the Specific Plan area (see Drainage Outfall 1 and 2 on Figure 3-19, *Project-level Grading Phasing*) to convey drainage to the bottom of the canyons south of the Specific Plan area. According to the Storm Water Standards, PDPs must be designed so that runoff rates and durations are controlled to pre-development rates to reduce downstream erosion conditions and protect stream habitat. The program-level components would accommodate a regional water quality and hydromodification control concept that would maintain existing drainage patterns and would serve the drainage conveyance needs of the future build-out of the community, as discussed in an HMP included as part of the PDP SWQMP prepared for the project (Appendix F-1).

Additionally, the drainage area flowing into Mexico at the Spring Canyon concentration point would need to comply with the US/Mexico International flood control detention requirements (i.e. – 5, 10, 25, 50, & 100-year storm events). In regard to the detention requirements, the City Engineer's Office, Flood Control Section, is preparing a preliminary plan for the main north-south channel from Otay

Mesa Road near La Media to the Mexican Border. The preliminary design would be required to incorporate criteria (3) of the detention requirements detailed above under the Federal Regulatory Setting Section 5.7.2.1(a), the invert grade, and the water surface elevation at the major road crossings. Therefore, the program-level components would not result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes with the implementation of BMPs or affect the Otay or Tijuana River Valley drainage basins.

## c. Project-level

The drainage system design for the project-level area is shown on Figure 5.7-2. The drainage system would be designed to utilize natural drainage courses to the extent feasible, with the exception noted for Basins 400 and 500 where flows would be routed to Basin 300 to avoid the San Ysidro landslide area. Storm drain lines, channels, detention basins, water quality treatment features, and other components of the drainage system are based on the existing drainage patterns of the Specific Plan area where feasible and the anticipated needs of the drainage system to serve the project-level area.

Project-level grading would generally maintain the same drainage patterns as in the existing condition where possible. While the project would increase impervious surfaces, the project is not in an area that uses wells and wells for groundwater extraction are not proposed. As a result, buildout would not result in a net deficit of aquifer volume or a reduction in the local groundwater table. Drainage flows would be maintained per the drainage design and requirements reflected in the conceptual drainage system design for the Specific Plan on Figure 5.7-2, groundwater recharge would continue. However, due to the presence of the San Ysidro Landslide complex, the basins previously draining to the west in the existing condition (Basin 400, 500, 700, and parts of 800) are now being proposed for diversion to either to the north and would be piped down the proposed storm drain along the future Beyer Boulevard West alignment or down the proposed storm drain into Spring Canyon to the south. Diversion from the San Ysidro Landslide complex would protect biological resources west of the project site as landsliding could result in changes to biological resources conditions. There are ephemeral drainages that originate near the west edge of the project area and lead west into the Multi-Habitat Planning Area (MHPA); however, no drainages within the project area contribute to these flows. These unnamed drainages would continue to capture rainfall and flow during storm events, regardless of diversion. The Beyer Boulevard West drainage basin is proposed on the western extent of the project-level area and drains in a westerly direction, where a proposed storm drain connects with an existing storm drain system on Enright Drive. The existing storm drain system along Enright Drive eventually outlets to the Tijuana River, which extends to the Pacific Ocean within the vicinity of Imperial Beach.

Another area in which the natural drainage patterns would be modified to accommodate a project component includes the natural drainage through Moody Canyon, which would be crossed by the Beyer Boulevard West alignment. As part of the Beyer Boulevard West alignment, a wildlife overcrossing and culverts are proposed to maintain wildlife movement through Moody Canyon. Project impacts to the area's tributary to the proposed wildlife crossings and culverts would be minimized and brow ditches have been designed to limit the flow of stormwater into these facilities. The overcrossing is sited and designed to mimic the existing topographic conditions and convey animals in the location of existing wildlife movement patterns at a high-use drainage swale area. The

culvert downstream of this area would be designed to convey off site tributary flows from Moody Canyon. While the culverts are designed to convey drainage during rain events, the drainage design would ensure a flood free crossing for animals during rain events. In addition, underground drainage conveyance pipes would be installed to convey drainage toward lower elevations, outside of the San Ysidro landslide area. Flows would be controlled via BMPs involving underground storage and compact biofiltration detention basins to manage velocities to avoid erosive conditions downstream of the project site. At the outlet of the pipe where flows surface, rip rap would be installed.

The proposed EVA Road extending south of the Specific Plan area was also assessed for hydrology and water quality impacts. The existing unimproved road is already established and traversable; however, there are locations which exceed 10% to 15% grades, which would be required to be graded and paved. From a drainage perspective, the design of the EVA Road would maintain existing drainage boundaries and flow patterns between existing and proposed conditions. The proposed pavement for segments steeper than 10% would increase runoff slightly, however, the design maintains the existing drainage boundaries and patterns and allows for runoff to continue to sheet across the surrounding pervious areas for Basins 1 and 2 and would be conveyed via ditches in Basin 3 to an existing drainage collection facility in the Federal property adjacent to the border fence. The only improvement proposed in the post-project condition of Basin 2 would be a portion of paved EVA Road and all drainage characteristics in Basin 2 would remain the same as existing conditions (see Table 5.7-2).

All design features would be designed to be consistent with the current City and RWQCB regulations, and particularly the Storm Water Standards per the PDP SWQMP prepared for the project (Appendix F-1) so that runoff rates and durations are controlled to pre-development rates to reduce downstream erosion conditions and protect stream habitat. This is detailed above under Issue 1, Runoff. Therefore, through design concurrence with the City Engineer, the project-level components would not result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes with the implementation of BMPs or affect the Otay or Tijuana River Valley drainage basins.

## 5.7.4.3 Significance of Impacts

### a. Program-level

Impacts to aquifer volume or local groundwater recharge would not occur; however, impacts to the natural drainage system would be potentially significant due to the ground disturbance and introduction of new impervious surfaces from the construction of the program-level components and impacts would be significant, similar to the impact conclusions in the FEIR.

### b. Project-level

Impacts to aquifer volume or local groundwater recharge would not occur. In accordance with the hydraulic analysis prepared for the project-level areas consistent with FEIR Mitigation Framework HYD/WQ-1 the project-level areas 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. With the implementation of upstream design considerations proposed as part of the project, there would be less than significant impacts to hydrology/water quality related to changes to the natural drainage system, including stream flow velocities and drainage patterns on downstream properties. As the project implemented FEIR Mitigation Framework HYD/WQ-1, impacts would be less than significant.

### 5.7.4.4 Mitigation, Monitoring, and Reporting

#### a. Program-level

Mitigation measure SP-HYD/WQ-1 would apply to future development in the program-level areas.

#### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

### 5.7.4.5 Significance After Mitigation

#### a. Program-level

With implementation of SP-HYD/WQ-1, program-level impacts would be less than significant.

## 5.7.5 Issue 3: Flow Alteration

*Would the project result in alterations to the course or flow of flood waters?*

### 5.7.5.1 Significance Thresholds

Consistent with the FEIR, impacts related to hydrology/water quality would be significant if the project would:

- Result in alterations to the course or flow of flood waters.

According to the City's 2022 CEQA Significance Determination Thresholds, if a project would result in modifications to existing drainage patterns there may be significant impacts on environmental resources such as biological communities and archaeological resources.

Projects which would result in substantial changes to stream-flow velocities or quantities may result in a significant impact (to be determined on a case-by-case basis; streambed characteristics will affect determination).

## 5.7.5.2 Analysis

### a. FEIR

The FEIR noted that a FEMA 100-year floodplain exists in the northwestern port of the OMCP near the Otay River and concluded that, future development within the northwestern part of the OMCP would potentially impact the existing course and flow of flood waters, resulting in potentially significant impacts. Adherence to the FEIR Mitigation Framework HYD/WQ-1, which requires regulatory and policy compliance related to runoff and drainage, was concluded to reduce impacts to less than significant impacts related to potential modifications to flows of flood waters.

### b. Program-level

The program-level area would not involve development wholly or partially within the 100-year floodplain as mapped by FEMA as it is not located within any FEMA SFHAs (see Figure 5.7-1). As described in SEIR Section 5.7.1.3, the program-level area is located within FEMA Zone X, which is an area outside of the 0.2 percent annual chance floodplain and which is subjected to minimal flood hazards. However, although there are no FEMA SFHAs, there may be areas of localized flooding in the canyons and other drainage concentration points. Impacts from future development under the Specific Plan may alter the course or flow of flood waters. However, it is noted that a program-level drainage plan (see Figure 5.7-2) was designed to utilize the natural drainage courses to the extent feasible to reduce substantial impacts related to the flow of floodwaters. Due to the location of the San Ysidro landslide area, flows in Basins 400 and 500 would be routed to Basin 300 to avoid the San Ysidro landslide area. The Specific Plan identifies the program-level drainage plan (see Figure 5.7-2). Additional detail of the anticipated drainage design, which was designed to utilize the natural drainage courses to the extent feasible, is included in Appendix F-3). According to the Storm Water Standards, PDPs must be designed so that runoff rates and durations are controlled to pre-development rates in order to reduce downstream erosion conditions and protect stream habitat. Future discretionary projects under the Specific Plan would be consistent with this design and be subject to review by the City Engineer for consistency with local regulations meant to prevent flooding. The Specific Plan also includes policies requiring the installation of LID BMPs and Pollutant Control BMPs that would further reduce/slow runoff for post-project conditions.

### c. Project-level

As discussed above in Issue 1, Runoff, and Issue 2, Natural Drainage System, the project-level areas would not result in changes to runoff or the drainage system in a way that would result in significant alterations to the course or flow of flood waters. Consistent with SP-HYD/WQ-1, a detailed hydraulic analysis was prepared for the project (Appendix F-3). The detailed design incorporated recommendations per this report and would be consistent with local regulations meant to prevent flooding and to control potential flooding that would occur from the implementation of the project-level components. This includes the installation of LID BMPS consistent with regulations of the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC), and the LDC. In addition, as canyons would continue to be utilized for the natural flow of

flood waters and drainage basins would be designed with flood control conveyance systems appropriate for the site, alterations to the course or flow of flood waters would be minimized.

## 5.7.5.3 Significance of Impacts

### a. Program-level

Impacts to the natural drainage system and downstream impacts would be potentially significant due to the ground disturbance and introduction of new impervious surfaces from the construction of the program-level components and impacts would be significant, similar to the impact conclusions in the FEIR.

### b. Project-level

Development within the project-level areas would not substantially result in alterations to the course or flow of flood waters and impacts related to hydrology/water quality would be less than significant. The FEIR identified potentially significant impacts related to flow alternation and required Mitigation Framework HYD/WQ-1 to reduce the impact to below a level of significance. As the project includes the implementation of FEIR Mitigation Framework HYD/WQ-1, impacts would be less than significant.

## 5.7.5.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Mitigation measure SP-HYD/WQ-1 would apply to future development in the program-level areas.

### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

## 5.6.5.5 Significance After Mitigation

### a. Program-level

With implementation of mitigation measure SP-HYD/WQ-1, impacts would be less than significant.

## 5.7.6 Issue 4: Water Quality

*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?*

### 5.7.6.1 Significance Thresholds

Consistent with the FEIR, impacts related to hydrology/water quality would be significant if the project would:

- Create discharges into surface or ground water, or result in increases in pollutant discharges including downstream sedimentation.

According to the City's 2022 CEQA Significance Determination Thresholds, compliance with applicable Water Quality Standards is assured through permit conditions provided by the Land Development Review - Engineering Group. Adherence to the City of San Diego stormwater standards is thus considered adequate to preclude surface water quality impacts.

Because the project does not involve activities that could directly affect groundwater quality (e.g., underground fuel storage tanks or septic systems), potential impacts to groundwater quality are limited to the percolation of project-related surface runoff and associated pollutants (e.g., in pervious portions of the proposed storm drain system). Accordingly, conformance with the City's stormwater standards is the applicable threshold for both surface and groundwater water resources.

### 5.7.6.2 Analysis

#### a. FEIR

The FEIR discussed anticipated future development of residential, industrial, and commercial uses throughout the OMCP, including parks, schools, roads, and other public infrastructure, and their potential to contribute contaminants of concern, such as sediments, nutrients, trash and debris, organic compounds, oxygen demanding substances, oil and grease, pesticides, and bacteria and viruses. To address water quality concerns, LID Site Design and Source Control BMPs were identified to be incorporated into future project site plans in accordance with the City's Stormwater Standards and Permanent Structural Pollutant Control BMPs and may include regional and/or project-specific treatment control BMPs, The FEIR concluded that impacts associated with water quality would be significant at the program-level and adherence to the Mitigation Framework detailed in HYD/WQ-2 which requires regulatory compliance, would ensure that the General Plan (2008) and OMCP policies for reducing storm water runoff and potential impacts related to discharges into surface or ground water, alterations to surface or groundwater, increases in pollutant discharges (erosion) and downstream sedimentation would be reduced to below a level of significance.

## b. Program-level

The Specific Plan proposes development on an undeveloped mesa top that drains into the Tijuana River, which is classified as an Environmentally Sensitive Area as well as a 303(d) impaired water body. Without the implementation of adequate BMPs, consideration of on-site and off-site drainage design, and consistency with local regulations meant to reduce pollutant discharges and sedimentation from erosion from future discretionary projects, water quality impacts would have the potential to occur.

However, per policies in the Specific Plan under Section 6.4.3 Stormwater Quality Best Management Practices, BMPs would be incorporated into future projects in accordance with the requirements of the City of San Diego Storm Water Standards and NPDES permit. This is consistent with FEIR Mitigation Framework HYD/WQ-2. Current stormwater regulations would ensure infiltration of stormwater runoff and protection of water quality, which would also protect the quality of groundwater resources and support infiltration where appropriate. These include the NPDES permit requirements and San Diego Regional Municipal Separate Storm Sewer System (MS4) permit issued by the San Diego RWQCB. The Stormwater Standards Manual contains requirements that dictate design elements in development and redevelopment projects. Requirements pertaining to stormwater runoff include the implementation of onsite LID BMPs, such as detention/retention basins, permeable pavement, cisterns, and rain barrels, to retain stormwater on-site and limit runoff. The Stormwater Standards Manual also includes the applicable requirements of the Final HMP prepared by the County of San Diego and implemented by the MS4 Permit Co-permittees of the San Diego Region. These requirements include design elements to limit stormwater runoff discharge rates and durations, specifically in locations where downstream channels are susceptible to erosion.

Where feasible, regional-based structural (pollutant) control facilities may be used to accomplish water quality, hydromodification management, and detention requirements. Per the Conceptual Drainage and Water Quality Summary (Appendix F-2), the final BMP strategies would be determined during future site planning efforts. Post-project storm water runoff would be treated per the City of San Diego's Storm Water Standards (dated May 2021) to reduce pollutant discharges into surface or ground water or downstream sedimentation.

All development in the City is subject to the drainage regulations contained in the SDMC Chapter 14, Article 2, Division 2, Stormwater Runoff and Drainage Regulations and the Jurisdictional Runoff Management Plan, which require that all development be conducted to prevent erosion and stop sediment and pollutants from leaving the property to the maximum extent practicable. Development of the program-level components would comply with all stormwater construction requirements of the State Construction General Permit Order No. 2009-0009DWQ and the Municipal Storm Water Permit Order No. R9-2013-0001 or subsequent order. This includes the requirement to implement a SWPPP during future project construction under the Specific Plan and, therefore, reduce pollutant discharge or impacts to downstream surface waters or to groundwater.

## c. Project-level

As discussed in Issues 1 through 3 above under SEIR Sections 5.6.3 and 5.6.5, the development of Phase 1 has been designed to maintain natural drainage systems and has incorporated various BMPs throughout the project area to reduce runoff volume and increase filtration of this water prior to discharge, consistent with FEIR Mitigation Framework SP-HYD/WQ-2. Compliance with SP-HYD/WQ-2 ensures consistency with polices for reducing storm water run-off and potential impacts related to discharges into surface or ground water, alterations to surface or groundwater, increases in pollutant discharges (erosion) and downstream sedimentation. As detailed in the SWQMP (Appendix F-1) prepared for the project-level components, a combination of subterranean detention vaults (for hydromodification management) and Modular Wetland Systems (for pollutant control) is proposed to treat runoff at Basins 100, 200, and 300. An on-site storm drain system is being proposed in order to convey storm water runoff from the project into one of these four proposed permanent structural pollutant control and detention BMPs prior to discharging into one of the project's six Points of Compliance (POCs). At each POC where stormwater would be discharged, the development area would include LID BMPs and Pollutant Control BMPs (including modular wetlands, detention basins, and biofiltration basins) that would reduce/slow runoff for post-project conditions, including providing erosion control and reducing pollutant discharge prior to discharge from POCs 1 and 2 (Appendix F-1). The biofiltration basins have been sized and designed to meet water quality and hydromodification requirements. The improvements would ensure that all on-site stormwater runoff, including roof and garage drainage, would be diverted to a private storm drain system and treated by the biofiltration basins. It is noted that outflows from BMP 3 would discharge into the proposed backbone storm drain along Beyer Boulevard as a mingling of clean and untreated flows. The discharged water would be treated by these BMPs and would reduce pollutant impacts to downstream receiving water bodies. Storm water runoff from the project is ultimately discharged into the Pacific Ocean via the Tijuana River. As noted in the Technical Memorandum Addressing Hydrology and Water Quality for Emergency Vehicle Access Road "Project Alternative" (Appendix F-4), the EVA Road would allow runoff to continue to sheet across the surrounding pervious areas for Basins 1 and 2 and would be conveyed via ditches in Basin 3 to an existing drainage collection facility in the federal property adjacent to the border fence. The constraints of the steep grades along the roadway would preclude the installation of permanent storm water BMPs; however, the hydrology and water quality analysis recommended allowing these waters to remain untreated as the level of pollutants within the water would not be of concern (Appendix F-4). In addition, Basins 1 and 2 would qualify as a self-mitigating District Metered Area, which are areas of natural or landscaped areas that would assist with reducing the pollutant loads and that drain directly offsite or to the public storm drain system. As segments of the EVA Road would be required to be paved to provide emergency vehicle access, the typical pollutants associated with a roadway are not expected to occur along this segment due to limited, infrequent, and minor use. As a result, water quality impacts would be reduced. Overall, the project-level components would be consistent with the City of San Diego Storm Water Standards and NPDES permit through the installation of these BMPs and maintenance of natural drainage patterns per compliance with the Stormwater Standards Manual.

## 5.7.6.3 Significance of Impacts

### a. Program-level

Impacts to water quality would be potentially significant due to the introduction of new land uses included in the Specific Plan and impacts would be significant, similar to the impact conclusions in the FEIR.

### b. Project-level

The FEIR identified potentially significant impacts related to water quality and required Mitigation Framework HYD/WQ-2 to reduce the impact to below a level of significance. In accordance with this mitigation framework, the project would incorporate BMPs, including the use of permeable pavement and biofiltration basins to treat stormwater before release into the stormwater system. This runoff would be detained in accordance with the City's hydromodification requirements before being discharged. The on-site treatment BMPs outlined in the PDP Stormwater Quality Management Plan (Appendix F-1) would comply with the City's Stormwater Quality Standards and FEIR Mitigation Framework HYD/WQ-2 would be implemented. Therefore, impacts would be less than significant.

## 5.7.6.4 Mitigation, Monitoring, and Reporting

### a. Program-level

FEIR Mitigation Framework HYD/WQ-2 would be carried forward as mitigation measure SP-HYD/WQ-2 for future development in the program-level areas.

**SP-HYD/WQ-2: Storm Water Quality**

> Future projects shall be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall ensure that any impacts on receiving waters shall be precluded and, if necessary, mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Stormwater Standards Manual.
>
> Storm water improvements and water quality protection measures that shall be required for future projects include:
>
> - Increasing onsite biofiltration;
> - Preserving, restoring, or incorporating natural drainage systems into site design;

- Directing concentrated flows away from MHPA and open space areas. If not possible, drainage shall be directed into sediment basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA or open space areas;
- Reducing the amount of impervious surfaces through selection of materials, site planning, and narrowing of street widths where possible;
- Increasing the use of vegetation in drainage design;
- Maintaining landscape design standards that minimize the use of pesticides and herbicides; and
- To the extent practicable, avoiding development of areas particularly susceptible to erosion and sediment loss.

**San Diego Regional Water Quality Control Board and SDMC Compliance**

- The requirements of the RWQCB for storm water quality are addressed by the City in accordance with the City NPDES requirements and the participation in the regional permit with the RWQCB.
- Prior to permit approval, the City shall ensure any impacts on receiving waters are avoided or mitigated in accordance with the City of San Diego Stormwater regulations.
- In accordance with the City of San Diego Stormwater Standards Manual, development shall be designed to incorporate on-site storm water improvements satisfactory to the City Engineer and shall be based on the adequacy of downstream storm water conveyance.

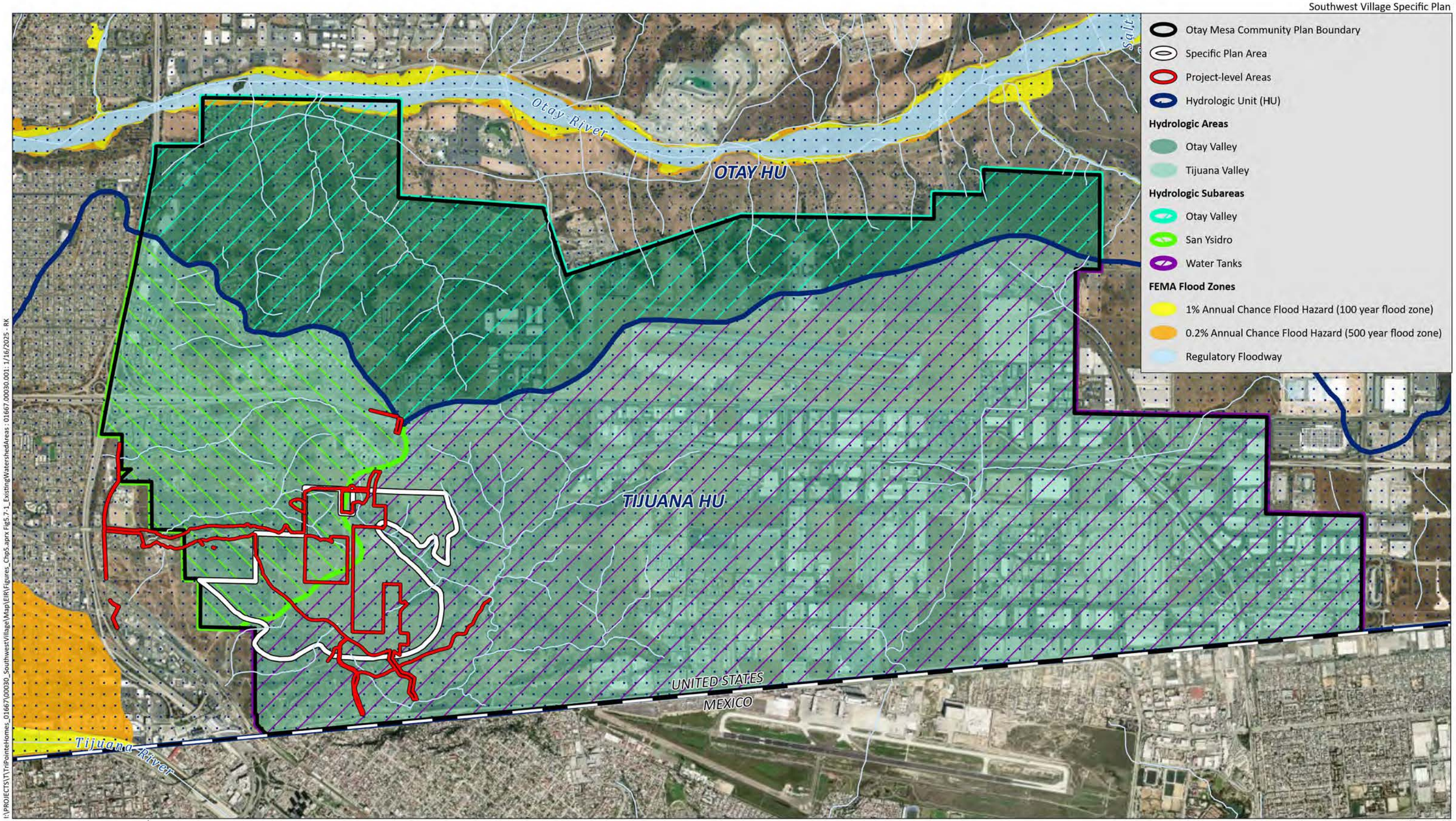
## b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

# 5.7.6.5 Significance After Mitigation

## a. Program-level

With implementation of the SP-HYD/WQ-2, program-level impacts would be less than significant. Future development proposed under the Specific Plan would be required to comply with the requirements of the Storm Water Standards which includes design of new or improved system to meet local and state regulatory requirements satisfactory to the City Engineer. Future projects would be subject to SP-HYD/WQ-2, which would ensure consistency with polices for reducing storm water run-off and potential impacts related to discharges into surface or ground water, alterations to surface or groundwater, increases in pollutant discharges (erosion) and downstream sedimentation.

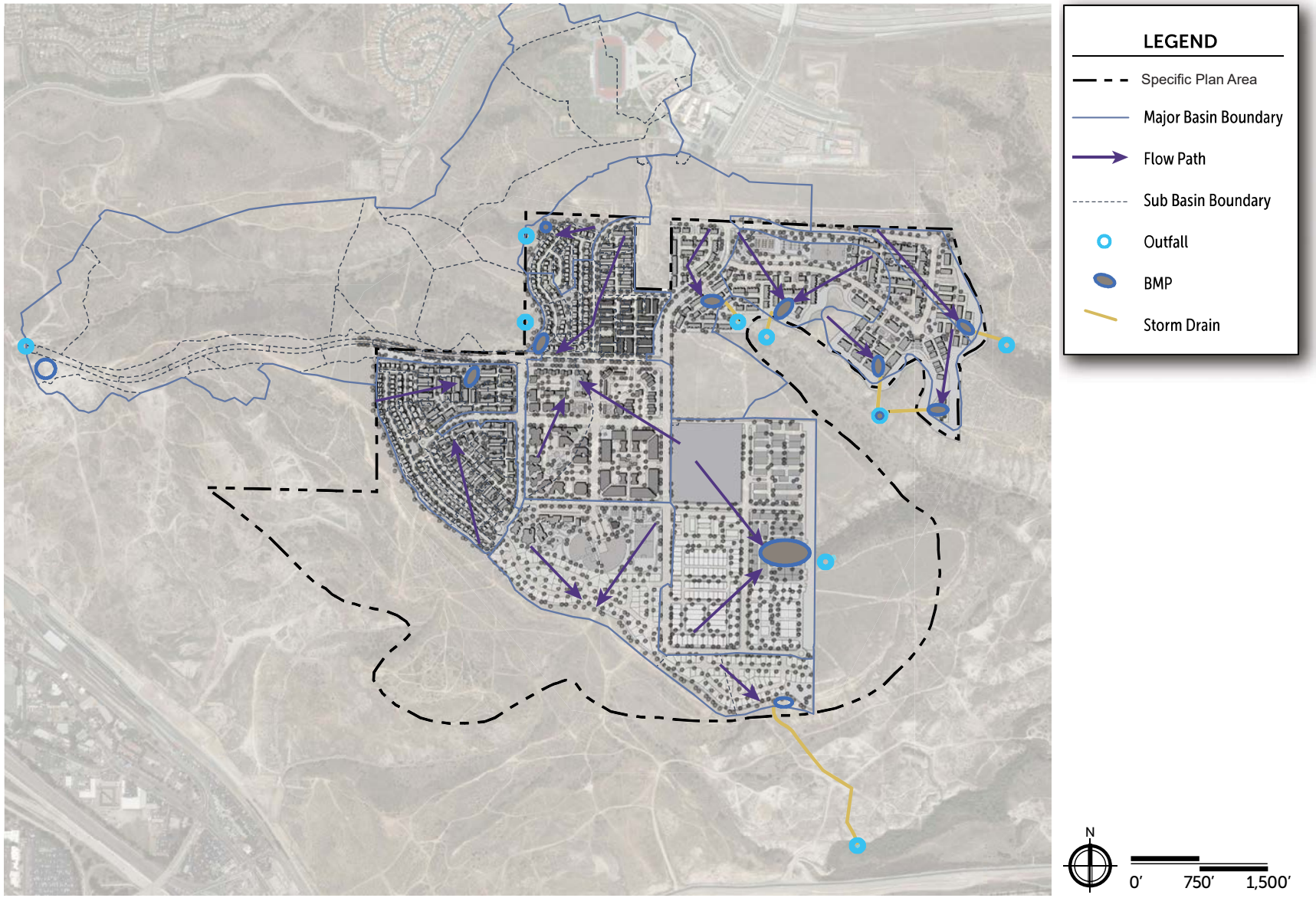



Source: Aerial (Esri 2024)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5_aprx Fig5.7-1_ExistingWatershedAreas : 01667.00030.001: 1/16/2025 - RK

## Existing Watershed Management Areas and Hydrologic Units

Figure 5.7-1




Source: RICK 2026 ~~RICK 2024~~

# Conceptual Drainage System

Figure 5.7-2

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# 5.8 Geology/Soils

The information in this section updates the geology/soils information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to geology/soils impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. The impact analysis is based on several geotechnical investigations and responses to City of San Diego (City) comments prepared by Geocon, Inc. including the following:

- Preliminary Geotechnical Investigation prepared for the Southwest Village Vesting Tentative Map (VTM; 2019, Appendix G-1)
- Supplemental Geotechnical Investigation and Slope Stability Analysis Southwest Village VTM-1 (2021, Appendix G-2)
- Preliminary Geotechnical Evaluation and Slope Stability Analysis Southwest Village VTM-2 (Borrow/Fill Site) (2021, Appendix G-3)
- Update to Geotechnical Investigation and Slope Stability Analysis For Beyer Boulevard Southwest Village Vesting Tentative Map (2022, Appendix G-4)
- Response to City Review Comments Southwest Village San Diego, California, March 7, 2022 (Appendix G-5)
- Response to City Review Comments Southwest Village San Diego, California, December 16, 2022 (Appendix G-6)
- Response to City Review Comments Southwest Village San Diego, California, July 6, 2023 (Appendix G-7)
- Response to City Review Comments Southwest Village San Diego, California, September 14, 2023 (Appendix G-8)
- Geotechnical Study Addendum Emergency Vehicle Access Road - Cover Letter, March 27, 2024 (Appendix G-9)
- Geotechnical Study Addendum Emergency Vehicle Access Road (2024, Appendix G-10)

In addition, analysis of landslide risk and site compatibility with development was assessed using the findings related to geologic and groundwater conditions evaluated within the Phase II Groundwater Assessment prepared for the Southwest Village Specific Plan (Specific Plan) area, October 11, 2022, Updated Phase II Groundwater Assessment for the Specific Plan area, July 2, 2023, and Technical Memorandum Addressing Hydrology and Water Quality for Emergency Vehicle Access Road (EVA Road) "Project Alternative", May 14, 2024 (see Appendices H-1, H-2, and F-4, respectively).

# 5.8.1 Existing Conditions

As discussed in FEIR Section 5.8, *Geology/Soils*, the OMCP is underlain by three surficial soil deposits and three geologic formations. The surficial soils include artificial fill (unmapped), topsoil/colluvium (unmapped), and alluvium. The geologic formations include Pleistocene Very Old Paralic Deposits (formerly the Lindavista Formation), Upper Pliocene San Diego Formation, and Pliocene Otay Formation. While the geology of the site has not changed since the FEIR was prepared, the following is a summary of the existing geologic conditions specific to the project area (including the Specific Plan area and areas outside the Specific Plan area) as summarized in geotechnical investigations and groundwater technical information in Appendices G-1 through H-2. The project area is adjacent to the San Ysidro Landslide area, which is one of the largest landslide features in San Diego County (Figure 5.8-1, *San Ysidro Landslide and Geohazard Areas*). The base of the landslide has been identified southwest and south of the Specific Plan area and geomorphic and geologic interpretation suggests that the landslide is on the order of 400 feet thick. Characteristic landslide morphology and deflected drainages are evident within a hillside area west and south of the Specific Plan area and suggests that portions of the slide may be developing and indicate active movement. The Specific Plan area is located on the mesa top and is underlain by Pleistocene-age terrace deposits and the San Diego and Otay formations.

Topographically, the project area is characterized by a large mesa with nearly flat to gently inclined ground surfaces in the south and western portions, with a canyon tributary drainage in the northern portion of the property. Ground surfaces over the mesa top are smooth and essentially featureless because of cultivation and off-road vehicle disturbance over the years. Site elevations within the Specific Plan area vary from approximately 510 feet mean sea level (MSL) in the northeast corner of the site to approximately 382 feet MSL in canyon drainage in the northern portion of the property. Within the Beyer Boulevard extension west of the Specific Plan area, elevations range from near 230 feet MSL at the west end to near 490 feet MSL where the roadway connects to the mesa top. Vegetation types consist mostly of annual grassland, disturbed by numerous unimproved dirt roads used by local residents, off-road recreational vehicles, and the U.S. Border Patrol. Localized areas of native vegetation, such as coastal scrub, have been mapped in the area. Review of 1953 aerial photographs indicate the site was previously stripped of vegetation and has been seasonally cultivated. Structures and dwellings are present in some portions of the property.

## 5.8.1.1 Soil and Geologic Conditions

As noted in FEIR Section 5.8, *Geology/Soils*, and updated below to include more specific information within the project area than was provided in the FEIR, soil and geologic conditions within the project area include undocumented fill, colluvium, alluvium, topsoil, landslide debris, Old Paralic deposits, Pleistocene-age terrace deposits, and the Tertiary-age San Diego and Otay Formations as shown on Figure 5.8 -2, *Soils and Geologic Formations*. Details of each soil type are presented below.

### a. Undocumented Fill

Undocumented fills exist mainly as elongate prisms of end-dump materials following the rims of canyons throughout the project area. The fills are expected to be relatively thin (on the order of 5

feet or less) along the edges of the canyons but appear to be much thicker where small tributary canyons or gullies have been filled. In some areas the fill appears to be on the order of 20 feet thick. The fills generally consist of loose, porous, clayey-sandy soil with abundant oversize concrete, asphalt, organic debris and trash.

## b. Colluvium (Qcols)

Shallow surficial soil encountered during field investigations consist of soft to loose, damp, medium to dark brown, gravelly clay to clayey silt is considered to be colluvium, or slope-creep accumulations on the north-facing slopes of Moody Canyon. These soils rest upon horizontally bedded Otay Formation siltstone. Further downslope, this unit transitions into a thicker layer interpreted as a shallow landslide.

## c. Alluvium (Qal)

Alluvium exists in the bottom of the major drainages of Moody Canyon and is anticipated to extend into smaller canyon tributaries. Exploratory trench and boring excavations in the portion of Beyer Boulevard alignment crossing Moody Canyon, encountered loose alluvial soils varying in thickness from 4 feet to greater than 10 feet. The alluvium generally consists of loose, porous light to dark brown very gravelly sands. Although no exploratory excavations have been conducted in the drainages within the subdivision area, previous investigations in the Otay Mesa area indicate that alluvial deposits in tributary canyons can be on the order of 15 to 20 feet thick.

## d. Topsoil (unmapped)

A relatively thin layer of topsoil (typically on the order of 1 to 2 feet in thickness) blankets the natural mesa surface and is generally comprised of stiff, humid to damp, dark brown sandy clay, or silty sand. The topsoil is compressible in its present condition.

## e. Landslide Debris (Older with symbol Qls1 and Younger with symbol Qls2)

A deep-seated landslide complex (Qls1) has been identified along the western and southern mesa rim. This landslide complex, also known as the San Ysidro Landslide, is located west of the Specific Plan area and partially extends across the proposed Beyer Boulevard alignment. Borings on the mesa rim of the site encountered Pleistocene-age terrace deposits underlain by Tertiary-age San Diego Formation and Otay Formation. Down-hole logging indicated massive to horizontal, or approximately horizontal bedding within the sedimentary units. Bedding plane shears, clayseams, adversely oriented fractures, continuous jointing or fracturing were not encountered in any of the borings performed along the mesa rim.

## f. Old Paralic Deposits (Qop)

Upper Pleistocene-age Old Paralic Deposits (Qop), formally known as Bay Point Formation, is overlain by undocumented fill and alluvium a short distance just east of the terminus of existing Beyer Boulevard. Medium-dense to dense, very moist, reddish to yellowish brown, clayey, fine-to-

coarse cobble gravel conglomerate was encountered during site investigations. Horizontal bedding is indicated by the approximately horizontally-imbricated cobble layers. This formation, in either a natural or properly compacted condition, possesses high shear strength characteristics and good foundation engineering properties.

## g. Terrace Deposit Clay (Qtc) and Terrace Deposit Gravel (Qtg)

Upper terrace deposits consist of a highly expansive clay deposit designated as terrace deposit clay (Qtc). A very dense, granular cobble conglomerate member, terrace deposit gravel, underlies the clay (Qtg).

Terrace deposit clay was encountered in the majority of the exploratory trenches across the project area. The clay encountered varied from 3 to 11 feet in thickness and consisted of stiff, moist, dark brown to olive clay. Expansion testing indicates the clay possesses highly expansive characteristics that requires remedial grading in the form of removal and replacement with low expansive materials.

Granular cobble conglomerate was encountered in all borings and trenches and consists of dense to very dense interbedded reddish brown sandy coarse gravel and gravelly sands, with some silt and clay. Large-diameter borings, with difficulty, were able to penetrate this deposit and establish thicknesses ranging between 23 feet and 72 feet. Down-hole logging of this unit revealed massive horizontal bedding and horizontal imbrication of gravel clasts and cobble layers. Interbedded horizontally-laminated sand layers were also observed. Gravel clasts typically consisted of rounded to subrounded volcanic, metasedimentary, and granitic rocks that varied in dimension from approximately 3 inches up to 2 feet. Differences in thickness of this unit are interpreted as ground surface variations and very irregular, disconformable, basal deposition scour-contacts with the underlying Tertiary-age formations.

## h. San Diego Formation (Tsd)

Dense, light yellowish brown to gray-brown silty, fine micaceous sandstone with some thin interbedded conglomerate layers of the Pliocene-age San Diego Formation were encountered in borings of the Specific Plan area immediately below the Pleistocene-age terrace deposit gravel (Qtg) unit described above. In some of the borings beyond the limits of the project area, the presence of interbedded, coarse subrounded volcanic conglomerate layers is suggestive of reported nonmarine facies of the San Diego Formation. The San Diego Formation is suitable for support of structural fill and/or loading in its present condition.

## i. Otay Formation (To)

Dense to hard, light olive to gray-brown, horizontally interbedded clayey siltstones, silty claystones and fine-grained sandstone of the Oligocene-age Otay Formation sandstone-mudstone member were encountered in some of the borings immediately below the Pliocene-age San Diego Formation. Down-hole logging of the contact with the San Diego Formation indicated a sharp, but irregular, depositional contact scoured into the generally finer-grained massive to horizontal beds of the Otay Formation. The potential for slope instability within the Otay Formation within the project area is

negligible due to the absence of adverse bedding plane parallel clayseams. The Otay sandstone-mudstone member as encountered is very dense and is suitable for support of structural loads and/or fills in its present condition. The sandstone portions typically possess low expansion and good shear strength properties.

### j. Otay Formation Siltstone Member (Tos)

Dense to hard, light olive to light gray-brown, subhorizontally interbedded clayey siltstones, silty claystones and fine-grained sandstone of the Oligocene-age Otay Formation Siltstone member were encountered on-site. Potential adverse conditions for slope stability in the granular portions of the Otay Formation within the project area is negligible in the absence of shallow adverse bedding plane parallel shears or clay seams. The Otay Formation Siltstone member as encountered is dense and is suitable for support of structural loads and/or fills in its present condition. Both the siltstone and sandstone portions of this member typically possess low expansion and good shear strength properties.

### k. Otay Formation Bentonitic Member (Tob)

Dense to hard, moist, light gray to pinkish-brown bentonitic very clayey siltstone to silty claystone was encountered in borings adjacent to Moody Canyon and within the proposed Beyer Boulevard alignment. Geomorphic signs encountered in the formations may represent inactive, ancient submarine mudflows and landslides that are stable in-place but can cause slope-instability when exposed in cut excavations.

### l. Otay Formation Gritstone Member (Tog, non-mapped)

Dense to very dense, damp, light yellowish-brown, silty, fine- to coarse-grained sandstone of the lower-Oligocene-age Otay Formation Gritstone was encountered at approximate elevations between 200 and 210 feet MSL, respectively. The gritstone member is capped by a layer of alluvium and a relatively thin layer of Otay Formation Siltstone. Otay Formation Gritstone, as encountered, is dense and suitable for support of structural loads and/or fills in its present condition. It also possesses low expansion and good shear-strength properties.

## 5.8.1.2 Groundwater

No seeps, springs, or groundwater conditions were observed or encountered during site reconnaissance or during field investigations conducted for the FEIR. Groundwater was encountered during the field investigation performed for Geocon and is recorded in the report prepared by Dudek (Appendix H to the FEIR). Dependent on the time of year, water may accumulate in Moody Canyon and tributary drainages. According to the geologic investigations, the water table surface creates perennial flow and associated riparian vegetation at the south edge of the Specific Plan area in Spring Canyon adjacent to the U.S./Mexico International Border. Groundwater is primarily recharged through the downward flow of rainwater within fractures and tension cracks, due to the tilted nature of the slide plane surfaces within the landslide complex. The hardened layers of compacted clay and horizontal bedding characteristics of the rocks beneath Otay Mesa would have a strong tendency to enable development of “perched” zones of groundwater above the main water

table, which would vary in degree of development and persistence, depending on the variations of long term rainfall intensity. The investigation notes that the active movement of groundwater within the local Otay Mesa aquifer is sustained by fracture flow and is therefore more active in some areas than others based on the patterns and connectedness of fractures.

### 5.8.1.3 Expansive Soils

The FEIR identified high to very high expansion potential within the OMCP and highly expansive clays of the upper portion of the terrace deposit exist underneath the project area. Trench excavations conducted as part of the geotechnical investigations for the project indicate that the clay varies in thickness from approximately 3 feet to 11 feet. The clay thickness generally tends to increase from north to south.

### 5.8.1.4 Geologic Hazards

#### a. Landslides

As discussed in the FEIR, landslide areas and deflected drainages are evident within the San Ysidro landslide area west and south of the OMCP. Portions of the slide may be developing and indicate active movement. While no evidence of landslides was encountered within the Specific Plan area, evidence of land sliding activity is present west and south of the Specific Plan area.

#### b. Faulting

The FEIR notes that several inactive faults traverse the OMCP area, including discontinuous faults that cross areas in the headwaters of Spring Canyon in the southwestern portion of the OMCP area, however, no active faults are known to exist within the project area. No evidence of faulting was observed during the geologic investigation. The United States Geologic Survey (USGS) Quaternary Fault and Fold Database of the United States (2025) and City Seismic Safety Study, Geologic Hazards and Faults (2008) shows that there are no mapped Quaternary faults crossing the project area and there is no established Alquist-Priolo Earthquake Fault Zone. The nearest active faults, the Newport Inglewood/Rose Canyon Fault Zone and the Rose Canyon Fault Zone, both are approximately seven miles west of the project area (see Figure 5.8-3, *Active Fault Locations*). The risk associated with ground rupture hazard is low.

A southern strand of the potentially active La Nacion Fault is mapped approximately 1 mile west of the Specific Plan area on the City Seismic Safety Study and approximately 150 feet west of the current eastern terminus of Beyer Boulevard. Projection of the strike of this fault does not cross the project area. Earlier mapping showed conjectural northwestern striking splinter faults extending southeastward from the La Nacion Fault and buried beneath the San Ysidro landslide area. These also do not extend onto the project area and may represent secondary headscarps of the landslide complex.

To update existing seismic hazards conditions, a deterministic seismic hazard analysis was completed for the project area. Six known active faults are located within a search radius of 50 miles from the project area. Based on the 2008 USGS fault database the Newport-Inglewood/Rose Canyon

and Rose Canyon fault zones, located approximately 7 miles west of the project area, are the nearest known active faults and are the dominant source of potential ground motion. Earthquakes that might occur on the Newport-Inglewood/Rose Canyon and Rose Canyon fault zones or other faults within the southern California and northern Baja California area are potential generators of significant ground motion at the project area. The estimated maximum earthquake moment magnitude (Mw) and peak ground acceleration (g) for the Newport-Inglewood/Rose Canyon Fault are 7.5Mw and 0.33g, respectively. The estimated maximum earthquake magnitude and peak ground acceleration for the Rose Canyon Fault is 6.9Mw and 0.27g, respectively. Table 5.8-1, *Dominant Faults Seismic Hazards*, lists the estimated maximum earthquake magnitude and peak ground acceleration for the most dominant faults in relation to the project area.

**Table 5.8-1**
**Dominant Faults Seismic Hazards**

| Fault Name | Distance from Project Area (miles) | Maximum Earthquake Magnitude (Mw) | Peak Ground Acceleration | | |
|---|---|---|---|---|---|
| | | | Boore Atkinson 2008 (g) | Campbell Bozorgnia 2008 | Campbell Bozorgnia 2008 |
| Newport-Inglewood/Rose Canyon | 7 | 7.5 | 0.30 | 0.26 | 0.33 |
| Rose Canyon | 7 | 6.9 | 0.26 | 0.24 | 0.27 |
| Coronado Bank | 14 | 7.4 | 0.22 | 0.17 | 0.21 |
| Palos Verdes | 14 | 7.7 | 0.24 | 0.18 | 0.24 |
| Elsinore | 45 | 7.85 | 0.13 | 0.09 | 0.11 |
| Earthquake Valley | 49 | 6.8 | 0.07 | 0.05 | 0.04 |

Mw = magnitude; g = peak ground acceleration
Source: Appendix G-1.

In the event of a major earthquake on the referenced faults or other significant faults in the southern California and northern Baja California area, the project area could be subjected to moderate to severe ground shaking. With respect to this hazard, the site is considered comparable to others in the general vicinity.

### c. Liquefaction

The FEIR stated that the potential for liquefaction and seismically induced settlement occurring for the mesa top areas is very low due to the very dense cemented condition of the geologic formations and lack of groundwater. Due to the dense nature of the project area soil and bedrock units, the risk associated with liquefaction potential is still considered very low.

## 5.8.2 Regulatory Framework

The regulatory framework in FEIR Section 5.8.1.2 identified applicable requirements for geology/soils, including the Earthquake Fault Zoning Act (Alquist-Priolo Act), California Seismic Hazards Mapping Act, California Building Code (CBC)/California Residential Code, City of San Diego Seismic Safety Study, and City of San Diego General Plan (2008). Since the FEIR was prepared, there

have been updates to the California Building Code, City of San Diego Municipal Code (SDMC) and the City's General Plan.

## 5.8.2.1 State

### a. California Building Code

Slope instability or erosion problems in the City are primarily regulated through the CBC and the SDMC (see below). The 2022 edition of the California Building Standards Code (CBSC), Title 24 California Code of Regulations, has been adopted by the State of California and went into effect on a statewide basis on January 1, 2023. As stated in the FEIR, development projects must show compliance with the CBC seismic safety standards through the development review process with the City.

## 5.8.2.2 Local

### a. City of San Diego Municipal Code

The City adopted by reference certain parts of the 2022 CBSC as part of the SDMC under Building Regulations, Chapter 14 Article 5.

*A geotechnical investigation shall be conducted when required by Section 1803.2 of the CBC, Section 145.1803 (d) of the San Diego Municipal Code (SDMC), or the Building Official for all new structures, additions to existing structures not exempted by SDMC Section 145.1803(b), or whenever the occupancy classification of a building changes to a higher relative hazard category pursuant to Table 1604.5 of the CBC as a result of the proposed work.*

> *1803.2.2: When required, a geotechnical report shall be submitted to the Building Official. When geologic hazards are identified, the report shall contain appropriate recommendations for mitigation of the hazards, and these recommendations shall be incorporated into the design of the project before issuance of a Building Permit. No Building Permit shall be issued for construction where the geotechnical investigation report establishes that construction of buildings or structures would be unsafe because of the geologic hazards. Issuance of a Building Permit does not constitute a representation by the City that the site does not contain geological hazards or that construction is safe.*
>
> *Article 5: Building Regulations, Division 18: Additions and Modifications to Chapter 18 of the CBC includes Section 145.1803 Local Additions and Modifications to Section 1803 "Geotechnical Investigations" of the CBC*.

### b. General Plan Public Facilities, Services, and Safety Element

The City's General Plan Public Facilities, Services, and Safety Element was updated in 2022 and 2024; however, the policies are similar to the 2008 General Plan and do not include updated policies that apply to the project area.

## 5.8.3 Issue 1: Geologic Hazards

*Would the project expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?*

### 5.8.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to geology and soils would be significant if the project would:

- Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, liquefaction, ground failure, or similar hazards.

The City's 2022 CEQA Significance Determination Thresholds state the determination of significant impacts should be determined in coordination with geology staff. According to the City's 2022 CEQA Significance Determination Thresholds, geologic conditions exist within certain areas of the City that have the potential to pose serious problems when land is developed. SDMC Section 145.1803(a)(2) states that no building permit shall be issued for construction where the Geotechnical Investigation establishes that the construction of buildings or structures would be unsafe because of geologic hazards. The City's 2022 CEQA Significance Determination Thresholds state coordination with Land Development Review-Geology staff on a case-by-case basis to determine if a project would have significant impacts and if mitigation is necessary. Typically, standard construction practices recommended in a geologic report would not be mitigation.

### 5.8.3.2 Analysis

#### a. Earthquakes

##### *FEIR*

The FEIR concluded that the geologic conditions in the OMCP area would pose significant risks for future development if not properly addressed. Unstable conditions relating to compressible soils, landslides, seismicity (faults), and expansive soils were noted to represent a potentially significant impact for future development. The FEIR found that several inactive faults traverse the OMCP area including discontinuous faults that cross areas in the headwaters of Spring Canyon in the southwestern portion of the OMCP, east of the project area. The nearest known active faults was identified as the Rose Canyon Fault Zone and was described as the dominant source of potential ground motion within the OMCP area. The OMCP area was determined to be subjected to moderate to severe ground shaking in the event of a major earthquake on Rose Canyon Fault or other faults in southern California. With respect to seismic shaking, the OMCP area is considered comparable to the surrounding developed area. However, the FEIR found that the OMCP area contains geologic conditions which would pose significant risks for future development if not properly addressed at the project level. Unstable conditions relating to seismicity (faults) represent a potentially significant impact for future development. The FEIR disclosed that with the implementation of FEIR Mitigation Framework GEO-1, impacts related to earthquakes would be less than significant.

### *Program-level*

No known active faults traverse the program-level area, and the property is not within a currently established Alquist-Priolo earthquake fault zone for fault rupture hazard. Consequently, the potential for the program-level area to be exposed to fault rupture is low. However, the program-level area could be subjected to moderate to severe ground shaking in the event of an earthquake.

### *Project-level*

In accordance with FEIR Mitigation Framework GEO-1, geotechnical reports were prepared for review and approval by the City in accordance with the SDMC and are included as part of the environmental analysis for the project-level areas (see Appendix G-1 through G-10). The geotechnical reports prepared for the project-level areas concluded that the risk associated with ground rupture within the project-level areas is low. Additionally, although no active, potentially active, or activity unknown faults are mapped crossing the site or are trending toward the project-level area, a major earthquake in the region would result in moderate to severe ground shaking. Potential impacts associated with earthquake ground shaking would be reduced through compliance with applicable CBC regulations and through compliance with the seismic design recommendations presented in the geotechnical reports prepared for the project-level areas. The project-level geotechnical reports recommendations are required as standard conditions of approval, and would be implemented consistent with FEIR Mitigation Framework GEO-1. FEIR Mitigation Framework GEO-1 has been implemented as a part of the project-level review process.

## b. Landslides

### *FEIR*

A complex of deep-seated landslides known as the San Ysidro Landslide area was described in the western and southern edges of the OMCP area. The FEIR disclosed that given the large area and estimated depth of the landslides, stabilization is essentially infeasible. The FEIR found that the proposed alignment of the Beyer Boulevard extension could expose people or property to geologic hazards as it would extend through the San Ysidro Landslide area. In addition, steep hillside landslides present on natural drainages could significantly expose people and property to this hazard. The FEIR further found that the OMCP area contains geologic conditions which would pose significant risks for future development if not properly addressed at the project level. Unstable conditions relating to landslides represent a potentially significant impact for future development. FEIR Mitigation Framework GEO-1 was identified to reduce landslide impacts to less than significant.

### *Program-level*

The San Ysidro Landslide area borders the program-level areas near Planning Area (PA) 16 and PA 18 to the south. The preliminary geotechnical compatibility assessments and the Phase II Groundwater Assessment prepared for the program-level areas determined that the San Ysidro Landslide area would not expose people and development to a geologic hazard involving landslides as long as stormwater would be diverted away from its footprint. The Phase II Groundwater Assessment noted that due to groundwater table depth, drainage from the proposed development areas of the Specific Plan should not be allowed to drain into the surrounding landslide complex due

to slope stability risk. The assessment recommended that the area that drains to the west in the existing conditions should be diverted either north to Moody Canyon, which would ultimately flow west, discharging into the Tijuana Estuary, and/or be diverted south to Spring Canyon and therefore into Mexico in the post-project condition. Future projects under the Specific Plan would be required to complete project-level geotechnical investigations to ensure development would avoid, minimize, and consider design that would avoid risks associated with the landslide complex.

### *Project-level*

The San Ysidro Landslide area borders the project-level areas PA 12 and PA 14 to the west and partially extends across the proposed Beyer Boulevard alignment. The proposed Beyer Boulevard alignment has been selected to primarily follow a spine of bedrock along the northwest flank of the main landslide complex, which would avoid creating slope instability of the overall slide mass. The avoidance of this landslide complex by design is consistent with OMCP Policy 6.10-1 which allows clustering of development in the southwestern area to mitigate and avoid risks posed by seismic conditions and landslides. While the Beyer Boulevard alignment would avoid the San Ysidro Landslide area, the proposed cut excavations along the Beyer Boulevard alignment are likely to expose the suspected bentonitic zone along Moody Canyon at some locations (see Section 5.8.1.1[k]). The geotechnical reports (Appendix G-1 through G-10) prepared for the project-level area, consistent with FEIR Mitigation Framework GEO-1, found that relatively shallow secondary landslides along the Beyer Boulevard alignment would require remedial measures in the form of removal and recompacting, in addition to buttresses to provide slope stability. Due to the relatively steep slopes, a 50-foot development setback is recommended to provide a buffer zone in the event that surficial landslides occur.

Slopes that are steeper than 3:1 (horizontal: vertical) may, under conditions that are both difficult to prevent and predict, be susceptible to near-surface landslides. The occurrence of surficial instability is more prevalent on fill slopes and is generally preceded by a period of heavy rainfall, excessive irrigation, or the migration of subsurface seepage. The disturbance and/or loosening of the surficial soils, as might result from root growth, soil expansion, or excavation for irrigation lines and slope planting, may also be a significant contributing factor to surficial instability. Therefore, the geotechnical reports (Appendix G-1 through G-4) prepared for the project-level area recommend that disturbed/loosened surficial soils be either removed or properly recompacted during construction, and irrigation systems be periodically inspected and maintained to eliminate leaks and excessive irrigation, and surface drains on and adjacent to steep slopes be periodically maintained to preclude ponding or erosion during operations. The project would be required to comply with the final geotechnical report recommendations via a standard condition. Additionally, as no evidence of land sliding was encountered on the property during field investigations, the risk of landslides is low overall with the implementation of the recommended measures.

In addition, the EVA Road would be within the landslide area south of the Specific Plan area was considered in the geotechnical analysis for hazards related to the landslide complex (Appendix G-9). A slope stability analysis for landslide hazards near the proposed EVA Road alignment demonstrated grading and construction of the proposed roadway would not impact the existing hillside stability. As detailed in the EVA geotechnical addendum (Appendix G-9 and Appendix G-10), recommendations for grading and construction would further ensure stability of the EVA Road, increasing the slope

stability factor of safety from 1.24 under existing conditions to 1.25 with the project. Remedial grading would be provided to construct fill slopes and provide suitable support for the roadway surface improvements. Cut slopes would be observed by an engineering geologist during construction to assess if stability fills are needed. Ultimately, the analysis demonstrated that the slope stability factor of safety is greater than 1.0, and therefore, future movement of the landslide is not expected within the lifetime of the roadway under existing and proposed conditions.

The project-level geotechnical reports recommendations would be implemented as a standard condition of approval consistent with FEIR Mitigation Framework GEO-1.

## c. Liquefaction

### *FEIR*

The potential for liquefaction and seismically induced settlement occurring for the mesa top areas was considered very low due to the very dense cemented condition of the geologic formations and lack of groundwater. The FEIR found that areas of potential liquefaction were located on alluvial deposits mostly outside of the OMCP area. In addition, based on the subsurface soil conditions encountered during field investigations and the lack of groundwater extraction, the risk associated with ground subsidence hazard was concluded to be low throughout the OMCP area. None-the-less, the FEIR identified geologic hazards as potentially significant and recommended that subsurface exploration and laboratory testing would be necessary during project-level analyses via Mitigation Framework GEO-1 to evaluate the liquefaction potential located in areas where deep alluvial deposits are encountered.

### *Program-level*

As noted in the FEIR, the OMCP area is not located on deep alluvial deposits or areas with liquefaction potential which would require subsurface exploration and laboratory testing. Future projects under the Specific Plan within the program-level areas would not be expected to encounter deep alluvial deposits.

### *Project-level*

As noted in the FEIR, and according to the geotechnical reports prepared for the project-level areas, due to the dense nature of the on-site soil and bedrock units, the risk associated with liquefaction potential is considered very low.

## d. Compressible and Expansive Soils

### *FEIR*

The FEIR disclosed that portions of the OMCP area are underlain by undocumented fill, colluvium/topsoil, and alluvium, which are typically loose, dry, and contain rubble, and are unsuitable for support of settlement-sensitive structures. These types of compressible soils on slopes were described as subject to downslope movement (creep, sliding, or shallow debris flows)

and future projects underlain by compressible soils were recommended to include removal and replacement by compacted fill via Mitigation Framework GEO-1.

The FEIR concluded that the clay mudstone strata within the Very Old Paralic Deposits within the Otay Mesa area exhibited high to very high expansion potential. The mudstone unit was identified near the existing grade over the majority of the OMCP area and was concluded to pose significant risks for future development. FEIR Mitigation Framework GEO-1 required remedial grading to reduce compressible and expansive soils impacts to less than significant.

### *Program-level*

At the program-level, compressible and expansive soils, would pose a risk without design considerations and potential mitigation. As the program-level area is surrounded by slopes, the risk of slope-related downslope impacts on future development due to compressible soils would require removal and replacement by compacted fill. A relatively thin layer of topsoil (estimated to be 1 to 2 feet in thickness) blankets the natural mesa surface and is compressible in its present condition and would require removal and recompaction within areas of planned development. Development on expansive soils would require geotechnical recommendations to avoid significant risks associated with the highly expansive nature of the clays of the upper portion of the Pleistocene-age terrace deposits.

### *Project-level*

The geotechnical investigations for the project-level areas found that underlying undocumented fill, alluvium, topsoil, and the Terrace Deposit clay found is not suitable for support of settlement-sensitive structures and would require removal and recompaction in areas of development away from steep slopes. This includes the placement of expansive clay soils at least five feet below finished grade and the mixing of underlying Terrace Deposit clay at a 50:50 ratio to reduce expansion potentials. After removal of unsuitable materials, consistent with the recommendations of the geotechnical investigation prepared per FEIR Mitigation Framework GEO-1, the site is recommended to be brought to final subgrade elevations with structural fill compacted in layers. The proposed project-level development would be conditioned to adhere to the recommendations of the final geotechnical reports.

## e. Tsunamis and Seiches

### *FEIR*

The OMCP area was described as over five miles east of the Pacific Ocean with a minimum elevation of 230 feet MSL at the western end. The OMCP area is not located downstream of any large bodies of water. Therefore, the risk associated with inundation by tsunamis or seiches was determined to be low and impacts were less than significant.

### *Program-level*

Review of the San Diego County Tsunami Hazard Areas mapping available from the State Department of Conservation (DOC), California Geologic Survey Information Warehouse determined that the program-level area is not located within the mapped tsunami inundation zone (DOC 2024).

### *Project-level*

As the project-level area is located in the program-level area assessed above, the project-level areas are also not mapped within a tsunami inundation zone.

## 5.8.3.3 Significance of Impacts

## a. 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 impacts would be significant, similar to the impact conclusions in the FEIR.

## b. Project-level

The Final EIR identified significant impacts related to geologic hazards and required FEIR Mitigation Framework GEO-1 to reduce the impact to below a level of significance. Mitigation Framework GEO-1 was implemented during the project-level review and design process, and the proposed development would be conditioned to adhere to the recommendations of the final geological technical reports. Thus, project impacts would be less than significant.

## 5.8.3.4 Mitigation, Monitoring, and Reporting

## a. Program-level

FEIR Mitigation Framework GEO-1 would be carried forward as a mitigation measure SP-GEO-1 for future development in the program-level areas.

**SP-GEO-1: Geologic Hazards**

Impacts associated with geologic hazards shall be mitigated at the project-level through adherence to the City's Seismic Safety Study and recommendations of a site-specific geotechnical report prepared in accordance with the City's Geotechnical Report Guidelines. Impacts shall also be avoided or reduced through engineering design that meets or exceeds adherence to the SDMC and the CBC.

More specifically, compressible soils impacts shall be mitigated through the removal of undocumented fill, colluvium/topsoil, and alluvium to firm the ground. Future development shall also be required to clean up deleterious material and properly

moisture, condition, and compact the soil in order to provide suitable foundation support.

Regarding impacts related to expansive soils, future development shall be required to implement typical remediation measures, which shall include placing a minimum 5-foot cap of low expansive (Expansion Index [EI] of 50 or less) over the clays; or design of foundations and surface improvements to account for expansive soil movement.

### b. Project-level

Project-level impacts would be less than significant and, therefore, no mitigation is required.

## 5.8.3.5 Significance After Mitigation

### a. Program-level

With the implementation of SP-GEO-1, impacts would be less than significant.

# 5.8.4 Issue 2: Erosion

*Would the project increase the potential of erosion on- or off-site?*

## 5.8.4.1 Significance Thresholds

Consistent with the FEIR, impacts related to geology and soils would be significant if the project would:

- Increase the potential for erosion of soils on- or off-site.

As discussed above, the City's 2022 CEQA Significance Determination Thresholds indicate geology staff should be consulted in determining the significance of erosion impacts. Standard construction practices that avoid or reduce the potential for a project to increase erosion are not considered mitigation.

## 5.8.4.2 Analysis

### a. FEIR

The FEIR disclosed that many of the steep hillsides and the poorly consolidated nature of the sedimentary materials and soils found throughout the OMCP area posed a potential risk related to erosion. Erosion risks were noted in conjunction with some portions of the San Diego Formation and in drainages and stream valleys. FEIR Mitigation Framework GEO-2 was identified to reduce potential future erosion impacts to less than significant.

## b. Program-level

The occurrence of potential surficial instability from erosion on slopes throughout the program-level areas is more prevalent on fill slopes and is generally preceded by a period of heavy rainfall, excessive irrigation, or the migration of subsurface seepage. Compliance with Section 6.4.2, Drainage Design Standards, of the Specific Plan refers to hydromodification and detention requirements that would reduce potential impacts from erosion. In addition, the Specific Plan includes recommendations for trails that would reduce erosion potential through the installation of surfacing materials. Future grading and development along slopes throughout the program-level area would be subject to consistency with policies that require revegetation of slopes and graded areas to reduce erosion potential. None-the-less, at the program level, a large amount of grading, ground disturbance, drainage pattern modifications, and development near slopes would occur that would have the potential to result in erosion.

## c. Project-level

Implementation of the project-level components is not anticipated to result in substantial soil erosion or loss of topsoil, because project-level components would implement the geotechnical recommendations in the project-level geotechnical investigations as a standard condition of approval, which implement FEIR Mitigation Framework GEO-2. According to the Geotechnical Investigation Report prepared for the VTM (see Appendices G-2 through G-3), adequate site drainage is critical to reduce the potential for differential soil movement and erosion. The geotechnical investigations recommend the project-level area be graded and maintained such that surface drainage is directed away from structures in accordance with CBC or other applicable standards.

Grading of the project-level areas would be consistent with FEIR Mitigation Framework GEO-2, which requires the implementation of construction BMPs consistent with the City's Grading Regulation and NPDES permit requirements that would control storm water runoff and implement water quality protection measures. Grading activities would be required to comply with erosion control measures pursuant to the City's Grading Ordinance, which requires implementation of:

- Desilting basins, improved surface drainage, or planting of ground covers required early in the improvement process in areas that have been stripped of native vegetation or areas of fill material.
- Short-term measures such as sandbag placement and temporary detention basins.
- Catch basins.
- Restrictions on grading during the rainy season (November through March), depending on the size of the grading operation, and on grading in proximity to sensitive wildlife habitat.
- Immediate post-grading slope revegetation or hydroseeding with erosion-resistant species to ensure coverage of the slopes prior to the next rainy season in accordance with Revegetation and Erosion Control Requirements found in Section 142.0411 and Table 142-04F of the Land Development Code, Landscape Regulations. All required revegetation and erosion control is required to be completed within 90 calendar days of the completion of grading or disturbance (Land Development Code 142.0411 [c]).

The City's grading regulations (SDMC Chapter 14 Article 2 Division 1) address slope stability, protection of property, erosion control, water quality, and landform preservation and to protect the public health, safety, and welfare of persons, property, and the environment. To reduce slide danger and erosion hazards, a grading permit must be obtained for all projects involving the process of moving soil and rock from one location to another. The Grading Ordinance includes measures to assure that development in earthquake- or landslide-prone areas does not threaten human life or property.

The project would include manufactured slopes along the western and southern portion of the project-level areas in addition to 2:1 slopes along the Beyer Boulevard extension. The geotechnical investigation includes recommendations to minimize erosion and ensure soil stability near manufactured slopes. Conformance to mandated City grading requirements and the geotechnical investigations prepared for the project-level areas would avoid significant impacts to erosion. The project-level development would be required to adhere to the recommendations of the final geotechnical report as a standard condition of approval.

The EVA Road proposed within the landslide area south of the Specific Plan area was evaluated in Appendix G-1 and concluded to be compatible with groundwater and/or seepage-related conditions as long as surface drainage is directed into properly designed drainage structures and away from pavement edges. As detailed in Section 5.7, *Hydrology/Water Quality*, runoff from the roadway (and in some cases the surrounding hillside) would be discharged toward the north toward Moody Canyon, which would ultimately flow west into the Tijuana Estuary, or be diverted south to Spring Canyon through proposed ditches. This would reduce the erosion potential of the roadway and hillsides from runoff. In addition, as the roadway would be utilized primarily as an evacuation roadway or for emergency vehicle access and would not support regular vehicular traffic, the potential for erosion from vehicular traffic is low. The EVA Road would be required to adhere to the recommendations of the final geotechnical report as a standard condition of approval.

## 5.8.4.3 Significance of Impacts

### a. Program-level

Future development within the program-level areas would be subject to potential geologic hazards related to erosion and impacts would be significant, similar to the impact conclusions in the FEIR.

### b. Project-level

The Final EIR identified significant impacts related to erosion and required FEIR Mitigation Framework GEO-2 to reduce the impact to below a level of significance. Mitigation Framework GEO-2 was implemented during the project-level review and design process, and the proposed development would be conditioned to adhere to the recommendations of the final geological technical report. Thus, project-level impacts would be less than significant.

## 5.8.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

FEIR Mitigation Framework GEO-2 would be carried forward as a mitigation measure SP-GEO-2 for future development in the program-level areas.

**SP-GEO-2: Geotechnical Investigations**

Submittal, review, and approval of site-specific geotechnical investigations shall be completed in accordance with the SDMC requirements. Engineering design specifications based on future project-level grading and site plans shall be incorporated into all future projects implemented in accordance with the Specific Plan to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer and shall include the following measures to control erosion during and after grading or construction:

- Desilting basins, improved surface drainage, or planting of ground covers installed early in the improvement process in areas that have been stripped of native vegetation or areas of fill material;
- Short-term measures, such as sandbag placement and temporary detention basins;
- Restrictions on grading during the rainy season (November through March), depending on the size of the grading operation, and on grading in proximity to sensitive wildlife habitat; and
- Immediate post-grading slope revegetation or hydroseeding with erosion-resistant species to ensure coverage of the slopes prior to the next rainy season.

Conformance to mandated City grading requirements shall ensure that future grading and construction operations will avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, shall be subject to NPDES General Construction Storm Water Permit provisions. Additionally, any development of this significant size within the City shall be required to prepare and comply with an approved Storm Water Pollution Prevention Plan that shall consider the full range of erosion control BMPs such as, but not limited to, including any additional site-specific and seasonal conditions. Project compliance with NPDES requirements will significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development.

Prior to obtaining grading permits for future actions a site-specific geotechnical investigation shall be completed as necessary in accordance with the City of San Diego Guidelines for Preparing Geotechnical Reports. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize hazards associated with site-level geologic and seismic conditions satisfactory

to the City Engineer. Measures designed to reduce erosion at the project-level shall include the following:

- Control erosion by minimizing the area of slope disturbance and coordinate the timing of grading, resurfacing, and landscaping where disturbance does occur.
- On sites for industrial activities require reclamation plans that control erosion, where feasible, in accordance with the LDC.
- Control erosion caused by storm runoff and other water sources.
- Preserve as open space those hillsides characterized by steep slopes or geological instability in order to control urban form, ensure public safety, provide aesthetic enjoyment, and protect biological resources.
- Replant with native, drought-resistant plants to restore natural appearance and prevent erosion.
- Practice erosion control techniques when grading or preparing building sites.
- Utilize ground cover vegetation when landscaping a development in a drainage area to help control runoff.
- Incorporate sedimentation ponds as part of any flood control or runoff control facility.
- During construction, take measures to control runoff from construction sites. Filter fabric fences, heavy plastic earth covers, gravel berms, or lines of straw bales are a few of the techniques to consider.
- Phase grading so that prompt revegetation or construction can control erosion. Only disturb those areas that will later be resurfaced, landscaped, or built on. Resurface parking lots and roadways as soon as possible, without waiting until completion of construction.
- Promptly revegetate graded slopes with groundcover or a combination of groundcover, shrubs, and trees. Hydroseeding may substitute for container plantings. Groundcovers shall have moderate to high erosion control qualities.
- Where necessary, design drainage facilities to ensure adequate protection for the community while minimizing erosion and other adverse effects of storm runoff to the natural topography and open space areas.
- Ensure that the timing and method of slope preparation protects natural areas from disturbance due to erosion or trampling. The final surface shall be compacted and spillovers into natural areas shall be avoided.
- Plant and maintain natural groundcover on all created slopes.

When required, the geologic technical report shall consist of a preliminary study, a geologic reconnaissance, or an in-depth geologic investigation report that includes fieldwork and analysis. The geologic reconnaissance report and the geologic investigation report shall include all pertinent requirements as established by the Building Official.

In addition, the Building Official shall require a geologic reconnaissance report or a geologic investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site. Section 145.1803 of the SDMC discusses in more detail the requirements related to the geotechnical report outlined in the City Seismic Safety Study (City 2008).

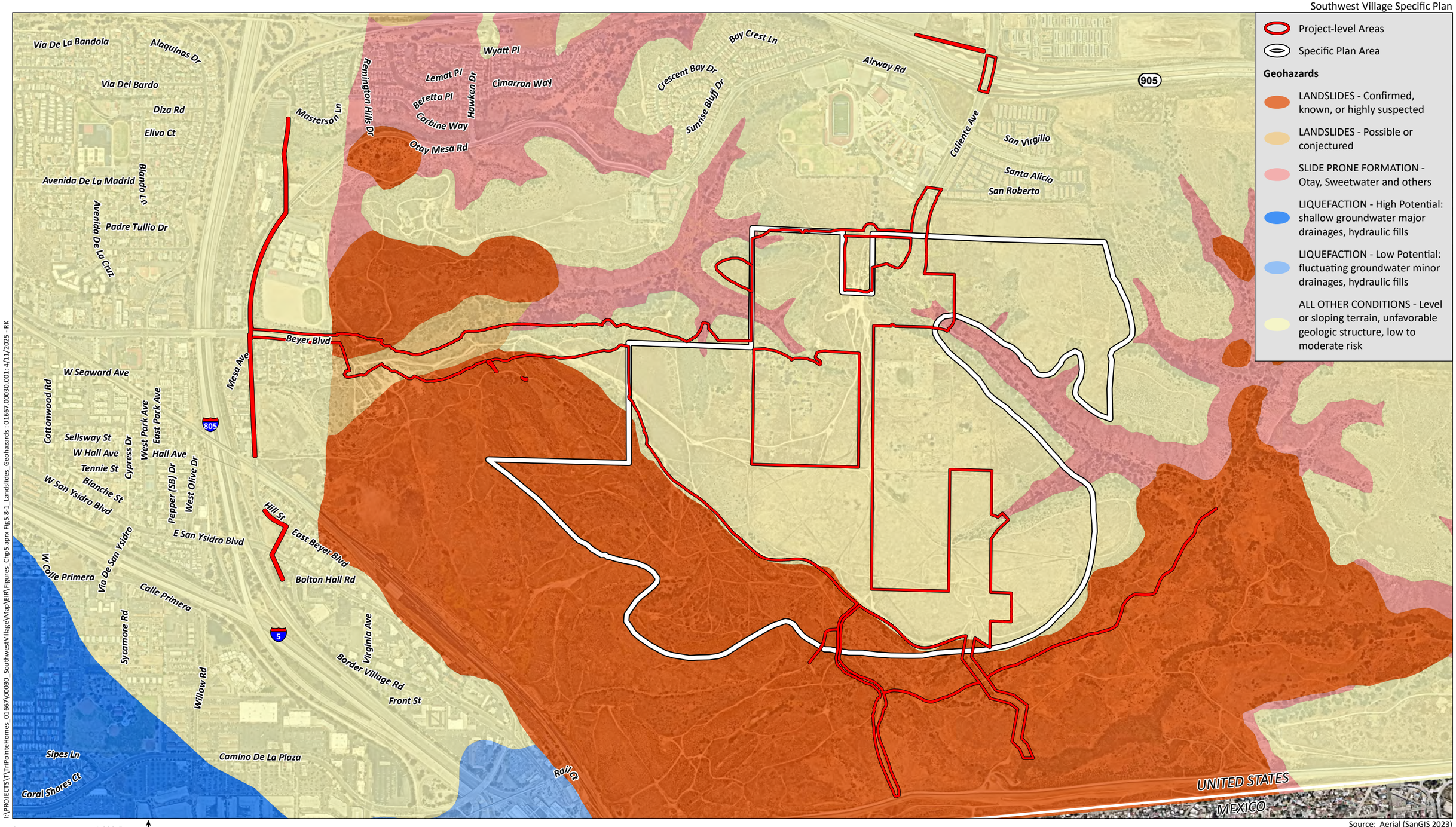
### b. Project-level

Project-level impacts would be less than significant; therefore, no mitigation is required.

## 5.8.4.5 Significance After Mitigation

### a. Program-level

Implementation of SP-GEO-2 would require that future development projects prepare site-specific geotechnical investigations and adhere to the SDMC Grading Regulation and NPDES permit requirements, which would reduce potential significant erosion impacts at the program-level to less than significant.

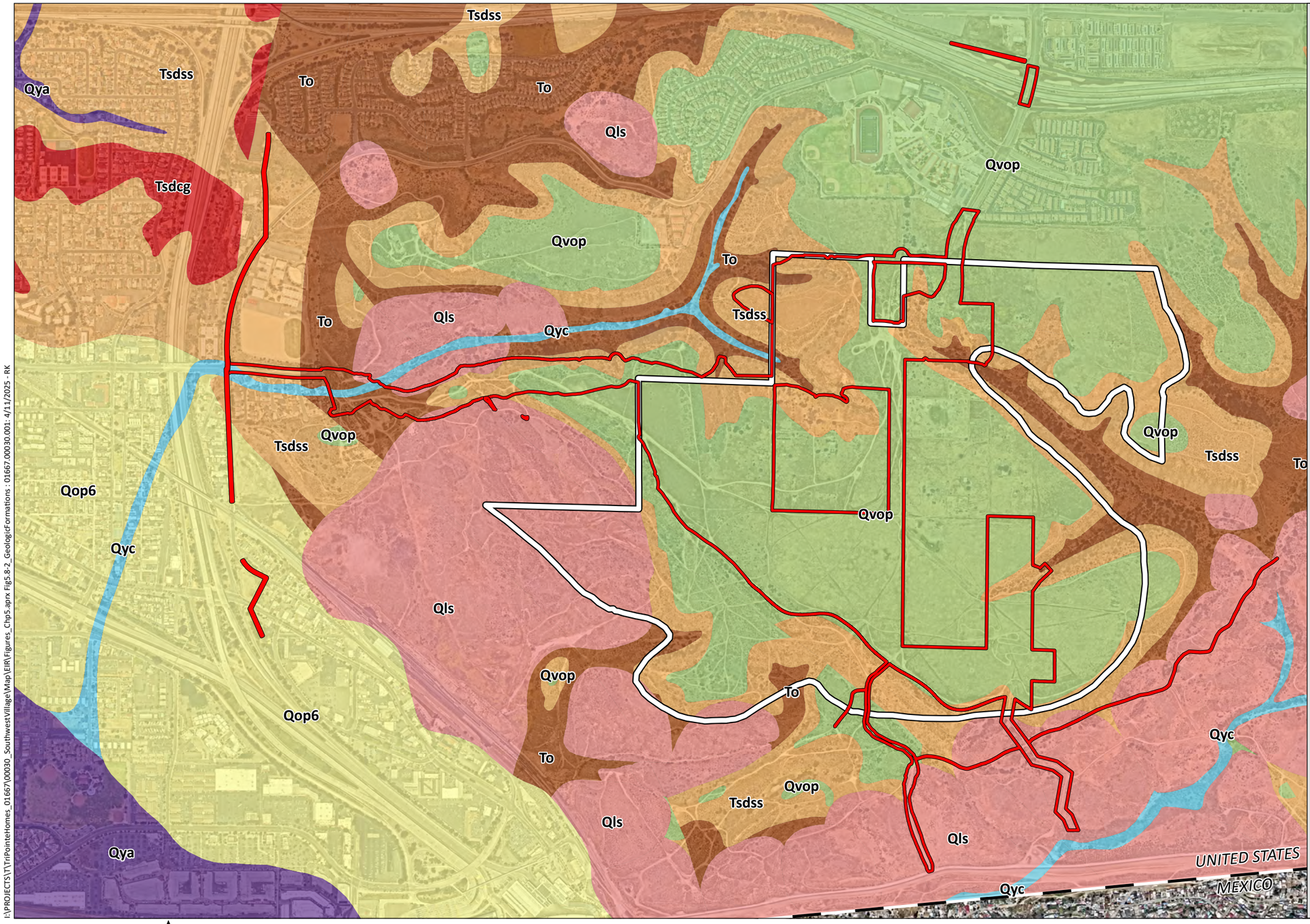



I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5.aprx Fig5.8-1_Landslides_Geohazards : 01667.00030.001: 4/11/2025 - RK

Source: Aerial (SanGIS 2023)

# San Ysidro Landslide and Geohazard Areas

Figure 5.8-1




Project-level Areas

Specific Plan Area

**Geologic Formations**

**Qls** | Landslide Deposits; Highly fragmented to largely coherent landslide deposits. Unconsolidated to moderately well consolidated. Most mapped landslides contain scarp area as well as slide deposit. Many Pleistocene age landslides were reactivated in part or entirely during late Holocene.

**Qop6** | Old paralic deposits; Poorly sorted, moderately permeable, reddish-brown, interfingered strandline, beach, estuarine and colluvial deposits composed of siltstone, sandstone and conglomerate. These deposits rest on the 22-23 m Nestor terrace.

**Qvop** | Very old paralic deposits, undivided; Poorly sorted, moderately permeable, reddish-brown, interfingered strandline, beach, estuarine and colluvial deposits composed of siltstone, sandstone and conglomerate. These deposits rest on the now emergent wave cut abrasion platforms preserved by regional uplift.

**Qya** | Young alluvial flood-plain deposits; Poorly consolidated, poorly sorted, permeable flood-plain deposits of sandy, silty or clay-bearing alluvium.

**Qyc** | Young colluvial deposits; Poorly consolidated and poorly sorted sand and silt slope wash deposits.

**To** | Otay Formation; Light-gray and light-brown, medium- and coarse-grained, nonmarine arkosic sandstone intertongued with light-brown siltstone and light-gray claystone. Much of the claystone is composed of light-gray bentonite that occurs in beds up to 1 m in thickness. A rich vertebrate fossil assemblage from the Otay Formation yields an Arikareean North American mammal "age" (Walsh and Demere, 1991). An 40Ar/39Ar date of 28.86 Ma from a bentonite bed within the upper part of the Otay Formation has been provided by J.D. Obradovich of the U.S. Geological Survey and reported in Berry (1991). Berry (1991) provides an excellent summary of the bentonite clay deposits of the Otay Formation.

**Tsdcg** | San Diego Formation, cobble conglomerate; Reddish-brown, transitional marine and nonmarine pebble and cobble conglomerate of the San Diego Formation.

**Tsdss** | San Diego Formation, marine sandstone; Predominantly yellowish–brown and gray, fine- to medium-grained, poorly indurated fossiliferous marine sandstone of the San Diego Formation.

0 1,000 Feet

Source: Aerial (SanGIS 2023)

I:\PROJECTS\TJ\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5.aprx Fig5.8-2_GeologicFormations : 01667.00030.001: 4/11/2025 - RK

# Soils and Geologic Formations

Figure 5.8-2

Southwest Village Specific Plan

Project-level Areas
Specific Plan Area
Fault Line

Rose Canyon fault
San Ysidro fault zone
La Nacion fault zone
La Nacion fault
La Nacion fault zone
San Ysidro fault zone
unnamed fault
unnamed fault
unnamed fault
UNITED STATES
MEXICO

0 3,000 Feet

Source: Aerial (Esri2024)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp5.aprx Fig5.8-3_ActiveFaults : 01667.00030.001: 1/16/2025 - RK

# Active Fault Locations

Figure 5.8-3

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# 5.9 Energy Conservation

The information in this section updates the energy conservation information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to energy conservation impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. The energy conservation analysis is based in part on the modeling completed for the Air Quality Analysis (Appendix B-1) and the associated Energy Calculation Worksheets (Appendix B-2).

## 5.9.1 Existing Conditions

As described in the FEIR, natural gas and electricity service in the project area is provided by San Diego Gas and Electric (SDG&E). SDG&E now also delivers electricity generated by San Diego Community Power (SDCP). The updated power content labels from SDG&E and SDCP for the year 2022 are provided in Table 5.9-1, *Power Content Labels*. In 2022, SDG&E procured approximately 44.8 percent of its energy resources from renewable energy sources and SDCP procured approximately 54.2 percent of its energy resources from renewable energy sources, as state requirements for renewable energy procurement have increased since preparation of the FEIR (California Energy Commission [CEC] 2024). Natural gas continues to be imported into Southern California and purchased by SDG&E, as described in the FEIR.

**Table 5.9-1**
**Power Content Labels**

| Energy Source | SDG&E 2022 Power Mix | SDCP 2022 Power Mix |
|---|---|---|
| Eligible Renewable | 44.8% | 54.2% |
| Coal | 0% | 0% |
| Large Hydroelectric | 0% | 12.8% |
| Natural Gas | 54.4% | 0% |
| Nuclear | 0% | 0% |
| Other | 0% | 0% |
| Unspecified Power[1] | 0.8% | 33.1% |
| Total | 100% | 100% |

SDG&E = San Diego Gas and Electric; SDCP = San Diego Community Power

[1] Unspecified power is electricity that has been purchased through open market transactions and is not traceable to a specific generation source.

Source: CEC 2024

## 5.9.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.9.1.2, which included the Federal Energy Policy and Conservation Act and Amendments; Corporate Average Fuel Economy (CAFE) Standards; Energy Independence and Security Act of 2007; State Standards Addressing Vehicular Emissions; California Code of Regulations Title 24, Part 6 California Energy Code; California Code of Regulations Title 24, Part 11 California Green Building Standards Code (CALGreen); Energy Action Plan; and the SDG&E Long-Term Resource Plan. Changes and updates to regulations related to energy conservation that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below.

### 5.9.2.1 Federal

#### a. Corporate Average Fuel Economy Standards

The FEIR described CAFE standards to increase fuel efficiency through the year 2020. Since preparation of the FEIR, the U.S. Environmental Protection Agency (U.S. EPA) and the National Highway Traffic Safety Administration (NHTSA) announced a joint final rule to replace the CAFE Standards and establish a national program consisting of new standards for light-duty vehicles model years 2012 through 2016, with subsequent updates for future model years with increasing fuel efficiency. On June 7, 2024, NHTSA announced a new final CAFE standards rule for passenger cars and light trucks model years 2027-2031, which it estimates will avoid the consumption of approximately 70 billion gallons of gasoline equivalent through 2050 (NHTSA 2024).

### 5.9.2.2 State

#### a. State Standards Addressing Vehicular Emissions

Similar to federal standards for vehicular fuel consumption, state standards and regulations have been updated over time to increase fuel efficiency requirements and decrease fuel consumption for transportation in the state. Recent updates to vehicular emissions standards since Assembly Bill (AB) 1493 (Pavley) in California include the Advanced Clean Cars II regulations and 2020 Mobile Source Strategy. These programs were approved by the California Air Resources Board (CARB) to move the state towards its goal of 100-percent zero-emission vehicle sales for passenger cars, trucks, and SUVs by 2035, thereby reducing the state's reliance on transportation fuels (CARB 2024a; CARB 2024b). President Donald Trump signed a Congressional Review Act resolution on June 12, 2025 to revoke CARB's waivers for Advanced Clean Cars II. California's Attorney General Rob Bonta, along with Governor Gavin Newsom and a coalition of 10 other states, filed a lawsuit the same day on June 12, 2025 against the Trump administration revoking the waivers and the lawsuit is still pending. Newsom also signed Executive Order N-27-25 requiring CARB to develop an Advanced Clean Cars III regulation if the United States District Court upholds revoking Advanced Clean Cars II, Advanced Clean Trucks, and Heavy-Dity Omnibus regulations.

### b. California Code of Regulations Title 24

California Code of Regulations Title 24, Part 6, California Energy Code, and Part 11, CALGreen are updated every 3 years. The currently applicable standards are contained in the 2022 version of Title 24, which became effective January 1, 2023. The next update to these standards will occur in 2025 and become effective January 1, 2026. Each iteration of the California Energy Code and CALGreen increases energy efficiency requirements for new buildings through methods such as building electrification, requirements for electric vehicle parking, water conservation features, and waste management, among others.

## 5.9.3 Issue 1: Energy

*Would the project result in the use of excessive amounts of electricity or fuel and other forms of energy (e.g., natural gas, oil)?*

### 5.9.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to energy conservation are assessed using Appendix F, Energy Conservation, of the CEQA Guidelines. To assure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (see Public Resources Code Section 21100(b)(3)).

Environmental impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.

3. The effects of the project on peak and base period demands for electricity and other forms of energy.

4. The degree to which the project complies with existing energy standards.

5. The effects of the project on energy resources.

6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

## 5.9.3.2 Analysis

### a. Construction-Related Activities

#### *FEIR*

The FEIR noted in Section 5.9.3 that the OMCP could result in an increase in energy resource consumption as a result of construction consistent with the OMCP. The FEIR concluded that implementation of the OMCP would not result in the use of excessive amounts of fuel or other forms of energy during the construction of future projects based on the typical conditions of the OMCP area requiring standard construction equipment. At a minimum, future development would also be required to be implemented in accordance with the City's Construction and Demolition Debris Deposit Ordinance to decrease construction-generated waste. Therefore, future construction implemented in accordance with the OMCP was considered to result in a less than significant energy resources impact.

#### *Program-level*

During construction, energy use would occur in two general categories: fuel use from vehicles used by workers commuting to and from the construction site, and fuel use by vehicles and other equipment associated with construction activities. Fuel consumption associated with construction worker commutes would be similar to other typical commutes in San Diego County (County), and would not result in a wasteful, inefficient, or unnecessary consumption of gasoline or diesel fuel.

Consistent with state requirements, all construction equipment is subject to CARB Tier 3 In-Use Off-Road Diesel Engine Standards. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to five minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment and phases out Tier 1 and 2 equipment (thereby replacing fleets with cleaner equipment), and requires that fleets comply with Best Available Control Technology requirements. Additionally, construction activities would be temporary and short-term and would adhere to construction best management practices to limit fuel consumption. There are no known conditions in the program-level area that would require nonstandard equipment or construction practices that would increase fuel-energy consumption above typical rates.

#### *Project-level*

The Air Quality Analysis and associated Energy Calculation Worksheets prepared for the project-level components assessed fuel consumption associated with on-road worker, hauling, and delivery trips using CARB's EMission FACtor (EMFAC) 2017 fuel consumption rates (see Appendices B-1 and B-2). Energy use associated with construction in the project-level area was also calculated as part of this modeling. Consistent with the program-level analysis above, there are no known conditions in the project-level area that would require nonstandard equipment or construction practices that would increase fuel energy consumption above typical rates.

Fuel consumption associated with construction worker commute for project-level area construction would be similar to other typical commutes in the County, and would not result in a wasteful, inefficient, or unnecessary consumption of gasoline or diesel fuel. The project would result in the use of approximately 130,660 gallons of fuel (gasoline), approximately 8,686 gallons of fuel (diesel), and approximately 71,788 kilowatt hours (kWh) of electricity during project-level construction associated with vendor trips, hauling trips, and commute trips for construction workers. Project construction would include the use of tractors/loaders/backhoes, dozers, excavators, scrapers, cranes, forklifts, generators, welders, pavers, rollers, paving equipment, and air compressors. Operation of this construction equipment is required for site grading and earthmoving, trenching, asphalt paving, and other construction activities. The project would result in the use of approximately 184,367 gallons of fuel for the operation of off-road construction equipment to complete site preparation, grading, building construction, paving, architectural coatings. As described above, construction equipment use would be required to occur in compliance with the CARB Tier 3 In-Use Off-Road Diesel Engine Standards. Because fuel use and electricity use to complete these construction phases is necessary for implementation of the project-level components, would be typical of similar construction projects, and would comply with applicable regulations, it is not considered to be a wasteful, inefficient, or unnecessary use of energy resources.

## b. Long-Term Operational Activities

### *FEIR*

The FEIR noted in Section 5.9.3 that the OMCP is projected to result in an increase in both population and energy consumption as compared to existing conditions and would contribute to a citywide cumulative increase in demand for electricity, natural gas, and transportation fuels. At a minimum, future development implemented in accordance with the OMCP would be required to meet the mandatory energy standards of the current California Energy Code (Title 24 Building Energy Standards of the California Code of Regulations). Implementation of the OMCP was not anticipated to result in a need for new electrical systems or require substantial alteration of existing utilities, which would create physical impacts. Based on the analysis in the FEIR, state and local mandates for energy conservation, and the energy reduction measures set forth in OMCP policies, impacts associated with energy use were found to be less than significant. Therefore, through adherence to energy policies contained within state regulations and the OMCP, future development implemented in accordance with the OMCP would not contribute to a cumulatively considerable increase in energy related impacts.

### *Program-level*

Consistent with the analysis conducted in the FEIR, anticipated impacts to energy resources are based on planned growth within future development phases within the project area. Energy use would be associated with transportation-related fuel use and building-related energy use.

#### Transportation-Related Energy Use

Vehicle fuel consumption was modeled using EMFAC 2021 emissions inventory information (see Appendix B-2) using 57,225 average daily trips (ADT) for full buildout of the Southwest Village Specific Plan (Specific Plan), and fuel efficiency standards for the year 2025. Trips by individuals traveling to

and from the project site would result from use of passenger vehicles. The pump stations would also require periodic vehicle trips associated with maintenance; however, these would be minimal. Vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Based on California Emissions Estimator Model (CalEEMod) default trip lengths, the Specific Plan would generate approximately 142,760,674 vehicle miles travelled (VMT) annually. The Specific Plan would therefore result in the use of approximately 5.6 million gallons of fuel (gasoline), approximately 208,573 gallons of fuel (diesel), and approximately 2.5 million kWh of electricity during the operations phase associated with trips from vehicles. While the FEIR did not quantify energy consumption for anticipated vehicle trips, the proposed Specific Plan would result in a decrease of approximately 7,143~~68~~ ADT from what was anticipated in the FEIR for the Specific Plan area. As such, it can be assumed that fuel and electricity consumption related to vehicle trips would decrease from that anticipated in the FEIR.

There is no component of the Specific Plan that would result in unusually high vehicle fuel use during operation. 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.

Additionally, implementation of the proposed project would provide housing in a mixed-use village, incorporate affordable housing, and provide pedestrian and bicycle network improvements, as anticipated in the FEIR. Implementation of the Specific Plan would also include the construction of planned bicycle facilities and a future transit node within the center of the Southwest Village. The grid street network, combined with facilities supporting bicycle, pedestrian, and transit use, are designed to support non-vehicular modes of travel. A trail network, both within and surrounding the Specific Plan area, and various pedestrian and trail connections to proposed parks within the Southwest Village, would support non-vehicular travel. Adherence to the Specific Plan policies associated with enhancing walkability throughout the Specific Plan area would likely reduce the estimated daily vehicle trips, thereby reducing transportation fuel consumption.

Therefore, operation of development within the Specific Plan area would not create a land use pattern that would result in wasteful, inefficient, or unnecessary use of energy for transportation, and would decrease transportation-related energy demands from what was anticipated in the FEIR.

**Non-Transportation-Related Energy Use**

Consistent with the analysis in the FEIR, anticipated impacts to energy resources are based on planned growth within future development phases within the project area. The increase in demand for gas and electricity by the program-level components would contribute to a citywide cumulative increase in demand for both electricity and natural gas. However, the proposed Specific Plan would decrease the number of new residential units created in the Specific Plan area from the OMCP and the resulting energy demand would decrease. In addition, future energy demand would be expected to result in fewer greenhouse gas (GHG) emissions as utility providers strive towards statewide renewable energy goals in accordance with Senate Bill (SB) 350 and SB 100. The Specific Plan area would be served by SDG&E, which has already achieved a 44.8 percent renewables mix for electricity, and is working towards state and regional goals to reach net-zero emissions by 2045 (CEC 2024). Energy use associated with the project was calculated as part of the air quality and GHG emissions modeling detailed in Sections 5.3, *Air Quality*, and 5.18, *Greenhouse Gas Emissions*, and in

Appendices B-1 and N. The program-level components would result in the use of approximately 22.5 million kWh per year in electricity and approximately 62.9 million kilo-British thermal units (kBTU) of natural gas per year (Appendix B-1, Attachment 1). Given the decrease in residential units proposed and the increasing energy efficiency standards discussed below; this represents a decrease in energy demand compared to the FEIR analysis of the Specific Plan area.

Future implementing projects would be required to meet mandatory energy standards in accordance with the version of the Title 24 Energy Code that is in effect at the time building permits are issued. The current versions are the 2022 Energy Code and the 2022 CALGreen. Title 24 is updated periodically, and each version of the Energy Code results in greater energy efficiency. The 2022 Energy Code increases on-site renewable energy generation from solar by requiring buildings to install solar energy systems (unless a CEC-approved exemption applies), increases electric load flexibility to support grid reliability, reduces emissions from newly constructed buildings, reduces air pollution for improved public health, and encourages the adoption of environmentally beneficial efficient electric technologies. New construction and major renovations must demonstrate their compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The 2022 CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of non-residential and residential structures. Local jurisdictions must enforce the minimum mandatory CALGreen Standards and may adopt additional amendments for stricter requirements. The mandatory measures are related to planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. In summary, implementation of the program-level components would not result in the use of excessive amounts of fuel or other forms of energy associated with long-term operations.

## *Project-level*

During operations, energy use for project-level components would be associated with transportation-related fuel use (gasoline, diesel fuel, and electric vehicles), and building-related energy use (electricity and natural gas).

### Transportation-Related Energy Use

Buildout of the project-level areas and occupation by residents would result in transportation energy usage via passenger vehicles or public transit. Passenger vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Public transit would be powered by diesel or natural gas and could potentially be fueled by electricity. Anticipated fuel consumption was calculated using fuel efficiency rates from EMFAC, as shown in the Energy Calculation Worksheets (see Appendix B-2). Based on CalEEMod default trip lengths, the project-level components would generate 20,451,590 VMT annually (Appendix B-1, Attachment 1). The project would result in the use of approximately 802,377 gallons of fuel (gasoline), approximately 29,880 gallons of fuel (diesel), and approximately 364,927 kWh of electricity during the operations phase of the project-level components associated with trips from vehicles.

Fuel consumption is anticipated to decline over time beyond the initial operational year of the project-level components because of the continued implementation of increased federal and state vehicle efficiency standards. No component of the project-level development would result in

unusually high vehicle fuel usage during operations. Therefore, operation of the project would not create a land use pattern that would result in wasteful, inefficient, or unnecessary use of energy for transportation.

**Non-Transportation-Related Energy Use**

Non-transportation energy usage would be associated with electricity and natural gas usage during operations. Once operational, the project-level components would use electricity and natural gas to run various appliances and equipment, including space and water heaters, air conditioners, ventilation equipment, lights, and numerous other devices. In addition, other energy usage would include energy to operate the pump stations and area sources such as landscape equipment. The project-level components would result in the use of approximately 3.6 million kWh per year in electricity and 9.8 million kBTU of natural gas per year (Appendix B-1, Attachment 2).

The project-level components would be constructed in accordance with the Energy Code and CALGreen standards in effect at the time of building permit issuance. The project-level components would be required to meet the mandatory energy requirements of CALGreen and the Energy Code (Title 24, Part 6 of the California Code of Regulations) and would benefit from the efficiencies associated with these regulations as they relate to building heating, ventilating, and air conditioning mechanical systems, water-heating systems, and lighting. Therefore, operation of the project-level components would not result in wasteful, inefficient, or unnecessary use of energy resources.

## 5.9.3.3 Significance of Impacts

## a. Construction-Related Activities

### *Program-level*

Construction in the program-level components would not result in the use of excessive amounts of fuel or other forms of energy and construction-related impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### *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 construction-related impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## b. Long-Term Operational Activities

### *Program-level*

**Transportation-Related Energy Use**

Implementation of the proposed Specific Plan would decrease ADT associated with the Specific Plan area analyzed in the FEIR and would not result in a land use plan that leads to the wasteful, inefficient, or unnecessary use of energy resources for transportation. Impacts for the program-level components would be less than significant, consistent with the impact conclusions of the FEIR.

#### Non-Transportation-Related Energy Use

The program-level components would be subject to applicable energy efficiency regulations related to building energy use and would not result in the use of excessive amounts of fuel or other forms of energy associated with long-term operations. The Specific Plan policy framework would support efficient use of energy and operational energy impacts associated with implementation of the program-level components would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

#### Transportation-Related Energy Use

The project-level components would not result in a land use plan that leads to the wasteful, inefficient, or unnecessary use of energy resources for transportation. Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

#### Non-Transportation-Related Energy Use

Project-level components would be subject to applicable energy efficiency regulations related to building energy use. Impacts associated with implementation of the project-level components would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.9.3.4 Mitigation, Monitoring, and Reporting

## a. Construction-Related Activities

### *Program-level*

Construction-period impacts related to energy resources would be less than significant; therefore, no mitigation is required.

### *Project-level*

Construction-period impacts related to energy resources would be less than significant; therefore, no mitigation is required.

## b. Long-Term Operational Activities

### *Program-level*

#### Transportation-Related Energy Use

Operation-period impacts related to energy resources for transportation would be less than significant; therefore, no mitigation is required.

#### Non-Transportation-Related Energy Use

Operation-period impacts related to energy resources for non-transportation sources would be less than significant; therefore, no mitigation is required.

## *Project-level*

### Transportation-Related Energy Use

Operation-period impacts related to energy resources for transportation would be less than significant; therefore, no mitigation is required.

### Non-Transportation-Related Energy Use

Operation-period impacts related to energy resources for non-transportation sources would be less than significant; therefore, no mitigation is required.

# 5.10 Noise

The information in this section updates the noise information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to noise impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. The noise analysis in this section is based on the project's Noise Analysis (Appendix I).

## 5.10.1 Existing Conditions

As discussed in FEIR Section 5.10.1.2, the OMCP area is subject to noise sources including vehicular traffic on local roads; vehicular traffic on Interstate 805 (I-805); aircraft from Brown Field and General Abelardo L. Rodriguez International Airport in Tijuana; and industrial and commercial activities, including associated truck traffic. The project area continues to be subject to these noise sources; however, updated ambient noise measurements have been taken to establish existing conditions for the analysis in this Subsequent Environmental Impact Report (SEIR).

### 5.10.1.1 Noise Definitions

Noise level or sound level values presented in the following analysis are expressed in terms of decibels (dB), with A-weighting (dB[A]) to approximate the hearing sensitivity of humans. The hourly equivalent sound level ($L_{eq}$) is the average dB(A) sound level over a 1-hour period, unless another time period is specified. The community noise equivalent level (CNEL) is a 24-hour dB(A) $L_{eq}$ from midnight to midnight obtained after the addition of 5 dB to sound levels occurring between 7:00 p.m. and 10:00 p.m. and of 10 dB to sound levels occurring between 10:00 p.m. and 7:00 a.m. Adding 5 dB and 10 dB to the evening and nighttime hours, respectively, accounts for the added sensitivity of humans to noise during these periods. These metrics are used to express noise levels for both measurements and municipal regulations, for land use guidelines, and for enforcement of noise ordinances.

### 5.10.1.2 Ambient Noise Measurements

As detailed in the Noise Analysis for the project (Appendix I), noise measurements were taken to obtain typical ambient noise levels at the project site and in the vicinity, and the results are provided in Table 5.10-1, *Noise Measurements*. The sources of noise addressed for the project area are generally consistent with the sources noted within the FEIR, including aircraft and vehicular traffic from I-805 and State Route 905 (SR-905) that was audible in the distance. Other sources of noise identified in the Noise Analysis include bird vocalization. The average measured noise level during Measurement 1 was 49.9 dB(A) $L_{eq}$ and the average measured noise level during Measurement 2 was 50.5 dB(A) $L_{eq}$.

**Table 5.10-1**
**Noise Measurements**

| Measurement | Time | Noise Source | dB(A) $L_{eq}$ |
|---|---|---|---|
| 1 | 8:07 a.m. – 8:50 a.m. | Aircraft, distant vehicle traffic, and bird vocalizations | 49.9 |
| 2 | 9:19 a.m. – 10:35 a.m. | | 50.5 |

dB(A) = A-weighted decibel; $L_{eq}$ = one-hour equivalent noise level
Source: Appendix I.
NOTE: Noise measurement data is contained in Attachment 1 of Appendix I.

### 5.10.1.3 Airport Noise

As described in the FEIR, the OMCP area includes Brown Field Municipal Airport. As shown in Figure 5.1-1, *Airport Compatibility Zones*, the Specific Plan area is located outside the 60 CNEL noise contours for the Brown Field Airport established in the Brown Field Municipal Airport Land Use Compatibility Plan (ALUCP; San Diego County Regional Airport Authority 2010) and outside of the 65 CNEL noise contours for the Tijuana International Airport provided in the FEIR.

The Brown Field ALUCP includes overflight notification areas that apply to new residential development (within Influence Area 1 shown in Figure 5.1-1). Given that sensitivity to aircraft overflights varies from one person to another, the purpose of overflight compatibility policies is to help notify people about the presence of overflights near airports so that they can make informed decisions regarding acquisition or leasing of property in the affected areas. In addition, noise from aircraft overflights, especially by comparatively loud aircraft, can be intrusive and annoying in locations beyond the limits of the mapped noise contours. However, the Specific Plan area is not located within the overflight area.

## 5.10.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.10.1.1, which included the City of San Diego (City) Construction Noise Standards; City General Plan (2008); City of San Diego Municipal Code (SDMC) Property Line Limits; Interior Noise Standards of the City; and Interior Noise Standards in the California Code of Regulations (Title 24). Changes and updates to regulations related to noise that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below.

### 5.10.2.1 State

### a. California Code of Regulations

#### *Non-residential Interior Noise Standards*

For non-residential structures, Title 24, Chapter 12, Section 1207.5 refers to 2022 California Green Building Standards, Chapter 5 – Nonresidential Mandatory Measures, Division 5.5 – Environmental Quality, Section 5.507 – Environmental Comfort, Subsection 5.507.4 – Acoustical Control. Pursuant to these standards, all non-residential building construction shall employ building assemblies and components that achieve a composite sound transmission class rating of at least 50 or shall

otherwise demonstrate that exterior noise shall not result in interior noise environment where noise levels exceed 50 dB(A) $L_{eq}$ in occupied areas during any hour of operation (24 California Code of Regulations 1207.5).

## 5.10.2.2 Local

## a. City of San Diego General Plan (2024)

### *Noise Element*

The Noise Element of the City's General Plan (2024) was updated in 2024 and specifies compatibility standards for different land use categories. This regulation is included and assessed for consistency in Section 5.1, *Land Use*. Additional applicable Noise Element policies that were not covered in the FEIR consistency analysis (see FEIR Table 5.1-9) with respect to the project are as follows:

- **Policy NE-B.3**. Require noise reducing site design, and/or traffic control measures for new development in areas of high noise to ensure that the mitigated levels meet acceptable decibel limits.

- **Policy NE-B.4**. Require new development to provide facilities which support the use of alternative transportation modes such as walking/rolling, bicycling, carpooling and, where applicable, transit to reduce peak-hour traffic.

- **Policy NE-B.7**. Promote the use of berms, landscaping, setbacks, and architectural design where appropriate and effective, rather than conventional wall barriers to enhance aesthetics.

## b. City of San Diego Municipal Code

### *On-Site Generated Noise*

The FEIR notes that sound level limits are established in Section 59.5.0101 et seq. of the SDMC but does not specify such limits. Section 59.5.0401 of the City's Noise Abatement and Control Ordinance (Article 9.5 Noise Abatement and Control) states that:

A. It shall be unlawful for any person to cause noise by any means to the extent that the one-hour average sound level exceeds the applicable limit.

B. The sound level limit at a location on a boundary between two zoning districts is the arithmetic mean of the respective limits for the two districts.

The applicable noise limits of the City's Noise Abatement and Control Ordinance are summarized in Table 5.10-2, *Noise Abatement and Control Ordinance Applicable Noise Level Limits*.

**Table 5.10-2**
**Noise Abatement and Control Ordinance Applicable Noise Level Limits**

| Land Use | Time of Day | One-Hour Average Sound Level [dB(A) $L_{eq}$] |
|---|---|---|
| Single-family Residential | 7:00 a.m. to 7:00 p.m.<br>7:00 p.m. to 10:00 p.m.<br>10:00 p.m. to 7:00 a.m. | 50<br>45<br>40 |
| Multi-family Residential (up to a maximum density of 1 unit/2,000 square feet) | 7:00 a.m. to 7:00 p.m.<br>7:00 p.m. to 10:00 p.m.<br>10:00 p.m. to 7:00 a.m. | 55<br>50<br>45 |
| All other Residential | 7:00 a.m. to 7:00 p.m.<br>7:00 p.m. to 10:00 p.m.<br>10:00 p.m. to 7:00 a.m. | 60<br>55<br>50 |
| Commercial | 7:00 a.m. to 7:00 p.m.<br>7:00 p.m. to 10:00 p.m.<br>10:00 p.m. to 7:00 a.m. | 65<br>60<br>60 |
| Industrial or Agricultural | Anytime | 75 |

dB(A) $L_{eq}$ = A-weighted decibels equivalent noise level
Source: City of San Diego Noise Abatement and Control Ordinance Section 59.5.0401.

### c. MSCP Subarea Plan

The Multiple Species Conservation Program (MSCP) is described in Section 5.4.2.1 of the FEIR. The MSCP is implemented in the City through the City's MSCP Subarea Plan (City 1997). The City's MSCP Subarea Plan identifies lands designated as Multi-Habitat Planning Area (MHPA), which is a "hard-line" preserve developed by the City in cooperation with the wildlife agencies, developers, property owners, and various environmental groups. Within the MHPA, biological core resource areas and corridors targeted for conservation are identified and discussed, in which development restrictions may occur. Development adjacent to MHPA is subject to the City's Land Use Adjacency Guidelines, which include minimizing noise impacts to the MHPA as well as control of noise during the breeding season of sensitive species. MHPA lands are located within and adjacent to the Specific Plan area and portions of the proposed Beyer Boulevard Extension.

## 5.10.3 Issue 1: Traffic Generation Noise Impacts

*Would the project result in a significant increase in the existing ambient noise level?*

### 5.10.3.1 Significance Thresholds

Consistent with the FEIR, noise impacts would be significant if the project would:

- Result in the exposure of people to current or future transportation noise levels that would exceed standards established in the Transportation Element of the General Plan and land use compatibility guidelines in the Brown Field ALUCP.

It is noted that the City's Noise Compatibility Guidelines referenced in this threshold have been moved from the Transportation Element to the Noise Element of the General Plan (refer to SEIR Table 5.1-1, *City of San Diego Land Use – Noise Compatibility Guidelines*). In addition, the City's 2022 CEQA Significance Determination Thresholds note that where traffic noise is currently at or exceeds the applicable thresholds and a project would result in less than a 3 dB increase, the impact is not considered significant. As roads in the Specific Plan area do not currently exist, this 3 dB increase threshold applies only to the off-site vehicle traffic noise analysis below.

The City's Noise Element of the General Plan specifies compatibility standards for different land use categories. To evaluate noise compatibility, the Noise Element establishes noise compatibility guidelines for uses affected by traffic noise, as shown in Table 5.1-1. Based on these standards, where noise levels exceed the "conditionally compatible" levels, noise mitigation measures should be analyzed to reduce noise levels at the proposed land uses. Where noise levels are within the "conditionally compatible" range, building structures should be analyzed to determine if they would attenuate exterior noise levels to the interior noise level standards.

## 5.10.3.2 Analysis

The analysis of the potential ambient noise level impacts on the project site from traffic generation related to implementation of program-level and project-level components is included in Section 5.1, *Land Use*, under the analysis of Issue 1: Land Use Plan Conflicts. As noted in that analysis, the project site currently experiences noise levels ranging from 49.9 dB(A) to 50.5 dB(A), with noise in the vicinity primarily generated from distant vehicle traffic, bird vocalizations, and aircraft. The analysis below provides a summary of the Noise Analysis (see Appendix I) and as summarized in Issue 1 of Section 5.1, *Land Use*, of this SEIR.

## a. On-Site Noise Compatibility

### *FEIR*

#### Exterior Noise

The FEIR noted that traffic noise levels associated with the buildout of the OMCP would result in potentially significant impacts, as noise sensitive land uses were proposed in areas where exterior noise levels would exceed the noise and land use compatibility standards established in Table N-3 of the General Plan. As shown in Figure 5.10-3 of the FEIR, traffic noise levels at existing and proposed residential land uses would exceed the City's compatibility thresholds at some locations; however, noise levels would be within the conditionally compatible range for the majority of locations. It is noted that buildings, walls, and other barriers would impede the direct line of sight between the roadway and receptor in some cases, and reduce actual noise levels at the receiver; however, this could not be quantified in the FEIR at the program level considering the lack of specific information such as building and wall locations and materials.

The greatest concentration of residential uses within the 66–70 CNEL noise level range (outside of the limits of compatibility) were identified as areas south of Airway Road, and west and east of Caliente Avenue. Existing and proposed residential land uses were also identified in some OMCP areas where traffic noise levels would exceed 70 CNEL. Impacts were identified as potentially

significant. While the existing regulatory framework was anticipated to provide for the maximum practical noise abatement at the project level, the FEIR could not guarantee that future land uses would not expose existing uses to noise levels in excess of City standards. FEIR Mitigation Framework NOI-1 identified a requirement for future exterior noise analysis at the project level to demonstrate noise compatibility or recommend enhancements/site design changes to achieve compliance. However, the FEIR could not ensure this mitigation framework would reduce impacts below a level of significance and impacts were considered significant and unavoidable.

**Interior Noise**

As described above, noise levels at planned residential land use locations would exceed the City's compatibility criteria in some locations; therefore, it could not be ensured that interior noise levels would be adequately attenuated and impacts were considered potentially significant. The FEIR noted that traffic noise effects on interior noise levels at existing residences from projects implemented in accordance with the OMCP would also be potentially significant. This would be particularly apparent in the western portion of the OMCP area along the I-805 and SR-905, where project traffic noise would exceed the exterior noise level threshold and would potentially result in interior noise levels in existing residences exceeding applicable standards. FEIR Mitigation Framework NOI-2 identified a requirement for future interior noise analysis at the project level to demonstrate compliance with interior noise standards. However, no mitigation was available to reduce impacts to existing residences below a level of significance and impacts were considered significant and unavoidable.

## *Program-level*

**Exterior Noise**

The traffic impact analysis prepared for the Specific Plan provides buildout year with project traffic volumes for Beyer Boulevard, Caliente Avenue, and all on-site roadways. It is noted that the project also proposes bicycle lanes, pedestrian facilities, and a mobility hub as part of the project design to encourage the reduction of personal vehicles on the roadways, which could reduce peak-hour traffic-related noises, consistent with Noise Element Policy NE-B.4. However, these future traffic volumes were used to conservatively model traffic noise levels on the project site for those roadways, without taking into account grading, topography, or shielding. Future freeway traffic volumes for I-805 and SR-905 were obtained from the FEIR. Specific Plan noise compatibility is summarized in Table 5.1-3, *Specific Plan Noise Compatibility Impacts*.

*Residential Uses*

Multi-family detached residential units, evaluated as single-family residential uses, would be constructed in program-level areas designated medium-low density residential (Planning Area [PA] 15, PA 18, PA 20, and PA 21). Noise levels would be 60 CNEL or less at each of these PAs and single-family residential development would be compatible with the anticipated noise environment.

Multi-family attached residential uses would be constructed in program-level areas designated medium-density residential (PA 1, PA 4 through PA 7, PA 19, and PA 22) and mixed-use (PA 24 through PA 27). As shown on Figure 5.1-2, *Specific Plan Vehicle Traffic Noise Contours*, flat-site, ground-floor noise levels would exceed 70 CNEL (outside of conditionally compatible range) only at the very edges of PA 26 and PA 27 closest to Beyer Boulevard.

PA 1, PA 7, PA 26, and PA 27 ground-floor noise levels would exceed 70~~65~~ CNEL (outside of conditionally compatible range) only at the portions of PAs closest to Beyer Boulevard and Caliente Avenue. Should ground floor exterior use areas and second- or third-floor balconies facing Beyer Boulevard and Caliente Avenue be included in future multi-family project designs, it is possible that these exterior use areas and balconies would be exposed to noise levels above 70 CNEL (outside the conditionally compatible range) due to their elevated exposure compared to the Specific Plan roadways.

This is consistent with the FEIR, which noted that traffic noise levels at existing and proposed residential land uses would exceed the City's compatibility thresholds for most residential land uses; however, noise levels would be within the conditionally compatible range for the majority of locations.

*Commercial/Retail Uses*

Noise levels at PA 24 through PA 27 would exceed 65 CNEL within 100 feet of Beyer Boulevard and South Caliente Avenue, but would not exceed 75 CNEL (incompatible level for commercial services). Therefore, exterior noise at retail uses would be compatible.

*Schools*

As noted in Chapter 3.0, *Project Description*, two potential sites for schools have been proposed as part of the project depending on the needs of the school districts. PA 16 has been designated as the primary school site while PA 7 has a school overlay to identify where a second optional school could potentially be sited. Should the future site design for the school place exterior use areas or classrooms within 50 feet of Caliente Avenue, exterior noise from vehicle traffic at the PA 7 school would be potentially incompatible. However, noise levels would be 60 CNEL or less at PA 16; thus, exterior noise at the school site at PA 16 would be compatible.

*Parks*

Parks would be constructed at PA 2, PA 3, and PA 17. Additionally, pocket parks would be located throughout the Specific Plan within the program-level areas. Based on the modeling completed for the project, noise levels would not exceed the compatibility standard of 70 CNEL at any of the planned park areas.

*Open Space*

Land uses surrounding the program-level development area include MHPA and Vernal Pool Habitat Conservation Plan (VPHCP) conserved lands and a variety of sensitive habitat types. Indirect traffic noise impacts to habitat for sensitive wildlife species are discussed in Section 5.4, *Biological Resources*, for the program-level components and are not analyzed further in this section, which focuses on the land use compatibility criteria for open space. Vehicle traffic noise with buildout of the Specific Plan would not exceed 60 CNEL within the surrounding open space, with the exception of limited areas along the Beyer Boulevard alignment and near the Caliente Avenue extension within the project-level area, which are discussed below under the project-level analysis. Vehicle traffic noise in open space areas surrounding the program-level components would be compatible.

**Interior Noise**

As noted in Table 5.10-2, the interior noise level standard for residential uses is 45 CNEL. Exterior noise levels are projected to exceed 65 CNEL only at those areas closest to Beyer Boulevard and Caliente Avenue within PA 1, PA 7, PA 26, and PA 27 as noted above. A noise reduction of 25 to 30 dB would be required to achieve an interior noise level of 45 CNEL or less. As noted in the Noise Analysis (Appendix I), according to the Federal Highway Administration's Highway Traffic Noise Analysis and Abatement Guidance, buildings with masonry façades and double-glazed windows are estimated to provide a noise level reduction of 35 dB, while light-frame structures with double-glazed windows may provide noise level reductions of 20 to 25 dB. Conservatively assuming an exterior-to-interior noise reduction of 20 dB(A), interior noise levels would be reduced to 45 CNEL or less in areas that are exposed to exterior noise levels of 65 CNEL or less with implementation of standard construction techniques. Where proposed residential land uses would be exposed to noise levels above 65 CNEL (along Beyer Boulevard and Caliente Avenue within PA 1, PA 7, PA 26, and PA 27), additional analysis and enhanced building materials would be required to reduce interior noise levels below 45 CNEL.

## *Project-level*

**Exterior Noise**

Consistent with FEIR Mitigation Framework NOI-1, a site-specific exterior noise analysis was completed as part of this project-level analysis to assess whether the proposed project-level components would place residential receptors in locations where the existing or future exterior noise levels would exceed the noise compatibility guidelines~~standards~~ of the City's General Plan. This is detailed below by proposed land uses.

*Residential Uses*

Noise modeling of future vehicle traffic noise levels was completed that considers proposed grading for the proposed project-level residential development area (see Figure 5.1-3, *Project-Level Vehicle Traffic Noise Contours)*. With the incorporation of the 6-foot barrier included as a project design feature (refer to Section 3.6.2.2 and Figure 5.1-4, *Modeled Noise Barriers*) along the southern perimeter of single-family lots closest to Beyer Boulevard, first-floor exterior noise levels would be between 62 and 64 CNEL, which are conditionally compatible noise levels.

For the proposed multi-family uses, exterior noise level modeling incorporated 3.5-foot balcony barriers, which are also project design features (refer to Section 3.6.2.2). With these features, exterior noise levels at balconies facing Caliente Avenue and Beyer Boulevard would be 65 CNEL or less and would, therefore, be compatible for multi-family residential development.

*Commercial/Retail Uses*

No commercial/retail uses are proposed with the project-level components.

*Schools*

No schools are proposed with the project-level components.

*Parks*

The project-level components would provide a series of pocket parks and paseos and a perimeter trail. The proposed pocket parks and paseos would be located between residential buildings, which would provide shielding from the roadway and thus provide noise attenuation effects. The project-level segments of the perimeter trail are located adjacent to PA 9, PA 10, PA 12 and PA 14, in addition to the major east-west primitive trail located south/southeast of the Specific Plan area. Similar to the pocket parks and paseos, the perimeter trail would be located behind the residential buildings, which would provide a shield from the roadway and thus provide noise attenuation effects.

*Open Space*

As noted above, open space areas along Caliente Avenue and Beyer Boulevard would be exposed to noise levels in excess of 60 CNEL. Along the project-level segment of Caliente Avenue sensitive species and/or suitable habitat for sensitive species were not observed during project level surveys, and there are no adjacent MHPA lands; therefore, impacts to sensitive species from transportation noise along Caliente Avenue would not be anticipated. MHPA lands surround the Emergency Vehicle Access Road (EVA Road) that may extend south from Caliente Avenue; however, the road would be used for emergency access only and would be gated to prohibit public vehicular access. The EVA Road would therefore not be a source of transportation noise beyond existing levels except when the roadway is utilized in emergency situations. Noise generated from vehicles during an emergency, including from sirens and horns, is allowed per SDMC Section 59.5.0402, Motor Vehicles.

Operational noise associated with Beyer Boulevard traffic was modeled to identify the post-project noise contours in relation to habitat surrounding the proposed Beyer Boulevard extension. Modeling assumed implementation of the proposed grading and 6-foot-tall masonry wall on the north side of the western extent of the road. A portion of the County of San Diego's Furby North preserve would be subject to noise levels of approximately 60 to 65 CNEL after construction; however, those noise levels are due to vehicle traffic on I-805, not the extension of Beyer Boulevard. The 60 CNEL contour that runs parallel to Beyer Boulevard would be due to vehicle traffic on Beyer Boulevard, and generally would stay within the project-level direct impact area with the exception of an approximately 0.094-acre area of suitable coastal California gnatcatcher habitat and a 0.457-acre area of suitable cactus wren habitat. Indirect effects to coastal California gnatcatcher and cactus wren would occur, as noise levels would exceed 60 dB(A) within the suitable habitat. Refer to Section 5.4.3 for further information regarding noise impacts to sensitive wildlife species.

**Interior Noise**

A preliminary interior noise analysis was completed to assess compliance of the project-level components with the interior noise compatibility guidelines~~standards~~ of the City's General Plan and other applicable regulations for noise-sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines~~standards~~ of the City's General Plan. As described above, conservatively assuming an exterior-to-interior noise reduction of 20 dB(A), interior noise levels would be reduced to 45 CNEL or less in areas that are exposed to exterior noise levels of 65 CNEL or less through standard construction techniques. Exterior noise levels within project-level areas are projected to exceed 65 CNEL only at those areas closest to Beyer Boulevard and Caliente

Avenue within PA 8, PA 10, and PA 11. As shown in Table 5.1-5, *Project-level Future Vehicle Traffic Noise Levels*, with project traffic exterior noise levels at the proposed residential uses would range from 55 to 74 CNEL. As noise level reduction of up to 29 dB(A) would be required to achieve an interior noise level of 45 CNEL (i.e., standard construction would not achieve the noise level reduction required), the project would place residences where traffic on Beyer Boulevard and Caliente Avenue could result in exceedances of the residential interior noise level standard of 45 CNEL.

## b. Off-Site Vehicle Traffic Noise

### *FEIR*

The FEIR concluded that traffic noise effects on existing residences would be significant because traffic noise levels would exceed the applicable standards at existing residences. Due to the fact that these would be older homes that would not have been constructed to achieve current interior noise standards, there is the potential that buildout of the OMCP would result in vehicle traffic that would generate increases in traffic noise levels such that exterior and interior noise standards at these existing residences would be exceeded. The FEIR found that no mitigation is available for traffic noise impacts to existing residences and impacts would remain significant and unavoidable.

### *Program-level*

The Specific Plan would increase traffic volumes on local roadways, which is the primary factor affecting off-site noise levels. The analysis of the increase in off-site vehicle traffic noise levels is based on traffic counts for the year 2018 and the San Diego Association of Governments' future Activity Based Model/2019 Regional Transportation Plan traffic projections which include traffic generated by the Specific Plan. Because these future projections include both project-level and program-level traffic volumes, the analysis of impacts to off-site areas is the same for both the project-level and the program-level.

While changes in noise levels would occur along any roadway where project-related traffic occurs, for noise assessment purposes, noise level increases are assumed to be greatest along roadway segments nearest the Specific Plan area, as these locations would represent the greatest concentration of project-related traffic. Per the City's 2022 CEQA Significance Determination Thresholds, if a land use is currently at or exceeds the significance threshold for traffic noise, then an increase of more than 3 dB is considered significant.

As noted in Table 5.10-3, *Specific Plan Increases in Ambient Vehicle Traffic Noise*, a conservative assessment of traffic noise levels based on the year 2018 and 2050 traffic volumes was completed for multiple segments of key roadways within proximity to the Specific Plan area. It is noted that year 2018 data was considered to provide typical traffic data for the baseline conditions, and the use of 2020 data from the time of Notice of Preparation issuance was considered atypical traffic conditions due to the Covid outbreak conditions. Of the segments determined to result in a 2050 noise level greater than the existing noise level, the contribution of noise by the Specific Plan based on proximity to the Specific Plan area was used as a threshold to determine whether an increase of more than 3 dB would occur. As shown in Table 5.10-3, a significant off-site noise increase would occur at uses located adjacent to the following roadway segments:

- Airway Road between Caliente Avenue and Santa Rosa
- Beyer Boulevard between Alaquinas Drive/Park Avenue and Enright Drive
- Caliente Avenue south of Airway Road
- Center Street between East Beyer Boulevard and San Ysidro Boulevard
- East Beyer Boulevard between Beyer Boulevard and Center Street/Hill Street

**Airway Road**

The existing uses adjacent to the analyzed segment of Airway Road include San Ysidro High School south of the segment from (Old) Otay Mesa Road to Caliente Avenue and multi-family uses south of the segment from Caliente Avenue to Santa Rosa. Additional off-site development is currently proposed in the vicinity, which would contribute to the traffic noise increases along Airway Road in combination with Specific Plan-generated traffic. Noise level increases adjacent to Airway Road between (Old) Otay Mesa Road and Caliente Avenue would exceed 3 dB(A); however, overall exterior noise levels would not exceed the significance threshold of 65 CNEL for schools. Noise level increases east of Caliente Avenue would exceed 3 dB(A) and overall noise levels would exceed 65 CNEL at the residential uses adjacent to this segment.

**Beyer Boulevard**

It was determined that a 3 dB(A) or more noise level increase would occur adjacent to Beyer Boulevard between Alaquinas Drive/Park Avenue and Enright Drive. Residential and commercial uses are currently located adjacent to this segment. However, the segment of Beyer Boulevard east of Enright Drive currently does not exist. Future land uses adjacent to this segment would be a part of the Specific Plan implementation and, therefore, the increase in vehicles would be attributed to the project. It should be noted that the noise environment in the vicinity of this roadway segment is dominated by vehicle traffic noise from I-805; thus, a portion of the 4.9 dB(A) vehicular noise increase is attributed to cumulative traffic along I-805 rather than Beyer Boulevard individually. Nonetheless, the traffic noise increase generated by the Specific Plan is considered to exceed 3 dB(A).

**Caliente Avenue**

Future development is anticipated south of the current terminus of Caliente Avenue including the Candlelight project located just south of the current terminus of Caliente Avenue, and the Southwind project located just south of Candlelight and east of Phase 1 of the Specific Plan. Noise levels due to vehicle traffic on Caliente Avenue would result in a noise increase of more than 3 dB(A) and would exceed the significance threshold of 65 CNEL for schools and residential uses.

**Center Street**

There are existing single-family residences located adjacent to Center Street and noise level increases are anticipated to exceed 3 dB(A). It should be noted that the noise environment in the vicinity of this roadway segment is dominated by cumulative vehicle traffic noise from I-805; thus,

the 3.5 dB(A) noise increase along Center Street is partially attributed to increases in traffic along I-805.

**East Beyer Boulevard**

A portion of the up to 5.3 dB(A) increase along East Beyer Boulevard is attributed to cumulative vehicular traffic noise increases generated on I-805. However, because of noise from I-805, overall noise levels in the vicinity are likely greater than 65 CNEL and there are existing single-family residences located along Center Street and adjacent to East Beyer Boulevard. Although the noise environment in the vicinity is dominated by vehicle traffic on I-805, the Specific Plan would result in more than a 3 dB(A) increase along Center Street and East Beyer Boulevard, and noise levels would exceed 65 CNEL at adjacent residences.

The Specific Plan would generate additional vehicle traffic on the roadway segments described above that would result in traffic noise level increases above the City's thresholds.

## *Project-level*

Since the project-level components would implement a part of the Specific Plan, the program-level analysis above includes impacts associated with off-site project-level traffic noise impacts. Vehicle trips generated by the project-level components would represent a portion of those anticipated under full buildout of the Specific Plan. As such, while the project-level components may not result in substantial noise increases on their own, development of the project-level components would generate vehicle trips contributing to the increased traffic volumes described above, which would exceed the City's thresholds.

**Table 5.10-3**
**Specific Plan Increases in Ambient Vehicle Traffic Noise**
**(CNEL at 50 feet from Centerline)**

| Roadway | Segment | Existing Noise Level | 2050 Noise Level | Increase Over Existing |
|---|---|---|---|---|
| I-805 | North of SR-905 | 84.4 | 84.6 | 0.2 |
| | South of SR-905 | 81.4 | 82.1 | 0.7 |
| SR-905 | West of I-805 | 81.7 | 83.6 | 1.9 |
| | I-805 to Caliente Avenue | 83.8 | 85.3 | 1.5 |
| | East of Caliente Avenue | 83.3 | 84.9 | 1.6 |
| Airway Road | (Old) Otay Mesa Road to Driveway | 58.8 | 64.4 | 5.6 |
| | Driveway to Caliente Avenue | 58.8 | 65.2 | 6.4 |
| | **Caliente Avenue to Santa Rosa** | **57.7** | **66.2** | **8.5** |
| Beyer Boulevard | SR-905 WB Ramp to Centerline of SR-905 | 73.5 | 73.2 | -0.3 |
| | Centerline of SR-905 to SR-905 EB Ramp/Dairy Mary | 73.5 | 73.2 | -0.3 |
| | SR-905 EB Ramp/Dairy Mary to Precision Park Lane | 69.9 | 71.8 | 1.9 |
| | Precision Park Ln to Del Sur Boulevard | 69.9 | 70.7 | 0.8 |
| | Del Sur Boulevard to Driveway | 69.9 | 71.4 | 1.5 |
| | Driveway to Midpoint of South Vista Avenue | 69.9 | 71.8 | 1.9 |

| Roadway | Segment | Existing Noise Level | 2050 Noise Level | Increase Over Existing |
|---|---|---|---|---|
| | Midpoint of South Vista Avenue to Smythe Crossing | 69.9 | 71.8 | 1.9 |
| | Smythe Crossing to Smythe Avenue | 69.9 | 71.7 | 1.8 |
| | Smythe Avenue to Cottonwood Road | 70.6 | 72.9 | 2.3 |
| | Cottonwood Road to Camino de Los Ninos | 70.6 | 72.9 | 2.3 |
| | Camino de Los Ninos to Alaquinas Drive/Park Avenue | 70.6 | 72.8 | 2.2 |
| | **Alaquinas Drive/Park Avenue to (Old) Otay Mesa Road** | **69.3** | **74.2** | **4.9** |
| | **(Old) Otay Mesa Road to Delany Drive** | **59.5** | **75.5** | **16.0** |
| | **Delany Drive to Enright Drive** | **59.5** | **75.4** | **15.9** |
| | **Enright Drive to Caliente Avenue** | **DNE** | **75.4** | **75.4** |
| Caliente Avenue | Otay Mesa Road to SR-905 WB Ramp | 74.3 | 73.5 | -0.8 |
| | SR-905 WB Ramp to SR-905 EB Ramp | 72.6 | 74.7 | 2.1 |
| | **SR-905 EB Ramp to Airway Road** | **70.1** | **75.4** | **5.3** |
| | **Airway Road to Southern Terminus** | **63.2** | **76.2** | **13.0** |
| | **Southern Terminus to Central Avenue** | **63.2** | **72.7** | **9.5** |
| | **Central Avenue to Beyer Boulevard** | **63.2** | **74.7** | **11.5** |
| Center Street | **East Beyer Boulevard to San Ysidro Boulevard** | **61.1** | **64.6** | **3.5** |
| Corporate Center Drive | Progressive Avenue to Otay Mesa Road | 62.4 | 63 | 0.6 |
| Datsun Street | Innovative Drive to Otay Valley Road | 62.6 | 65.2 | 2.6 |
| East Beyer Boulevard | **Beyer Boulevard to Filoi Avenue** | **63.6** | **68.4** | **4.8** |
| | **Filoi Avenue to Center Street/Hill Street** | **63.6** | **68.9** | **5.3** |
| Innovative Drive | Datsun Street to Progressive Avenue | 58.8 | 62 | 3.2 |
| | Progressive Avenue to Otay Mesa Road | 57.5 | 66.4 | 8.9 |
| Ocean View Hills Parkway | Starfish Way/Westport to Sea Drift Way | 70.2 | 70.5 | 0.3 |
| | Sea Drift Way to Del Sol Boulevard | 69.5 | 70.4 | 0.9 |
| | Del Sol Boulevard to Sea Fire Point | 69.1 | 70.1 | 1.0 |
| | Sea Fire Point to Hidden Trails Road | 68.9 | 68.3 | -0.6 |
| | Hidden Trails Road to Otay Mesa Road | 69.7 | 69.5 | -0.2 |
| Otay Mesa Road | Ocean View Hills Parkway to Emerald Crest Court | 72.3 | 73.4 | 1.1 |
| | Emerald Crest Court to Corporate Center Drive | 72.1 | 73.5 | 1.4 |
| | Corporate Center Drive to Innovative Drive | 70.3 | 72.3 | 2.0 |
| | Innovative Drive to Heritage Road | 70.9 | 69.8 | -1.1 |
| Otay Valley Road | Avenida de las Vistas to Datsun Street | 67.8 | 73.2 | 5.4 |
| Progressive Avenue | Corporate Center Drive to Innovative Drive | 56.2 | -- | -- |
| San Ysidro Boulevard | I-805 SB Ramp to I-805 NB Ramp | 68.6 | 68.1 | -0.5 |

CNEL = community noise equivalent level; I-805 = Interstate 805; SR-905 = State Route 905; WB = westbound; NB = northbound; EB = eastbound
Source: Appendix I.
**Bold** = Significant impact; DNE = Does not currently exist

## 5.10.4.3 Significance of Impacts

## a. On-Site Noise Compatibility

### *Program-level*

**Exterior Noise**

*Residential Uses*

Exterior noise levels would be less than 60 CNEL throughout PA 15, PA 18, PA 20, and PA 21 and therefore be less than the City's compatibility standards for single-family residential uses throughout these PAs; therefore, exterior noise impacts at single-family residential uses would be less than significant.

Exterior noise at proposed multi-family ground floor exterior use space and second- or third-floor balconies facing Beyer Boulevard or Caliente Avenue for PA 1, PA 7, PA 26, and PA 27 would exceed 70~~65~~ CNEL in some locations and impacts would be potentially significant. This is consistent with the impact conclusions of the FEIR.

Exterior noise levels at all other multi-family attached PAs would be below the compatibility standard and impacts would be less than significant.

*Schools*

Noise levels would be 60 CNEL or less at PA 16; thus, exterior noise impacts to the school at PA 16 would be less than significant. On-site operational noise compatibility impacts associated with potential development of the optional school site within PA 7 would be significant. If no school is developed within PA 7, the PA would be developed into residential communities, which could be exposed to incompatible noise levels, as described above. As the City does not have land use authority over school development, it cannot be guaranteed that mitigation or project design features would be implemented to reduce exterior noise impacts at a potential future PA 7 school site, thus impacts would be considered significant, consistent with the impact conclusions of the FEIR.

*Commercial/Retail*

Exterior noise levels at all retail/commercial uses throughout the program-level analysis area would be less than the City's compatibility standards, and impacts would be less than significant.

*Parks*

Exterior noise levels at park uses throughout the program-level analysis area would be less than the City's compatibility standards, and impacts would be less than significant.

*Open Space*

With the exception of limited areas along the Beyer Boulevard alignment and near the Caliente Avenue extension within the project-level area, vehicle traffic noise impacts to open space areas

surrounding the program-level components would be less than significant. Noise impacts on cactus wren and coastal California gnatcatcher habitat would be significant. Refer to Section 5.4.3 for further information regarding noise impacts to sensitive species habitat.

**Interior Noise**

Interior noise impacts would be significant in areas where exterior noise exceeds 65 CNEL (areas closest to Beyer Boulevard and Caliente Avenue within PA 1, PA 7, PA 26, and PA 27), resulting in a potentially significant impact, consistent with the impact conclusions of the FEIR.

## *Project-level*

**Exterior Noise**

*Residential Uses*

Exterior noise levels at proposed project-level residences would not exceed the significance threshold of 65 CNEL with the incorporation of identified project design features and impacts would be less than significant. While the FEIR identified significant and unavoidable exterior noise impacts at residential uses, project-level impacts would be less than significant.

*Commercial/Retail Uses*

No commercial/retail uses are proposed with the project-level components. Therefore, there would be no impact.

*Schools*

No school uses are proposed with the project-level components. Therefore, there would be no impact.

*Parks*

As the pocket parks and paseos would be shielded from the roadway by the residential buildings and thus provide noise attenuation, impacts from noise would be less than significant.

*Open Space*

This impact would be significant, as discussed further in Section 5.4.3.2.

**Interior Noise**

Interior noise impacts to residential uses located closest to Beyer Boulevard and Caliente Avenue would be significant.

## b. Off-Site Vehicle Traffic Noise

### *Program-level*

Implementation of the program-level components would result in a significant increase in traffic noise levels above the land use compatibility criteria at uses located adjacent to the following roadway segments:

- Airway Road between Caliente Avenue and Santa Road
- Beyer Boulevard between Alaquinas Drive/Park Avenue and Enright Drive
- Caliente Avenue south of Airway Road
- Center Street between East Beyer Boulevard and San Ysidro Boulevard
- East Beyer Boulevard between Beyer Boulevard and Center Street/Hill Street

As the traffic noise levels generated by Specific Plan buildout along these segments would exceed the City's thresholds, impacts would be potentially significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

Since the project-level components implement a part of the Specific Plan, the analysis above includes impacts associated with off-site project-level noise impacts. These are the same impacts identified above for the program-level components. As discussed, this impact would be significant, consistent with the impact conclusions of the FEIR.

# 5.10.3.4 Mitigation, Monitoring, and Reporting

## a. On-Site Noise Compatibility

### *Program-level*

FEIR Mitigation Framework NOI-1 and NOI-2 would be carried forward as mitigation measures SP-NOS-1 and SP-NOS-2 for future development in the program-level areas.

**SP-NOS-1: Exterior Noise Analysis**

Prior to the issuance of building permits, site-specific exterior noise analyses that demonstrate that the project would not place residential receptors in locations where the exterior existing or future noise levels would exceed the noise compatibility guidelines~~standards~~ of the City's General Plan shall be required as part of the review of future residential development proposals. Noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise

attenuation measures, may be used to achieve the noise compatibility guidelines~~standards~~. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

**SP-NOS-2: Interior Noise Analysis**

Prior to the issuance of building permits, site specific interior noise analyses demonstrating compliance with the interior noise compatibility guidelines~~standards~~ of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines~~standards~~ of the City's General Plan. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing heating, ventilation, and air conditioning (HVAC) in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines~~standards~~. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

See Section 5.1, *Land Use* for mitigation measure SP-LU-1 requiring implementation of the City's MHPA Land Use Adjacency Guidelines.

## *Project-level*

FEIR Mitigation Framework NOI-2 has been revised and applied as project-level mitigation measure PR-NOS-1. PR-NOS-1 would apply to development proposed on lots shown on Figure 5.10-1, *Project-Level Interior Noise Analyses Required*.

**PR-NOS-1: Interior Noise Analysis**

Prior to the issuance of building permits for development on lots containing the buildings or units listed below, site specific interior noise analyses demonstrating compliance with the interior noise compatibility guidelines~~standards~~ of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines~~standards~~ of the City's General Plan. These analyses shall be prepared for development on lots containing the following buildings or units as identified on the Vesting Tentative Map No. 2188969:

- PA 8 - Buildings 1, 2, 12, 13, 16, 17, 18, 19, 20, and 21
- PA 10 – Dwelling Units 1, 2, 3, and 4; Buildings 35, 36, and 37
- PA 11 - Buildings 75, 76, 80, 81, 82 and 83
- PA 12 - Dwelling Units 63, 64, 65, 66, and 67; Buildings 107 and 108

Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing HVAC in noise reducing enclosures, or designing

buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines~~standards~~. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

Mitigation for noise impacts on coastal cactus wren and coastal California gnatcatcher habitat (PR-BIO-15) is detailed in Section 5.4.3.

## b. Off-Site Vehicle Traffic Noise

As discussed in the FEIR, no mitigation is available for increases in traffic noise at existing land uses because the City cannot require alterations to these land uses.

# 5.10.3.5 Significance after Mitigation

## a. On-Site Noise Compatibility

### *Program-level*

The implementation of SP-NOS-1 and SP-NOS-2 for future development proposals under the Specific Plan would reduce exterior and interior noise compatibility impacts for residential development. The identified measures shall be updated, expanded, and refined when applied to future projects based on project-specific design, site specific analyses, and changes in existing conditions, and local, state, and federal laws. Future site-specific analyses would assess the feasibility of noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures, may be used to achieve the noise compatibility guidelines~~standards~~. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing HVAC in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines~~standards~~ for interior noise levels. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses. This is consistent with General Plan Noise Element Policy NE-B.3, which requires noise reducing site design to ensure that the mitigated levels meet acceptable noise limits. As noise reduction would be required to be mitigated at the project-level and noise reduction to below the City's thresholds cannot be guaranteed, impacts would remain significant at the program-level. As the City does not have land use authority over school development, it cannot be guaranteed that exterior noise impacts at a potential future school site can be avoided, thus impacts to school uses would also be considered significant.

### *Project-level*

With incorporation of PR-NOS-1 for the project-level residential units, interior noise levels would be attenuated below 45 CNEL and impacts would be less than significant.

## b. Off-Site Vehicle Traffic Noise

### *Program-level*

Due to the magnitude of noise increases along the identified roadways, impacts at the program-level would remain significant. Similar to the FEIR, no mitigation is feasible to reduce these impacts and, thus, impacts would be significant.

### *Project-level*

Due to the magnitude of noise increases along the identified roadways, impacts at the project-level would remain significant. Similar to the FEIR, no mitigation is feasible to reduce these impacts and, thus, impacts would be significant.

~~Habitat-based mitigation for noise impacts on cactus wren and coastal California gnatcatcher habitat would reduce significant impacts to these species to below a level of significance.~~ Refer to Section 5.4.3 for ~~additional~~ details regarding noise impacts to sensitive species.

# 5.10.4 Issue 2: Stationary Source Noise (Collocation)

*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?*

## 5.10.4.1 Significance Thresholds

Consistent with the FEIR, noise impacts would be significant if the project would:

- Allow collocation of residential and commercial or industrial uses where exposure of people to noise levels would exceed the City's Noise Abatement and Control Ordinance (refer to Table 5.10-2).

According to the City's 2022 CEQA Significance Determination Thresholds, a project which would generate noise levels at the property line which exceed the City's Noise Ordinance Standards (refer to Table 5.10-2) is considered to have a potentially significant impact. If a non-residential use is proposed to abut an existing residential use, the dB level allowed at the property line should be the arithmetic mean of the dB levels allowed for each use as set forth in the City's Noise Ordinance Standards. The City's 2022 CEQA Significance Determination Thresholds further note that although the noise level could be consistent with the City's Noise Ordinance Standards, a noise level above 65 dB(A) CNEL at a residential property line could be considered a significant environmental impact.

## 5.10.4.2 Analysis

### a. FEIR

The FEIR found that the OMCP has the potential to site noise-sensitive uses (i.e., residential) adjacent to noise-generating commercial and industrial uses, and the juxtaposition of these land uses would

result in potentially significant noise impacts. In addition to City policies and OMCP policies, the FEIR identified Mitigation Framework NOI-3 which requires that a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, be prepared that identifies all noise-generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. While the framework of federal, state, and local regulations and policies would reduce direct and indirect impacts associated with the generation of noise levels in excess of standards established in the Noise Abatement and Control Ordinance, without detailed operational data, the FEIR concluded that it cannot be verified that compliance with existing regulations would reduce all impacts below a level of significance, and the program-level impact related to noise from stationary sources was considered significant and unavoidable.

## b. Program-level

As discussed, the Specific Plan proposes residential, school, commercial/retail, and park uses. The noise sources that are typical of a residential complex include vehicles arriving and leaving, children at play, and landscape maintenance machinery. None of these noise sources are anticipated to violate the City's Noise Abatement and Control Ordinance or result in a substantial permanent increase in existing noise levels.

However, residential HVAC units would have the potential to produce noise in excess of City limits as detailed in Table 5.10-2. A representative residential HVAC unit generates a sound power level of 72 dB(A). If this representative unit were to run continuously within 50 feet of the property line, the most restrictive nighttime Noise Abatement and Control Ordinance limit of 40 dB(A) $L_{eq}$ for single-family uses would be exceeded. The most restrictive nighttime limit of 45 dB(A) $L_{eq}$ for multi-family uses would be exceeded if the HVAC unit were to operate continuously within 30 feet of the property line.

The Specific Plan also proposes a mixed-use area that would include residential and commercial/retail uses in close proximity. Noise sources associated with the commercial/retail uses may include HVAC equipment, restaurant or café ventilation fans, and loading docks/deliveries. HVAC and ventilation fan noise levels would be similar to those discussed above for residential uses. Delivery trucks can generate sound power levels of approximately 92 dB(A). During the loading/unloading of the truck, the engine can only idle for a maximum of 5 minutes in compliance with state regulations for air quality. A truck idling for 5 minutes would generate an average hourly noise level of approximately 50 dB(A) $L_{eq}$ at 50 feet. Due to the close proximity of residential uses in the mixed-use area, these noise sources could exceed the most restrictive nighttime noise limits for residential land uses. However, the Specific Plan does include policy 4 under Section 3.3.2, *Village Core Commercial Design Policies*, to install additional sound barriers on commercial sites to reduce noise levels at nearby noise-sensitive uses if siting of these unloading and loading areas is proposed in a way that would not screen noise from these uses.

Two permanent sewer pump stations would ultimately be required within the Specific Plan area, including one in the southeastern portion of the Specific Plan area and a second pump station within the southern tip of PA 5. The pump stations would include enclosed electric pumps, an HVAC

unit, and an enclosed emergency generator. The pumps would be enclosed in a concrete building and would not generate substantial noise. The emergency generator would also be enclosed in a concrete block building; however, it generates louder noise levels that may be audible outside the building. The HVAC unit would be located outside the building. The exact design of the pump stations and the location of noise generating equipment is not known at the program-level. HVAC units generate a sound power level of approximately 72 dB(A), which is approximately equal to a sound pressure level of 40 dB(A) $L_{eq}$ at 50 feet and generators produce a sound power level of 100 dB(A), which is approximately equal to a sound pressure level of 68 dB(A) $L_{eq}$ at 50 feet.

The Specific Plan includes policies for noise attenuation in Specific Plan Section 3.2.8, *Noise Attenuation Policies*, which require development under the Specific Plan to use barriers, parapets, or other site planning techniques to minimize noise effects to sensitive receptors. This is consistent with City General Plan (2024) Noise Element Policy NE-B.7, which encourages the use of berms, landscaping, setbacks, and architectural design rather than conventional wall barriers. Nonetheless, program-level components including residential HVAC units, commercial/retail mechanical equipment and loading docks, and pump stations, have the potential to generate noise levels exceeding the Noise Abatement and Control Ordinance limits.

## c. Project-level

The primary stationary noise sources associated with project-level residential development would be ground-floor HVAC equipment at the attached multi-family uses located in Phase 1. HVAC noise levels were modeled at a series of receivers located adjacent to the Phase 1 residential development area, including the single-family lots (detached multi-family), the Candlelight and Southwind multi-family development to the north, and adjacent PA 7, PA15, PA16, PA 25, PA 26, PA 27, and PA 29. The HVAC units would be located on the ground floor on the sides of each building. Noise generated by HVAC equipment would occur on an intermittent basis, primarily during the day and evening hours and less frequently during the nighttime hours. HVAC units were modeled at full capacity during the daytime and evening hours and 50 percent capacity during the nighttime hours.

The single-family noise level limits were considered the applicable noise limits for the medium-low density residential uses. The sound level limit at a location on a boundary between two zoning districts is the arithmetic mean of the respective limits for the two districts. Thus, the applicable daytime, evening, and nighttime noise level limits between the multi-family residential uses and the single-family uses are 52.5, 47.5, and 42.5 dB(A) $L_{eq}$, respectively. The applicable daytime, evening, and nighttime noise level limits between multi-family residential uses are 55, 50, and 45 dB(A) $L_{eq}$, respectively. Modeled HVAC noise levels are shown in Table 5.10-4, *Project-Level HVAC Noise Levels at Adjacent Property Lines*, and compared with the applicable noise limits. As shown on Table 5.10-4, HVAC noise levels are not projected to exceed the applicable Noise Abatement and Control Ordinance limits at the adjacent uses and PAs.

**Table 5.10-4**
**Project-Level HVAC Noise Levels at Adjacent Property Lines**

| Receiver | Land Use | Applicable Daytime/Evening/ Nighttime Noise Level Limit [dB(A) $L_{eq}$] | HVAC Noise Level [dB(A) $L_{eq}$] | |
|---|---|---|---|---|
| | | | Daytime/Evening | Nighttime |
| 1 | Candlelight Multi-Family Residential | 55/50/45 | 25 | 22 |
| 2 | | 55/50/45 | 29 | 26 |
| 3 | Southwind Multi-Family Residential | 55/50/45 | 44 | 41 |
| 4 | | 55/50/45 | 36 | 33 |
| 5 | | 55/50/45 | 45 | 42 |
| 6 | | 55/50/45 | 47 | 44 |
| 7 | | 55/50/45 | 47 | 44 |
| 8 | | 55/50/45 | 43 | 40 |
| 9 | | 55/50/45 | 38 | 35 |
| 10 | PA 7 Medium Density Residential | 55/50/45 | 30 | 27 |
| 11 | | 55/50/45 | 38 | 35 |
| 12 | PA 29 Open Space | --- | 38 | 35 |
| 13 | | --- | 36 | 33 |
| 14 | PA 27 Mixed Use | 55/50/45 | 31 | 28 |
| 15 | | 55/50/45 | 32 | 29 |
| 16 | | 55/50/45 | 32 | 29 |
| 17 | PA 26 Mixed Use | 55/50/45 | 28 | 25 |
| 18 | | 55/50/45 | 30 | 27 |
| 19 | | 55/50/45 | 35 | 32 |
| 20 | | 55/50/45 | 37 | 34 |
| 21 | | 55/50/45 | 38 | 35 |
| 22 | PA 25 Mixed Use | 55/50/45 | 39 | 36 |
| 23 | | 55/50/45 | 39 | 36 |
| 24 | | 55/50/45 | 39 | 36 |
| 25 | PA 16 School | 55/50/45* | 38 | 35 |
| 26 | | 55/50/45* | 37 | 34 |
| 27 | PA 15 Medium-Low Density Residential | 52.5/47.5/42.5 | 31 | 28 |

HVAC = heating, ventilation, and air conditioning; dB(A) $L_{eq}$ = A-weighted decibels equivalent noise level; PA = Planning Area
Source: Appendix I.
**Bold** = Exceeds Noise Ordinance limit
*The Noise Abatement and Control Ordinance does not specify a noise level limit for schools. For purposes of this analysis, the multi-family residential limit was applied.

The project-level analysis also includes impacts associated with two temporary sewer pump stations to serve the project-level residential units. As with the permanent pump stations described for the program-level analysis above, the temporary pump stations would include enclosed electric pumps, an HVAC unit, and an enclosed emergency generator. The pumps would be enclosed in a masonry block building and would not generate substantial noise. This analysis considers noise associated with the HVAC unit and testing of the emergency generator. Noise levels associated with the temporary pump station are not projected to exceed the nighttime noise level limit of 45 dB(A) $L_{eq}$ at the proposed multi-family residential uses. Therefore, temporary pump station noise levels are not projected to exceed the applicable Noise Abatement and Control Ordinance limits.

## 5.10.4.3 Significance of Impacts

### a. Program-level

The exact location of future residential HVAC units is not known at this time due to a lack of specific development plans, and therefore noise modeling cannot be completed for the program-level development. As such, there is potential that HVAC units could result in noise levels exceeding the applicable Noise Abatement and Control Ordinance limits at residential receivers. Similarly, the design of the pump stations and location of other noise generating equipment is not known at this time but could exceed the applicable Noise Abatement and Control Ordinance limits. Due to the close proximity of residential uses to commercial/retail uses in the mixed-use area, the applicable Noise Abatement and Control Ordinance limits could be exceeded as well. Therefore, program-level impacts due to stationary noise sources would be potentially significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

Noise modeling demonstrates that HVAC noise levels would not exceed the applicable Noise Abatement and Control Ordinance limits at the adjacent uses or PAs. Temporary pump station noise levels are not projected to exceed the applicable Noise Abatement and Control Ordinance limits at the adjacent uses or PAs. Therefore, while the FEIR identified potentially significant stationary source impacts, project-level stationary source impacts would be less than significant.

## 5.10.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

FEIR Mitigation Framework NOI-3 would be carried forward as mitigation measure SP-NOS-3 for future development in the program-level areas.

**SP-NOS-3: Site Specific Acoustical/Noise Analysis**

Prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including heating, ventilation and air conditioning equipment, generators, mechanical equipment, and trucks, shall be prepared which identifies all noise-generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Noise reduction measures shall include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

## 5.10.4.5 Significance after Mitigation

### a. Program-level

As required by SP-NOS-3, prior to the issuance of building permits for each future development proposed under the Specific Plan, a site-specific acoustical/noise analysis of any on-site generated noise sources would be prepared and would be required to demonstrate that future projects would not exceed the limits established in the City's Noise Abatement and Control Ordinance. As part of this analysis, noise reduction measures may include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects would be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness would be determined by the site-specific noise analyses. This measure would apply to future development within the program-level area, including the mixed-use site. While the framework of federal, state, and local regulations and policies would reduce direct and indirect impacts associated with the generation of noise levels in excess of standards established in the Noise Abatement and Control Ordinance, without detailed operational data, it cannot be verified that compliance with existing regulations would reduce all impacts below a level of significance, and the program-level impact related to noise from stationary sources would be significant and unmitigated.

# 5.10.5 Issue 3: Airport Noise

*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 Plan Compatibility Plan?*

## 5.10.5.1 Significance Thresholds

Consistent with the FEIR, noise impacts would be significant if the project would:

- Result in exposure of future residents to excessive noise levels from airport and aircraft operation.

The City's 2022 CEQA Significance Determination Thresholds state that if a project is proposed within the Airport Environs Overlay Zone as defined in Chapter 13, Article 2, Division 3 of the SDMC, the potential exterior noise impacts from aircraft noise would not constitute a significant environmental impact. However, this code section has been repealed. Therefore, for the purposes of this analysis, noise levels would be considered excessive if airport noise levels would exceed the Brown Field ALUCP land use compatibility criteria. For residential uses, the ALCUP considers airport noise levels

of up to 65 CNEL conditionally compatible, provided interior noise levels are adequately attenuated to 45 CNEL, which can typically be achieved with standard construction materials.

## 5.10.5.2 Analysis

### a. FEIR

The FEIR found that existing land uses are currently exposed to conditionally acceptable noise levels from operations at Brown Field and the Tijuana International Airport. These noise levels exceed the thresholds, however, because the OMCP would not alter operations at either airport; this was not considered an impact of the OMCP. Future residential land uses planned in the OMCP were located outside of the ALUCP noise contours and would therefore not be exposed to incompatible noise from Brown Field. The FEIR concluded that no airport noise impacts would occur for proposed uses and impacts to future land uses from airport noise would be less than significant.

### b. Program-level

As with the OMCP, the Specific Plan would not alter operations at either the Brown Field Airport or Tijuana International Airport. Further, as shown in Figure 5.1-1, the Specific Plan area is located outside the 60 CNEL noise contour for the Brown Field Airport and outside of the 65 CNEL noise contour for the Tijuana International Airport. Therefore, no land uses planned in the program-level areas would be exposed to airport noise exceeding 65 CNEL.

As noted in Section 5.1, *Land Use*, and Figure 5.1-1, the Specific Plan area is located in Influence Area 2 of the Brown Field Airport Influence Area (AIA). The noise compatibility of proposed land use actions within the AIA of the airport are thus required to be evaluated in accordance with the policies set forth in Section 3.3 of the Brown Field ALUCP for any project within a noise contour. Since the Specific Plan area is located outside of an applicable noise contour, evaluation of the project as it relates to its compatibility with the Brown Field ALUCP noise compatibility policies is not required.

### c. Project-level

The project-level components would not alter operations at either Brown Field Airport or Tijuana International Airport. Further, as shown in Figure 5.1-1, the project-level area is located outside the 60 CNEL noise contours at the Brown Field Airport and outside the 65 CNEL noise contour for the Tijuana International Airport. Therefore, planned residential uses in the project-level area would not be exposed to airport noise exceeding 65 CNEL.

## 5.10.5.3 Significance of Impacts

### a. Program-level

The program-level components would not alter airport operations or expose future on-site land uses to airport noise levels exceeding 65 CNEL; therefore, impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

The project-level components would not alter airport operations or expose future residents to airport noise levels exceeding 65 CNEL; therefore, impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.10.5.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

# 5.10.6 Issue 4: Noise Effects for Sensitive Receptors and Species

*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?*

## 5.10.6.1 Significance Thresholds

Consistent with the FEIR, noise impacts would be significant if the project would:

- Adversely impact sensitive species within the MHPA due to construction noise.

The analysis in the FEIR also considered whether construction of OMCP components would result in construction noise conflicting with the City Noise Abatement and Control Ordinance standards or quantitative limit of 75 dB(A) $L_{eq}$ (12-hour) at residential receivers or interfere with normal business communications. According to the City's 2022 CEQA Significance Determination Thresholds, noise mitigation may be required for significant noise impacts to certain avian species during their breeding season, depending upon the location of the project such as in or adjacent to an MHPA, whether or not the project is occupied by the coastal California gnatcatcher, least Bell's vireo, southern willow flycatcher, least tern, cactus wren, tricolored blackbird or western snowy plover, and whether or not noise levels from the project, including construction during the breeding season of these species, would exceed 60dB(A) or the existing ambient noise level if above 60dB(A). Noise impacts to the coastal California gnatcatcher are only analyzed within an MHPA.

In addition to these construction noise sources analyzed in the FEIR, the issue question above considers whether permanent noise generators, including roads and stationary sources, would adversely affect sensitive receptors or sensitive species within the MHPA. Impacts to sensitive receptors would be considered significant if the project resulted in roadway noise that would exceed

the compatibility limits established by the City's General Plan Noise Element or if stationary sources would generate noise levels exceeding applicable property line limits in the City's Noise Abatement and Control Ordinance (refer to Table 5.10-2). Impacts to sensitive species in the MHPA would be significant if permanent noise sources would generate noise levels exceeding 60 dB(A) or the existing ambient noise if already above 60 dB(A) during the breeding season.

## 5.10.6.2 Analysis

## a. Residential Receivers

### *FEIR*

The FEIR found that construction noise levels could exceed the Noise Abatement and Control Ordinance construction noise level limits at residential uses located adjacent to construction sites. In addition, the FEIR could not conclude that the conditions related to Noise Abatement and Control Ordinance standards (e.g., days of the week and hours of operation) would be achieved. Therefore, the FEIR identified a potentially significant impact. The FEIR identified Mitigation Framework NOI-4, which requires that for projects exceeding the City's daily construction noise threshold, best construction management practices be used to reduce construction noise levels to comply with standards established by the City Noise Abatement and Control Ordinance. However, the FEIR concluded that impacts would remain significant and unavoidable. Refer to summaries of FEIR analysis related to permanent noise sources in Sections 5.10.3 and 5.10.4; the FEIR concluded impacts would be significant and unavoidable.

### *Program-level*

Construction noise would be generated by diesel engine-driven construction equipment used for site preparation and grading, building construction, loading, unloading, and placing materials and paving associated with program-level improvements. Construction noise would result in short-term elevated noise levels at surrounding properties. Nearby receivers include existing and planned multi-family residential uses and San Ysidro High School to the north near the current terminus of Caliente Avenue, and residential uses and San Ysidro Middle School located west of the Beyer Boulevard extension. Additionally, as development within the Specific Plan area would be phased, residential and school uses could be occupied as construction activities in the program-level areas continue. Anticipated construction noise levels are shown in Table 5.10-5, *Construction Noise Levels*. As shown in Table 5.10-5, construction noise levels are not anticipated to exceed 75 dB(A) $L_{eq}$ at the adjacent uses or at sensitive land uses constructed during earlier phases of construction. Although the existing adjacent residences would be exposed to construction noise levels that could be heard above ambient conditions, the exposure would be temporary. Similarly, construction noise levels would not interfere with normal business communications. As construction activities are not anticipated to exceed 75 dB(A) $L_{eq}$, program-level construction would not result in conflicts with the City's Noise Abatement and Control Ordinance.

Permanent sources of noise associated with the program-level components would include vehicular traffic, residential HVAC units, commercial/retail mechanical equipment and loading docks, and pump stations. Refer to Section 5.10.3 for traffic noise analysis and to Section 5.10.4 for stationary

source analysis. These sources have the potential to generate noise levels exceeding the applicable noise standards or criteria.

## *Project-level*

Project-level components include Phase 1 of the residential development as well as the infrastructure to support Phase 1, including construction of Beyer Boulevard, water and sewer infrastructure, pump station grading, EVA Road improvements, and SR-905 westbound ramp widening. The project-level components also include Phase 2 rough grading areas to provide balanced grading and a portion of Phase 4 (PA 1, PA 2 and PA 7). The project-level components also include grading and improvements for the EVA Road. Drainage outfalls, a temporary sewer pump station to support the first 200 units, and certain trails are also part of the Phase 2 components.

As shown in Table 5.10-5, construction noise levels for construction during Phases 1 through 4 are not anticipated to exceed 75 dB(A) $L_{eq}$ individually or when combined at the adjacent uses or at modeled sensitive receiver locations. As construction activities are not anticipated to exceed 75 dB(A) $L_{eq}$, project-level construction would not result in conflicts with the City's Noise Abatement and Control Ordinance.

**Table 5.10-5**
**Construction Noise Levels**

| | | **Construction Noise Level [dB(A) $L_{eq}$]** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | **Phase** | | | | | | | | | **All** |
| **Receiver** | **Land Use** | **1a** | **1b** | **1c** | **2** | **3** | **4** | **5** | **6** | **7** | **Phases** |
| 1 | Candlelight Multi-Family Residential | 61 | 50 | 44 | 43 | 47 | 58 | 44 | 47 | 49 | 63 |
| 2 | | 69 | 52 | 45 | 44 | 47 | 57 | 45 | 48 | 51 | 69 |
| 3 | | 67 | 56 | 45 | 46 | 48 | 61 | 47 | 51 | 54 | 69 |
| 4 | | 63 | 49 | 43 | 43 | 49 | 62 | 44 | 48 | 49 | 66 |
| 5 | Southwind Multi-Family Residential | 56 | 47 | 41 | 43 | 52 | 63 | 44 | 48 | 47 | 64 |
| 6 | | 49 | 45 | 40 | 43 | 60 | 61 | 44 | 48 | 45 | 64 |
| 7 | | 46 | 43 | 38 | 42 | 63 | 53 | 43 | 46 | 44 | 64 |
| 8 | Candlelight Multi-Family Residential | 69 | 54 | 45 | 45 | 47 | 58 | 46 | 49 | 52 | 69 |
| 9 | Phase 1a – PAs 8 through 10 | -- | 64 | 46 | 47 | 48 | 59 | 48 | 52 | 56 | 66 |
| 10 | | -- | 65 | 47 | 47 | 46 | 55 | 47 | 51 | 57 | 66 |
| 11 | | -- | 62 | 49 | 46 | 45 | 52 | 46 | 49 | 55 | 64 |
| 12 | | -- | 63 | 49 | 45 | 44 | 51 | 45 | 47 | 52 | 64 |
| 13 | Phase 1b – PAs 8 through 14 | -- | -- | 70 | 61 | 41 | 44 | 50 | 48 | 54 | 71 |
| 14 | | -- | -- | 47 | 48 | 47 | 55 | 49 | 53 | 62 | 63 |
| 15 | | -- | -- | 50 | 48 | 45 | 51 | 48 | 50 | 62 | 63 |
| 16 | | -- | -- | 63 | 50 | 41 | 44 | 47 | 47 | 53 | 64 |
| 17 | | -- | -- | 63 | 47 | 40 | 44 | 45 | 45 | 51 | 63 |
| 18 | | -- | -- | 61 | 47 | 42 | 47 | 46 | 47 | 55 | 63 |
| 19 | | -- | -- | 54 | 49 | 43 | 48 | 48 | 49 | 63 | 64 |
| 20 | | -- | -- | 53 | 53 | 43 | 47 | 49 | 50 | 64 | 65 |
| 21 | Phase 1c – PA 14 | -- | -- | -- | 61 | 42 | 45 | 50 | 49 | 56 | 63 |

| Receiver | Land Use | Construction Noise Level [dB(A) $L_{eq}$] | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Phase | | | | | | | | | All Phases |
| | | 1a | 1b | 1c | 2 | 3 | 4 | 5 | 6 | 7 | |
| 22 | Phase 2 – PAs 15 through 20 | -- | -- | -- | -- | 43 | 46 | 53 | 51 | 61 | 62 |
| 23 | | -- | -- | -- | -- | 45 | 48 | 57 | 56 | 61 | 64 |
| 24 | | -- | -- | -- | -- | 45 | 47 | 63 | 56 | 55 | 64 |
| 25 | | -- | -- | -- | -- | 43 | 44 | 62 | 51 | 51 | 63 |
| 26 | | -- | -- | -- | -- | 43 | 44 | 62 | 50 | 48 | 63 |
| 27 | | -- | -- | -- | -- | 45 | 45 | 60 | 53 | 48 | 61 |
| 28 | | -- | -- | -- | -- | 47 | 47 | 62 | 58 | 50 | 64 |
| 29 | | -- | -- | -- | -- | 49 | 48 | 58 | 64 | 50 | 65 |
| 30 | Phase 3 – PAs 4 and 5 | -- | -- | -- | -- | -- | 57 | 47 | 53 | 47 | 59 |
| 31 | | -- | -- | -- | -- | -- | 61 | 46 | 50 | 47 | 61 |
| 32 | | -- | -- | -- | -- | -- | 63 | 45 | 49 | 46 | 63 |
| 33 | Phase 4 – PAs 1, 2, 3, 6, and 7 | -- | -- | -- | -- | -- | -- | 48 | 53 | 49 | 55 |
| 34 | | -- | -- | -- | -- | -- | -- | 48 | 54 | 53 | 57 |
| 35 | | -- | -- | -- | -- | -- | -- | 47 | 51 | 53 | 56 |
| 36 | Phase 5 – PA 21 | -- | -- | -- | -- | -- | -- | -- | 64 | 53 | 65 |
| 37 | | -- | -- | -- | -- | -- | -- | -- | 64 | 55 | 64 |
| 38 | Phase 6 – PAs 22 | -- | -- | -- | -- | -- | -- | -- | -- | 59 | 59 |
| 39 | | -- | -- | -- | -- | -- | -- | -- | -- | 60 | 60 |
| 40 | Enright Drive/Beyer Boulevard Single Family Residences | 39 | 41 | 62 | 37 | 34 | 36 | 37 | 36 | 39 | 62 |
| 41 | | 39 | 41 | 58 | 37 | 34 | 36 | 36 | 36 | 39 | 58 |
| 42 | San Ysidro Middle School | 39 | 41 | 56 | 37 | 34 | 36 | 36 | 36 | 39 | 57 |

dB(A) $L_{eq}$ = A-weighted decibels equivalent noise level; PA = Planning Area
-- = Not applicable. Land use would be constructed during later phases of construction
Source: Appendix I

The project-level analysis also includes off-site components including widening the SR-905 westbound on-ramp at Caliente Avenue, off-site water and sewer infrastructure, and construction of the EVA Road. There are existing residential uses located adjacent to the proposed water and sewer lines, and multi-family residential uses being constructed east of the SR-905 westbound ramp. Construction of these improvements would result in construction noise levels of 75 dB(A) $L_{eq}$ at or slightly beyond the edge of the proposed alignments and construction noise levels would be below the 75 dB(A) $L_{eq}$ threshold at nearby residential land uses. Although the existing adjacent residences would be exposed to construction noise levels that could be heard above ambient conditions, the exposure would be temporary. Construction activities associated with the project-level components would comply with noise level limits from Noise Abatement and Control Ordinance (SDMC Section 59.5.0404).

Other sources of noise associated with the project-level components would include vehicular traffic, residential HVAC units, and temporary pump stations. Refer to Section 5.10.3 for traffic noise analysis and to Section 5.10.4 for stationary source analysis. Project-level traffic would contribute to substantial increases in vehicular traffic noise; however, project-level stationary sources would not conflict with the property line limits in the Noise Abatement and Control Ordinance.

## b. Sensitive Species~~MHPA~~

### *FEIR*

The FEIR also found that there would be potential for construction noise to impact least Bell's vireo, coastal California gnatcatcher, raptors, and other sensitive species if they are breeding or nesting in adjacent MHPA lands. The FEIR identified Mitigation Framework BIO-1 through BIO-4 and LU-2 (MHPA Land Use Adjacency Guidelines) to reduce indirect noise impacts to sensitive wildlife species to below a level of significance. Measures to minimize direct impacts on wildlife movement, nesting, or foraging activities shall be addressed in the biological resources report and shall include recommendations for construction noise monitoring. FEIR Mitigation Framework LU-2 requires consistency with the MHPA Land Use Adjacency Guidelines and would address operational noise impacts within the MHPA; the FEIR concluded, with Mitigation Framework LU-2, impacts related to incompatibility with the MHPA would be less than significant.

### *Program-level*

As detailed in the Biological Resources Report (Appendix C), indirect impacts to nesting wildlife could occur due to construction and restoration activity noise if these activities occur during the breeding season (generally, February 1 through September 15) of sensitive wildlife species. Wildlife may be indirectly affected by short-term construction and restoration related noise, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can also be significantly affected by short-term noise, which can result in the disruption of foraging, nesting, and reproductive activities. Potential construction and restoration activity related indirect impacts to sensitive wildlife during the breeding season would generally be avoided through consistency with the Biology Guidelines, MHPA Land Use Adjacency Guidelines and species-specific MSCP Conditions of Coverage.

Species including least bell's vireo, coastal California gnatcatcher, white-tailed kite, burrowing owls, coastal cactus wren, and other nesting avian species could be located inside the MHPA during program-level construction and restoration. Potential indirect impacts to coastal California gnatcatcher located inside the MHPA would be avoided through compliance with the MHPA Land Use Adjacency Guidelines. Indirect impacts from noise to burrowing owl (February 1 to August 15), least Bell's vireo (March 15 to September 15), and coastal cactus wren (February 1 to August 31) would be significant if construction noise levels exceed 60 dB(A) or the existing ambient noise level if already above 60 dB(A) during the breeding season. As program-level construction and restoration activity have the potential to exceed this noise level at the MHPA, conflicts with the MHPA Land Use Adjacency Guidelines could occur.

Program-level roadway and stationary source noise (refer to Sections 5.10.3 and 5.10.4) also have the potential to exceed 60 dB(A) and, therefore, could conflict with the MHPA Land Use Adjacency Guidelines during the breeding season.

### *Project-level*

As detailed in the Biological Resources Report for the project (Appendix C and EIR Section 6.4.8), potential construction and restoration activity related indirect noise impacts to sensitive wildlife,

including coastal California gnatcatcher, coastal cactus wren, least Bell's vireo, burrowing owl, and other nesting avian species located inside the MHPA, could occur.

Project-level stationary source noise from HVAC units (refer to Table 5.10-4) would not exceed 60 dB(A) at nearby property lines. Similarly, noise levels from temporary pump stations would not exceed 60 dB(A) outside of the pump station boundary. Therefore, no stationary source noise conflicts with the MHPA Land Use Adjacency Guidelines would occur. Project-level traffic would contribute to increases in roadway noise within open space areas along Beyer Boulevard; these impacts are discussed in Section 5.10.3. Therefore, the following focuses on construction and restoration noise impacts by species.

**Coastal California Gnatcatcher**

As the coastal California gnatcatcher is present or suitable habitat is present within the MHPA adjacent to the project-level analysis area including along the Beyer Boulevard extension, around the EVA Road, and restoration lands, indirect impacts from noise could occur if these activities are proposed during the breeding season.

**Coastal Cactus Wren**

Indirect impacts to coastal cactus wren may result from construction noise during construction of Beyer Boulevard West, which is proposed adjacent to suitable habitat, if construction occurs during this species' breeding season. Occupied suitable habitat for this species occurs adjacent to the project impact area both inside and outside of the MHPA and construction and restoration activities are likely to cause noise levels within these adjacent habitat areas to exceed 60 dB(A) $L_{eq}$.

**Least Bell's Vireo**

Indirect impacts to least Bell's vireo are not anticipated with construction of Beyer Boulevard West given that the occupied habitat within the Beyer Boulevard footprint would be removed completely and the species would not be subject to construction noise impacts. However, restoration adjacent to Spring Canyon where wetland restoration creation is proposed may result in construction noise exceeding 60 dB(A) $L_{eq}$ (or the ambient noise level if it is greater), resulting in indirect construction noise effects for least Bell's vireo.

**Burrowing Owl**

One incidental sighting of burrowing owl occurred during surveys and the project area has a moderate potential to support burrowing owl; however, if this species is present near project-level construction or restoration areas, indirect noise impacts could occur.

**Nesting Avian Species**

Indirect impacts to nesting avian species, particularly 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 could occur from construction and restoration activity noise throughout the project-level area, as these species occupy a range of habitats.

## 5.10.6.3 Significance of Impacts

### a. Program-level

#### *Residential Receivers*

As construction activities associated with program-level construction would comply with noise level limits from Noise Abatement and Control Ordinance Section 59.5.0404, program-level impacts from temporary increases in noise levels from construction activities at residential receivers would be less than significant. Therefore, while the FEIR identified potentially significant construction noise impacts, program-level construction noise impacts would be less than significant.

Permanent noise sources have the potential to generate noise levels exceeding the applicable noise limits and impacts would be significant, consistent with the impact conclusions of the FEIR.

#### ***Sensitive Species~~MHPA~~***

Consistent with the impact conclusions of the FEIR, potentially significant indirect impacts related to construction, restoration, and operation activities occurring adjacent to the MHPA would occur due to development of the program-level components.

### b. Project-level

#### *Residential Receivers*

Construction noise from project-level construction would comply with noise level limits from Noise Abatement and Control Ordinance Section 59.5.0404. Therefore, noise impacts to residential receivers resulting from temporary construction activities would be less than significant. While the FEIR identified potentially significant construction noise impacts, project-level construction noise impacts would be less than significant.

Stationary sources of noise associated with project-level development would comply with the Noise Abatement and Control Ordinance and impacts would be less than significant. While the FEIR identified potentially significant stationary source noise impacts, project-level stationary source noise impacts would be less than significant.

Permanent traffic noise sources, including project-level traffic, have the potential to generate noise levels exceeding the applicable noise standards, consistent with the impact conclusions of the FEIR.

#### ***Sensitive Species~~MHPA~~***

Project-level stationary source noise would not conflict with the MHPA Land Use Adjacency Guidelines and impacts would be less than significant. However, project-level traffic would contribute to increases in roadway noise within MHPA areas along Beyer Boulevard (refer to Section 5.10.3) and impacts would be potentially significant. The following discusses construction and restoration impacts by species.

**Coastal California Gnatcatcher**

Indirect impacts to coastal California gnatcatcher from construction and restoration activity noise during the breeding season would be potentially significant. Indirect operational noise impacts from Beyer Boulevard traffic noise would also result in significant impacts to coastal California gnatcatcher breeding habitat.

**Coastal Cactus Wren**

Indirect impacts to coastal cactus wren from construction and restoration activity noise during the breeding season would be potentially significant. Indirect noise impacts from Beyer Boulevard operational traffic noise would also result in significant impacts to coastal cactus wren breeding habitat.

**Least Bell's Vireo**

Indirect impacts to least Bell's vireo from construction noise along Beyer Boulevard are not anticipated and would be less than significant. However, indirect impacts from restoration activities during the breeding season would be potentially significant.

**Burrowing Owl**

Indirect noise impacts to burrowing owl during construction and restoration activities would be potentially significant. Indirect noise impacts from operational activities to burrowing owl would be less than significant.

**Nesting Avian Species**

Indirect noise impacts to potential nesting Cooper's hawk, northern harrier, southern rufous-crowned sparrow, yellow-breasted chat, yellow warbler, merlin, California Horned Lark, Bell's sage sparrow, loggerhead shrike, and grasshopper sparrow during construction and restoration activities would be potentially significant. Indirect noise impacts from operational activities to other nesting avian species would be less than significant.

## 5.10.6.4 Mitigation Monitoring and Reporting

## a. Program-level

See Sections 5.10.3 and 5.10.4 for mitigation measures SP-NOS-1 through SP-NOS-3, which require future program-level development to be analyzed and potential noise attenuation features to be identified to address potential exterior noise compatibility, interior noise compatibility, and stationary source noise impacts.

See Section 5.1, *Land Use,* for mitigation measure SP-LU-1. Additionally, implementation of mitigation measure SP-BIO-1 (see Section 5.4, *Biological Resources*) would ensure future development proposed under the Specific Plan would complete site-specific analysis to identify the potential for indirect impacts to sensitive species to occur during construction and restoration activities, as well as the appropriate avoidance measures for implementation.

## b. Project-level

See Section 5.10.3 for mitigation measure PR-NOS-1 requiring interior noise analysis for specific residential units.

See Section 5.4, *Biological Resources*, for mitigation measures PR-BIO-7a, PR-BIO-7b, PR-BIO-8a, PR-BIO-8b, PR-BIO-10, PR-BIO-11, PR-BIO-14, and PR-BIO-15. In addition, mitigation measure PR-LU-1 that requires adherence to the Land Use Adjacency Guidelines would minimize noise impacts to sensitive species.

# 5.10.6.5 Significance after Mitigation

## a. Program-level

As described in Sections 5.10.3 and 5.10.4, even with implementation of mitigation measures SP-NOS-1 through SP-NOS-3, noise reduction to below the City's compatibility and noise generation thresholds cannot be guaranteed. Increases in roadway noise would also occur and no mitigation is feasible to reduce this impact. Impacts would remain significant at the program level.

After implementation of SP-LU-1 and SP-BIO-1, in addition to the City's Biology Guidelines, Environmentally Sensitive Lands Regulations, MSCP, and VPHCP during future project-level review, impacts related to noise generation in the MHPA would be reduced to less than significant.

Mitigation to reduce indirect noise impacts may include berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or interfere with wildlife utilization of the MHPA. The project biologist for each future development under the Specific Plan would identify specific mitigation measures consistent with the Land Use Adjacency Guidelines of the MSCP and the specific requirements outlined in SP-LU-1 and SP-BIO-1 needed to reduce impacts to below a level of significance for future development.

## b. Project-level

As described in Section 5.10.3, mitigation measure PR-NOS-1 would reduce interior noise impacts below a level of significance. However, substantial increases in roadway noise would occur and no mitigation is feasible to reduce this impact. Impacts would remain significant at the project level.

Noise impacts to sensitive species would be avoided through consistency with the City's Land Use Adjacency Guidelines (PR-LU-1). Requirements for pre-construction surveys, noise attenuation measures, and noise monitoring during construction activities proposed during the breeding season of each species would reduce construction noise impacts to sensitive species. During construction, avoidance measures would be implemented to ensure noise levels do not exceed 60 dB(A) $L_{eq}$, or ambient noise level if a noise levels are measured to be greater than 60 dB(A) $L_{eq}$, at wildlife use areas. Noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities would not exceed 60 dB(A) hourly average at the edge of

habitat occupied by sensitive species. As roadway noise from Beyer Boulevard cannot be reduced below 60 CNEL within the MHPA, habitat-based mitigation (identified by species below) would occur.

With incorporation of the mitigation measures PR-BIO-7a, PR-BIO-7b, PR-BIO-8a, PR-BIO-8b, PR-BIO-10, PR-BIO-11, PR-BIO-14, and PR-BIO-15 as identified in Section 5.4*, Biological Resources,* and PR-LU-1 as identified in Section 5.1, *Land Use*, indirect noise impacts to sensitive wildlife would be less than significant.

**Coastal California Gnatcatcher**

Mitigation measures PR-BIO-8a and PR-BIO-8b would require avoidance of the breeding season, or if the breeding season cannot be avoided, then avoidance measures must be implemented such as noise monitoring and attenuation. Implementation of these measures before and during construction would ensure that adverse impacts to the gnatcatcher during construction would be reduced to less than significant. With the implementation of habitat conservation required by mitigation measure PR-BIO-15, impacts from traffic noise during operations would also be reduced to less than significant.

**Coastal Cactus Wren**

Potentially significant impacts to nesting Coastal cactus wren during construction would be reduced to less than significant through the requirement for pre-construction surveys as detailed in mitigation measure PR-BIO-14. With implementation of habitat conservation required by mitigation measure PR-BIO-1115, impacts from traffic noise during operations would also be reduced to less than significant.

**Least Bell's Vireo**

Mitigation measures PR-BIO-7a, and PR-BIO-7b, and PR-BIO-11 would require avoidance of the breeding season, or if the breeding season cannot be avoided, it would require avoidance measures to be implemented such as noise monitoring and attenuation. Implementation of these measures before and during construction would ensure adverse indirect impacts to the least Bell's vireo would be reduced to less than significant.

**Burrowing Owl**

A potentially significant impact to burrowing owl during construction would be reduced to less than significant through implementation of mitigation measure PR-BIO-10, which includes pre-construction burrowing owl surveys. Implementation of this mitigation would ensure that any burrowing owls that may take up residence within the planned grading areas are identified and relocated prior to any disturbance, or that sufficient buffers between occupied burrows and construction areas are established. With implementation of these measures, indirect impacts to burrowing owl would be reduced to less than significant.

**Nesting Avian Species**

Potentially significant impacts to nesting avian species including northern harrier, Cooper's hawk, white-tailed kite, merlin, California horned lark, loggerhead shrike, yellow warbler, yellow-breasted chat, grasshopper sparrow, Bell's sage sparrow, and southern rufous-crowned sparrow during construction would be reduced to less than significant through implementation of the requirement

for pre-construction bird surveys during the breeding seasons of these species in mitigation measure PR-BIO-14. The measure would ensure impacts are reduced to less than significant because it would ensure no disturbance of breeding activities occurs through required surveys, monitoring and avoidance measures.




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Source: RECON 2024

## Project-Level Interior Noise Analyses Required

Figure 5.10-1

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# 5.11 Paleontological Resources

The information in this section updates the paleontological resources information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to paleontological impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation.

## 5.11.1 Existing Conditions

As discussed in FEIR Section 5.11, *Paleontological Resources*, the project area is underlain by a mix of geological formations with paleontological sensitivity ranging from low to high. These conditions have not changed from the descriptions provided in the FEIR. Specifically, the project area is underlain by Terrace Deposits with moderate paleontological sensitivity and the San Diego Formation, Otay Formation, and Bay Point Formation, all of which have high paleontological sensitivity according to the City of San Diego (City) 2022 CEQA Significance Determination Thresholds (Appendix G-1; City 2022). Other geologic units underlying the project areas have no paleontological sensitivity or low paleontological sensitivity.

## 5.11.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.11.1.2, which included Section 15065 of the California Environmental Quality Act (CEQA) Guidelines and the City's Significance Determination Thresholds. Changes and updates to regulations related to paleontological resources that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below.

### 5.11.2.1 Local

#### a. City of San Diego Grading Regulations

Since preparation of the FEIR, the City has codified requirements for paleontological resource avoidance during grading in Section 142.0151 of the San Diego Municipal Code (SDMC). These regulations mirror the requirements for paleontological monitoring from the Significance Determination Thresholds described in the FEIR but are now SDMC requirements that apply uniformly to grading in the City. Where paleontological resources monitoring is required based on the geologic unit where grading will occur and the proposed grading quantity/depth, monitoring is required to occur in compliance with the General Grading Guidelines for Paleontological Resources in the Land Development Manual.

# 5.11.3 Issue 1: Paleontological Resources

*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?*

## 5.11.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to paleontological resources would be significant if the project would:

- Allow development to occur that could significantly impact a unique paleontological resource or a geologic formation possessing a moderate to high fossil bearing potential.

The City's 2022 CEQA Significance Determination Thresholds indicate that the underlying geologic unit of a development area should be identified and the Paleontological Monitoring Determination Matrix should be used to identify the sensitivity of the geologic unit. According to the City's 2022 CEQA Significance Determination Thresholds, significant impacts to unique paleontological resources or geologic formations could occur where grading would require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or require over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit.

## 5.11.3.2 Analysis

### a. FEIR

The FEIR found that the OMCP area contains geologic structures with moderate and high sensitivity for paleontological resources; therefore, implementation of the OMCP was determined to result in a potentially significant impact to paleontological resources. The FEIR identified Mitigation Framework PALEO-1 to reduce potential impacts, which generally requires future development projects to monitor for paleontological resources during construction activities and to be sited and designed to minimize impacts on paleontological resources in accordance with the City's Paleontological Resources Guidelines and Significance Determination Thresholds. The FEIR found that with the implementation of Mitigation Framework PALEO-1, impacts related to paleontological resources would be reduced to below a level of significance.

### b. Program-level

As detailed in the FEIR, the paleontological sensitivity of the program-level area contains areas mapped as high, moderate, and low paleontological sensitivity (Figure 5.11-1, *Paleontological Sensitivity Ratings*). High-sensitivity areas are located primarily along the edges of the Southwest Village Specific Plan (Specific Plan) area and within portions of future development areas within the program-level area. A majority of the mesa top areas are mapped as moderate sensitivity. Lands surrounding the program-level area, including areas that would be impacted by the installation of drainage outfalls and areas proposed for biological resource mitigation, are mapped as low sensitivity. As high and moderate sensitivity areas are located in the Specific Plan area, construction

at the program-level could result in grading that would require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or require over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit.

### c. Project-level

High paleontological sensitivity areas are located along the proposed Beyer Boulevard alignment and within portions of Planning Area (PA) 7, PA 8 through PA 10, and portions of PA 11 (see Figure 5.11-1). Project-level construction would require over 1,000 cubic yards of excavation in these high resource potential areas. As such, construction of project-level components could result in disturbance of paleontological resources.

## 5.11.3.3 Significance of Impacts

### a. Program-level

Construction at the program-level would result in potentially significant impacts to paleontological resources, consistent with the impact conclusions of the FEIR.

### b. Project-level

Construction in the project-level areas would result in potentially significant impacts to paleontological resources, consistent with the impact conclusions of the FEIR.

## 5.11.3.4 Mitigation, Monitoring, and Reporting

### a. Program-level

FEIR Mitigation Framework PALEO-1 is carried forward as SP-PALEO-1 for implementation with program-level construction but has been updated to be consistent with current paleontological resources monitoring requirements in the City's Land Development Code (LDC) (Section 142.0151) and General Grading Guidelines for Paleontological Resources (Appendix P to the Land Development Manual).

**SP-PALEO-1 Paleontological Resources**

**I. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. The applicant shall submit a letter of verification to Resident Engineer (RE) and/or Building Inspector (BI) identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

**II. Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

   a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

   Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to RE and/or BI identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix in the City's Grading Guidelines for Paleontological Resources).

3. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to RE and/or BI prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils etc., which may reduce or increase the potential for resources to be present.

**III. During Construction**

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The paleontological monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the PI, RE and/or BI of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances Occupational Safety and Health Administration (OSHA) safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to RE and/or BI during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter previously undisturbed and paleontologically sensitive geologic deposits as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for paleontological resources to be present.

3. The paleontological monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE and/or BI the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries.

B. Discovery Notification Process

1. In the event of a discovery, the paleontological monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and notify the RE and/or BI. The contractor shall also process a construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).

2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.

3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.

C. Recovery of Fossils

If a paleontological resource is encountered:

1. The paleontological monitor shall salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary as determined by the PI, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.

2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

**IV. Post Construction**

A. Preparation and Submittal of Draft Paleontological Monitoring Report

1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

   a. For significant or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

   b. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.

2. MMC shall return the Draft Paleontological Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Paleontological Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved Draft Paleontological Monitoring Report.

5. MMC shall notify the RE and/or BI of receipt of all Draft Paleontological Monitoring Report submittals and approvals.

B. Handling of Recovered Fossils

1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.

2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).

2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.

D. Final Paleontological Monitoring Report(s)

1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

## b. Project-level

FEIR Mitigation Framework PALEO-1 is carried forward as PR-PALEO-1 for implementation with project-level construction but has been updated to be consistent with current, paleontological resources monitoring requirements in the City's LDC (Section 142.0151) and General Grading Guidelines for Paleontological Resources (Appendix P to the Land Development Manual).

**PR-PALEO-1 Paleontological Resources**

**I. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. The applicant shall submit a letter of verification to Resident Engineer (RE) and/or Building Inspector (BI) identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

**II. Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

    a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

    Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to RE and/or BI identifying the areas to be

monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix in the City's Grading Guidelines for Paleontological Resources).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.

    b. The PI may submit a detailed letter to RE and/or BI prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils , etc., which may reduce or increase the potential for resources to be present.

**III. During Construction**

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The paleontological monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the PI, RE and/or BI of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

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B. Discovery Notification Process

1. In the event of a discovery, the paleontological monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and

notify the RE and/or BI. The contractor shall also process a construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).

2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.

3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.

C. Recovery of Fossils

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2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

**IV. Post Construction**

A. Preparation and Submittal of Draft Paleontological Monitoring Report

1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

   a. For significant or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

   b. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.

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B. Handling of Recovered Fossils

1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.

2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).

2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.

D. Final Paleontological Monitoring Report(s)

1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

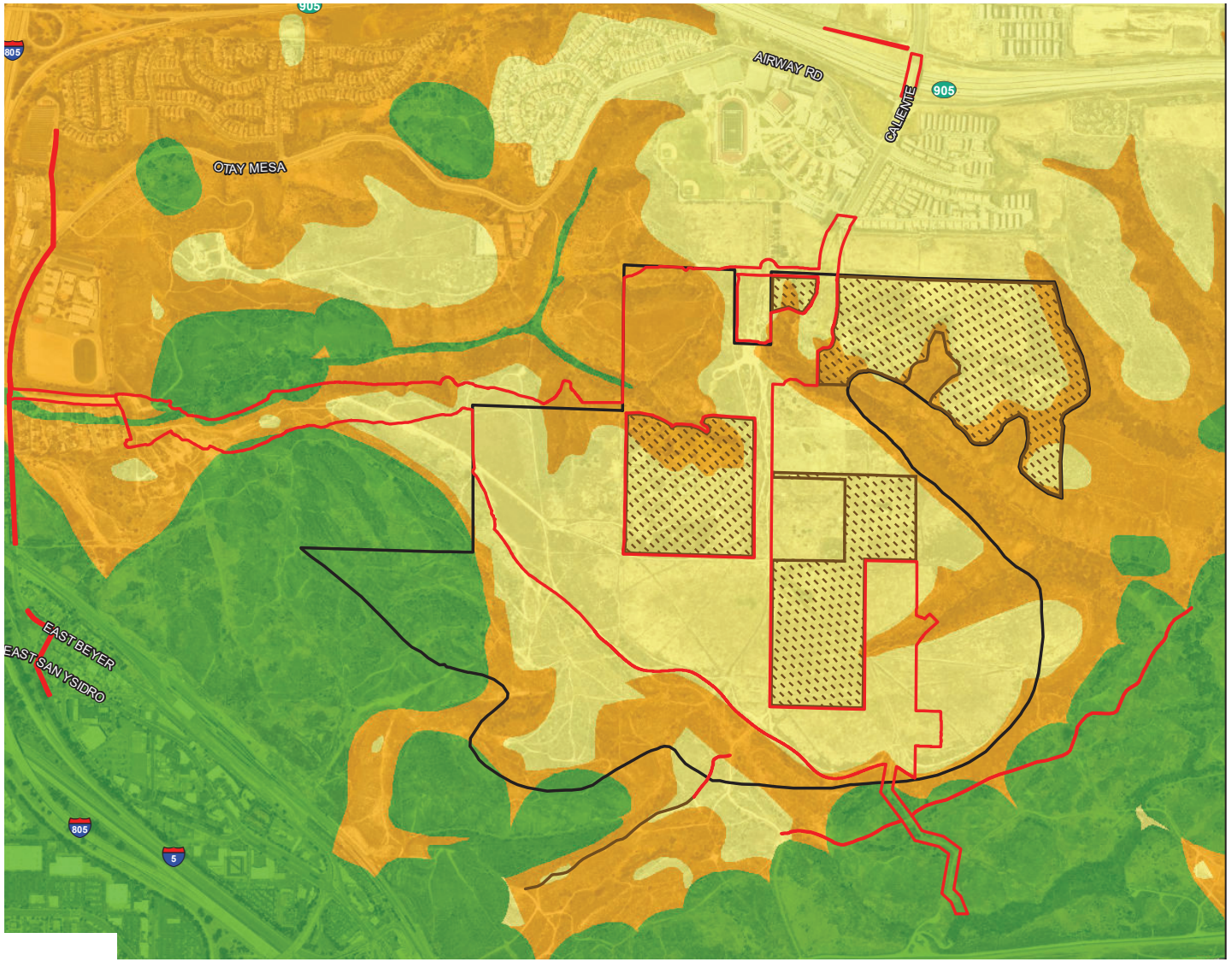
## 5.11.3.5 Significance after Mitigation

### a. Program-level

Impacts would be less than significant with implementation of mitigation measure SP-PALEO-1.

### b. Project-level

Impacts would be less than significant with implementation of mitigation measure PR-PALEO-1.




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Source: City 2014 ~~RECON 2023~~

# Paleontological Sensitivity Ratings

Figure 5.11-1

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# 5.12 Traffic/Circulation

The information in this section updates the traffic and circulation information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and if those changes would result in new or substantial changes to traffic/circulation impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and addresses whether there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. The traffic/circulation analysis is based on the Southwest Village Specific Plan Programmatic Level Vehicle Miles Traveled (VMT) Assessment (Appendix J-1), the Southwest Village Specific Plan Transportation Phasing Plan (Appendix J-2), the Southwest Village VTM-1 Project Level VMT Assessment (Appendix J-3), and the Southwest Village VTM-1 Local Mobility Analysis (LMA) Report (Appendix J-4).

## 5.12.1 Existing Conditions

### 5.12.1.1 Existing Circulation System

The circulation system in the OMCP area was described in Section 5.12.1.2 of the FEIR, and roadway classification changes resulting from the adoption of the OMCP are detailed in FEIR Table 5.12-4. Details of the existing level of service (LOS), roadway volumes, and intersection delays for roads and intersections surrounding the project area are reported in the LMA Report (Appendix J-4). The following describes changes to roadways in the project area from the existing conditions or planned classifications described in the FEIR.

**Beyer Boulevard** from Old Otay Mesa Road/Beyer Boulevard East to the eastern terminus at Enright Drive is classified in the City of San Diego's (City's) San Ysidro Community Plan as a 4-Lane Collector. The future (yet to be constructed) segment of Beyer Boulevard from Enright Drive to Caliente Avenue is classified as a 4-Lane Major in the City's OMCP. Beyer Boulevard from Old Otay Mesa Road/Beyer Boulevard East to Enright Drive is constructed as a 2-lane undivided roadway with parking generally allowed on the south side of the roadway, a contiguous sidewalk on the south side of the roadway, and no observed speed limit signs.

**Caliente Avenue** was described in the FEIR as a partially constructed 4-lane Major Arterial extending south from Otay Mesa Road, intersecting with Airway Road and was anticipated to be constructed to a 6-Lane Prime between Otay Mesa Road and Airway Road, as a 6-Lane Major, south of Airway Road and as a 4-lane Major south of Beyer Boulevard in the OMCP. Caliente Avenue from Otay Mesa Road to the State Route 905 (SR-905) westbound ramp is currently constructed as a 5-lane undivided roadway (three southbound and two northbound lanes), with Class II bike lanes in each direction, and on-street parking prohibited on both side of the roadway. A contiguous sidewalk is present on the west side of the road, with both contiguous and non-contiguous sidewalks on the east side of the road. There is a transition in the directionality of the five lanes on the bridge over SR-905 between the westbound ramp and eastbound ramp.

Caliente Avenue on the SR-905 bridge has three southbound lanes to which one lane becomes a trap lane for southbound left turns onto eastbound SR-905. This results in two southbound lanes across the SR-905 eastbound ramp intersection. In the northbound direction, the three lanes on the bridge approach the SR-905 westbound ramp intersection with a designated left-turn lane and three through lanes. The three northbound lanes are received by four lanes with a designated left-turn lane, two through lanes, and a designated right-turn lane at the intersection of Otay Mesa Road/ Caliente Avenue. There are Class II bike lanes in each direction and contiguous sidewalks on both sides of the roadway.

Caliente Avenue from the SR-905 eastbound ramps to Airway Road is constructed as a 5-lane undivided roadway with three northbound lanes and two southbound lanes, with Class II bike lanes in each direction, contiguous sidewalks on both sides, and on-street parking prohibited on both sides of the roadway.

Caliente Avenue from Airway Road to its southern terminus is constructed as a 5-lane divided roadway with three northbound lanes and two southbound lanes with Class II bike lanes in each direction, non-contiguous sidewalks on the east side, contiguous sidewalk on the west side, and on-street parking prohibited on both sides of the roadway.

## 5.12.1.2 Multi-Modal Transportation

FEIR Section 5.12.1.4 described alternative transportation modes including public transit, bikeways, and pedestrian facilities in the OMCP area. The discussion below briefly summarizes the transportation modes described in the FEIR and provides information related to changes that have occurred since the FEIR was prepared.

### a. Transit

As described in the FEIR, transit services in the OMCP area are provided by the Metropolitan Transit System (MTS). At the time of FEIR preparation, bus routes 933/934 and 905/905A operated within and around the OMCP area and the Blue Line Trolley, outside of the OMCP area, provided transit services along the east side of Interstate 5 and terminating at the San Ysidro Transit Center located at the U.S.-Mexico International Border.

Current MTS bus services are described below. Route 905a and 905b along Otay Mesa Road and Caliente Avenue occur in the project vicinity. Route 905 has bus stops on the eastbound off-ramp and westbound on-ramp at SR-905/Caliente Avenue. Additionally, MTS Routes 906 and 907 run along Beyer Boulevard and San Ysidro Boulevard within the study area west of the project site. Route 950 runs along SR-905 in the project vicinity.

**Route 905a** has Monday through Friday service starting around 5:00 a.m. and ending around 9:00 p.m. while Route 905b has Monday through Friday service starting around 8:00 a.m. and ending around 6:00 p.m. Route 905b starts with approximately 20-minute headways and then alternates 20-minute headways with Route 905a during the schedule of Route 905b. Weekend service is provided for Route 905 starting around 5:00 a.m. with approximately 20-minute headways until approximately 3:00 p.m. and then 1-hour headways until approximately 7:00 p.m.

**Route 906/907** has Monday through Friday service starting around 4:00 a.m. and ending around 3:00 a.m. Route 906/907 starts with approximately 20- to 30-minute headways around 4:00 a.m. and then 15-minute minute headways starting around 5:00 a.m. Around 7:00 p.m. the headways start to increase to about 20 minutes and then increase to approximately 30 minutes around 8:00 p.m. Weekend service is provided starting around 5:00 a.m. and ending around 10:30 p.m. The service has initial headways of approximately 20 to 30 minutes then 15 minutes during the day (generally between 9:00 a.m. and 5:00 p.m. on Saturday and 6:00 p.m. on Sunday).

**Route 950** is an express service from Otay Mesa Port of Entry to Iris Avenue Transit Center that follows SR-905 and does not exit at Caliente Avenue. Route 950 has Monday through Friday service from around 4:30 a.m. to approximately 9:30 p.m. with headways of approximately 15 minutes in the morning and approximately 20 to 30 minutes in the afternoon and evening.

## b. Bicycle

### *Existing Bicycle Lanes and Routes*

An existing Class II bike lane remains on Ocean View Hills Parkway, as noted in the FEIR, and Class II bike lanes are now provided on Caliente Avenue in the project vicinity. Class III bike route signs are posted on Otay Mesa Road east of Caliente Avenue to Heritage Road and Class II bike lanes exist on the south side of Otay Mesa Road from Caliente Avenue to Emerald Crest Court. Additionally, Class II bike lanes also exist on both sides of Otay Mesa Road from Corporate Center Drive to approximately 600 feet east of Innovative Drive. Along this segment of Otay Mesa Road, there is a paved shoulder (approximately 8 feet in width). West of the project site, Class III bike route signs are posted along Beyer Boulevard and East Beyer Boulevard. Along both Beyer Boulevard and East Beyer Boulevard, the Class III bike route shares a travel lane along most of these roadways.

### *Planned Bicycle Path, Lanes, and Routes*

The OMCP identifies planned buffered Class II bike lanes on Otay Mesa Road and on Caliente Avenue. The OMCP also identifies a planned Class I bike path along the south side of Airway Road and along the east side of future Caliente Avenue.

The San Ysidro Community Plan identifies planned buffered Class II bike lanes along Beyer Boulevard from SR-905 to the eastern terminus of Beyer Boulevard.

## c. Pedestrian

Caliente Avenue from SR-905 eastbound ramps to Airway Road has contiguous sidewalk on both sides of the street. Caliente Avenue from Airway Road to the southern terminus, north of the Specific Plan area, has contiguous sidewalk along the west side of Caliente Avenue and non-contiguous sidewalk along the east side of Caliente Avenue. In addition, there is contiguous sidewalk along the south side of Beyer Boulevard between Old Otay Mesa Road (East Beyer Boulevard) and Enright Drive in San Ysidro and approximately 120 feet of contiguous sidewalk on the north side of Beyer Boulevard west of Enright Drive.

## 5.12.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.12.1.1, which included the City General Plan (2008), OMCP Transportation Element, San Diego Association of Governments' (SANDAG's) 2050 Regional Transportation Plan, City's Bicycle Master Plan, and City Transportation Study Manual (TSM). Changes and updates to regulations related to traffic and circulation that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below.

### 5.12.2.1 State

#### a. California Department of Transportation

The California Department of Transportation (Caltrans) is the public agency responsible for designing, building, operating, and maintaining California's state highway system, which consists of freeways, highways, expressways, and toll roads. Caltrans is also responsible for permitting and regulating the use of state roadways.

#### b. Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, changing the way transportation impact analysis is conducted under the California Environmental Quality Act (CEQA). Within the State's CEQA Guidelines, these changes include elimination of auto delay, LOS, and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts. In December 2018, new CEQA Guidelines implementing SB 743 (Section 15064.3), along with the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts for CEQA, were finalized and made effective. CEQA Guidelines Section 15064.3, and the associated OPR Technical Advisory, provide that use of automobile VMT is the preferred CEQA transportation metric, and correspondingly eliminate auto delay/LOS as the metric for assessing significant impacts under CEQA statewide. Under CEQA Guidelines Section 15064.3, statewide application of the new VMT metric was required beginning on July 1, 2020.

### 5.12.2.2 Regional

#### a. San Diego Association of Governments San Diego Forward: The 2021 Regional Plan

SANDAG serves as the planning organization and forum for decision-making on regional issues such as growth, transportation, land use, economy, environment, and criminal justice. The SANDAG San Diego Forward: The 2021 Regional Plan (SANDAG 2021 Regional Plan) is an update of the Regional Comprehensive Plan and the 2050 Regional Transportation Plan and Sustainable Communities Strategy (SCS), combined into one document. The SANDAG 2021 Regional Plan includes an SCS, in compliance with SB 375. The SCS aims to create sustainable, mixed-use communities conducive to public transit, walking, and biking by focusing future growth in the previously developed, western portion of the region along the major existing transit and transportation corridors. The SANDAG

2021 Regional Plan has a horizon year of 2050, and forecasts regional growth and the construction of transportation projects over this time period.

## 5.12.2.3 Local

### a. City of San Diego Pedestrian Master Plan

The City has developed a Pedestrian Master Plan (City 2006) to guide the planning and implementation of pedestrian improvement projects; however, this plan was not discussed in the FEIR. The Pedestrian Master Plan helps the City enhance neighborhood quality and mobility options by facilitating pedestrian improvement projects and identifies and prioritize improvement projects based on technical analysis and community input, as well as improve the City's ability to receive grant funding for implementation of pedestrian projects. The Otay Mesa community ranks low in the pedestrian priority model which was developed to determine high-priority areas for pedestrian improvements.

### b. City of San Diego Complete Communities: Housing Solutions and Mobility Choices Program

To implement SB 743, the City adopted the Complete Communities: Housing Solutions and Mobility Choices Program in 2020, after certification of the FEIR. The Mobility Choices Program ensures that new development mitigates transportation VMT impacts to the extent feasible, while incentivizing development within the City's Transit Priority Areas (TPAs) and urban areas. TPAs include locations within one-half mile of a major transit stop (a rail transit station, ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods), that is existing or planned if the planned major transit stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program. The Mobility Choices Program included amendments to the San Diego Municipal Code (SDMC) to adopt the Mobility Choices Regulations (Chapter 14, Article 3, Division 11 of the SDMC). Additionally, the Mobility Choices Program included adoption of a new CEQA significance threshold for transportation to implement SB 743. Notably, the City of San Diego TSM identifies VMT thresholds, consistent with CEQA Guidelines Section 15064.3.

The Housing Solutions Program of Complete Communities is an optional affordable housing incentive program aimed at encouraging the building of homes near high-frequency transit. The incentives are regulated by the Complete Communities Housing Solutions Regulations (SDMC Chapter 14, Article 3, Division 10). However, the Housing Solutions incentives do not apply to Specific Plan development given the Specific Plan area is outside of a TPA.

The Mobility Choices and Housing Solutions Programs were evaluated as part of the City's Complete Communities: Housing Solutions and Mobility Choices Final Program Environmental Impact Report (PEIR; City 2020, incorporated by reference herein; State Clearinghouse [SCH] No. 2019060003). The Complete Communities: Housing Solutions and Mobility Choices PEIR found that implementation of the Mobility Choices Program would support reductions in per capita VMT by either requiring the construction of, or funding for, transportation infrastructure and amenities within Mobility Zones 1

and 2 (e.g., Downtown or in a TPA) that would encourage non-vehicular travel. The Complete Communities: Housing Solutions and Mobility Choices PEIR found that implementation of the Mobility Choices Program and the new significance threshold for transportation impacts, would result in VMT impacts for any new development that occurs in an area that generates resident VMT per capita or VMT per employee that is greater than 85 percent of the base year regional average, absent any mitigation. While the Mobility Choices Regulations were intended to serve as mitigation to ensure an overall reduction in citywide VMT, the PEIR concluded that VMT impacts would remain significant and unavoidable because at a program-level of analysis it could not be determined with certainty whether the improvements associated with program implementation would fully mitigate VMT impacts at the project-level.

The Mobility Choices regulations include the identification of Mobility Zones, VMT Reduction Measures as outlined in SDMC Section 143.1103(b) and Land Development Manual Appendix T, and an Active Transportation In-Lieu Fee used to mitigate VMT impacts from new development in VMT inefficient areas by collecting funds for implementation of active transportation improvements in VMT efficient areas.

## c. City of San Diego Transportation Study Manual

The City's TSM was most recently updated in September 2022. The TSM states that all projects must complete a 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. While the LMA analysis is not used for the determination of significant VMT transportation impacts under CEQA, any feasible improvements identified as a part of the LMA would be included as a part of the project and project permit and/or map conditions. The TSM provides guidance for the 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.

As noted below in Section 5.12.4.1, with the passage of SB 743, which became effective July 1, 2020, the analysis of project traffic generation is now evaluated using the updated metric of VMT.

# 5.12.3 Issue 1: Circulation Plan Conflicts

*Would the project conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities?*

## 5.12.3.1 Significance Thresholds

The City's 2022 CEQA Significance Determination Thresholds updated the thresholds analyzed for transportation impacts required by SB 743, consistent with CEQA Guidelines Section 15064.3. This issue question replaces the FEIR Issue 3, Circulation and Access, and Issue 4, Alternative Transportation plan consistency. The analysis in this section follows the City's 2022 CEQA Significance Determination Thresholds.

Based on the City's 2022 CEQA Significance Determination Thresholds, impacts related to traffic and circulation would be significant if the project would:

- Conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities.

The City's 2022 CEQA Significance Determination Thresholds state the TSM should be used to determine the significance of a project, plan, or policy's transportation impacts. The TSM's analysis methodology for pedestrian, bicycle, and transit features focus on connectivity and potential conflicts with planned pedestrian, bicycle, or transit systems.

## 5.12.3.2 Analysis

### a. FEIR

Section 5.12.6 of the FEIR considered whether the OMCP would conflict with plans and policies related to active transportation. The FEIR found that future development projects associated with the OMCP would be required to adhere to the OMCP policies that promote alternative transportation (OMCP Policies 3.1-1, 3.1-4, 3.1-5, 3.2-1, 3.2-2, 3.2-4, 3.4-1, and 3.4-2). In addition, the FEIR noted that the OMCP includes a multi-modal transportation framework consisting of roadways with bicycle and pedestrian routes. The FEIR found that the OMCP would be consistent with existing policies supporting alternative transportation modes and therefore, impacts were found to be less than significant without mitigation. The FEIR also concluded the OMCP would not create alterations to present circulation movements in the area including existing public access points therefore impacts would be less than significant.

### b. Program-level

The mobility network proposed by the Specific Plan provides key connections to support walking, biking, and transit throughout the Specific Plan area, consistent with the policies noted in the OMCP, and with the regulations of the most recently adopted General Plan (2024), Complete Communities Initiative, and Climate Action Plan (CAP). The Specific Plan would include a network of sidewalks, paseos, and trails organized around the grid network of public streets per OMCP Policy 3.3-10. All

arterials would provide facilities for pedestrians, bicyclists, and public transit, in addition to vehicular traffic. A non-contiguous sidewalk would be included on both sides of all public streets except Beyer Boulevard West (due to environmental constraints) and the community would be surrounded by a perimeter trail to provide access along the edge of the development and open spaces (including Multi-Habitat Planning Area lands) per OMCP Policies 3.1-1 and 3.2-4. Class I multi-use paths would be provided along the eastern portion of Central Avenue (on the north side only), eastern portion of Spine Road (on the south side only), and 1st Avenue (on the east side only) as part of the public right-of-way, intended for exclusive use by bicyclists, pedestrians, and those using non-motorized modes of travel. Paseos provided by the Specific Plan would allow for pedestrian and bicycle travel and serve as connector trails by improving access and facilitating connections between and through development, consistent with OMCP Policy 3.1-1.

The Specific Plan would reclassify Caliente Avenue and Beyer Boulevard from their planned roadway classifications as identified in the OMCP and FEIR (refer to Appendix J-2 for additional discussion). Caliente Avenue would be downgraded from a 6 Lane Major to a 4 Lane Modified Urban Collector between Central Avenue and Beyer Boulevard to avoid sensitive habitat. As a 4 Lane Urban Collector, this segment would operate at LOS E under the Horizon Year (2062) buildout condition, consistent with the FEIR.

Beyer Boulevard would be downgraded from a 4 Lane Major to a 4 Lane Modified Urban Collector between Enright Drive and Caliente Avenue and constructed with a 2- lane cross section to avoid impacts to sensitive habitat between Enright Drive and West Avenue. From West Avenue to Caliente Avenue, Beyer Boulevard would be constructed as a 4 Lane Urban Major. These amendments to the roadway classifications in the OMCP are proposed as part of the Specific Plan and would not conflict with the overall goals and policies of the OMCP if approved.

The Specific Plan proposes a bicycle network that would implement the Bicycle Master Plan in the OMCP area, as shown in Figure 3-8, *Bicycle Facility Network*. The Specific Plan proposes an extensive network of dedicated facilities that are connected to activity centers and would provide access to future public transit. The bicycle network includes Class I bike paths and Class II bike lanes with a buffer. All public streets would contain some form of bicycle facility on both sides of the street, except for the eastern portion of Central Avenue, eastern portion of Spine Road, and 1st Avenue where a Class I multi-use path is proposed on one side only due to the multi-use path expanded width compared to other classes of bicycle lanes in the right-of-way. The proposed bicycle facilities would be designed per the Street Design Standards proposed by the Specific Plan, which supersede the applicable standards within the City of San Diego Street Design Manual. Bicycle facility classifications are in accordance with the OMCP and the City's Bicycle Master Plan and would therefore be consistent with the City's General Plan (2024) as well.

Consistent with the City CAP's strategies to implement bicycling, walking, transit, and land uses that promote increased development capacity for transit-supportive residential and employment densities and provide more walking and biking opportunities in these areas, a mobility hub is planned at the intersection of Caliente Avenue and Beyer Boulevard in the center of the Village Core. The Village Core would provide a gathering area and activity center for Southwest Village that can be accessed by walking, biking, and taking transit. As noted in Section 5.1, *Land Use*, the Specific Plan

would designate land use patterns and design mobility to encourage the use of transit, consistent with the City of San Diego Complete Communities Initiative.

In addition, where required by the TSM, future development would be required to prepare project-level LMAs identifying if additional circulation improvements are required.

Therefore, the program-level components would be consistent with the adopted General Plan (2024), Complete Communities Initiative, and CAP supporting alternative transportation modes.

### c. Project-level

The project-level components would include the construction of portions of Beyer Boulevard and Caliente Avenue according to the circulation plan contained in the Specific Plan and as described in the program-level analysis above; no additional changes to the Specific Plan circulation plan specific to project-level development is proposed.

As detailed in Section 3.5.3.3, *Bicycle Facilities*, and Section 3.5.3.4, *Pedestrian Facilities*, the project-level components would include the construction of bicycle facilities, sidewalks, and paseos to serve Planning Area (PA) 8 through PA 14, in addition to a segment of the perimeter trail located along the western perimeter of PA 10, PA 12, and PA 14 (as detailed in Section 3.5.4.2, *Trails*).

Caliente Avenue, Beyer Boulevard, and West Avenue would include Class I Bike Paths and Class II Bike Lanes with buffers, consistent with OMCP Policy 3.4-1, which encourages the refinement and implementation of the Bicycle Master Plan.

To serve the project-level development, sidewalks would be provided on all streets and private drives. These sidewalks would be lined with street trees per the Specific Plan Landscape Palette and landscaping that uses native, drought-tolerant species, consistent with OMCP Policy 3.1-5. The paseos would facilitate connections to the trails, public sidewalks, future parks, and centers of activity, consistent with OMCP Policy 3.1-1.

The OMCP identifies no hubs or transit stops within the project-level construction area. Consistent with the OMCP, no transit stops or mobility hubs would be constructed as part of the project-level components. However, as the project-level components would provide development at densities that support transit as an integral component of the Southwest Village per OMCP Policy 2.1-2(j), it would be consistent with the City's CAP and Complete Communities Initiative policies regarding transit.

Therefore, the project-level components would be consistent with the adopted General Plan (2024), Complete Communities Initiative, and CAP transportation policies.

## 5.12.3.3 Significance of Impacts

### a. Program-level

As the Specific Plan provides policies consistent with the OMCP and proposes transportation infrastructure consistent with the regulations of the adopted General Plan (2024), Complete

Communities Initiative, and CAP, there would be less than significant impacts from conflicts with adopted policies, plans, or programs supporting transportation. Therefore, transportation plan consistency impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

The project-level components would implement transportation infrastructure consistent with the regulations of the adopted General Plan (2024), Complete Communities Initiative, and CAP; and therefore, would result in less than significant impacts from conflicts with adopted policies, plans, or programs supporting transportation. Therefore, transportation plan consistency impacts would be consistent with the impact conclusions of the FEIR.

## 5.12.3.4 Mitigation, Monitoring, and Reporting

### a. Program-level

As program-level impacts associated with transportation plan conflicts with plans would be less than significant, no mitigation is required.

### b. Project-level

No conflict with transportation policies and plans would occur as a result of the project-level development, impacts would be less than significant, and no mitigation is required.

# 5.12.4 Issue 2: Vehicle Miles Traveled

*Would the project result in VMT exceeding thresholds identified in the City's TSM?*

## 5.12.4.1 Significance Thresholds

The FEIR evaluated traffic impacts under Issue 1 based on OMCP land use trip generation and capacity of the street system using LOS as the metric to determine significant transportation capacity impacts. With the passage of SB 743, which became effective July 1, 2020, the analysis of project vehicular traffic generation is now evaluated using the updated metric of VMT. A goal of SB 743 was to better align CEQA practices with statewide greenhouse gas emission reduction goals that can be supported by shorter vehicle trip lengths resulting from efficient land use and greater multi-modal transportation options. CEQA Guidelines Section 15064.3, enacted pursuant to SB 743, was adopted in December 2018, and became effective on July 1, 2020. The amended section identifies VMT as the appropriate metric for considering the significance of transportation impacts along with the elimination of auto delay/LOS for CEQA purposes statewide. Currently, the City's 2022 CEQA Significance Determination Thresholds require an examination of whether a project would result in VMT exceeding thresholds identified in the City's TSM (City 2022).

In order to implement SB 743, the City adopted the Mobility Choices Program. The Mobility Choices Program was evaluated as part of the City's Complete Communities: Housing Solutions and Mobility Choices PEIR (City 2020). As described above under Section 5.12.2.3 (b), the purpose of the Mobility Choices Program is to implement SB 743 through amendments to the City's SDMC and Land Development Manual to support implementation of the program in addition to adoption of a new CEQA significance threshold for transportation that implements SB 743.

The City's 2022 CEQA Significance Determination Thresholds state the TSM should be used to determine the significance of a project, plan, or policy's VMT transportation impacts. The TSM provides screening criteria for land development projects to determine whether a full VMT analysis is required. A detailed transportation VMT analysis is required for all land development projects, except for projects that meet one of the following criteria:

1) Residential or Commercial Employment Project Located in a VMT Efficient Area

2) Industrial or Agricultural Project Located in a VMT Efficient Area

3) Small Project (less than 300 unadjusted average daily trips [ADT])

4) Locally Serving Retail/Recreational Project

5) Locally Serving Public Facility

6) Affordable Housing (meeting certain criteria)

Neither the project-level nor program-level components satisfy any of the above criteria; therefore, a detailed VMT analysis was performed. The methodology for detailed VMT analysis by land use is outlined in Table 5.12-1, *Transportation VMT Assessment Methodology by Land Use*. While Specific Plan trip generation exceeds 2,400 ADT and 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.

**Table 5.12-1**
**Transportation VMT Assessment Methodology by Land Use**

| Land Use | Analysis Methodology |
|---|---|
| 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.<br><br>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. |

| Land Use | Analysis Methodology |
|---|---|
| Commercial Employment | For projects that generate less than 2,400 daily unadjusted driveway trips: Identify the location of the project on the SANDAG VMT per Employee map. The project's VMT per Employee will be considered the same as the VMT per Employee of the census tract in which it is located. Compare the project's VMT per Employee 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 Employee.<br><br>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 Employee. To perform the analysis, all project land uses should be inputted, and the VMT per Employee should be determined using the same method/scripts that SANDAG utilizes to develop the SANDAG VMT per Employee maps. |

SANDAG = San Diego Association of Governments; VMT = vehicle miles traveled
Source: City 2022.

The City's VMT Significance Determination Thresholds by land use as documented in the TSM are shown in Table 5.12-2, *City of San Diego VMT Thresholds*.

**Table 5.12-2**
**City of San Diego VMT Thresholds**

| Project Type | Metric | Significance Thresholds |
|---|---|---|
| Residential | Resident VMT/Capita | 15% below regional mean |
| Commercial Employment | VMT/Employee | 15% below regional mean |

VMT = vehicle miles traveled
Source: City 2022.

While capacity is no longer the appropriate metric for determining impacts under CEQA, the TSM continues to identify criteria for required roadway improvements where a project is anticipated to degrade LOS inconsistent with the applicable community plan as described in the TSM. These changes in LOS are discussed in an LMA and improvements, including for active transportation connections, may be required as a part of a project as project design features.

## 5.12.4.2 Analysis

### a. FEIR

#### *Roadway Capacity*

Section 5.12.3 of the FEIR analyzed whether the OMCP would result in an increase in traffic that is substantial in relation to the capacity of the circulation system. The FEIR identified the Specific Plan area as generating 64,393 ADT with 5,249 AM peak hour trips and 6,596 PM peak hour trips (see Appendix J-1 Table 1). The FEIR found that future development projects that would implement the OMCP would have the potential to result in significant and unavoidable impacts related to the capacity of the circulation system. According to the FEIR, there were approximately 24 roadway segments, 49 intersections, 5 SR-905 freeway segments, and 5 SR-905 freeway metered on-ramps expected to operate at unacceptable LOS with OMCP buildout. At the program-level, impacts identified in the FEIR were reduced through the proposed classifications of roadways and

identification of necessary roadway, intersection, and freeway improvements in the FEIR and OMCP. Mitigation or construction of these improvements was anticipated to be carried out at the project level via the Public Facilities Financing Plan and future development projects via construction by individual development projects, collection of Facilities Benefit Assessment fees, fair share contributions, and other sources.

**Roadway Segments**

The FEIR found that although implementation of roadway segment improvements proposed as part of the OMCP would mitigate several traffic impacts that would occur under the Horizon Year condition, significant impacts would remain unmitigated at 24 roadway segments, including the segment of Caliente Avenue between Airway Road and Beyer Boulevard located within the project area.

**Intersections**

The FEIR concluded that even with the implementation of the proposed roadway reclassifications and intersection improvements required by FEIR Mitigation Framework TRF-1, there would be 39 intersections in the OMCP area that would operate at unacceptable LOS. The intersections assessed in the FEIR that were found to operate at unacceptable LOS and would be affected by Specific Plan buildout include: Caliente Avenue/Ocean View Hills Parkway/Otay Mesa Road, Caliente Avenue/SR-905 westbound ramps, Caliente Avenue/SR-905 eastbound ramps, Caliente Avenue/Airway Road, Caliente Avenue/Beyer Boulevard, and Old Otay Mesa Road/Beyer Boulevard.

**Freeway Segments**

The FEIR found that buildout of the OMCP area would significantly impact five segments of SR-905. Caltrans designed SR-905 to allow for the construction of high-occupancy vehicle (HOV) lanes, which would reduce the OMCP impacts to below a level of significance at two of the five impacted freeway segments. However, the addition of HOV lanes to SR-905 was not a funded or planned project at the time of FEIR preparation and improvements could not be guaranteed to be implemented by the City. Therefore, the FEIR concluded impacts to freeway segments would remain significant and unavoidable.

**Freeway Ramps**

The FEIR concluded that five metered freeway ramp locations would be expected to experience delays in excess of 15 minutes with OMCP buildout. The ramp location assessed by the FEIR that would also be affected by trips generated by the Specific Plan is the SR-905/Caliente Avenue westbound on-ramp (AM and PM peak hours). The FEIR concluded impacts at the ramp meter location would be significant. The FEIR noted mitigation that would reduce freeway ramp metering impacts at the five significantly impacted SR-905 ramp locations could consist of adding a lane to the freeway on-ramp, auxiliary lanes, and/or implementation of transportation demand management (TDM) measures that encourage carpooling and other alternate means of transportation. However, it was not certain that such improvements would occur, and the FEIR concluded impacts to freeway ramps would remain significant and unavoidable.

**Summary**

The FEIR identified that future project-specific traffic analysis and mitigation would be required to reduce impacts to roadway segments, intersections, freeway segments, and freeway ramps identified at the project-level. However, it should be noted this was concluded prior to the requirements of SB 743 becoming effective, and the transportation analysis metric has changed from capacity/vehicle delay/LOS to VMT under CEQA. The FEIR identified Mitigation Framework TRF-1 to reduce impacts at specific intersections and requires intersection improvements to occur in conjunction with future development within the OMCP area. The FEIR identified that additional mitigation, such as TDM measures, could be identified in the future at the project level. It was noted in the FEIR that project-specific mitigation for direct impacts would be required to be implemented prior to the issuance of a Certificate of Occupancy in order to provide mitigation at the time of impact. However, due to the uncertainty associated with implementing improvements, and uncertainty related to implementation of TDM measures, the impacts associated with the OMCP were found to remain significant and unmitigated at the program level. Thus, impacts were found to remain significant and not fully mitigated at the program level.

## b. Program-level

As described above, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, no analysis of capacity or LOS relative to program-level components is required nor provided. The analysis provided herein to address the transportation system impacts consists of a VMT analysis consistent with the City's 2022 CEQA Significance Determination Thresholds.

For the purpose of the program-level analysis, a full buildout scenario for the Specific Plan was analyzed (Appendix J-1). The exact timing of Specific Plan buildout is not known at this time. Therefore, the future years 2030 and 2050 were analyzed in the Specific Plan VMT Assessment (Appendix J-1) because the Specific Plan may build out as early as 2035 or extend longer to year 2050. VMT was assessed using the current SANDAG Regional Travel Demand Model Activity Based Model (ABM 2+).

Furthermore, since the Specific Plan is under multiple property ownerships and the timing of buildout is not known at this time, the ultimate mix of residential densities cannot be known with certainty. However, the following assumptions consistent with the Specific Plan land use framework were used in the VMT Assessment that identifies buildout of up to:

- 1,158 single family residential units
- 2,503 multi-family units under 20 dwelling units per acre
- 1,469 multi-family units over 20 dwelling unit per acre
- 175,000 square feet Commercial/Retail
- 2 elementary schools
- 18.1~~17.6~~ acres of developed park

Under these land use assumptions, the Specific Plan has a calculated driveway trip generation of 57,2502~~5~~ ADT (refer to Table 5.3-3 for a breakdown by land use) with 4,777 AM peak hour trips (1,569 inbound and 3,208 outbound) and 5,950~~4~~8 PM peak hour trips (3,696~~5~~ inbound and 2,254~~3~~ outbound), which is less than the 64,393 ADT with 5,249 AM peak hour trips (1,690 inbound and 3,559 outbound) and 6,596 PM peak hour trips (4,108 inbound and 2,488 outbound) identified in the FEIR. More specifically, the proposed Specific Plan land use mix would result in an overall trip reduction from the OMCP in the amount of -7,143~~6~~8 ADT, -472 AM peak hour trips (-121 inbound and -351 outbound), and -646~~8~~ PM peak hour trips (-412~~3~~ inbound and -234~~5~~ outbound) (refer to Appendix J-1, Table 1).

Specific Plan VMT used SANDAG Series 14 Regional Travel Demand ABM2+ screening maps for the years 2035 and 2050. Based on the anticipated resident VMT/capita and VMT/employee in both years 2035 and year 2050, the Specific Plan area would exceed the TSM thresholds due to resident VMT/capita and VMT/employee above 85 percent of the regional mean, as detailed in Table 5.12-3, *Specific Plan VMT Impact Findings (Series 14 ABM2+)*.

**Table 5.12-3**
**Specific Plan VMT Impact Findings (Series 14 ABM2+)**

| Project VMT by Year and Land Use | Series 14 Regional Mean VMT | Project % Compared to Regional Mean | Significant Transportation Impact (over 85% of Regional Mean)? |
|---|---|---|---|
| **Year 2035** | | | |
| 17.1 VMT/Capita | 16.6 VMT/Capita | 102.8% | Yes |
| 20.7 VMT/Employee | 15.3 VMT/Employee | 135.5% | Yes |
| **Year 2050** | | | |
| 16.2 VMT/Capita | 16.0 VMT/Capita | 101.2% | Yes |
| 18.6 VMT/Employee | 14.3 VMT/Employee | 129.7% | Yes |

VMT = vehicle miles traveled
Source: Appendix J-1.

## c. Project-level

For the purpose of the project-level analysis, VMT for the development of 920 dwelling units (up to 142 single-family and up to 778 multi-family units) encompassed by PAs 8 through 14 was estimated. The project-level component VMT was forecasted based on being operational in 2024, and the VMT assessment is based on SANDAG Series 14 Base Year 2016 Regional Travel Demand ABM2+ screening maps.

The project-level components have a calculated driveway trip generation of 7,084 ADT with 568 AM peak hour trips (114 inbound and 454 outbound) and 692 PM peak hour trips (484 inbound and 208 outbound). As described above, this VMT assessment is based on the census tract within which the project is proposed. The project-level development area is located in Census Tract 100.15 and has a VMT/Capita at 93.8 percent of the regional mean, which is above 85$^{th}$ percentile mean VMT threshold, as detailed in Table 5.12-4, *Project-Level VMT Impact Findings (Series 14 ABM2+)*.

**Table 5.12-4**
**Project-level VMT Impact Findings (Series 14 ABM2+)**

| Base Year 2016 Project VMT/Capita | Series 14 Regional Mean VMT/Capita | Project % Compared to Regional Mean | Significant Transportation Impact (over 85% of Regional Mean)? |
|---|---|---|---|
| 17.8 | 18.9 | 93.8% | Yes |

VMT = vehicle miles traveled

Source: Appendix J-2.

## 5.12.4.3 Significance of Impacts

### a. Program-level

The FEIR identified significant and unavoidable LOS-based impacts. As discussed above, LOS is no longer the metric for determining vehicular impacts under CEQA and the metric currently required by CEQA is VMT. 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. However, future development within the program-level areas of the Specific Plan that do not screen out from further analyses would require project-level VMT analyses at the time development is proposed to determine significance and the potential for impacts to be mitigated to less than significant. As the results of those future analyses cannot be determined with certainty at a program-level of review, impacts related to VMT for the program-level components are assumed to be significant similar to the FEIR transportation impact conclusions.

### b. 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 considered significant, similar to the FEIR transportation impact conclusions.

## 5.12.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

The FEIR identifies Mitigation Framework TRF-1. However, as discussed in Section 5.12.3.1 above, the analysis methods have been updated per current TSM requirements, and the impact analysis is based on VMT. Accordingly, Mitigation Measure TRF-1 is no longer applicable. Mitigation based on the current TSM and City requirements, including the Mobility Choices Regulations, is provided below. It is noted that improvements identified in project-specific LMAs prepared according to the TSM would be completed as project design features. The following proposed mitigation measure SP-TRA-1 applies to future projects within the program-level area to address program-level VMT impacts:

**SP-TRA-1: Vehicle Miles Traveled Reduction Measures**

Each future discretionary action (e.g., VTM/Site Development Permit/Neighborhood Development Permit, etc.) will be required to prepare an analysis demonstrating consistency with the City's TSM in effect at the time of analysis, including preparation of project-specific LMA and VMT studies, as required. VMT impacts can be mitigated by reducing the number of automobile trips generated by a project or by reducing the distance that people drive. If full mitigation to achieve 15 percent below regional average VMT/capita and/or VMT/employee cannot be achieved, then mitigation to the greatest extent feasible shall be achieved by:

- Implementation of VMT reduction measures outlined in the current City of San Diego Mobility Choices Regulation: Implementation Guidelines or opting into the Active Transportation In-Lieu Fee (ATILF) if the planning area is in Mobility Zones 2 or 3, or
- Payment of the current City of San Diego Mobility Choices Regulations ATILF if the planning area is in Mobility Zone 4, or
- Implementation of other City ordinances or currently adopted policy or mitigation approaches in effect at the time future projects are proposed.

## b. Project-level

See above information regarding FEIR Mitigation Framework TRF-1; TRF-1 is no longer applicable. To address the project-level VMT impact, the following mitigation measure PR-TRA-1 is proposed:

**PR-TRA-1: Mobility Zone 4 Active Transportation In-Lieu Fee**

Prior to the issuance of any building permit, the Owner/Permittee shall pay the current City of San Diego Active Transportation In-Lieu fee (ATILF).

# 5.12.4.5 Significance after Mitigation

## a. Program-level

Even with implementation of SP-TRA-1, impacts related to VMT at the program-level would be significant. Although impacts would be significant after the implementation of mitigation, this conclusion would be consistent with the Findings and Statement of Overriding Considerations (SOCs) that were adopted with the Complete Communities: Housing Solutions and Mobility Choices PEIR (City 2020; SCH No. 2019060003) that incorporated by reference herein. Per those Findings and SOCs, compliance with the City's Mobility Choices Program regulations are considered mitigation to the extent feasible.

## b. Project-level

Even with the implementation of mitigation measure PR-TRA-1, impacts related to VMT at the project-level would be significant, consistent with the analysis incorporated by reference within the Findings and SOCs from the Complete Communities: Mobility Choices Final PEIR (City 2020; SCH No.

2019060003). Per these Findings and SOCs, compliance with the City's Mobility Choices Program regulations are considered mitigation to the extent feasible.

# 5.12.5 Issue 3: Traffic Hazards

*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)?*

## 5.12.5.1 Significance Threshold

As described above, the analysis in this section follows the City's 2022 CEQA Significance Determination Thresholds. This Issue 3 is equivalent to Issue 2, Traffic Hazards, in the FEIR. Consistent with the 2022 CEQA Significance Determination Thresholds, impacts related to traffic and circulation would be significant if the project would:

- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

The City's 2022 CEQA Significance Determination Thresholds state the TSM should be used to determine the significance of transportation impacts. The TSM states that one objective of LMAs is to address issues related to operations and safety for all transportation modes. As part of the LMA, sources such as the City of San Diego Systemic Safety: The Data-Driven Path to Vision Zero report may be reviewed and analyzed in the context of potential safety impacts. In some cases, a detailed sight distance analysis (in accordance with the City's Street Design Manual) is required for driveways with potential sight distance constraints.

## 5.12.5.2 Analysis

### a. FEIR

The FEIR found that all roadway improvements associated with future development projects within the OMCP would be constructed to City standards, including standards for sight distance, turning radii, speeds, etc., and to the satisfaction of the City Engineer. Therefore, implementation of the OMCP would not result in an increase in traffic hazards for motor vehicles, bicyclists or pedestrians and impacts were found to be less than significant.

### b. Program-level

The Specific Plan proposes a mobility network that would be generally consistent with the current City of San Diego Street Design Manual, which was updated in 2017, after preparation of the FEIR (City 2017). The roadways to be constructed at the program-level are detailed in Section 3.4.4.1, *Roadway Network*, and further detailed in the Specific Plan. Implementation of the program-level components of the roadway network include all portions of the network associated with Phases 2 through 7. Modifications to the Street Design Manual are proposed as detailed in Section 3.4.4.1, *Roadway Network*. Street design modifications require approval by the City Engineer to confirm no hazards are created by such changes. Future developments proposed within the program-level

areas not meeting the trip generation screening criteria would also require preparation of an LMA to ensure improvements are provided to the surrounding roadway network to ensure the functioning and safety of the street system for all users. Additionally, the Specific Plan is designed to accommodate all users including vehicles, pedestrians and bicyclists (see Section 5.12.3.2 above). Through compliance with the City's Street Design Manual and required review and approval by the City Engineer for design modifications, implementation of the program-level mobility network would not result in hazards due to circulation design features. The Specific Plan also does not propose land uses, such as agricultural uses, which would require equipment that is incompatible with the circulation needs of proposed Specific Plan land uses (refer to Section 5.1, *Land Use* for analysis of compatibility related to other issue areas).

## c. Project-level

The project-level components would result in development within a currently undeveloped area of the City where there are no existing roads or official bicycle or pedestrian routes. The project-level components would not develop incompatible land uses, such as agricultural uses, which could result in traffic hazards.

Proposed roadways would generally be new roads that include bicycle and pedestrian facilities. The access points to the project site would not create a hazard for vehicles or people entering or exiting the site as access would be constructed by the project via Caliente Avenue and Beyer Boulevard, both of which would require a new extension from their current termini. Consistent with the specifications presented in the Specific Plan for each of these roadways, their design would be consistent with the City's Street Design Manual except for modifications as approved by the City Engineer. The proposed project's circulation system is designed to interconnect with the existing adjacent public street system. The project's internal roadway network would consist of internal private drives, sidewalks, and trail connections. The internal pedestrian pathways and sidewalks would be compliant with the Americans with Disabilities Act.

It is noted that the design of the proposed Beyer Boulevard roadway has been modified since its proposal in the OMCP, as detailed in Section 3.5.3.1. The proposed Beyer Boulevard alignment incorporates reductions in the roadway cross-section, reflecting a narrowing of the OMCP planned 4-Lane Major to a planned designation of a 4-Lane Modified Urban Collector, which would be constructed with a 2-lane cross-section where the road crosses conserved lands. However, despite these modifications from the planned roadway classification, Beyer Boulevard would be constructed in accordance with the City's Street Design Manual (except for modifications as approved by the City Engineer) and would not result in an increase in traffic hazards for motor vehicles, bicyclists, or pedestrians. The redesign has resulted in the minimum amount necessary for pedestrian and bicycle access, balancing mobility needs with biological resources constraints.

The project does not include elements that could potentially create a traffic hazard for motor vehicles, bicycles, or pedestrians due to a proposed, non-standard design feature or through the placement of incompatible uses on existing roadways. While downgrades to the roadway classifications of Caliente Avenue and Beyer Boulevard are proposed as described above, these modified roadway widths would not result in hazardous roadway design. Roadways are designed to ensure adequate sight distance on all roadways.

A project-level LMA (Appendix J-4) was completed to provide analysis necessary to determine the need for any improvements to the adjacent and nearby road system to achieve acceptable mobility for vehicles, bicyclists, pedestrians, and transit. As part of the City of San Diego's Systemic Safety Program (City 2019), "The Data-Driven Path to Vision Zero" policy promotes safe roadway design with a goal toward preventing collisions. As part of that goal, a systemic safety review provides an assessment of hotspots and possible countermeasures to align with Vision Zero.

None of the intersections studied in the LMA are identified on the City's pedestrian hotspot map. For the bicycle and vehicle systemic safety review, all existing study intersections were evaluated to determine if the systemic criteria would be satisfied. The Safety Review recommended the installation of a bicycle loop detector on the westbound approach of the Beyer Boulevard/East Beyer Boulevard intersection because a bike lane is proposed along this approach. No other bicycle loop detectors are proposed on the other intersection legs because currently there are no bike lanes on any of the other approaches. According to the LMA, none of the remaining study intersections satisfied the bicycle or vehicle system safety criteria for potential improvements. With incorporation of this bicycle loop detector, identified as a project design feature in Section 3.6.2.4(d), implementation of the project-level components would not substantially increase hazards due to design features or result in incompatible uses that could present safety concerns for motorists, pedestrians or bicyclists.

## 5.12.5.3 Significance of Impacts

### a. Program-level

The program-level components would not result in traffic hazards for motor vehicles, bicyclists, or pedestrians through consistency with the City's Street Design Manual and through approval by the City Engineer for proposed modifications to these regulations. As future development in the program-level areas proceeds, each individual project not meeting the trip generation screening criteria would be required to prepare an LMA consistent with the City's TSM. Preparation of the LMA would include the analysis necessary to determine the need for any improvements to the adjacent and nearby road system to achieve acceptable mobility for vehicles, bicyclists, pedestrians, and transit. Therefore, there would be less than significant impacts from the proposed program-level mobility network improvements related to introducing hazards for motor vehicles, bicyclists or pedestrians. This is consistent with the impact conclusions of the FEIR.

### b. Project-level

The project-level components would result in less than significant impacts related to hazards for motor vehicles, bicyclists, or pedestrians. 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. Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### 5.12.5.4 Mitigation, Monitoring, and Reporting

#### a. Program-level

Impacts would be less than significant; therefore, no mitigation is required.

#### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

## 5.12.6 Issue 4: Emergency Access

| *Would the project result in inadequate emergency access?* |
|---|

### 5.12.6.1 Significance Thresholds

As described above, the analysis in this section follows the City's 2022 CEQA Significance Determination Thresholds. Consistent with the 2022 CEQA Significance Determination Thresholds, impacts related to traffic and circulation would be significant if the project would:

- Result in inadequate emergency access.

As noted above, the City's 2022 CEQA Significance Determination Thresholds state the TSM should be used to determine the significance of transportation impacts. The TSM does not contain specific guidance for the consideration of emergency access impacts but states that on-site circulation of fire/emergency vehicles should be considered in an LMA. In an LMA, this often consists of ensuring site design and internal circulation components conform with Fire Code provisions relative to drive aisle width and turning radii.

The following analysis provides a brief description of the proposed project relative to the previous FEIR threshold (Would the project create alterations to present circulation movements in the area including effects on existing public access points?) to demonstrate consistency with the FEIR, but focuses on the current threshold related to emergency access.

### 5.12.6.2 Analysis

#### a. FEIR

The FEIR considered whether the OMCP would result in impacts to existing public access points, rather than emergency access specifically. The FEIR found that buildout of the OMCP would result in increased circulation capacity and access for vehicles, bicycles, and pedestrians. The FEIR described that future development projects within the OMCP may require temporary closures with detours during street improvements which would be addressed through traffic control plans (TCPs) in accordance with City policy. No existing public access points were anticipated to be permanently closed as part of OMCP implementation, as the existing Otay Mesa Port of Entry and Brown Field

access points would be maintained. Therefore, the FEIR found impacts would be less than significant.

## b. Program-level

As the program-level areas are currently vacant and public access is currently limited to the Specific Plan area as a whole, the construction of new roadways proposed under the Specific Plan would increase circulation capacity and access for vehicles, bicycles, and pedestrians in the OMCP area, consistent with the FEIR. The project does not propose permanent closures, reconfigurations, or reclassifications of any existing roadways that would impact circulation and access. Temporary closures with detours may be required during street improvements and would be addressed through 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. Therefore, program-level construction would not result in inadequate emergency access.

The Specific Plan proposes a mobility network that ensures a connected network of private drives and public streets would be constructed internal to the Southwest Village community to provide access throughout the development. A network of smaller public streets and private drives would provide access to and within neighborhoods. To provide access to the Southwest Village Specific Plan area from existing public streets, new connections from Caliente Avenue offering north-south access from Otay Mesa and Beyer Boulevard offering east-west access from San Ysidro would be built. The newly established connections from the construction of Beyer Boulevard would connect to the existing Beyer Boulevard west of the Otay Mesa Road intersection and would provide additional access to Palm Avenue and Airway Road via Caliente Avenue. These connections would ensure not only access but provide evacuation routes that connect to Interstate 805 and SR-905 in the event of an emergency. The program-level roadways would not alter circulation patterns in the broader OMCP area other than to provide increased circulation capacity in an area that is currently inaccessible as part of the local mobility network. As noted in the Transportation Phasing Plan (Appendix J-2), 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.

Each of the program-level roadway improvements as well as future developments would be required to comply with City regulations that ensure emergency access is available. As discussed above, roadways would be constructed in accordance with the City's Street Design Manual and/or with approval of the City Engineer. Future development projects would be reviewed by the City, including by Fire staff, to ensure compliance with regulations related to emergency access. Therefore, program-level components would not result in inadequate emergency access.

## c. Project-level

As detailed in Section 3.5.3, the project-level components include the construction of Beyer Boulevard East, the extension of Beyer Boulevard West from Enright Drive to West Avenue, and widening of the westbound SR-905 on-ramp at Caliente Avenue to provide access to this area.

Access to the development of PA 8 through PA 10 as part of Phase 1a would require construction of Caliente Avenue north of the Specific Plan boundary from its current terminus in Otay Mesa south to the planned connection with Central Avenue. In addition, the current Beyer Boulevard in San Ysidro between Enright Drive and Beyer Boulevard East/Otay Mesa Road would be improved with revised striping to provide a 2-Lane Collector and buffered Class II bike lanes within the existing right-of-way limits as part of Phase 1c. This would be an interim improvement that would ensure adequate roadway functioning until the final roadway improvement to provide a 4-Lane Collector roadway is implemented as part of Phase 4 of the Specific Plan. Temporary closures or detours to existing roadways during construction of these new roadways would be managed through a TCP to maintain adequate public and emergency access and circulation.

As the project would introduce new circulation capacity and access points into the OMCP area where none currently exist, as well as additional vehicular volumes, circulation patterns on the surrounding roadways would be altered. Per the LMA completed for the project-level components (see Appendix J-3), the project would implement queuing and turning movement improvements at the LMA identified study intersections to ensure safe circulation patterns and access as a result of the project. Project-level components would also adhere to development regulations related to emergency access, including required drive aisle widths and available turning radii. The project-level components would not result in inadequate emergency access.

## 5.12.6.3 Significance of Impacts

### a. Program-level

The Specific Plan would provide increased circulation capacity and access to the project site through connections with existing roadways. The program-level components would not result in inadequate emergency access. Therefore, there would be less than significant impacts, consistent with the impact conclusions of the FEIR.

### b. 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 public circulation and emergency access on existing roadways during the construction of these new roadways would be managed through a TCP and implementation of the infrastructure improvements based on LMA recommendations as project design features and permit/map conditions. The project-level components would not result in inadequate emergency access. Therefore, there would be less than significant impacts, consistent with the impact conclusions of the FEIR.

### 5.12.6.4 Mitigation, Monitoring, and Reporting

#### a. Program-level

Impacts would be less than significant; therefore, no mitigation is required.

#### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

# 5.13 Public Services

The information in this section updates the public services information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to public services impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation.

## 5.13.1 Existing Conditions

Existing conditions related to public services at the time of FEIR preparation were described in Section 5.13.1 of the FEIR. In general, the agencies and public facilities associated with these public services remain the same as those described in the FEIR and are summarized below. The following also discusses changes to public service facilities near the project area and provides updated information related to service levels and capacities, where available.

### 5.13.1.1 Fire Protection/Life Safety

As described in the FEIR, fire protection to the project area is provided by the San Diego Fire-Rescue Department (SDFD). No new fire facilities have been established in the OMCP area since FEIR preparation, and the project area is situated within the administrative boundaries of Engine Districts 29 and 43, described further in the FEIR. Fire Station 43, located northeast of the project area at 1590 La Media Road, serves Otay Mesa and its surrounding areas, and has engine, crash, and brush apparatus. SDFD Station 6, located north of the Specific Plan area at 693 Twining Avenue, serves Otay Mesa and its surrounding areas, and has engine apparatus. SDFD Station 29, located west of the project area at 198 West San Ysidro Boulevard, has engine, truck, brush, and medic apparatus. The engine responds to both fire and medical incidents. SDFD responds to emergencies in the Specific Plan area in accordance with San Diego County (County) Operational Area Metro Zone Policies, Annex B and SDFD Emergency and Data Center policies and procedures.

### 5.13.1.2 Police Protection

Police services continue to be provided to the project area by the San Diego Police Department (SDPD). As described in the FEIR, the SDPD uses a five-level priority dispatch system, which includes, in descending order: priority E (Emergency), One, Two, Three, and Four. The calls are prioritized by the phone dispatcher and routed to the radio operator for dispatch to the field units. The priority system is designed as a guide, allowing the phone dispatcher and the radio dispatcher discretion to raise or lower the priority as necessary based on information received. The Specific Plan area remains within Beat 713 of the SDPD Southern Division, which is located at 1120 27$^{th}$ Street, north of the project area. The Southern Division serves a population of 107,631 people within an area that encompasses 31.5 square miles (City of San Diego [City] 2020).

### 5.13.1.3 Parks/Recreational Facilities

The project area remains vacant with no formal parks or recreational facilities. However, an informal trail network crisscrosses the project area and surrounding open space areas, as seen in aerial photographs (see Figure 2-3, *Aerial Photograph*). An approximately 8-acre City public park is planned to be developed in 2025 at the current terminus of Beyer Boulevard in San Ysidro called Beyer Community Park as part of the City's Capital Improvement Program (City 2024a). This park would serve both San Ysidro and Otay Mesa communities and would include ballfields, children's play areas, picnic areas, restrooms, a dog park, skate park and walking trails.

### 5.13.1.4 Libraries

The project area is located in the service area of the City library system. The City now operates a central library located in downtown San Diego and 37 branch libraries in neighborhoods throughout the City. The City's Public Library system has two existing branch libraries that would serve the Specific Plan area, as anticipated in the FEIR: the Otay Mesa-Nestor Branch Library, located at 3003 Coronado Avenue off of Beyer Boulevard, and the San Ysidro Branch Library, located at 4235 Beyer Boulevard.

### 5.13.1.5 School Facilities

Several school districts would serve the project. The San Ysidro School District (SYSD) provides public elementary and middle schools that would serve the project area. Existing elementary schools (grades K–6) include Ocean View Hills Elementary School and La Mirada Elementary School, and existing middle schools (grades 7–8) include San Ysidro Middle School and Vista Del Mar Middle School. The Sweetwater Union High School District (SUHSD) provides the public high school, San Ysidro High School (grades 9–12), that would serve the project area.

Per the School Facilities Fee Justification Report for the SYSD (SYSD 2024), future development within the SYSD district boundaries that would be served by the SYSD would cause the enrollment of the SYSD to increase by approximately 5,680 students. This is based on the projection from the San Diego Association of Governments (SANDAG) that 12,943 additional residential units are anticipated to be constructed within the SYSD boundaries by 2050. Of these 5,680 students, 4,387 additional seats would be needed to provide adequate school capacity. Per Table 6 of the School Facilities Fee Justification Report, SYSD would require the development of approximately 5 new elementary schools with 800 student capacity, which equates to approximately 3,664 seats, and approximately one new middle school with 1,000 student capacity, which equates to approximately 723 seats.

Per the Fee Justification Report for New Residential and Commercial/Industrial Development for the SUHSD (SUHSD 2024), future development that would be served by SUHSD according to SANDAG housing unit projections would cause the enrollment of SUHSD to increase by approximately 7,910 students. Of these students, SUHSD lacks capacity for 1,121 at current school capacity levels. SUHSD would require the development of approximately 1 new high school with a 2,400 student capacity to accommodate these students.

# 5.13.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.13.1.6, which included Senate Bill (SB) 50 and the City's General Plan (2008). Changes and updates to regulations related to public services that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below.

## 5.13.2.1 Local

### a. City of San Diego General Plan (2024)

#### *Recreation Element*

The Recreation Element was updated since it was described in the FEIR. The General Plan (2024) identifies policies in the Recreation Element that relate to provision of park and recreation facilities including the following:

- Park Planning Policy RE-A.2: Refine citywide park and recreation land use policies through community plan updates or other comprehensive planning efforts consistent with the Parks Master Plan to identify potential funding for park and recreation facilities, and to identify potential locations for parks and recreational opportunities that can be easily accessed by walking/rolling, biking, or transit and are centrally located, or provide unique recreational opportunities to community members and visitors.
- Park Planning Policy RE-A.3: Take advantage of recreational opportunities presented by the natural environment, in particular, open spaces and the beaches and shorelines.
- Park Planning Policy RE-A.5: Improve distribution of the most specialized recreation facilities, such as water play areas, swimming pools, off-leash dog areas, and skate parks, and strive to increase bicycle, pedestrian, and transit access to these facilities.
- Park Standards Policy RE-A.8: Fully implement and achieve the park standards identified in the Parks Master Plan, including land acquisition.
- Park Standards Policy RE-A.9: Identify opportunities to increase recreational value and population-based parks within the community consistent with the Parks Master Plan by planning for upgrades and new investments within existing parks. Allow for flexibility and innovation to provide parks and recreational opportunities.
    a. Continue the ongoing practice of developing joint use facilities utilizing a public input process.
    b. Increase community and Citywide access to population-based parks, resource-based parks and open spaces, consistent with the Parks Master Plan.
    c. Identify underutilized existing parks to be upgraded to increase recreational value to the City's parks system.

- Park Standards Policy RE-A.10: Encourage private development to include recreation facilities, such as children's play areas, rooftop parks and courts, useable public plazas, and mini-parks. (see also Urban Design Policies, UD-B.8 and UD-C.5)
    a. Consider private recreation facilities when evaluating development park needs when it is clearly identified that the facilities and programs provide a public benefit and are bound by easements and agreements that remain in effect in perpetuity according to adopted policies.
- Equity Policy RE-A.12: Ensure that appropriate quality and quantity of parks, recreation facilities and infrastructure is provided citywide.
- Implementation Policy RE-A.17: Ensure that all development impact fees collected for the acquisition and development of population-based parks and recreation facilities are used for appropriate purposes in a timely and equitable manner.
- Implementation Policy RE-A.18: Pursue joint use agreements for recreational facilities on other public agency owned land to help implement the standards identified in the Parks Master Plan.
- Conservation Policy RE-C.1: Protect existing parklands and open space from unauthorized encroachment by adjacent development through appropriate enforcement measures.
- Conservation Policy RE-C.2: Protect, manage and enhance parks and open space lands through appropriate means which include sensitive planning, park and open space dedications, and physical protective devices.
- Conservation Policy RE-C.5: Design parks to preserve, enhance, and incorporate items of natural, cultural, Native American, or historic importance.
- Conservation Policy RE-C.9: Determine strategies that accommodate both land for residential, commercial, and industrial use with the needs for parkland and open space uses.
- Accessibility Policy RE-D.1: Provide new and upgraded park and recreation facilities that employ universal design principles that make them accessible to San Diegans regardless of age or physical ability, giving priority to economically disadvantaged communities.
- Accessibility Policy RE-D.2: Provide barrier-free trails and outdoor experiences and opportunities for persons with disabilities where feasible.
- Accessibility Policy RE-D.6: Provide safe and convenient bicycle, pedestrian, and micromobility linkages to, and within, park and recreation facilities and open space areas.
    a. Provide pedestrian and bicycle paths between recreation facilities and residential development.
    b. Designate pedestrian and bicycle corridors, and equestrian corridors where appropriate, that link residential neighborhoods with park and recreation facilities, trails, and open spaces and active commercial areas.
    c. Improve public access through development of, and improvements to, multi-use trails within urban canyons and other open space areas.

d. Coordinate efforts with the City's Pedestrian Master Plan, the Parks Master Plan, Trails Master Plan, and the County's trail system to provide safe and convenient linkages between areas (see also Mobility Element, Section A).

e. Coordinate with the County, state, and federal governments to ensure planning for and connectivity to trail systems outside of the City such as the Trans-County Trail Plan, San Diego River trails, Sweetwater River trails, Otay Valley trails, the California Coastal Trail, the Pacific Crest Trail and the California Riding and Hiking Trail.

f. Identify key trails and access points as a part of community plan updates, discretionary permit reviews, and other applicable land use and park planning documents.

- Accessibility Policy RE-D.7: Provide public access to open space for recreational purposes.

  a. Provide public access into Multiple Species Conservation Program (MSCP) open space for only those recreational purposes deemed compatible with the preservation goals of the MSCP Subarea Plan.

  b. Provide public access at locations consistent with the goals and policies of the Conservation Element.

  c. Provide new, and preserve and enhance existing public beach access, where appropriate.

- Joint Use and Cooperative Partnerships Policy RE-E.3: Support local school districts' efforts to expand elementary and secondary school sites that result in additional joint use opportunities while balancing the competing needs of recreation and housing.

- Open Space Lands and Resource-Based Parks Policy RE-F-2: Protect and enhance park lands from adjacent incompatible uses and encroachments.

- Open Space Lands and Resource-Based Parks Policy RE-F-3: Provide for sensitive development of recreation uses within and adjacent to City owned open space lands.

  a. Include only those development features and amenities that do not encroach upon or harm the feature or resource that inspires the open space or resource-based park.

  b. Design and maintain open space lands to preserve or enhance topographic and other natural site characteristics.

  c. Preserve designated public open space view corridors, such as views to the Pacific Ocean, other bodies of water, and significant topographic features.

  d. Preserve open space along lakes, rivers, and creek beds for passive public recreation uses that are consistent with MSCP preservation goals.

  e. Plant only native plant and non-invasive naturalized plant materials adjacent to open space lands.

  f. Plant only native plant materials in open space lands intended for natural resource protection.

- Open Space Lands and Resource-Based Parks Policy RE.F-8: Create or enhance open space multi-use trails to accommodate, where appropriate, pedestrians/hikers, bicyclists, and equestrians.
    a. Enhance public access to public open space by clearly identifying trailheads and trail alignments which are consistent with MSCP preservation goals.
    b. Locate canyon and other open space trails to take advantage of existing pathways and maintenance easements where possible and appropriate.
    c. Design, construct and manage trails to:
        - Consider the context and sensitivity of the area they traverse.
        - Protect and preserve sensitive natural and cultural resources.
        - Provide for safe and enjoyable use using best practices (e.g., user management).
        - Be sustainable and minimize maintenance using best practices (e.g., erosion control).
    d. Ensure that trails that are considered to be a part of the City's trail system meet one or more of the City's definitions of what constitutes a trail (see Glossary).
    e. Allow for the closure of existing public trails where such trails are unsafe, unsustainable, redundant, serve only a single private property, lack legal public access, and/or unnecessarily impact environmentally sensitive areas.

### *Public Facilities, Services, and Safety Element*

The Public Facilities, Services, and Safety Element was updated since it was described in the FEIR. The General Plan (2024) identifies policies in the Public Facilities, Services and Safety Element that relate to provision of public services, including the following:

- Infrastructure and Public Spaces Policy PF-A.2: Plan for public spaces such as libraries, public markets and parks that will be attractive to families with children.
- Fire Service and Infrastructure Policy PF-D.1: Locate, staff, and equip fire stations to meet established response times as follows:
    a. To treat medical patients and control small fires, the first-due unit should arrive within 7.5 minutes, 90 percent of the time from the receipt of the 911 call in fire dispatch. This equates to 1-minute dispatch time, 1.5 minutes company turnout time and 5 minutes' drive time in the most populated areas.
    b. To provide an effective response force for serious emergencies, a multiple-unit response of at least 17 personnel should arrive within 10.5 minutes from the time of 911-call receipt in fire dispatch, 90 percent of the time.
        - This response is designed to confine fires near the room of origin, to stop wildland fires to under 3 acres when noticed promptly, and to treat up to 5 medical patients at once.

    - This equates to 1-minute dispatch time, 1.5 minutes company turnout time and 8 minutes drive time spacing for multiple units in the most populated areas.

- Fire Service and Infrastructure Policy PF-D.2: Determine fire station needs, location, crew size and timing of implementation as the community grows.

    a. Use the fire unit development performance measures (based on population density per square mile) shown in Table PF-D.1 to plan for needed facilities. Where more than one square mile is not populated at similar densities, and/or a contiguous area with different density types aggregates into a population cluster area, use the measures provided in Table PF-D.2.

    b. Reflect needed fire-rescue facilities in community plans and associated facilities financing plans as a part of community plan updates and amendments.

See Table 5.13-1, *Deployment Measures to Address Future Growth by Population Density per Square Mile*, reproduced from Table PF-D.1 referenced above, for recommended response times for fire services.

**Table 5.13-1**
**Deployment Measures to Address Future Growth by Population Density per Square Mile**

| | >1,000 people/sq. mi. | 1,000 to 500 people/sq. mi. | 500 to 50 people/sq. mi. | Permanent Open Space Areas |
|---|---|---|---|---|
| 1st Due Travel Time | 5 minutes | 12 minutes | 20 minutes | 10 minutes |
| Total Reflex Time* | 7.5 minutes | 14.5 minutes | 22.5 minutes | 12.5 minutes |
| 1st Alarm Travel Time | 8 minutes | 16 minutes | 24 minutes | 15 minutes |
| 1st Alarm Total Reflex* | 10.5 minutes | 18.5 minutes | 26.5 minutes | 17.5 minutes |

sq. mi. = square mile
*Reflex time is the total time from receipt of a 9-1-1 call to arrival of the required number of emergency units.
Source: City 2024, TABLE PF-D.1.

See Table 5.13-2, *Deployment Measures to Address Future Growth by Population Clusters*, reproduced Table PF-D.2 referenced above, for recommended performance measures for fire services.

**Table 5.13-2**
**Deployment Measures to Address Future Growth by Population Clusters**

| Area | Aggregate Population | First-Due Unit Travel Time Goal |
|---|---|---|
| Metropolitan | > 200,000 people | 4 minutes |
| Urban-Suburban | < 200,000 people | 5 minutes |
| Rural | 500-1,000 people | 12 minutes |
| Remote | <500 people | >15 minutes |

Source: City 2024, TABLE PF-D.2.

- Fire Service and Infrastructure Policy PF-D.5: Maintain service levels to meet the demands of continued growth and development, tourism, and other events requiring fire-rescue services.
    a. Provide additional response units, and related capital improvements as necessary, whenever the yearly emergency incident volume of a single unit providing coverage for an area increases to the extent that availability of that unit for additional emergency responses and/or non-emergency training and maintenance activities is compromised. An excess of 2,500 responses annually requires analysis to determine the need for additional services or facilities.
- Fire Service and Infrastructure Policy PF-D.6: Provide public safety related facilities and services to assure that adequate levels of service are provided to existing and future development.
- Police Protection Policy PF-E.2: Maintain average response time goals as development and population growth occurs. Average response time guidelines are as follows:
    - Priority E Calls (imminent threat to life) within seven minutes.
    - Priority 1 Calls (serious crimes in progress) within 12 minutes.
    - Priority 2 Calls (less serious crimes with no threat to life) within 30 minutes.
    - Priority 3 Calls (minor crimes/requests that are not urgent) within 90 minutes.
    - Priority 4 Calls (minor requests for police service) within 90 minutes.
- Police Protection Policy PF-E.7: Maintain service levels to meet demands of continued growth and development, tourism, and other events requiring police services.
    a. Analyze the need for additional resources and related capital improvements when total annual police force out-of-service time incrementally increases by 125,000 hours over the baseline of 740,000 in a given year. Out-of-service time is defined as the time it takes a police unit to resolve a call for service after it has been dispatched to an officer.
- Schools Policy PF-K.1: Assist the school districts and other education authorities in resolving problems arising over the availability of schools and educational facilities in all areas of the City.
- Schools Policy PF-K.8: Work with school districts and other education authorities to avoid environmentally protected and sensitive lands in the siting of schools and educational facilities.

## b. Build Better San Diego

Build Better San Diego is a planning initiative adopted by the City Council on August 1, 2022 to enable the faster delivery of public spaces and buildings equitably and sustainably across San Diego. The initiative supports the City's equity, access, conservation, and sustainability goals in addition to furthering the City's housing goals by providing the infrastructure needed to support new homes for all residents. The initiative aligned the City's General Plan with new policies to prioritize investments in areas with the greatest needs and create opportunities to gather community input. The initiative

also included amendments to the San Diego Municipal Code to promote equitable investments in public spaces and mobility improvements. The initiative additionally updated the City's Development Impact Fee (DIF) structure to streamline public investments and further equitable policies, with an emphasis on prioritizing investment in neighborhoods with the greatest needs and delivering infrastructure to more people, more quickly.

### c. Parks Master Plan - Complete Communities: Play Everywhere

The City has adopted a new Parks Master Plan, which was identified as a future policy document in the General Plan (2008) referenced in the FEIR. The Parks Master Plan (City 2021) aligns parks planning with the City's vision to achieve the shared Citywide goals of sustainability and resilience, equity, livability, and connectivity. The Parks Master Plan implements the Climate Action Plan by providing a framework for thriving public spaces to be enjoyed by residents and visitors throughout the City. Key goals of the Parks Master Plan include an interconnected citywide park system, recreational spaces with easy access to transit/bike/walking, and equitable investments in parks in areas with the most need. The Parks Master Plan includes the following elements:

- Equity goals – the plan acknowledges historical inequities in the City park system within communities of concern and prioritizes park investments based on equity factors including a climate equity index, park condition index, and park pressure which analyzes local populations and communities to ensure park needs are met.
- 10-20-30-40-minute access goal – this is a travel time goal to provide parks within a 10-minute walk, a 20-minute bike ride or micro-mobility ride, a 30-minute transit ride, and providing at least 40 minutes enjoyed in the park (park activation).
- New park standard that measures recreational value – this is a value-based park standard that provides 100 points per 1,000 population with the value determined based on features related to carrying capacity, recreation opportunities, access, amenities, and activations.
- Citywide park development impact fee – a new fee structure sets a standard impact fee across the City in order to deliver parks faster with a larger pool of funds and target the highest need areas in the City.

## 5.13.3 Issue 1: Public Services

*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 provision of new or altered public facilities, the construction of which could cause significant physical impacts?*

### 5.13.3.1 Significance Thresholds

Consistent with the FEIR, a significant public services impact would occur if the project would:

- Promote growth patterns resulting in the need for and/or provision of new or physically altered public facilities, the construction of which could cause significant environmental impacts in order to maintain service ratios, response times, or other performance objectives.

According to the City's 2022 CEQA Significance Determination Thresholds, the analysis of potential public services impacts should first consider whether the project conflicts with the applicable community plan in terms of the number, size, and location of public service facilities. If so, the analysis should consider whether there are direct impacts from construction of proposed new public service facilities needed to serve the project. The following provides additional guidance from the City's 2022 CEQA Significance Determination Thresholds to be used in determining whether new public service facilities are required for each service type.

## a. Fire Protection/Life Safety and Police Protection

For police and fire-rescue services, the City's 2022 CEQA Significance Determination Thresholds state the following should also be considered and referred to the Police and/or Fire-Rescue Departments if the project exceeds a threshold of 75 dwelling units or 100,000 square feet of non-residential construction.

- Is the project located in a brush fire hazard area, hillside, or an area with inadequate fire hydrant services or street access?
- Does the project involve the use, manufacture or storage of toxic, readily-combustible, or otherwise hazardous materials?
- Would the project's location provide for adequate SDFD access as determined by Fire and Life Safety staff to be in conformance with the California Fire Code and Fire and Hazard Prevention Services Policy A-00-1?
- Would the project substantially affect Police or Fire-Rescue response times (i.e., increase the existing response times in the project area)?

These specific questions are reviewed by the Police and/or Fire-Rescue Departments to determine whether a project would substantially affect these issue areas, as well as the following response times:

- Police: Priority 1 call goal by neighborhood from current budget.
- Fire-Rescue: 5 minutes from the time the alarm is received to arrival of the first engine at the scene of the incident (1 minute chute + 4 minute travel) and 9 minute response time (1 minute chute + 8 minute travel) for initial full alarm assignment (3 engines and 1 truck).

## b. Parks/Recreational Facilities

The City's General Plan (2024) provides the following guidelines for population-based parks:

a. Neighborhood parks and facilities should serve a resident population of between 3,500 and 5,000 within an approximately half-mile radius. The facility should be 5 acres in size when located next to an elementary school and 10 acres when the facility must stand alone.

b. Community parks and recreation centers should serve a resident population of between 18,000 and 25,000 within an approximately 1.5-mile radius. The facility should be 13 acres in

size when located adjacent to a junior high school and 20 acres when the facility must stand alone.

The General Plan guidelines for resource-based parks are as follows:

a. Resource-based parks should provide approximately 15 to 17 acres per 1,000 residents City-wide. It is important to note that resource-based parks are identified with an area of outstanding scenic, natural, or cultural interest. However, portions of these parks may serve as a community park.

The City's Park and Recreation Department and Planning Department are part of the multidisciplinary review team for development projects. They are responsible for determining whether there would be a park deficiency within the community planning areas. Environmental documents should discuss a development's effect on any park deficiencies in the area, but should not conclude that such effects are CEQA impacts unless there is a resulting secondary significant physical impact.

## c. Libraries

The General Plan establishes guidelines and standards for branch libraries. Ideally, branch libraries should serve a resident population of 30,000 and may be established when a service area, which is expected to grow to 30,000 residents within 20 years of library construction, has a minimum population of 18,000 to 20,000. Branches should be located in areas of intense human activity, with a two-mile maximum service area, where trips can be combined with other daily trips. The provision of adequate libraries is a planning and facilities issue, and project applicants are required to make fair share contributions to the public facilities.

## d. School Facilities

SB 50 holds that the payment of statutory fees are the exclusive means of considering and mitigating school impacts. Therefore, once the statutory fee is paid, the impact would be mitigated because of the provision that the statutory fees constitute full and complete mitigation. The City's 2022 CEQA Significance Determination Thresholds state that environmental documents for larger residential projects should include information provided by the appropriate school districts about the existing conditions and capacities, but should conclude that the impacts are mitigated through the implementation of SB 50.

# 5.13.3.2 Analysis

## a. Fire Protection/Life Safety

### *FEIR*

The FEIR found that buildout of the OMCP would increase demand for fire protection services and would contribute to the need for new or altered facilities. The OMCP identified the need to develop Fire Station No. 49, as well as a fire station to be collocated with a police protection facility.

The OMCP identified the need to develop future fire protection facilities in order to provide adequate levels of service under buildout. Specifically, OMCP Policy 6.1-1 seeks to maintain fire and police service levels to meet the demands of continued growth, which could be achieved through monitoring of how development affects average fire and police response time goals and facility needs. Consistent with the General Plan (2008) Policy PF-D.4, OMCP Policy 6.1-2 identifies the need to develop the 10,500-square-foot minimum future Fire Station No. 49, as well as an additional 10,500-square-foot fire station to be located near Britannia Boulevard and Airway Road. The FEIR determined that the development of these two future fire stations would ensure the SDFD would be able to provide adequate fire protection services under buildout of the OMCP. Fire Station No. 49 is planned to be located at the intersection of Ocean View Hills Parkway and Sea Fire Point, just northwest of the Otay Mesa Road and Caliente Avenue intersection. This station would provide a direct connection to the future Specific Plan development area via Caliente Avenue. Fire Station No. 49 is identified in the City Public Facilities Financing Program for Otay Mesa as project OM F-2 (City 2014). The original schedule for funding for acquisition, design and construction was anticipated in Fiscal Year (FY) 2019 and FY 2020; however, significant funding needs remain. Construction of this station would be required to undergo a site-specific environmental review at the time funding and design plans are available, which is now anticipated to occur after 2026.

The FEIR also found that it was reasonable to assume that these facilities would be constructed in the future within the development footprint of the OMCP area analyzed in the FEIR, and that these facilities would be subject to separate environmental review at the time design plans are available. Therefore, the FEIR found that impacts related to the construction of fire protection facilities would be less than significant at the program level.

### *Program-level*

Development of the proposed Specific Plan would generate less population growth than what was assumed in the OMCP and analyzed in the FEIR, as the OMCP identified an estimated residential buildout of 5,880 units and 21,028 people within Southwest Village. The project's 5,130 dwelling units would generate a future population increase of approximately 13,441 persons, utilizing a current person per household ratio of 2.62 (SANDAG 2023). Thus, the future population of the Specific Plan would be reduced compared to what was analyzed in the FEIR.

Furthermore, the Specific Plan's proposed 175,000 square feet of commercial development would not exceed what was assumed for Southwest Village within the OMCP. Therefore, the Specific Plan would not generate additional residential or commercial development and associated 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. Additionally, the project would be required to pay DIFs prior to issuance of building permits under each future development project consistent with the Specific Plan that would support existing and future fire protection services needed to serve the area. The program-level components do not include construction of any fire protection facilities and would not result in any physical impacts associated with construction of such facilities. Therefore, development of the program-level components would be consistent with the findings of the FEIR and physical impacts related to construction of local fire protection service facilities would not occur.

### *Project-level*

As the project-level components would implement a portion of the Specific Plan described above, the project-level components would not result in the need for fire protection facilities exceeding what was anticipated for the area in the OMCP as described above. The project-level components would not include the construction of fire protection facilities and would not result in physical impacts associated with the construction of such facilities. As discussed above, the developer of the project-level components would be required to pay DIFs prior to the issuance of building permits that would support existing and future fire protection services needed to serve the area. Therefore, the project would be consistent with the findings of the FEIR and physical impacts related to construction of local fire protection services would not occur.

## b. Police Protection

### *FEIR*

The FEIR found that buildout of the proposed OMCP would increase demand for police protection services and would contribute to the need for new or altered facilities. The OMCP identified the need to develop a police protection station that would be collocated with a fire protection facility.

The OMCP identified the need to develop future police protection facilities in order to provide adequate levels of service under buildout, including buildout of the Specific Plan. Specifically, OMCP Policy 6.1-1 seeks to maintain fire and police service levels to meet the demands of continued growth, which could be achieved through monitoring of how development affects average fire and police response time goals and facility needs. Additionally, OMCP Policy 6.1-1.b. identifies the need to coordinate with the police and fire departments to collocate a future police and fire facility within Otay Mesa. The FEIR determined that development of this future police station would ensure that SDPD would be able to provide adequate police protection services under buildout of the OMCP. The Public Facilities Financing Program for Otay Mesa identifies a 20,000-square-foot police substation co-located with the fire station as project OM PO-2 (City 2014). The location of this facility has not been determined and funding for acquisition, design, and construction were anticipated in FY 2044 and FY 2045.

The FEIR found that it was reasonable to assume that new police facilities would be constructed within the development footprint of the OMCP area analyzed in the FEIR, and that these facilities would be subject to separate environmental review at the time design plans are available. Therefore, the FEIR found that impacts related to the construction of police protection facilities would be less than significant at the program level.

### *Program-level*

As the proposed Specific Plan buildout densities are decreased from the anticipated densities in the OMCP, the anticipated demand for police facilities would not increase. As noted above in the analysis for fire protection services, the project site's future population would be reduced compared to what was presented in the FEIR. Therefore, the Specific Plan would not generate additional residential or commercial development in need of police protection services beyond what was estimated for Southwest Village in the FEIR. The program-level components do not include

construction of police protection facilities and would not result in physical impacts associated with construction of such facilities. However, buildout of the Specific Plan would contribute to the increase in a demand for additional police protection services and facilities anticipated in the FEIR. Development of the program-level components would generate payment of applicable DIFs prior to issuance of building permits during each subsequent vesting tentative map or development project, which would provide funding to support police protection services. Therefore, the program-level components would not necessitate the construction of additional police protection facilities and there would be no physical impacts related to the construction of local police protection services.

### *Project-level*

The project-level components do not include construction of police protection facilities and would not result in physical impacts associated with construction of such facilities. As the project-level components propose development that exceeds the 75 unit and/or 100,000-square-foot non-residential construction threshold, the project would need to be reviewed by the SDPD. The City of San Diego Environmental Analysis Section has coordinated with SDPD regarding this requirement and it was determined that the construction of any police protection facilities would not be required as part of this project. Development of the project-level components would generate payment of applicable DIFs prior to issuance of building permits, which would provide funding to support police protection services and future planned police protection facilities in Otay Mesa.

## c. Parks/Recreational Facilities

### *FEIR*

The FEIR found that new parks would be required in order to meet the increased demand for parks and recreational facilities associated with buildout of the OMCP. The OMCP designated approximately 161 acres of land to be developed as population-based parks and designated 2,748 acres as open space. The FEIR found that it was reasonable to assume that these facilities would be constructed within the development footprint of the OMCP area analyzed in the FEIR, and that these facilities would be subject to separate environmental review at the time design plans are available. Therefore, the FEIR found that impacts related to the construction of parks and recreational facilities would be less than significant at the program level.

### *Program-level*

Buildout of the Specific Plan would result in additional demand for parks due to increased population and associated demand for parkland. Although the project site's future population and associated population-based demand for parks would be reduced compared to that anticipated in the FEIR, the construction of new park and recreation facilities would be required to serve the new residential community. The Specific Plan identifies a total of 1,627 Recreation Value Points of parks and recreational amenities within the program-level area with various amenities to expand park facilities in the OMCP area, consistent with OMCP Policy 6.6-1 and Policy 6.6-2. These park and recreation facilities would include the closure of unsafe or unsustainable trails to develop more accessible and context sensitive park and recreation facilities, consistent with General Plan (2024) Recreation Element Policy RE-F.8, which would accommodate users such as pedestrians/hikers, bicyclists, and equestrians. Restoration of surrounding habitat and trail siting would ensure the

protection of sensitive natural resources while the public has access to MSCP open space consistent with General Plan (2024) Recreation Element Policy RE-D.7.

Consistent with OMCP Policy 7.1-1 and Policy 7.1-7, the Specific Plan identifies the specific quantity, locations, and Recreational Value Points of proposed parks and provides recommendations about specific park uses and design intent. Consistent with OMCP Policy 7.1-2, the Specific Plan identifies an anticipated parks phasing plan that would provide for development of parks concurrent with development of mixed-use and residential development. The Specific Plan has been designed to include a variety of parks to provide passive and active recreation opportunities throughout the community, especially amenities that would appeal to a wide range of user groups and that would be readily accessible to multiple users, consistent with Public Facilities, Services, and Safety Element Policy PF-A.2 and OMCP Policy 7.1-8 and Policy 7.1-11. Future parks would include neighborhood parks, mini parks, pocket parks, paseos (linear parks), and privately owned park sites, consistent with General Plan (2024) parks guidelines and standards (see Figure 3-10, *Parks and Trails*, for the proposed locations of parks within the Specific Plan area).

The development of parks located within the program-level area would be subject to separate environmental review for future implementing development within the Specific Plan area; however, environmental impacts associated with construction of parks and trails within the program-level area have been evaluated throughout this Subsequent Environmental Impact Report (SEIR) at the program-level and mitigation is presented accordingly in respective analysis sections. In addition to park facilities, the Specific Plan includes a planned trail network that would be implemented over time as development progresses by various parties. Physical impacts associated with implementation of recreational trail alignments have been evaluated programmatically in this SEIR to allow for site-specific implementation consistent with the mitigation presented in the respective analysis sections. The program-level components would not result in physical impacts related to the construction of park and recreational facilities other than those impacts that have been described throughout this SEIR.

### *Project-level*

Buildout of the project-level components would result in the demand for new park facilities due to increased population; however, buildout of the project-level components would not result in population growth beyond what was analyzed in the FEIR. Park space has been integrated into the project-level areas consistent with the Specific Plan framework for parks. Implementation of the project-level components would provide 4.33 acres of pocket parks, 1.18 acres of paseos, and 0.10 acre of trail amenities. Conceptual pocket park and paseo designs for the project-level areas are shown in Figures 3-27 through 3-29, *Pocket Park Concept Designs*. Parks would be developed in phases concurrent with the development of the residences and would be managed by the Homeowner Association. Official trails proposed for implementation as part of the project-level development include a perimeter trail bordering the western boundary of the project-level area at Planning Area (PA) 9 through PA 14 (see Figure 3-30, *Trails Network Phasing*).

Environmental impacts associated with construction of parks and trails have been evaluated throughout this SEIR as part of the evaluation of the project-level development areas and mitigation is presented accordingly in respective analysis sections.

## d. Libraries

### *FEIR*

The FEIR identified the need for an additional library facility to serve buildout of the OMCP. Although the specific location of a library has not been determined, the FEIR found that it was reasonable to assume that this facility would be constructed within the development footprint of the OMCP area, and that this facility would be subject to separate environmental review at the time design plans are available. OMCP Policy 6.6-4 documents the need to develop a new library within the OMCP area in order to meet community needs. The Public Facilities Financing Program for Otay Mesa identifies funding for a 15,000 square foot branch library (Project OM L-2.1). The location of this facility has not been determined and funding for acquisition, design, and construction was anticipated in the Public Facilities Financing Program for Otay Mesa for FY 2025 through FY 2027. The Public Facilities Financing Program for Otay Mesa also identifies funding for expansion of a branch library by 2048 (Project OM L-2.2). Expansion of this library would be required to undergo a site-specific environmental review at the time funding and design plans are available. The FEIR concluded impacts related to the construction of new library facilities would be less than significant.

### *Program-level*

The Specific Plan does not include construction of any library facilities and would not result in physical impacts associated with construction of such facilities. As the population anticipated from buildout of the proposed Specific Plan does not exceed the projections provided in the FEIR, the anticipated demand for libraries would not change from what was described in the FEIR. In addition, development of the program-level components would generate payment of applicable DIFs prior to issuance of building permits, which would provide funding to support future libraries.

### *Project-level*

The project-level components do not include construction of any library facilities and would not result in physical impacts associated with construction of such facilities. As the population anticipated from buildout of the project-level components does not exceed the projections provided in the FEIR, no additional library demand would result from implementation of the project-level components compared to the analysis provided in the FEIR. In addition, development of the project-level components would generate payment of applicable DIFs prior to issuance of building permits, which would provide funding to support future libraries.

## e. School Facilities

### *FEIR*

The FEIR identified the need for additional school facilities to serve buildout of the OMCP. While the FEIR noted that individual school districts are responsible for planning, siting, building, and operating schools in their respective districts, the FEIR found that it was reasonable to assume that schools would be constructed within the development footprint of the OMCP area and would be subject to separate environmental review at the time design plans are available. In addition, the payment of statutory fees by future project developers to the affected school districts was found to

reduce impacts related to the provision of new educational facilities, as payment of such fees would be considered full and complete mitigation pursuant to SB 50. Therefore, the FEIR found that impacts related to the construction of school facilities would be less than significant.

### *Program-level*

Buildout of the Specific Plan would generate population growth in the OMCP area; however, population growth associated with Specific Plan buildout would be decreased from the population growth anticipated and analyzed in the FEIR. Nevertheless, as noted above under Section 5.13.1.5, future development within the OMCP area, including the Specific Plan area, would contribute to the need for new school facilities to be constructed.

The Specific Plan has identified two school sites that could be developed to serve students residing in the Southwest Village and/or other portions of Otay Mesa, as well as other areas served by SYSD and/or SUHSD. The program-level components include an approximately 6.2~~7.5~~-acre school site within PA 16 that would be made available for SYSD, SUHSD, or another school provider to acquire for the development of a school facility prior to full residential buildout of all PAs identified within the Specific Plan. Additionally, the Specific Plan has identified an approximately 8.9~~6.9~~-acre optional school site within PA 7 that would be made available for SYSD and/or SUHSD to acquire for the development of another school facility. Should SYSD and SUHSD determine the school site in PA 7 is not needed or prefers an alternative location and site in a different planning area, the underlying Medium Density Residential land use would apply. Refer to Figure 3-1, *Specific Plan Land Use Plan*, for the locations of the proposed school sites.

Providing these two school sites would satisfy the need to coordinate planning efforts with the SYSD and the SUHSD consistent with OMCP Policy 6.6-3. Additionally, providing these two potential school sites would be consistent with OMCP Policy 2.7-2.c, which requires collaboration with SYSD and SUHSD on the locations for two to three additional K–8 schools and one to three additional K–6 schools within the Southwest and Central village areas of the OMCP. Furthermore, future projects developed under the Specific Plan would pay school impact fees to the potentially affected school districts and payment of such fees constitutes full and complete mitigation related to potential impacts to schools pursuant to SB 50.

As part of the project, the SYSD and SUHSD were contacted to provide a determination of whether the project would be consistent with the districts' future service level projections or if the buildout projections would necessitate the development of additional school facilities that are not currently planned. The SYSD responded on March 22, 2024 with the determination that adequate space within their existing school facilities would not be available to accommodate enrollment growth from the proposed Specific Plan or other specific plans in the Otay Mesa area.

SYSD has determined that to accommodate the projected enrollment of 2,200 students from the proposed Specific Plan and the students projected from other OMCP developments, no less than three elementary schools and one middle school must be sited, funded, and constructed in the Otay Mesa area. 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 existing schools ~~in temporary classroom facilities~~ outside of the Specific Plan area, either on an interim (5-years or less) or permanent basis.

As future school plans are developed, individual school projects would be required to undergo site-specific environmental review. Physical impacts associated with the implementation of schools within PA 7 and PA 16 have been evaluated programmatically in this SEIR to allow for site-specific implementation consistent with the mitigation presented in the respective analysis sections. Therefore, the development of school facilities in the Specific Plan area to serve future growth would not result in physical impacts other than those impacts that have been described throughout this SEIR.

### *Project-level*

While the project-level components do not include construction of school facilities, the project-level grading footprint includes the grading of the proposed location for the future school site within PA 16 (see Figure 3-1). This area would be graded in order to facilitate a balanced grading operation, but no school would be constructed at the time of project-level implementation. Physical impacts associated with ground disturbance activities at this site and the entire grading footprint are analyzed throughout this SEIR with mitigation measures identified accordingly. Implementation of the project-level components would proceed consistent with the Specific Plan development framework which has been developed consistent with OMCP density assumptions. No additional school facilities would be required. In addition, development of the project-level components would generate payment of school impact fees to the affected school districts for future facility construction.

## 5.13.3.3 Significance of Impacts

## a. Fire Protection/Life Safety

### *Program-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## b. Police Protection

### *Program-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## c. Parks/Recreational Facilities

### *Program-level*

The Specific Plan identifies parkland and a trail network that would be implemented over time in accordance with the Specific Plan. As such, physical impacts related to parks and trails are addressed as part of the overall analysis of the program-level areas within this SEIR and would require implementation consistent with the applicable mitigation presented in the respective analysis sections. Therefore, the Specific Plan would not require the provision of parks and recreational facilities not otherwise analyzed in this SEIR and impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

The physical impacts of developing parks and trails within the project-level areas have been evaluated at the project-level throughout this SEIR, with mitigation identified as needed. Therefore, project-level impacts related to the need for additional parks and recreation facilities would be less than significant, consistent with the impact conclusions of the FEIR.

## d. Libraries

### *Program-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## e. School Facilities

### *Program-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

# 5.13.3.4 Mitigation, Monitoring, and Reporting

## a. Fire Protection/Life Safety

Impacts related to fire protection services would be less than significant; therefore, no mitigation is required.

## b. Police Protection

Impacts related to police protection services would be less than significant; therefore, no mitigation is required.

## c. Parks/Recreational Facilities

The mitigation identified throughout this SEIR would apply to the development of park and recreational facilities, where applicable. Impacts related to population-based parks would be less than significant; therefore, no mitigation is required.

## d. Libraries

Impacts related to library facilities would be less than significant; therefore, no mitigation is required.

## e. School Facilities

Payment of school impact fees constitutes full and complete mitigation related to growth necessitating the construction of new school facilities; therefore, no mitigation is required.

# 5.14 Utilities

The information in this section updates the utilities information related to water, wastewater, reclaimed water, solid waste, storm water drainage, and communication systems in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to utilities impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. Utility information was acquired through consultation with the City of San Diego (City), relevant planning documents (General Plan, OMCP, the San Diego Municipal Code [SDMC]), in addition to a review of public documents. This section is also based on the following project-specific reports:

- Storm Water Quality Management Plan for the Vesting Tentative Map (VTM) (Appendix F-1)
- Conceptual Drainage and Water Quality Summary for the Southwest Village Specific Plan (Appendix F-2)
- Drainage Study for the Southwest Village Tentative Map (Appendix F-3)
- Water Systems Analysis for the Southwest Village VTM 1 Project in the City of San Diego (Appendix K-1)
- Addendum No. 1 to the Water System Analysis for the Southwest Village VTM 1 Water Study in the City of San Diego (Appendix K-2)
- Southwest Village Specific Plan Water Study (Appendix K-3)
- Sewer Study for the Southwest Village VTM 1 Project in the City of San Diego (Appendix K-4)
- Addendum No. 1 to the Sewer Study for the Southwest Village VTM 1 Project in the City of San Diego (Appendix K-5)
- Southwest Village Specific Plan Sewer Study in the City of San Diego (Appendix K-6)
- Waste Management Plan (WMP) for the Southwest Village Specific Plan (Appendix L)

## 5.14.1 Existing Conditions

### 5.14.1.1 Water Systems

The project area remains undeveloped and located within an area of the City that does not have existing potable water facilities available. The following level of detail regarding the water system infrastructure was not provided in the FEIR. The project area is located within a City water service area, within the Otay Mesa 680 Pressure Zone. The 680 Pressure Zone is a closed zone (completely pumped zone) supplied by three water booster pump stations (Otay Mesa Pump Station, Ocean View Hills Pump Station, and Princess Park Pump Station) and an emergency inter-district interconnect (Otay Water District [OWD] Emergency Interconnect). All three pump stations are

equipped with two pumps with a capacity of 3,100 gallons per minute (gpm) and one pump with a capacity of 1,500 gpm. Therefore, each pump station has a total hydraulic capacity of 7,700 gpm. Each of these booster pump stations and the emergency interconnect is described below:

- The Otay Mesa Pump Station is the original booster pump station situated in the northeast portion of the Otay Mesa 680 Pressure Zone, located on Heritage Road on the south side of the Otay River. A 24-inch 680 Pressure Zone transmission main extends south from this booster pump station to Otay Mesa Road, and then extends west along Otay Mesa Road to Ocean View Hills Parkway. This booster pump station is currently out of service and does not currently supply water to the 680 Pressure Zone.
- The Ocean View Hills Pump Station, constructed as part of the California Terraces development project, is located along Ocean View Hills Parkway approximately 3,500 feet east of Interstate 805 (I-805). A 30-inch transmission main extends south from the booster pump station to Otay Mesa Road and then south within Caliente Avenue, where it splits into four 12-inch mains crossing State Route 905 (SR-905). These four lines combine into two 16-inch transmission mains which currently extend to the southern terminus of Caliente Avenue. This pump station was constructed in 1999 and is currently the only booster pump station providing water to the 680 Pressure Zone.
- The Princess Park Pump Station is located at the western end of Masterson Lane, between the Remington Hills subdivision and the northbound I-805 off-ramp to SR-905. A 30-inch transmission main extends from the Princess Park Pump Station east within Masterson Lane, Carbine Way, and Hawken Drive, and then reduces to a 24-inch main at Old Otay Mesa Road. This booster pump station was constructed in 2003 but is not currently online and does not currently provide water to the 680 Pressure Zone.
- An emergency interconnection from the OWD to the City is located on Otay Mesa Road just east of the intersection with Heritage Road. This normally closed emergency interconnect with OWD has a flow delivery capacity of 5,000 gpm.

Portions of the City's potable water service area surrounding the project area were evaluated from a master planning perspective in the South San Diego/Otay Mesa Water Study prepared by Dexter Wilson Engineering in 1999. The alternative recommended in this study served as the basis for the water system infrastructure that has been constructed within portions of Otay Mesa surrounding the project area. The South San Diego/Otay Mesa Water Study determined that the collective potable water reservoir storage that would be needed for the Otay Mesa 680 Pressure Zone and South San Diego 490 Pressure Zone would be 30.2 million gallons.

Figure 3-12, *Public Water Facilities*, presents the locations of existing water facilities within the project area. As shown on Figure 3-12, there are existing public water facilities in the vicinity of the project area that are also part of the Otay Mesa 680 Pressure Zone. These include existing parallel 16-inch water lines in Caliente Avenue.

## 5.14.1.2 Wastewater Systems

As stated in the FEIR, the project area is located within the City’s service area for wastewater; however, the Specific Plan area is undeveloped and does not have existing sewer facilities in the

area. Figure 3-13, *Public Sewer Facilities*, presents the locations of existing sewer facilities within Otay Mesa. As shown, the existing City public sewer system is located west and north of the program-level area. The City is currently implementing a basin wide sewer improvement project which involves the construction of approximately 14.7 miles of new trunk sewer line, referred to as the Otay Mesa Trunk Sewer (OMTS). The OMTS would be extended through Beyer Boulevard to the project area.

## 5.14.1.3 Reclaimed Water

Within Otay Mesa, the OWD serves some customers with reclaimed water from the Ralph W. Chapman Water Reclamation Facility and from the City's South Bay Water Recycling Plant. However, as the project area is not served by OWD, there are no reclaimed water facilities serving the project area.

Since preparation of the FEIR, the City has begun implementation of the City's Pure Water San Diego Program (Pure Water). Pure Water was approved by City Council in 2014 and is intended to provide a reliable drinking water supply that is locally controlled and drought-proof. The program will use advanced water treatment processes to turn reclaimed water into water of equal or greater quality than the imported sources. Pure Water is being implemented in phases and is expected to be completed by 2035. Pure Water uses existing domestic water distribution infrastructure and does not rely on the construction of new reclaimed water infrastructure for distribution.

## 5.14.1.4 Solid Waste

As described in the FEIR, the City provides refuse, recycling, and yard waste collection and disposal services to some residents under the People's Ordinance (SDMC Section 66.0127), which was adopted in 1919 by the residents of San Diego and repealed by Measure B in 2022. SDMC Section 66.0127 is now updated to allow the City to charge a cost-recovery fee for its solid waste management services. The City provides solid waste collection services to primarily single-family homes. Refuse not eligible for the City's collection services is collected by privately operated franchised haulers. Waste generated in the City continues to be taken primarily to three landfills: West Miramar Sanitary Landfill, Sycamore Landfill, and Otay Landfill.

- The West Miramar Sanitary Landfill is located within the City and is permitted to receive a maximum of 8,000 tons of waste per day. Remaining capacity as of 2020 was 11,080,871 cubic yards. The estimated closure date of the facility is 2031 (California Department of Resources Recycling and Recovery [CalRecycle] 2020).
- The Sycamore Landfill is operated by Republic Services and is located within the City. The facility is permitted to receive 5,000 tons of waste per day. As of 2016, remaining capacity at this landfill was estimated to be nearly 114 million cubic yards. The estimated closure date for the facility is 2042 (CalRecycle 2020).
- The Otay Landfill is located within an unincorporated area within the City of Chula Vista and is also operated by Republic Services. The facility is permitted to receive 6,700 tons of waste per day. As of 2016, remaining capacity at this landfill was estimated to be approximately 21 million cubic yards. The landfill's estimated cease operation date is 2030 (CalRecycle 2020).

### 5.14.1.5 Storm Water Infrastructure

No storm water infrastructure exists within the boundary of the project area. Drainage facilities downstream of the project area are discussed in Section 5.6, *Hydrology/Water Quality*.

### 5.14.1.6 Communications

The project area does not have utilities providing telephone, telecom, computer, or cable television service; however, existing San Diego Gas & Electric utility easements and above ground power lines traverse the project area.

## 5.14.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.14.2, which included the City's General Plan (2008), Otay Water District 2010 Water Resources Master Plan, City Long-Range Water Resources Plan (2002–2030), 2010 Urban Water Management Plan (UWMP), People's Ordinance (SDMC Section 66.0127), 1989 Integrated Waste Management Act (Assembly Bill [AB] 939), and the SDMC (Storage Ordinance [SDMC Section 142.0810 et. seq.], Recycling Ordinance [SDMC Section 66.0701 et seq.], Construction and Demolition Debris Recycling Ordinance (C&D Ordinance) [SDMC Section 66.0601, et seq.], and Utilities Requirements for Tentative Maps [SDMC Section 144.0240]). Changes and updates to regulations related to utilities that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below. The project area is not served by OWD; therefore, plans and policies of OWD are not discussed further.

### 5.14.2.1 State

#### a. CARB Scoping Plan

AB 32 directs the California Air Resources Board (CARB) to develop a scoping plan that details how the State of California will achieve the established greenhouse gas (GHG) reduction goals. Since 2008, CARB has published three scoping plans and is currently working on an update that would set the path for achieving carbon neutrality by 2045 and develop an analysis of achieving carbon neutrality by 2035. The most recent update to the Scoping Plan was adopted on December 15, 2022.

#### b. AB 1826

In October 2014, Governor Brown signed AB 1826, requiring businesses to recycle their organic waste. Organic waste includes food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste mixed in with food waste. Multi-family properties are regulated as well but are only required to divert green waste and non-hazardous wood waste. This bill also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including certain multi-family residential dwellings.

### c. SB 1383

Senate Bill (SB) 1383 was adopted in 2016 to combat climate change and reduce landfill methane emissions. Diverting organic waste to recycling can significantly reduce local air emissions. The goal established in SB 1383 was to reduce organic waste landfill disposal by 50 percent by 2020 and by 75 percent by 2025. As of January 1, 2022, residents and businesses in California are required to recycle food and yard waste. Acceptable materials include food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper products. SB 1383 requires every jurisdiction to provide organic waste collection services to residents and businesses.

## 5.14.2.2 Local

### a. Climate Action Plan (CAP)

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. In 2022, the City adopted an update to its 2015 CAP. The CAP identifies measures to achieve net zero GHG emissions by 2035. The CAP consists of a 2019 inventory of GHG emissions, a business-as-usual projection for emissions in 2030 and 2035, state targets, and emission reductions with implementation of the CAP. The City identifies GHG reduction strategies focusing on six equity focused strategies. One of the six strategies in the CAP is related to resilient infrastructure and healthy ecosystems.

The City's Public Utilities Department (PUD) is working to improve the energy efficiency of their operations and to upgrade many of its facilities. In 2019, PUD consumed about 56 percent of its energy from on-site renewable generation directly and indirectly, from both privatized and City owned facilities. PUD is working on upgrading existing renewable energy generation facilities, as well as adding new facilities.

### b. Zero Waste Management Plan

The City's Zero Waste Management Plan, adopted in 2015, provides strategies for implementing a 75 percent diversion of trash from landfills by the year 2020, 90 percent diversion by 2035, with a goal of zero waste by 2040. The goals are also a component of the City's CAP.

### c. Zero Waste Objective

On December 16, 2013, the City Council adopted a Zero Waste Objective that established the target of 75 percent diversion of waste from landfills by 2020 and Zero Waste by 2040. This Zero Waste to Landfill Objective is reflected in the City's 2022 CAP.

### d. Organic Waste Recycling Program

The enactment of AB 1826 on September 29, 2014 and SB 1383 September 19, 2016, required jurisdictions to develop plans to divert additional organic materials from landfill disposal and

required businesses, public agencies, and multi-family properties to arrange for recycling of organic materials. Beginning April 1, 2016, those who generate eight cubic yards or more of organic waste are required to separate and pay for the collection of their organic wastes. Since preparation of the FEIR, the City has updated collection operations to collect organic waste, amended agreements with non-exclusive franchise haulers, amended the City's Recycling Ordinance contained in the SDMC, and initiated public education and outreach efforts to comply with state law. SDMC Sections 142.0810 and 66.0701, discussed further below, established organic waste storage and diversion requirements for residential and non-residential facilities.

## e. Otay Mesa Trunk Sewer Master Plan

The 2004 OMTS Master Plan identified the Specific Plan area as "Phase 2C", and the 2009 OMTS Master Plan Addendum grouped the Specific Plan area within "Phase 3". Both the 2004 and 2009 addendum designate replacement of the trunk sewer in Otay Mesa Road and construction of a trunk sewer line in Beyer Boulevard as necessary improvements to serve Southwest Village. The OMTS Master Plan identifies the future sewer flow that would originate from this area and that would ultimately flow into the OMTS. However, the OMTS Master Plan did not make any recommendations or analyze any proposed on-site facilities. Only the impacts due to the increased sewer flow to the OMTS were analyzed in the Master Plan.

## f. Urban Water Management Plan

The City updated its UWMP in 2020 in response to California Water Code Sections 10610 through 10656 of the Urban Water Management Planning Act. Included in the 2020 UWMP is detailed information about the City's water demand, supply and reliability projections for the next 20 years.

## g. San Diego Municipal Code

SDMC Section 66.0127, commonly known as the People's Ordinance, was originally approved in 1919 and made refuse collection the City's responsibility and authorized the City to impose a tax to fund that service. Multiple amendments to the People's Ordinance over the following decades legitimized private waste haulers, primarily for private multi-family developments, while simultaneously prohibiting the City from recovering costs from single-family residences for trash collection services it provides. Measure B was passed in 2022 to repeal the People's Ordinance, and SDMC Section 66.0127 is now updated to allow the City to charge a cost-recovery fee for its solid waste management services.

SDMC Section 142.0810, commonly known as the Storage Ordinance, was enacted in 2000 and outlines standards to ensure that new residential and commercial development provide permanent, adequate, and convenient space for the storage and collection of refuse and recyclable material. The Storage Ordinance was amended in 2022 to include organic waste storage requirements for residential and non-residential development.

SDMC Section 66.0701, commonly known as the Recycling Ordinance, was adopted in 2017 to establish requirements for recycling of recyclable materials generated from facilities and special events. The Recycling Ordinance was last updated in 2022 to bring the City into compliance with SB

1383, which requires the reduction of organic waste currently disposed of in landfills. The 2022 Recycling Ordinance update added organic waste diversion requirements and lowered the exemption threshold for required recycling.

SDMC Section 66.0601, commonly known as the C&D Ordinance, is intended to increase the diversion of construction and demolition debris from landfill disposal, conserve the capacity, and extend the useful life of the Miramar Landfill. The C&D Ordinance was updated in 2016 to increase the diversion requirement to 75 percent by weight of the total debris generated by a project.

SDMC Section 144.0240, Utilities Requirements for Tentative Maps, requires new subdivisions to be designed so that the utilities are in proper locations or provide for their reconstruction in locations approved by the utility agencies concerned. This section was last updated in 2019 to exempt residential subdivisions containing four dwelling units or less from installing a new street light.

# 5.14.3 Issue 1: Utilities

*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?*

## 5.14.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to public utilities would be significant if the project would:

- Result in a 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.

According to the City's 2022 CEQA Significance Determination Thresholds, the analysis of impacts related to public and private utilities should focus on the physical impacts associated with their installation. These impacts may involve the consideration of whether removal, construction, or relocation of a utility would be compatible with existing and adjacent land uses, change drainage patterns or affect water quality/runoff, affect air quality, affect biological resources including habitat, have a negative aesthetic effect, impact historical resources, or increase noise levels to sensitive receptors.

Each utility provider establishes its own criteria for utility capacity and service expansion; those specific to individual utility types and included in the City's 2022 CEQA Significance Determination Thresholds are discussed below.

### a. Solid Waste Generation/Disposal

While all projects are required to comply with the City's waste management ordinances, direct and cumulative impacts are mitigated by the implementation of project-specific WMPs which may reduce solid waste impacts to below a level of significance. The WMP would assure that the overall waste

produced is reduced sufficiently to comply with waste reduction targets established in the Public Resources Code.

Construction/demolition/renovation projects meeting or exceeding the following thresholds are considered to have potentially significant solid waste impact based on solid waste generation estimates and require the preparation of a WMP:

1. Projects that include the construction, demolition, or renovation of 1,000,000 square feet or more of building space may generate approximately 1,500 tons of waste or more and are considered to have direct impacts on solid waste facilities.

    - Direct impacts result from the generation of large amounts of waste which stresses existing facilities. Waste management planning is based on a steady rate of waste generation and doesn't assume increased waste generation due to growth.

    - For projects over 1,000,000 square feet, a significant direct and cumulative solid waste impact would result if the compliance with the City's ordinances and the WMP fail to reduce the impacts of such projects to below a level of significance and/or if a WMP for the project is not prepared and conceptually approved by the Environmental Services Department prior to distribution of the draft environmental document for public review.

## 5.14.3.2 Analysis

## a. Water

The issue of water supply is addressed in Section 5.15, *Water Supply*; this discussion addresses physical impacts associated with new water infrastructure.

### *FEIR*

The FEIR found that water infrastructure, like other infrastructure, would require review by the City during subsequent project applications to ensure that future projects are sited and designed to avoid conflicts with existing public utilities. The FEIR identified that all proposed facilities would undergo review by applicable City departments and would be designed in compliance with the City's Design Guidelines and the requirements of applicable utility agencies. The FEIR found impacts associated with water facility improvements would be less than significant.

### *Program-level*

As detailed in Section 3.4.6.2, implementation of the project would result in the need to extend the existing City water distribution systems and appurtenant facilities to serve the Southwest Village development, consistent with OMCP Water Infrastructure Policy 6.4-1. The Specific Plan proposes to extend the Otay Mesa 680 Pressure Zone backbone transmission piping from Caliente Avenue south into the development area. Water facilities required to serve the program-level development areas would be constructed concurrently with the development and construction of roadways. See Figure 3-12.

The proposed water infrastructure would be constructed, managed, and maintained in perpetuity within the planned roadways within the program-level areas, as detailed in Section 3.4.6.2. The impacted roadways include Caliente Avenue, Masterson Lane, Otay Mesa Place, Otay Mesa Road, and along the proposed Beyer Boulevard. Impacts associated with grading and construction of the planned roadways have been addressed throughout this SEIR as part of the program-level areas assessed, and all design considerations and necessary mitigation have been evaluated in the context of the analyses related to drainage, water quality, biological resources, air quality, aesthetics, historical resources, and noise levels in their respective chapters. All proposed water line extensions and upgrades would be installed and completed in compliance with the City standards. Water infrastructure connections within existing roadways would be coordinated with existing utilities and with the City to ensure that no conflicts would result during construction or future maintenance, including through the use of a transportation management plan by the City. All proposed water lines and appurtenances to be constructed on-site within public streets would follow the required City guidelines, design criteria, and standard drawings and specifications for new construction.

### *Project-level*

A Water System Analysis was prepared for the project-level area (Appendices K-1 and K-2) and determined water infrastructure needs to service the project-level areas. Implementation of the project-level components would involve the construction of a significant portion of the overall water infrastructure required for the Southwest Village development, as new pipes would need to be constructed to deliver water to the project-level area. See Figure 3-12. Of that public backbone system, the project-level components include implementation of the portions within PA 8 through PA 14 in addition to the pipeline improvements within Caliente Avenue north of Central Avenue, and within Beyer Boulevard and Otay Mesa Road, connecting to the Princess Park Pump Station. Private water systems would be constructed within the private drives between the project-level planning areas.

Prior to the completion of the project-level components and the Otay Mesa 680 Pressure Zone reaching its capacity threshold, the Water System Analysis (Appendices K-1 and K-2) recommended a condition assessment report and upgrades to the Princess Park Pump Station be completed. This condition assessment report was completed for the Princess Park Pump Station and Ocean View Hills Pump Station (680 Zone) (Appendix K-3). The report noted that improvements are necessary to meet the Princess Park Pump Station operational needs and to confirm the reliability and capacity of the Ocean View Hills Pump Station. Concurrent with construction of the project-level components and as a project condition, water pipelines would be installed within proposed roadway alignments, including Beyer Boulevard and Central Avenue. As noted in Chapter 3.0, *Project Description* (Section 3.5.6.2), although the existing 680 Zone public water system serviced by the Ocean View Hills water booster station would be sufficient for project-level Phase 1 development, the project-level development would require and includes the construction of water lines that would ultimately connect to the Princess Park Pump Station via Beyer Boulevard and Otay Mesa Road (Figure 3-40, *Proposed Water System*). To supply water to the project-level residential developments, 16-inch water lines in Caliente Avenue would be extended into PA 8 through PA 14 via Central Avenue. Water pipelines required to connect the Princess Park Pump Station to facilities proposed in the future Beyer Boulevard extension would be located within existing disturbed roadways or proposed

roadways, minimizing biological resource impacts, as further discussed in Section 5.3, *Biological Resources*.

Impacts associated with installation and future maintenance of water infrastructure are accounted for within the project-level grading areas. Construction impacts, design considerations, and necessary mitigation have been evaluated in the context of the analyses related to drainage, water quality, biological resources, air quality, aesthetics, historical resources, and noise levels in their respective chapters. All proposed water line extensions and upgrades would be installed and completed in compliance with the City standards. Water infrastructure construction and maintenance within existing roadways would be coordinated with existing utilities and the City to ensure no conflicts would result. In addition, impacts related to utilities within Caliente Avenue have been analyzed through the EIR prepared for the recently approved Candlelight Project (City 2018), a residential project located at the existing terminus of Caliente Avenue, north of the Specific Plan area. The Candlelight EIR evaluated the extension of utilities within Caliente Avenue through its development footprint. The project-level components have been designed consistent with the approved Candlelight plans as this extension of Caliente Avenue provides a direct access connection with the Southwest Village Specific Plan area. Utilities to be installed within Caliente Avenue would be constructed by the first development to proceed under the prior Candlelight environmental approvals. Physical impacts associated with future water line improvements located within the future alignment of Caliente Avenue were addressed as part of the Candlelight EIR (for the portion of Caliente Avenue north of Central Avenue). As part of the Candlelight project, two 16-inch water main extensions would be provided within the proposed extension of Caliente Avenue through the Candlelight project site. The Candlelight EIR found that the impacts associated with the extension of this water main are the same as for the extension of Caliente Avenue. In summary, this extension would not create substantial physical impacts to the environment beyond the impacts associated with the construction of Caliente Avenue. Refer to the Candlelight EIR (City 2018) for additional information.

## b. Wastewater

### *FEIR*

The FEIR found that wastewater infrastructure, like other infrastructure, would require review by the City during subsequent project applications to ensure that future projects are sited and designed to avoid conflicts with existing public utilities. The FEIR identified that all proposed facilities would undergo review by applicable City departments and would be designed in compliance with the City's Sewer Design Guidelines and the requirements of applicable utility agencies. The FEIR found impacts associated with wastewater facility improvements would be less than significant.

### *Program-level*

Section 6.3 of the Specific Plan provides a discussion of the predicted sewer facility requirements to serve buildout of the proposed project and the anticipated phasing considerations to construct these facilities, consistent with the requirements of OMCP Wastewater Policy 6.2-1. Future development within the Specific Plan area would share in the cost and construction of the off-site

sewer system improvements to the OMTS line along Otay Mesa Road and Beyer Boulevard along with other private developments in its vicinity.

As noted in Section 3.4.6.3, the project would construct a trunk sewer main along Beyer Boulevard to convey wastewater through this new line. The project's on-site sewer system would be installed beneath proposed roadways. Portions of the project area are positioned topographically downhill of existing and other proposed sewer facilities, which would necessitate the construction of two permanent, private pump stations. The locations of the two permanent pump stations required at buildout of the Specific Plan area are presented in Figure 3-13. One sewer pump station would be constructed at the southeast area of the program-level areas within the existing Vernal Pool Habitat Conservation Plan (VPHCP) preserve; however, the pump station was identified as an allowed use in the VPHCP; therefore, it would be subject to VPHCP adjacency requirements. The pump stations would be installed as part of Phase 2 of the Specific Plan and the ongoing maintenance and operation of them is addressed at the program-level; however, the physical impacts associated with the construction footprint of the stations have been addressed at the project-level below.

All on-site and off-site sewer lines would be designed to meet all requirements of the City's Public Utilities Department Sewer Design Guide (May 2015 or latest edition). Final design would be reflected on the improvement plans and sewer system calculations to be submitted for review and approval of each future project-level development. Sewer line improvements would be constructed during future phases of project-level implementation, and physical impacts of these components (areas outside of the grading footprint evaluated at the project-level) would be assessed at the time development is proposed.

### *Project-level*

Sewer line improvements are required to serve the project-level areas, as detailed in Section 3.5.6.3 of the Project Description. Phase 1a of the project would involve the installation of a temporary pump station that would connect to a private force main to be installed within Central Avenue and Caliente Avenue (Appendix K-5) to serve the first 200 units. The force main within Caliente Avenue would extend north to Airway Drive within the existing roadway.

Implementation of Phase 1b would require extension of sewer lines within the footprint of proposed roadways and extending west within the proposed Beyer Boulevard extension. West of the extension of Beyer Boulevard, sewer line extensions are required to connect to surrounding pipeline and facilities as detailed in Figure 3-13. Sewer line improvements would require construction of a pipeline within East Beyer Boulevard and Center Street connecting to existing sewer lines. Construction of sewer lines would require installation using a backhoe straddling the new pipeline installation trench, requiring a disturbance width of 20 feet along pipeline installation locations. The second phase of wastewater infrastructure improvements to serve Phase 1b would either be served by another private temporary sewer pump station or the ultimate public sewer connection planned within Beyer Boulevard West and East. Any temporary station would be removed after the permanent sewer facilities are completed.

All impacts associated with installation and maintenance of permanent wastewater infrastructure and temporary pump stations are accounted for throughout this SEIR through its assessment of construction impacts.

## c. Reclaimed Water

### *FEIR*

The FEIR found that reclaimed water infrastructure, like other infrastructure, would require review by the City during subsequent project applications to ensure that future projects are sited and designed to avoid conflicts with existing public utilities. The FEIR identified that all proposed facilities would be designed in compliance with the City's Design Guidelines and the requirements of applicable utility agencies. The FEIR found impacts associated with reclaimed water improvements would be less than significant.

### *Program-level*

The OMCP included Water Infrastructure Policy 6.4-3 which states, "Increase the use of reclaimed water to supplement the existing water supply. (a) Include reclaimed water purple pipe installation with all future projects, so that infrastructure is in place when reclaimed water becomes available." Since the Specific Plan would not be served by OWD, no associated reclaimed water infrastructure is available and cannot be feasibly required. Reclaimed water infrastructure is not proposed by the project as there are no reclaimed water pipelines available for connection within the City's service area. Although phased implementation of the City's Pure Water Program is proposed to extend to the South Bay, no separate physical infrastructure improvements would be required, as treated water from Pure Water could be distributed via the domestic water infrastructure described above. Further, the specific timing and details of this program are not known at the time of the preparation of this SEIR, and therefore no reclaimed water infrastructure is proposed.

### *Project-level*

No reclaimed water facilities are proposed or required as part of the project-level components.

## d. Solid Waste

### *FEIR*

In regard to solid waste, the FEIR found that implementation of the OMCP would result in potentially significant impacts because the FEIR could not guarantee that all future projects would attain the 75 percent state-mandated diversion rate. The FEIR identified Mitigation Framework UTIL-1 to reduce potential impacts, which requires that future development projects that generate 60 tons or more of solid waste prepare a WMP. The FEIR found that even with implementation of Mitigation Framework UTIL-1 and compliance with the SDMC's Storage, Recycling, and C&D ordinances, impacts related to solid waste to meet the diversion requirement cannot be assured at the program level. Therefore, the FEIR concluded that further evaluation would be required at the project level to identify additional mitigation measures to reduce significant impacts. As such, the FEIR disclosed that impacts associated with solid waste were significant and unavoidable and a statement of overriding considerations was adopted.

### *Program-level*

Although the Specific Plan would allow less residential development than evaluated in the FEIR, solid waste generation during construction and operation of the program-level components could exacerbate the service capacities of existing waste disposal facilities. Future operation of the residential and commercial program-level components would have the potential to generate a steady rate of waste. However, as was envisioned with the FEIR, the Specific Plan would cluster residential development in a village, which would facilitate waste collection and disposal services. The Village Core would provide trash receptables, as noted in Specific Plan Section 3.3.1. In addition, at trailheads leading into the OMCP conceptual trail network surrounding the open space, trash cans would be provided. Further, future development that generates 60 tons or more of solid waste would be required to prepare a site-specific WMP that identifies the construction and operational waste generation and identifies methods to minimize waste during all project phases.

### *Project-level*

A WMP was prepared for the project-level components to assess impacts from solid waste generation (refer to Appendix L). The WMP acknowledged that all landfills within the San Diego region are approaching capacity and are due to close within the next 3 to 20 years. Approximately 1,044 tons (463.6 tons from construction and 580.4 tons from operation) of waste are anticipated to be disposed of at a landfill annually after waste reduction measures, including diversion and recycling, are implemented. Waste from the project-level components would be disposed of at the Otay Landfill. According to CalRecycle, the Otay Landfill has a remaining capacity of 21,194,008 tons, with a maximum capacity of 61,154,000 tons. The facility's anticipated closure date is February 2030 (CalRecycle 2020). The proposed project-level components' annual rate of solid waste to be disposed of at the landfill represents approximately 0.005 percent of the landfill's remaining capacity.

The project-level area is currently undeveloped and would not involve demolition requiring disposal, although miscellaneous debris and trash on-site would need to be disposed of prior to development. Grading would require disposal of grading debris. The WMP (Appendix L) estimated that approximately 3,311.54 tons of waste would be generated during construction, approximately 2,846.9 tons of which would be diverted. This would result in the diversion and reuse of approximately 86 percent of construction waste, which would meet the City's current construction waste diversion goal of 75 percent and the OMCP Policy 6.5-3 goal to exceed minimum construction and demolition debris diversion requirements.

The WMP (Appendix L) determined that operation of the project-level components would generate approximately 1,160.8 tons of waste per year. Compliance with existing ordinances, as described in the WMP (Appendix L), is expected to achieve a 50 percent diversion rate for operational waste. Although this would divert approximately 580.4 tons per year, approximately 580.4 tons of non-recyclable waste per year would remain, which would exceed the 60 ton-per-year threshold of significance for having a cumulative impact on solid waste. However, ongoing Waste Reduction Measures documented in the WMP (Appendix L) would be required to be implemented under a long term WMP to ensure that project operation would comply with applicable City recycling ordinances and that waste would be minimized. Based on implementation of new programs and mandates for recycling of food waste and the planned availability of organic material recycling services from franchised waste haulers, a 75 percent diversion of organic waste is anticipated, which would equate

to 45.7 tons of organic waste diverted for the project-level development. Implementation of the Waste Reduction Measures documented in the WMP (Appendix L) would reduce the amount of solid waste to be disposed of by 50 percent and ensure project compliance with City ordinances related to solid waste.

In addition, the project would be required to provide a minimum of 1,776 square feet of exterior refuse area, 1,776 square feet of recyclable material storage area, and 1,776 square feet of organic waste storage area (total of 5,328 square feet) on-site per the City's Storage Ordinance. The 84 affordable units that would be constructed in the 14-plex buildings would provide three separate 192-square-foot enclosures. One 192-square-foot enclosure would be for refuse storage, the second for recycling storage, and the third for organic waste storage. The remaining 836 residential units would provide three 12.83-square-foot cart areas (accommodates 96-gallon carts) within their garages, which would be designed to accommodate these carts. One cart would be for refuse storage, the second for recycling storage, and the third for organic waste storage. Collectively, the project-level development would provide a total of 32,177.6 square feet of refuse/recycling/organic waste material storage, which would exceed the City requirement to provide 5,328 square feet of refuse/recycling/organic waste material storage area (Appendix L).

## e. Storm Water Infrastructure

### *FEIR*

The FEIR found that storm water infrastructure, like other infrastructure, would require review by the City during subsequent project applications to ensure that future projects are sited and designed to avoid conflicts with existing public utilities. The FEIR identified that all proposed facilities would undergo review by applicable City departments and would be designed in compliance with the City's applicable design guidelines and the requirements of applicable utility agencies. The FEIR found impacts associated with storm water infrastructure improvements would be less than significant.

### *Program-level*

The program-level components include the installation, management, and maintenance in perpetuity of on-site flood control conveyance systems to collect runoff from the existing portions of the program-level area and from the proposed on-site development area. As described in Section 3.4.6.1, a network of storm drains, open channels, water quality, and Hydromodification Management Plan features would be used to collect, convey, and manage storm water runoff throughout the development area prior to discharging into Moody Canyon Creek. A backbone storm drain along Beyer Boulevard is proposed. The final sizing and precise locations developed to serve buildout of the Specific Plan would be approved by the City Engineer. However, impacts associated with the installation, maintenance, and operation of the proposed storm water infrastructure have been assessed at the program-level throughout this SEIR, and all design considerations and necessary mitigation measures have been evaluated in the context of the analyses related to drainage, water quality, biological resources, air quality, aesthetics, historical resources, and noise levels in their respective chapters. This includes grading, drainage, and water quality impacts associated with the proposed outfalls in the canyons, and impacts to erosion and downstream

properties. Physical impacts of the installation of storm water facilities in the remainder of the Specific Plan area have been addressed at the project-level.

### *Project-level*

As described in Section 3.5.6.1, the project-level components would construct and maintain in perpetuity an on-site storm drain system that would convey storm water runoff into one of four proposed permanent structural pollutant control and detention BMPs prior to discharge into one of six Points of Compliance (POC) (see Appendix F-1) consistent with the City and Regional Water Quality Control Board standards. POC 1 is located at the bottom of a tributary canyon to Moody Canyon Creek near the northwestern corner of the project site. POC 2 is located at the bottom of a separate tributary canyon to Moody Canyon Creek located near the southwestern corner of the project site. POC 3 is located at the bottom of a tributary canyon to Moody Canyon Creek located along the northerly boundary of the project site. POC 4 is located at the bottom of the steep slope located along the westerly boundary of the project site. POC 5 is located at the bottom of the steep slope located along the westerly boundary of the project site. In addition to brow ditches extending along Beyer Boulevard and culverts as shown in Figures 3-7, *Beyer Boulevard between West Avenue and Caliente Avenue*, and 3-21, *Beyer Boulevard West Wildlife Crossings, Wildlife Fencing, Retaining Walls and Gates*, the POC for Beyer Boulevard drainage is located at the connection of the proposed roadway with existing improvements on Enright Drive. These storm water facilities would be located within the project footprint of the project-level areas. Therefore, potential impacts associated with construction and maintenance of these storm water facilities have been evaluated throughout this SEIR and mitigated through compliance with appropriate standards and regulations in their respective chapters. For additional information, please refer to Section 5.7, *Hydrology/Water Quality*.

## f. Communication Systems

### *FEIR*

The FEIR acknowledged that the adoption of the OMCP would not require new communication systems to be built; however, there would be the need to extend the existing systems to individual project sites for future development under the OMCP. Section 5.14.4.1(f) of the FEIR notes that short-term construction impacts from installation of new communication systems or undergrounding for individual future projects under the OMCP would not result in significant impacts because communication lines would be within existing or planned roadway rights-of-way. No significant impact was anticipated as a result of undergrounding these utility lines.

### *Program-level*

The project would develop necessary infrastructure to provide communications services within the program-level areas in accordance with OMCP Public Utilities and Communications Facilities Policy 6.7-1**,** which states “Provide future utility services in the most cost effective and environmentally sensitive manner to meet the General Plan Policies PF-M.1-4. Integrate the design and siting of safe and efficient public utilities and associated facilities into the early stages of the planning and development of future projects”. The City would work with service providers to underground overhead wires, cables, conductors, and other structures associated with communication systems in existing utility alignments and within the program-level areas. The City would also coordinate

undergrounding of existing overhead power lines that currently traverse the planning area during development of the Southwest Village and work with service providers to install 5G telecom poles. Future siting of communications infrastructure would be conducted in accordance with the Land Development Code, including Section 141.0420 regulating wireless communications facilities, as well as the City's Wireless Communications Facilities Guidelines, which seek to minimize visual impacts. Adhering to General Plan (2024) policies supporting the City's undergrounding program would also ensure that visual impacts of new facilities would be minimized. As noted in FEIR Section 5.14.4.1 (f), the City requires individual projects consisting of more than four lots to place utility systems and service facilities underground. Any construction of communications systems associated with future development would occur in accordance with the City's permitting processes and construction standards to avoid or minimize impacts on environmentally sensitive habitat areas and landforms through siting, grading or excavation, and erosion. Assessment of the environmental impacts associated with the extension of communication systems would occur at the project level under each future development.

### *Project-level*

Communications systems for telephone, telecom, computers, and cable television for the project-level areas would be offered by utility providers such as AT&T, Cox, and other independent telecommunications companies. Communications systems would be installed within the grading footprint evaluated for the project-level components. Based on coordination with utility providers, communication infrastructure would follow existing utility alignments and would be undergrounded within the project-level components as detailed in Section 3.5.6.4. As the communication infrastructure would be sited within the project-level areas, the evaluation of impacts associated with the installation of this infrastructure has been assessed throughout this SEIR in each respective chapter.

## 5.14.3.3 Significance of Impacts

## a. Water

### *Program-level*

Consistent with the impact conclusions of the FEIR, impacts related to water infrastructure would be less than significant. Impacts associated with the implementation of water infrastructure would be assessed at the project level.

### *Project-level*

New water infrastructure would be built within existing roadways or installed within the footprint of proposed roadways, and are evaluated under each specific environmental issue area throughout this SEIR. No additional impacts are anticipated beyond those identified in each issue area, and impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## b. Wastewater

### *Program-level*

Consistent with the impact conclusions of the FEIR, impacts related to wastewater infrastructure would be less than significant as no physical construction would be completed at the program-level that would result in an environmental impact. Impacts associated with implementation of wastewater infrastructure would be assessed at the project level.

### *Project-level*

New wastewater infrastructure would be built within existing roadways, within the footprint of proposed roadways, and in areas shown on Figure 3-13. The impacts of this are evaluated under each specific environmental issue area throughout this SEIR. No additional impacts are anticipated beyond those identified in each issue area, and impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## c. Reclaimed Water

### *Program-level*

No reclaimed water infrastructure is proposed as part of the program-level components; therefore, there would be no impact.

### *Project-level*

No reclaimed water infrastructure is proposed as part of the program-level components; therefore, there would be no impact.

## d. Solid Waste

### *Program-level*

As the amount of waste and the timing of disposal is not predictable at this stage, 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. This is consistent with the impact conclusions of the FEIR.

### *Project-level*

Impacts would be less than significant, as a WMP has been prepared for the project-level components and concluded that implementation of the strategies outlined in this WMP (as required by a project design feature; refer to Section 3.6.2.5) and compliance with all applicable City ordinances would reduce solid waste impacts related to collection, diversion, and disposal of waste generated from C&D, grading, and occupancy phases to a level less than significant. While the FEIR

identified significant and unavoidable impacts, project-level solid waste impacts would be less than significant.

## e. Storm Water Infrastructure

### *Program-level*

Consistent with the impact conclusions of the FEIR, impacts related to storm water infrastructure would be less than significant. Impacts associated with the implementation of storm water infrastructure would be assessed at the project level.

### *Project-level*

New storm water infrastructure is evaluated under each specific environmental issue area throughout this SEIR. No additional impacts are anticipated beyond those identified in each issue area, and impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## f. Communication Systems

### *Program-level*

Impacts associated with the construction of communication systems at the program-level would be less than significant, consistent with the impact conclusions of the FEIR.

### *Project-level*

Impacts associated with the construction of communications facilities at the project-level would be less than significant, consistent with the impact conclusions of the FEIR.

# 5.14.3.4 Mitigation, Monitoring, and Reporting

## a. Program-level

### *Water*

Impacts would be less than significant; therefore, no mitigation is required.

### *Wastewater*

Impacts would be less than significant; therefore, no mitigation is required.

### *Solid Waste*

FEIR Mitigation Framework UTIL-1 would be carried forward as mitigation measure SP-UTIL-1 for future development in the program-level areas.

**SP-UTIL-1: Waste Management Plan**

Pursuant to the City's CEQA Significance Determination Thresholds, future subsequent development projects (including construction, demolition, and /or renovation) that would generate 60 tons or more of solid waste shall be required to prepare a WMP. The WMP shall be prepared by the applicant, conceptually approved by the City Environmental Services Department and discussed in the environmental document. The WMP shall be implemented by the applicant and address the demolition, construction, and occupancy phases of the project as applicable to include the following:

a. A timeline for each of the three main phases of the project (demolition, construction, and occupancy).
b. Tons of waste anticipated to be generated (demolition, construction, and occupancy).
c. Type of waste to be generated (demolition, construction, and occupancy).
d. Describe how the project will reduce the generation of C&D debris.
e. Describe how the C&D materials will be reused on-site.
f. Include the name and location of recycling, reuse, and landfill facilities where recyclables and waste will be taken if not reused on-site.
g. Describe how the C&D waste will be source-separated if a mixed C&D facility is not used for recycling.
h. Describe how the waste reduction and recycling goals will be communicated to subcontractors.
i. Describe how a "buy recycled" program for green construction products, including mulch and compost, will be incorporated into the project.
j. Describe how the Refuse and Recyclable Materials Storage Regulations (LDC Chapter 14, Article 2 Division 8) will be incorporated into design of building's waste storage area.
k. Describe how compliance with the Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7) will be incorporated in the operational phase.
l. Describe any International Standards of Operation 1, or other certification, if any.

### *Storm Water*

Impacts would be less than significant; therefore, no mitigation is required.

### *Communications*

Impacts would be less than significant; therefore, no mitigation is required.

## b. Project-level

Impacts would be less than significant for all utilities issues; therefore, no mitigation is required.

# 5.14~~11~~.3.4 Significance After Mitigation

## a. Program-level

### *Solid Waste*

Future development within the program-level planning areas that would generate more than 60 tons of waste per year (generally projects that include the construction, demolition, and/or renovation of 40,000 square feet or more of building space) would be required to prepare a site-specific WMP consistent with SP-UTIL-1. These future WMPs would identify potential solid waste impacts that could be generated during construction and operation and propose measures (project design features or mitigation measures) to reduce waste disposal rates in a way that would allow the project to meet the current diversion rate mandate and storage regulations. Projects that do not meet the 60-ton threshold, or that would be ministerial, would be required to adhere to the ordinances previously detailed in Section 5.14.2.

However, compliance with these ordinances alone may not result in solid waste diversion achieving City and/or state goals. Therefore, because all future program-level development may not be required to prepare a WMP or may not reduce project-level waste management impacts to below a level of significance, impacts related to solid waste would be significant at the program-level, consistent with the impact conclusions of the FEIR.

# 5.15 Water Supply

The information in this section updates the water supply information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to water supply impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. The water supply analysis is based on the Water Supply Assessment (WSA) and Verification Report (Appendix M). Physical infrastructure necessary to provide water to future development within the project area is discussed in Section 5.14, *Utilities*, while this section focuses on water supplies available for the project.

## 5.15.1 Existing Conditions

As discussed in FEIR Section 5.15, *Water Supply*, the project area is provided water service by the City of San Diego (City) Public Utilities Department (PUD), which sources water from the San Diego County Water Authority (SDCWA). As described in the FEIR, SDCWA obtains most of its imported supply from the Metropolitan Water District. The project area is not within the portion of the OMCP area served by Otay Water District (OWD); therefore, this section focuses on the City's water supply as it relates to the project and does not discuss OWD water supply further.

Water supply agencies are required to update their Urban Water Management Plans (UWMPs) every five years; therefore, regular updates to water supply information have occurred since FEIR preparation. According to the project's WSA and Verification Report, total local water sources provided 28 percent of the water used in the SDCWA service area in fiscal year 2020. Consistent with the conditions described in the FEIR, the City purchases 85 to 90 percent of its water from SDCWA. The percentage of the City's supply coming from imported supplies is anticipated to decrease with the construction and operation of Pure Water San Diego facilities. The WSA and Verification Report (Appendix M) includes additional information related to water supply and demand scenarios for the City as a whole.

## 5.15.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.15.1.2, which included Senate Bills (SBs) 610 and 221 of 2001; SB X7-7 (Water Conservation Act of 2009); the SDCWA; the City's 2010 UWMP; the San Diego Municipal Code (SDMC); OWD's 2010 UWMP; OWD's Water Resources Master Plan; and the City's General Plan (2008). Changes and updates to regulations related to water supply that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below. As noted above, the project area is not served by OWD. Therefore, updates to OWD water supply plans are not discussed further in this section. Although the General Plan (2024) has been updated since 2008, no updates to General Plan content relevant to this issue area have been identified.

## 5.15.2.1 State

### a. Assembly Bill 1668 and Senate Bill 606

Assembly Bill (AB) 1668 and SB 606 were signed on May 31, 2018 to build on water conservation efforts by the state and enforce water efficiency goals for water suppliers. AB 1668 requires the State Water Resources Control Board, in coordination with the California Department of Water Resources, to adopt water efficiency standards and regulations; drought and water shortage contingency plan guidance; specified standards for per capita daily indoor residential water use; and performance measures for commercial, industrial, and institutional water use. SB 606 requires an urban retail water supplier to calculate an urban water use objective and its actual water use no later than November 1 each year. These bills also specify potential penalties on local water suppliers for violations to these standards.

## 5.15.2.2 San Diego County Water Authority

SDCWA adopted the 2020 UWMP and 2020 Water Shortage Contingency Plan on May 27, 2021. The 2020 UWMP highlights how regional investments in a "water portfolio approach" to supply management and a sustained emphasis on water-use efficiency mean that San Diego County will continue to have sufficient water supplies through 2045, including during multiple dry years (SDCWA 2021a). The 2020 Water Shortage Contingency Plan adopted in 2021 was an update to the previously adopted 2017 version that was created to align with a long-term framework of water conservation rather than adopting emergency strategies during droughts (SDCWA 2021b). This replaced the Water Shortage and Drought Response Plan discussed in the FEIR. The 2020 Water Shortage Contingency Plan updates SDCWA drought planning according to state requirements and updates its Model Drought Ordinance. It also states that the Integrated Contingency Plan and Emergency Storage Plan (described in the FEIR) continue to adequately prepare the region for severe water supply shortages.

## 5.15.2.3 Local

### a. Urban Water Management Plan

The City updated its UWMP in 2020 in response to California Water Code Sections 10610 through 10656 of the Urban Water Management Planning Act. The City's 2020 UWMP demonstrates there will be sufficient water supplies available to meet demands for existing and planned future developments projected to occur by 2045. The estimated water supply is projected in five-year increments for a 20-year projection under normal year, single-dry year, and multiple-dry year scenarios. The 2020 UWMP finds that the available supplies for each of these scenarios will meet the City's projected water demand for existing and planned future developments.

### b. San Diego Municipal Code

SDMC Section 67.3801, commonly known as the Emergency Water Regulations, establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of

water, prevent unreasonable method of use of water within the City service area in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety, and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times. The Emergency Water Regulations were last updated in 2019 and exempt industrial facilities from the Level 2 Drought Alert Conditions if those industrial facilities use potable water.

SDMC Section 147.0401, Other Water-Conserving Plumbing Standards, previously required that all buildings, prior to a change in ownership, be certified as having water-conserving plumbing fixtures in place. This section was updated in 2022 to remove the Water Conservation Certificate requirement, which was made redundant by the water-conserving plumbing fixture mandate enacted by SB 407. SB 407 required replacement of non-compliant plumbing fixtures by January 1, 2017 for single-family residences and January 1, 2019 for multi-family residences and commercial properties.

Section 142.0401 of the SDMC, commonly known as the Landscape Regulations, requires the use of drought-tolerant landscaping as a further means of reducing water consumption. The Landscape Regulations were last updated in 2022. The Landscape Regulations encourage the use of reclaimed water for irrigation and establish the Model Water Efficient Landscape Ordinance, which provides a standard for the design, installation, management, and maintenance of landscapes to use water efficiently without water waste.

Likewise, the Landscape Standards, which are part of the City's Land Development Manual, establish the minimum plant material, irrigation, brush management, and landscape-related standards for work done in accordance with requirements of the Land Development Code. They provide guidelines and alternative methods to meet regulations based on various site conditions. Additionally, the Landscape Standards provide the technical standards to create and maintain landscapes that conserve and efficiently use water. Minor updates to the Landscape Standards were adopted in 2016 to update water conservation requirements and implement state law.

## 5.15.3 Issue 1: Water Supply

*Would the project affect the ability of the water-serving agencies (City of San Diego, SDCWA, and OWD) to provide water?*

### 5.15.3.1 Significance Thresholds

Consistent with the FEIR, impacts would be considered significant if the project would:

- Result in the use of excessive amounts of potable water beyond projected available supplies. This determination is made by the water-serving agency for the project (City PUD).

The City's 2022 CEQA Significance Determination Thresholds contain direction for making the water supply impact determination in accordance with SBs 610 and 221. For certain types of large projects (see list below), SB 610 requires that the environmental document prepared for each project contain a discussion regarding the availability of water to meet the projected water demands of the project

for a 20-year planning horizon, including single and multiple dry years. SB 221 requires the decision maker to make a finding that a project's water demands for the planning horizon would be met before approving a Tentative Map. The types of projects subject to SBs 610 and 221 include the following:

a. Residential developments of more than 500 units;
b. Shopping centers or businesses employing more than 1,000 people or having more than 500,000 square feet of floor space;
c. Commercial office buildings employing more than 1,000 people or having more than 250,000 square feet of floor space;
d. Hotels or motels having more than 500 rooms;
e. Industrial, manufacturing, or processing plants or industrial parks planned to house more than 1,000 people or having more than 650,000 square feet of floor space;
f. Mixed use projects that include one or more of the above types of projects; or
g. Projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

## 5.15.3.2 Analysis

### a. FEIR

The FEIR found that based on the WSAs of the City's water suppliers providing service to the OMCP area (City PUD and OWD), there would be sufficient water supply to serve existing demands and projected demands associated with buildout of the OMCP. According to the City PUD WSA prepared for the FEIR, estimated water supply would meet the projected water demands of the City PUD service areas during a normal, single dry year, and multiple dry years over a 20-year period. The OMCP WSA was based on the OMCP buildout summary, which for Southwest Village included up to 5,880 units (see FEIR Table 2-5). The FEIR concluded that impacts related to water supply would be less than significant.

### b. Program-level

Potential environmental effects related to the construction of pipelines to support delivery of water to the Specific Plan area are addressed in Section 5.14, *Utilities*. This section's analysis discusses water supplies available to serve development proposed by the project.

As the Specific Plan proposes less density than was evaluated in the OMCP WSA, water demand would be somewhat reduced compared to that analyzed in the FEIR. In 2023, an updated WSA and Verification Report (Appendix M) was prepared, which demonstrates that there are sufficient water supplies over a 20-year planning horizon to meet the projected demands of the project, as well as the demands of existing and planned development projects within the City PUD service area in normal, dry and multiple dry year forecasts. Development of the project is anticipated to result in a water supply demand of 958 acre-feet per year (AFY), or 0.86 million gallons/day (mgd), assuming all

mandatory water efficiency standards are met (see Table 3-1 in Appendix M). As determined by a comparison between the net capacity for future development established by the City's 2020 UWMP, the Otay Mesa Pressure Zone would have a remaining supply/capacity of 2,985 AFY, or 2.66 mgd, with the project. Therefore, based on this water supply and demand analysis, the project as a whole would not result in the use of excessive amounts of potable water beyond projected available supplies, nor would it affect the ability of City PUD to provide water to existing and planned development.

### c. Project-level

The WSA and Verification Report (Appendix M) prepared for the project demonstrated that there would be sufficient water supplies to support the Specific Plan as a whole. As the project-level components would implement a portion of the Specific Plan considered in the City's analysis, there would be sufficient water supplies within the PUD service area in normal, single-dry, and multiple-dry water year forecasts to support the project-level components. The project-level components would not use excessive amounts of potable water through compliance with regulatory water efficiency standards applied during the construction and operational phases of the project. The project would incorporate sustainable design features, techniques, and materials that would reduce water consumption, including water efficient landscaping and building construction that incorporates high-efficiency plumbing fixtures and fittings in all structures consistent with the latest building code. Therefore, development of the project-level components would not result in the use of excessive amounts of potable water beyond projected available supplies, nor would it affect the ability of City PUD to provide water to existing and planned development.

## 5.15.3.3 Significance of Impacts

### a. Program-level

According to the findings of the WSA and Verification Report (Appendix M), the City has sufficient water supplies to serve the project and existing and projected water demands. Therefore, impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

As the City has sufficient water supplies to serve the Specific Plan at buildout (Appendix M) and the project-level components implement a portion of the Specific Plan, impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.15.3.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts related to water supply would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts related to water supply would be less than significant; therefore, no mitigation is required.

## 5.15.4 Issue 2: Landscape Plans

*Would the project allow for the use of predominantly non-drought resistant landscaping and excessive water usage for irrigation and other purposes?*

### 5.15.4.1 Significance Thresholds

Consistent with the FEIR, impacts would be considered significant if the project would:

- Allow for the use of predominantly non-drought resistant landscaping and excessive water usage for irrigation and other purposes.

The City's 2022 CEQA Significance Determination Thresholds indicate a significant impact related to water conservation could occur if a project would use excessive amounts of potable water. The City's 2022 CEQA Significance Determination Thresholds provide examples of a golf course or certain industrial uses as projects that could result in substantial water usage compared to most other uses. Specific to landscaping, the use of water for landscaping may constitute a significant impact if a project proposes predominantly non-drought resistant landscaping and excessive water usage for irrigation and other purposes. SDMC Section 142.0401 and the City's Landscape Standards provide guidance related to the use of drought-tolerant landscaping.

### 5.15.4.2 Analysis

#### a. FEIR

The FEIR found that adherence to City Landscape Standards contained in the Land Development Manual, in addition to compliance with General Plan (2008) and OMCP policies would ensure drought-tolerant plantings for project landscape plans would be required. As such, impacts related to water supply for landscaping were considered less than significant.

#### b. Program-level

The Specific Plan includes a landscape palette that would guide future plantings throughout the program-level areas. The plant palette provided in Appendix A of the Specific Plan is consistent with the City's Landscape Standards, part of the City's Land Development Manual. All landscape installation would be required to demonstrate consistency with the City's Landscape Standards which would assure that landscape systems are designed, constructed, and managed to maximize overall irrigation efficiency within the limits established by the maximum applied water allowance. The proposed plant palette included in Appendix A of the Specific Plan identifies plants with water use classifications of very low to moderate.

Implementation of the program-level components would not require excessive amounts of water. New construction by its nature requires installation of higher water efficiency fixtures and appliances compared to existing older development. Consistency of future development within the program-level areas with Specific Plan policies and required compliance with the City Landscape Standards would ensure that landscape water demand would not be excessive.

### c. Project-level

The project-level components would be consistent with the landscape guidance and water efficiency policies of the Specific Plan described above. All landscape installation would be required to demonstrate consistency with the City's Landscape Standards which assure landscape systems are designed, constructed, and managed to maximize overall irrigation efficiency within the limits established by the maximum applied water allowance. The anticipated water demand of the project-level landscaping components would be approximately 18.3 million gallons per year, i.e., 0.05 mgd, or approximately 5.8 percent of the total daily water demand of the Specific Plan development. Therefore, project-level development would not result in excessive water use as a result of predominantly non-drought resistant landscaping.

## 5.15.4.3 Significance of Impacts

### a. 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. Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. 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 and impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.15.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts related to water supply would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts related to water supply would be less than significant; therefore, no mitigation is required.

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# 5.16 Population and Housing

The information in this section updates the population and housing information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to population and housing impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project-level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation.

## 5.16.1 Existing Conditions

Existing population and housing conditions within the OMCP area and within the City of San Diego (City) were described in FEIR Section 5.16.1. During the 2020 census, the population for the City was recorded at approximately 1.4 million people, an estimated 16 percent increase over the 2000 population levels of 1.2 million reported in the FEIR (San Diego Association of Governments [SANDAG] 2020). The population of the City was anticipated to reach 1.9 million people by 2050 when the FEIR was prepared; SANDAG now estimates the population of the City will remain approximately 1.4 million in 2050 (SANDAG 2024a). Updated population data and housing counts for the OMCP area are provided in Table 5.16-1, *Population and Housing Estimates for the OMCP Area*. These forecasts represent a decrease from the population and housing buildout for 2050 anticipated in the FEIR, except for the quantity of single-family housing units anticipated to be created by 2050, which increased by 3,621 units. Since preparation of the FEIR, approximately 1,381 housing units have been added to the OMCP area.

**Table 5.16-1**
**Population and Housing Estimates for the OMCP Area**

| Population and Housing | 2022 | 2040 | 2050 | Percent Change 2022-2050 |
|---|---|---|---|---|
| Total Population | 18,397 | 35,205 | 36,581 | 98.8 |
| Total Housing Units | 5,594 | 13,097 | 14,125 | 152.5 |
| Single-Family housing units | 3,211 | 8,186 | 8,746 | 172.4 |
| Multi-Family housing units | 2,383 | 4,911 | 5,379 | 125.7 |

Source: SANDAG 2024b

## 5.16.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.16.1.2, which included the SANDAG's Regional Growth Forecast; the SANDAG Regional Comprehensive Plan and Regional Housing Element; the City's General Plan (2008) and Housing Element; and the City Inclusionary Affordable Housing Regulations. Changes and updates to regulations related to population and housing that were not discussed in the FEIR or have been updated since FEIR preparation are summarized below.

## 5.16.2.1 Regional

### a. SANDAG Regional Growth Forecast

In April 2024, SANDAG adopted the updated Series 15 Regional Growth Forecast. This forecast represents SANDAG's estimate of population, housing, land use, and economic growth through 2050. According to this forecast, and as detailed above, by 2050, the OMCP area would experience a 138% increase in population and 235% increase in housing stock over what was identified for 2012 (SANDAG 2024b).

### b. SANDAG 2021 Regional Plan

The SANDAG San Diego Forward: The 2021 Regional Plan (SANDAG 2021 Regional Plan) combines the Regional Transportation Plan, Sustainable Communities Strategy, and Regional Comprehensive Plan. As such, it must also comply with specific state and federal mandates, including Senate Bill 375, Title VI, environmental justice considerations, air quality conformity, and a public participation process. The approved SANDAG 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The SANDAG Board of Directors adopted the Final SANDAG 2021 Regional Plan on December 10, 2021.

The project area is within the United States-Mexico Border Mobility Hub identified in the SANDAG 2021 Regional Plan. Mobility Hubs are identified in the SANDAG 2021 Regional Plan as vibrant centers of activity where transit and on-demand travel options, supported by safe streets, connect people with their destinations and businesses with their customers. Mobility Hubs are also planned to accommodate future growth and development (SANDAG 2021).

## 5.16.2.2 Local

### a. General Plan (2024) and Housing Element

The City is required by state law to adequately plan to meet the housing needs of the City, and to update its Housing Element every eight years. To ensure that a range of housing opportunities is provided for a broad spectrum of persons, the Housing Element is required by state law to address the City's regional share of housing needs, which is referred to as the Regional Housing Needs Assessment (RHNA). The Housing Element is also required to include an inventory of sites (parcels) within the City that are suitable for development and to demonstrate that the City's inventory of sites, and the sites' current residential capacity under existing land use plans and zoning, are adequate to meet the City's total RHNA target and its lower (low and very low) income affordable housing RHNA target.

The City's 2021-2029 Housing Element was certified by the State of California Department of Housing and Community Development on September 10, 2021. The City's target for the 2021-2029 Housing Element cycle is 108,036 housing units. These units must be produced in a number of income categories defined by the percentage of the area median income. Parcels within the Specific

Plan area are included in the City's Housing Element sites inventory as vacant, undeveloped land with a Community Plan Amendment in process (City 2021).

### b. City Inclusionary Affordable Housing Regulations

The City adopted updates to the City's Inclusionary Affordable Housing Regulations contained in San Diego Municipal Code (SDMC) Chapter 14, Article 2, Division 13 since the preparation of the FEIR. These regulations have been amended to align with updates to statewide affordable housing regulations, include updated fee schedules since the preparation of the FEIR for the affordable housing in-lieu fee program, and provide additional detail related to the requirements for affordable housing creation. However, the Inclusionary Affordable Housing Regulations remain generally consistent with the intent of those detailed in the FEIR, as these regulations require developments to which these regulations apply to provide a certain percentage of affordable units in the development or pay an Inclusionary In Lieu Fee for all or a portion of the inclusionary dwelling units; rehabilitate existing dwelling units or Single Room Occupancy Hotel Rooms; convert hotel or motel guest rooms to inclusionary dwelling units; or donate land.

## 5.16.3 Issue 1: Population Growth

*Would the land use modifications associated with the project induce substantial population growth in the area?*

### 5.16.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to population growth would be considered significant if the project would:

- Result in substantial population growth, including growth inducing impacts.

The City's 2022 CEQA Significance Determination Thresholds provide examples of growth inducement that may be substantial, such as proposing new homes and commercial or industrial businesses beyond the land use density/intensity envisioned in the community plan. However, it is noted that population growth is not on its own a significant impact. The impacts of growth inducement are significant when resulting in secondary physical impacts such as biological or historical resources, traffic, air quality, public services, and others.

### 5.16.3.2 Analysis

#### a. FEIR

The FEIR found that buildout of the OMCP would result in substantial population growth. However, it also found that buildout of the OMCP would include implementation of policies contained in the SANDAG Regional Comprehensive Plan and the City's General Plan (2008), by providing a mix of housing types near public transportation, increasing the regional and local supply of housing needed in accordance with SANDAG's regional growth forecast, and focusing housing supply within

compact villages that would be linked together by public transportation. As such, the FEIR found that impacts associated with population growth would be less than significant.

## b. Program-level

Similar to the findings of the FEIR, the project would result in both direct and indirect population growth. However, growth would be less than the growth anticipated for the Specific Plan area in the FEIR and would implement policies in the SANDAG 2021 Regional Plan, the City's General Plan (2024), and 2021-2029 Housing Element by focusing population growth and housing supply within compact villages. The Specific Plan area is a planned village identified in the OMCP that was planned to accommodate high density multi-family residential development. The project involves adoption of a Community Plan Amendment and Specific Plan that would allow for the future development of up to 5,130 residential dwelling units. The project's 5,130 dwelling units would generate a future population increase of approximately 13,441 persons, utilizing a person per household ratio of 2.62 (SANDAG 2023). It should be noted that the FEIR assumed a total of 5,880 dwelling units for Southwest Village, which was estimated to result in a future population of 21,028 persons. Thus, the project site's future population would be reduced compared to the analysis in the FEIR.

The City's Housing Element also identifies sites within the Specific Plan area as potential housing sites to achieve the RHNA and provides a number of "net potential units" based on 90 percent of the maximum units under a site's zone/land use designation minus existing units. In accordance with Government Code Sections 65863 and 66300, development of any parcel with fewer units by income category than identified in the Housing Element for that parcel would not be allowed unless specific criteria listed in these code sections are achieved. The vacant sites within the Specific Plan area are identified by parcel number in the Housing Element inventory (Appendix D of the Housing Element) as having capacity to generate 4,170 net potential units for the City (City 2021). Net potential units quantified in the Housing Element are based on 90 percent of the maximum units under base zone/land use designations for a site minus any existing units. Therefore, the proposed Specific Plan would increase the number of housing units within this area in accordance with the OMCP and exceed the Housing Element inventory for new housing contributing to the City's RHNA.

Although implementation of the Specific Plan would result in direct and indirect population growth, it would focus growth and provide housing in a compact village conducive to supporting transit in accordance with the SANDAG 2021 Regional Plan goals and policies to focus development within Mobility Hubs. The extension of infrastructure into the Specific Plan area is consistent with the development planned under the OMCP and analyzed in the FEIR; therefore, the Specific Plan would not result in new indirect population growth. Overall, potential growth from the Specific Plan would also be less than what was planned in the OMCP and would achieve the housing potential of the area identified in the City's Housing Element.

## c. Project-level

As the project-level components implement a portion of the Specific Plan discussed above, which is consistent with regional growth projections, no substantial, unplanned population growth would occur. The project-level components would result in the creation of up to 920 residential units and the construction of new infrastructure. These project-level components would result in population

growth consistent with the proposed Specific Plan, within the projections of the OMCP, and in accordance with regional growth principles, as described further above.

### 5.16.3.3 Significance of Impacts

#### a. Program-level

The project would induce population growth to a lesser degree than planned in the OMCP and impacts would be less than significant, consistent with the impact conclusions of the FEIR.

#### b. Project-level

The project-level components would implement the Specific Plan and population growth impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### 5.16.3.4 Mitigation, Monitoring, and Reporting

#### a. Program-level

Impacts related to population growth would be less than significant; therefore, no mitigation is required.

#### b. Project-level

Impacts related to population growth would be less than significant; therefore, no mitigation is required.

## 5.16.4 Issue 2: Affordable Housing

*Would the land use modifications associated with the project not comply with the City's Inclusionary Affordable Housing Ordinance?*

### 5.16.4.1 Significance Thresholds

Consistent with the FEIR, impacts related to affordable housing would be significant if the project would:

- Not be in compliance with the City's Inclusionary Affordable Housing Ordinance.

As described above, the City has adopted updates to the City's Inclusionary Affordable Housing Regulations since the preparation of the FEIR in accordance with state regulations. These regulations are contained in SDMC Chapter 14, Article 2, Division 13. A project would have a potentially significant impact if it would not comply with the City's Inclusionary Affordable Housing Regulations. Projects that would comply with the City's Inclusionary Affordable Housing Regulations, including

through the provision of affordable housing, payment of in-lieu fees, or other affordable housing creation methods outlined in the regulations, would have a less than significant impact.

## 5.16.4.2 Analysis

### a. FEIR

The FEIR found that the OMCP would result in housing growth by supporting the provision of affordable housing units in the OMCP area. The varied residential densities associated with the land use designations in the OMCP were anticipated to result in the development of housing for all income levels consistent with federal and state regulations as well as City affordable housing objectives. Therefore, the FEIR concluded impacts related to affordable housing would be less than significant.

### b. Program-level

Consistent with the overall OMCP, the project allows for a range of residential densities that would provide for housing at varying price points. For the program-level components, it is not known how individual residential developments would achieve compliance with the City's Inclusionary Affordable Housing Regulations (SDMC Chapter 14, Article 2, Division 13). These regulations allow for flexibility in achieving affordable housing goals via on-site development, in-lieu fees, or land dedication, among other options. The Inclusionary Affordable Housing Regulations would be applicable to future residential development of 10 or more dwelling units in the Specific Plan area, which is anticipated to encompass the vast majority of, if not all, future program-level, residential development.

If a density bonus is proposed for an individual residential development in the program-level areas, the Inclusionary Affordable Housing Regulations would not be applicable to that development and affordable housing units would instead be constructed on-site in accordance with the density bonus regulations detailed in SDMC Chapter 14, Article 3, Division 7. As described in Chapter 3.0, *Project Description*, the maximum dwelling unit cap presented in the Specific Plan would still apply. Therefore, future program-level development would not conflict with the City's Inclusionary Affordable Housing Regulations.

### c. Project-level

As described in Chapter 3.0, *Project Description*, the project-level development proposed in Phase 1 would include 10% of the proposed units (92 units) as affordable housing in accordance with the on-site development provisions of the City's Inclusionary Affordable Housing Regulations. If a change to this condition occurs during building permit issuance, the project-level development would remain subject to these regulations and be required to pay the applicable in-lieu fee or otherwise comply with the Inclusionary Affordable Housing Regulations.

## 5.16.4.3 Significance of Impacts

### a. Program-level

Future program-level development would be subject to the City's Inclusionary Affordable Housing Regulations. Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

The project-level components propose development consistent with the City's Inclusionary Affordable Housing Regulations. Impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.16.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts related to affordable housing would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts related to affordable housing would be less than significant; therefore, no mitigation is required.

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# 5.17 Agricultural and Mineral Resources

The information in this section updates the agricultural and mineral resources information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to agricultural or mineral resources impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation.

## 5.17.1 Existing Conditions

### 5.17.1.1 Agricultural Lands

As discussed in FEIR Section 5.17, *Agricultural and Mineral Resources*, the OMCP area contains agricultural uses and lands mapped as important farmland under the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program (FMMP). The project area was shown as containing a mixture of Farmland of Local Importance, Grazing Land, Other Land, and Urban and Built-Up Land (refer to FEIR Figure 5.17-1). The FMMP was updated in 2020 but remains consistent with the conditions described in the FEIR for the project area (DOC 2020).

### 5.17.1.2 Mineral Resource Zones

As discussed in FEIR Section 5.17, *Agricultural and Mineral Resources*, although the OMCP area contains lands classified as Mineral Resource Zone (MRZ) 2 and 3, the project area contains lands classified as MRZ 3 (refer to FEIR Figure 5.17-3). MRZ 3 consists of areas containing mineral deposits, the significance of which cannot be evaluated from available data. An update to the MRZ classifications for San Diego County (County) was published in 2017 and the project area remains mapped as MRZ-3, consistent with its description in the FEIR (DOC 2017).

## 5.17.2 Regulatory Framework

The regulatory framework was discussed in FEIR Section 5.17.1.2, which included the California Land Conservation (Williamson) Act; Right-to-Farm Act; City of San Diego (City) Land Development Code; previously adopted OMCP; and DOC FMMP. Changes and updates to mapping programs of agricultural and mineral resources that were described in the FEIR and have been updated since FEIR preparation are summarized above. All other regulatory information in the FEIR related to agricultural and mineral resources remains unchanged and can be reviewed in FEIR Section 5.17.1.2.

# 5.17.3 Issue 1: Agricultural Resources

*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?*

## 5.17.3.1 Significance Thresholds

Consistent with the FEIR, impacts to agricultural resources would be considered significant if the project would:

- Convert a substantial amount of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use.

According to the City's 2022 CEQA Significance Determination Thresholds, the determination of "substantial amount" cannot be based on any one numerical criterion (i.e., one acre), but rather on the economic viability of the area proposed to be converted. The location of the area proposed for conversion may also be considered, including if an individual site is too small to be economically viable but its conversion would affect the surrounding operations. For purposes of defining significant agricultural resources and identifying impacts, it should be noted that the economic viability of a site is based on the characteristics that allow agricultural operations that can make a profit – not on a comparison of agricultural activities with other types of uses that may be more profitable.

## 5.17.3.2 Analysis

### a. FEIR

The FEIR concluded that buildout of the OMCP would convert Farmland of Statewide Importance (180 acres), Farmland of Local Importance (1,489 acres), Unique Farmland (28 acres) and Grazing Land (295 acres) to urban uses. However, the FEIR found that these areas are fragmented and are surrounded by urban land uses and Multi-Habitat Planning Area lands, which reduce the efficiencies and values of these lands for agricultural use. Rising land values, water costs, increasing taxes, habitat management planning, and other land use conflicts were found to have contributed to a significant reduction in future agricultural viability within the OMCP area. Furthermore, agricultural land in the OMCP area was intended as an interim use, rather than permanent use. The OMCP allows agriculture as an interim use pending approval of development within the OMCP area, including the proposed Southwest Village Specific Plan (Specific Plan) area. Therefore, impacts associated with the conversion of agricultural land to non-agricultural uses were found by the FEIR to be less than significant.

### b. Program-level

The program-level area is largely mapped as Farmland of Local Importance surrounded by Grazing Land (refer to FEIR Figure 5.17-1). The Specific Plan area has a history of agriculture dating back to the 1950s and 1960s; however, there are no longer active agricultural operations within this area. Consistent with the findings of the FEIR, agricultural use in the OMCP area is intended as an interim use until development is proposed. As the Specific Plan would propose land uses consistent with the OMCP planned land uses, no change in impacts to Farmland would occur relative to the impacts identified in the FEIR. The program-level areas currently mapped as Farmland of Local Importance and Grazing Land would be converted to developed land or open space.

### c. Project-level

The project-level area is primarily mapped as Farmland of Local Importance with some patches mapped as Grazing Land (refer to FEIR Figure 5.17-1); however, there are no longer active agricultural operations within this area. Consistent with the findings of the FEIR, agricultural use in the OMCP area, including in the project-level areas proposed for development, would be allowed as an interim use until development is proposed. As the project would propose land uses consistent with the OMCP planned land uses, no change in impacts to Farmland would occur relative to the impacts identified in the FEIR. The project-level areas currently mapped as Farmland of Local Importance and Grazing Land would be converted to development or open space.

## 5.17.3.3 Significance of Impacts

### a. Program-level

The program-level areas are proposed for development consistent with the anticipated land use changes in the FEIR related to agriculture; therefore, impacts to Farmland would be less than significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

The project-level areas are proposed for development consistent with the anticipated land use changes in the FEIR related to agriculture; therefore, impacts to Farmland would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.17.3.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts related to alterations to Farmland would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts related to alterations to Farmland would be less than significant; therefore, no mitigation is required.

## 5.17.4 Issue 2: City and Regional Consequences of Agricultural Land Conversion

*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?*

### 5.17.4.1 Significance Thresholds

Consistent with the FEIR, impacts to agricultural resources would be considered significant if the project would:

- Result in a change to the existing environment, which due to its location or nature, could result in the conversion of farmland to non-agricultural use.

As described above, the City's 2022 CEQA Significance Determination Thresholds identify multiple factors to consider when determining whether the conversion of farmland is a significant impact, including economic viability. Specific to this threshold, site size and surroundings must be considered, as the conversion of small areas may affect surrounding operations. For instance, the installation of a small housing complex on a formerly agricultural site may preclude or limit future pesticide spraying activities in an adjacent area with the potential to support food crops.

### 5.17.4.2 Analysis

#### a. FEIR

The FEIR found that while the OMCP would result in the conversion of agricultural uses to non-agricultural uses, these changes would not be considered significant to the region. The conversion of lands planned in the previously adopted OMCP to be retained as agricultural land represented 0.1 percent of the land under cultivation in the County. Further, as described above, financial factors, resource constraints, and fragmentation of these lands decreased the viability of their use for agricultural production. As such, the FEIR found that the conversion of this small percentage of agricultural land to other uses would not substantially alter the regional agricultural production. Therefore, the FEIR concluded the OMCP would have a less than significant impact on agricultural resources.

#### b. Program-level

As described for Issue 1, above, the program-level components of the project are consistent with the anticipated land use changes in the FEIR. The conversion of lands in this area to non-agricultural uses would not be altered from what was anticipated in the FEIR. Further, the program-level area

represents a small area of agricultural land in the region and has limited viability for future agricultural production. Therefore, the conversion of the program-level area to its planned land uses would not result in changes to the existing environment that would result in the conversion of significant farmland to non-agricultural use.

### c. Project-level

As described for Issue 1 above, proposed project-level development is consistent with the anticipated land use changes in the FEIR. The conversion of lands in this area to non-agricultural uses would not be altered from what was anticipated in the FEIR. Further, this area represents a small percentage of agricultural land in the region and has limited viability for future agricultural production. Therefore, the conversion of the project-level area to its planned land uses would not result in changes to the existing environment that would result in the conversion of significant farmland to non-agricultural use.

## 5.17.4.3 Significance of Impacts

### a. Program-level

The program-level areas are proposed for conversion to non-agricultural uses consistent with the changes anticipated in the FEIR; therefore, impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. Project-level

The project-level areas are proposed for conversion to non-agricultural uses consistent with the changes anticipated in the FEIR; therefore, impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.17.4.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts related to the conversion of farmland would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts related to the conversion of farmland would be less than significant; therefore, no mitigation is required.

# 5.17.5 Issue 3: Mineral Resources

*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?*

## 5.17.5.1 Significance Thresholds

The FEIR considers whether the OMCP would result in the loss of availability of a significant mineral resource (e.g., sand or gravel) 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. However, as this report has been updated, the project's impact to mineral resources would be considered significant if the project would:

- Result in the loss of availability of a significant mineral resource (e.g., sand or gravel) as identified in DOC Special Report 240, Updated Mineral Land Classification Map for Portland Cement Concrete-Grade Aggregate in the Western San Diego County Production-Consumption Region, California (DOC 2017).

In consulting the map of MRZs, the City's 2022 CEQA Significance Determination Thresholds state the following questions should be answered to provide direction on the significance of potential impacts:

1. Is the project site located in the MRZ 2 classification area?

   A "yes" answer does not automatically mean that a significant impact should be identified. Additional factors should be considered, using questions 2 through 4.

2. Is the site large enough to allow economically feasible aggregate mining operations?

   It is unlikely that a site smaller than 10 acres in size could accommodate economically feasible operations. However, Geology Section staff should be consulted, as more information will be required to make a determination.

3. If the site is too small for an economically feasible mineral resource extraction operation, would its development with the proposed use preclude a mining operation adjacent to or surrounding the site?

   For example, within an area classified as MRZ 2, construction of a residential development on a central site that was determined to be too small to support a mining operation could preclude or substantially interfere with development of a mineral resource extraction project or projects on surrounding properties that are large enough to support economically feasible mineral resource extraction. A significant impact should likely be identified for the residential proposal in this example.

4. Is the site currently being mined?

   If an economically feasible mineral extraction operation is the site's current use, and the site is not exhausted, a different use of the site would likely result in a significant impact on the availability of a locally important mineral recovery site.

## 5.17.5.2 Analysis

### a. FEIR

The FEIR found that portions of the OMCP area are located within MRZ-2 and MRZ-3. MRZ-3 zones are not considered sensitive because they comprise areas that may or may not have mineral resources. However, MRZ-2 lands represent areas containing regionally significant mineral deposits. The FEIR found that the majority of acreage designated MRZ-2, which occurs in the northernmost portion of the OMCP area, contains existing residential uses that would be incompatible with the establishment of any new mineral resource operations. In addition, the FEIR found that the OMCP area does not include any existing or proposed mining operations, and development associated with buildout of the OMCP would not result in indirect impacts to any existing extraction operations in the vicinity of the OMCP. As such, the FEIR concluded that the ability to extract mineral resources would not be affected by implementation of the OMCP. The General Plan (2008) and OMCP also do not identify any portion of the OMCP as a locally important mineral resources recovery site, and no impact due to the loss of such locally important sites would occur. Therefore, the FEIR considered impacts to mineral resources less than significant.

### b. Program-level

As detailed in the FEIR and updated mapping of the region (DOC 2017), the program-level areas are mapped as MRZ-3. MRZ-3 zones are not considered sensitive because they comprise areas that may or may not have mineral resources. Implementation of the program-level components would not change the conclusions of the FEIR as development of these areas was analyzed and anticipated in the FEIR. There is no history of mining activities within the program-level areas and proposed development would not have indirect impacts to extraction operations, as none exist in the vicinity. As the program-level areas do not contain significant mineral resources and have been planned for development that would be incompatible with future mining operations, program-level project components would not result in the loss of availability of a significant mineral resource.

### c. Project-level

As the project-level areas proposed for development are mapped as MRZ-3, do not contain significant mineral resources, and have been planned for residential use, there would be no adverse effect to mineral resources with implementation of the project-level components. There are also no existing or planned mineral resource recovery sites in this area that would conflict with implementation of the project-level components.

## 5.17.5.3 Significance of Impacts

### a. 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 impacts would be less than significant, consistent with the impact conclusions of the FEIR.

### b. 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 impacts would be less than significant, consistent with the impact conclusions of the FEIR.

## 5.17.5.4 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts related to mineral resources would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts related to mineral resources would be less than significant; therefore, no mitigation is required.

# 5.18 Greenhouse Gas Emissions

The information in this section updates the greenhouse gas emissions (GHG) information in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR), with an emphasis on changes in circumstances, to existing conditions, regulatory requirements, project details, and new information since the FEIR was prepared and addresses whether those changes would result in new or substantial changes to GHG impacts. The impact analysis includes a summary of the conclusions of the FEIR, followed by an analysis of the potential impacts related to implementation of the program-level and project level components of the project and if there are any substantial changes to the level of environmental impact significance or changes to FEIR mitigation. The GHG analysis is based on the Greenhouse Gas Analysis for the Southwest Village Specific Plan (Specific Plan), dated May 31, 2024 (Appendix N).

## 5.18.1 Existing Conditions

As discussed in FEIR Section 4.18, *Greenhouse Gas Emissions*, GHG inventories were conducted for statewide and OMCP area emissions. In all four years reported (1990, 2000, 2004, and 2008), transportation-related emissions consistently contributed the most to statewide GHG emissions, followed by electricity generation and industrial emissions. Statewide emissions peaked at 484 million metric tons (MMT) of carbon dioxide equivalent ($CO_2e$) in 2004. In the OMCP area, water use contributed the most to the overall 2,611,312 metric tons (MT) of $CO_2e$ emitted in 2011.

Current statewide and regional GHG inventories are provided below with the most recent data available. In the absence of a current OMCP area emissions inventory, the 2019 citywide inventory is used to approximate emissions in the project area; actual OMCP area emissions can be assumed to be less than citywide emissions. As shown below, statewide emissions have decreased since preparation of the FEIR. Transportation emissions now constitute the highest percentage of overall emissions for both study areas. The consequences of climate change discussed in Section 5.18.1.2 of the FEIR remain unchanged. Climate change still has the potential to exacerbate natural disasters, air and water quality, public health crises, and other threats to people and the planet.

### a. State GHG Inventory

The California Air Resources Board (CARB) performs statewide GHG inventories. The inventory is divided into nine broad sectors of economic activity: agriculture, commercial, electricity generation, forestry, high global warming potential (GWP) emitters, industrial, recycling and waste, residential, and transportation. Emissions are quantified in MMT $CO_2E$. Table 5.18-1, *California GHG Emissions by Sector in 1990, 2010, and 2019*. These years are highlighted in Table 5.18-1 because 1990 is the baseline year for established reduction targets, 2010 corresponds to the same years for which inventory data for the City of San Diego (City) is available, and 2019 is the most recent data available.

**Table 5.18-1**
**California GHG Emissions by Section in 1990, 2010, and 2019**

| Sector[1] | 1990 Emissions in MMT $CO_2E$ (% total)[2] | 2010 Emissions in MMT $CO_2E$ (% total)[3] | 2019 Emissions in MMT $CO_2E$ (% total)[3] |
|---|---|---|---|
| Electricity Generation | 110.5 (25.7%) | 90.5 (20.2%) | 59.0 (14.1%) |
| Transportation | 150.6 (35.0%) | 170.2 (38.0%) | 170.3 (40.7%) |
| Industrial | 105.3 (24.4%) | 101.3 (22.6%) | 99.9 (23.9%) |
| Commercial | 14.4 (3.4%) | 20.1 (4.5%) | 24.2 (5.8%) |
| Residential | 29.7 (6.9%) | 32.1 (7.2%) | 33.0 (7.9%) |
| Agriculture & Forestry | 18.9 (4.4%) | 33.7 (7.5%) | 31.8 (7.6%) |
| Not Specified | 1.3 (0.3%) | -- | -- |
| **TOTAL[4]** | **430.7** | **447.9** | **418.2** |

MMT $CO_2E$ = million metric tons of carbon dioxide equivalent
Source: Appendix N.

[1] 1990 data was obtained from the CARB 2007 source and are based on the Intergovernmental Panel on Climate Change (IPCC) fourth assessment report GWPs.

[2] Percentages may not total 100 due to rounding.

[3] 2010 and 2019 data was retrieved from the CARB 2021 source.

[4] Totals may vary due to independent rounding.

As shown in Table 5.18-1, statewide GHG source emissions totaled approximately 431 MMT $CO_2E$ in 1990, 448 MMT $CO_2E$ in 2010, and 418 MMT $CO_2E$ in 2019. Many factors affect year-to-year changes in GHG emissions, including economic activity, demographic influences, environmental conditions such as drought, and the impact of regulatory efforts to control GHG emissions. As shown, transportation-related emissions consistently contribute to the most GHG emissions.

## b. Citywide GHG Inventory

A San Diego emissions inventory was prepared for total community-wide GHG emissions with adoption of the City's 2022 Climate Action Plan (CAP). Table 5.18-2, *City of San Diego GHG Emissions in 2019*, summarizes the sources and quantities of 2019 community emissions. The largest source of emissions is on-road transportation, followed by electricity, natural gas, solid waste, off-road transportation, water, and wastewater.

**Table 5.18-2**
**City of San Diego GHG Emissions in 2019**

| Sector | 2019 Emissions in MT $CO_2E$ | Distribution |
|---|---|---|
| On-Road Transportation[1] | 5,805,000 | 55% |
| Electricity | 2,375,000 | 23% |
| Natural Gas | 1,911,000 | 18% |
| Solid Waste | 277,000 | 3% |
| Off-Road Transportation | 70,000 | 1% |
| Water | 68,000 | 1% |

| Sector | 2019 Emissions in MT $CO_2E$ | Distribution |
|---|---|---|
| Wastewater | 26,000 | 0.20% |
| **TOTAL** | 10,532,000 | 100% |

MT $CO_2e$ = metric tons of carbon dioxide equivalent
Source: Appendix N.
Sums may not add up to totals due to rounding.
[1] 2019 vehicle miles traveled (VMT) are based on 2016 VMT adjusted to account for regional VMT growth, as reflected in the California Highway Performance Monitoring System from 2017 to 2019. 2016 VMT is from the San Diego Association of Government's (SANDAG's) Series 14 base year in the draft SANDAG 2021 Regional Plan and activity-based model (ABM2+).

# 5.18.2 Regulatory Framework

The regulatory framework discussed in FEIR Section 5.18.1.2 is incorporated by reference. This includes Executive Order (EO) S-3-05–Statewide GHG Emission Targets; Assembly Bill (AB) 32–California Global Warming Solutions Act; CARB's Climate Change Scoping Plan; AB 1493–Pavley GHG Vehicle Standards; EO S-01-07–Low Carbon Fuel Standard; the Renewables Portfolio Standard (RPS); Senate Bill (SB) 375–Regional Emissions Targets; the San Diego Sustainable Community Program/Cities for Climate Protection; the City's Climate Protection Action Plan; the City's Sustainable Building Policies; the City's General Plan; and the City's Climate Mitigation and Adaptation Plan. Changes and updates to regulations related to GHG emissions that were not discussed in the FEIR or that have been updated since FEIR preparation are summarized below.

## 5.18.2.1 Federal

At the federal level, the U.S. Department of Transportation, the U.S. Department of Energy, and the U.S. Environmental Protection Agency are three agencies with significant influence over energy policies and programs. Generally, federal agencies influence and regulate transportation energy consumption through the establishment and enforcement of fuel economy standards for automobiles and light trucks, through funding of energy-related research and development projects, and through funding for transportation infrastructure improvements. The federal Corporate Average Fuel Economy standards determine the fuel efficiency of certain vehicle classes in the U.S. The most recent phase of the program (approved in 2024) applies to model years 2027 through 2031 and increased the standards to 50.4 miles per gallon.

## 5.18.2.2 State

### a. Executive Orders

EO S-3-05 established a goal of reducing GHG emissions to 80 percent below 1990 levels by 2050, and the California Environmental Protection Agency prepares biannual reports to assess progress towards emission goals. EO B-30-15 was issued on April 29, 2015 and establishes an interim statewide GHG emission reduction goal of 40 percent below 1990 levels by 2030. SB 32, approved in September 2016, enacts EO B-30-15 and updates the California Global Warming Solutions Act of 2006 that was passed in response to EO S-3-05. EO B-30-15 also instructs CARB to update its Climate

Change Scoping Plan (Scoping Plan) to address the new 2030 goal, which CARB did in 2017 (CARB 2017). The Scoping Plan was updated once again in November of 2022 and established a new target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045 (CARB 2022).

### b. Renewables Portfolio Standard

The RPS was originally adopted in 2002 and promotes diversification of the state's electricity supply and decreased reliance on fossil fuel energy sources. In September 2015, the California Legislature passed SB 350, which increases California's renewable energy mix goal to 50 percent by year 2030. SB 100 (2018) further increased the standard set by SB 350 establishing the RPS goal of 44 percent by the end of 2024, 52 percent by the end of 2027, and 60 percent by 2030.

### c. Building Standards

California Code of Regulations Title 24, Part 6, California Energy Code, and Part 11, the California Green Building Standards Code (CALGreen) are updated every 3 years. The currently applicable standards are contained in the 2022 version of Title 24, which became effective January 1, 2023. The next update to these standards will occur in 2025 and become effective January 1, 2026. Each iteration of the California Energy Code and CALGreen increases energy efficiency requirements for new buildings through methods such as building electrification, requirements for electric vehicle parking, water conservation features, and waste management, among others.

## 5.18.2.3 Local

### a. City of San Diego Climate Action Plan

On August 2, 2022, the City approved an updated CAP (City 2022a), revised GHG California Environmental Quality Act (CEQA) significance thresholds (City 2022b), CAP Consistency Regulations, and associated Climate Resiliency Fund and Urban Tree Canopy fee. The 2022 CAP update expands the prior CAP approach and identifies six strategies for achieving the goal of net zero emissions:

1. Strategy 1: Decarbonization of the Built Environment
2. Strategy 2: Access to Clean and Renewable Energy
3. Strategy 3: Mobility and Land Use
4. Strategy 4: Circular Economy and Clean Communities
5. Strategy 5: Resilient Infrastructure and Healthy Ecosystems
6. Strategy 6: Emerging Climate Actions

To facilitate implementation of the CAP, the City adopted CAP Consistency Regulations as Chapter 14, Article 3, Division 14 of the San Diego Municipal Code (SDMC). The CAP Consistency Regulations apply to specified ministerial and discretionary projects to ensure compliance with the goals and objectives of the updated CAP. The CAP Consistency Regulations require the following:

1. Pedestrian enhancements to reduce heat island effect.

2. Development on a premises with 250 linear feet or more of street frontage shall provide and privately maintain at least one publicly accessible pedestrian amenity for every 250 linear feet of street frontage to the satisfaction of the Development Services Department.

3. At least 50 percent of all residential and non-residential bicycle parking spaces required in accordance with Chapter 14, Article 2, Division 5 shall be supplied with individual outlets for electric charging at each bicycle parking space.

If a project is unable to comply with one or more of the CAP Consistency Regulations, the project would be required to obtain a Process Two Neighborhood Development Permit with deviation findings specifying how the project would reduce GHG emissions in a manner comparable to the regulation(s) the project is deviating from.

### b. Regional Transportation Plan/Sustainable Communities Strategy

San Diego Forward: The SANDAG 2021 Regional Plan is the 2050 Regional Transportation Plan (RTP) prepared by the San Diego Association of Governments (SANDAG) and adopted in December 2021 (SANDAG 2021). The RTP establishes an implementation plan for how the region will grow over the next 30 years. Developed in accordance with California SB 375, the RTP includes a Sustainable Communities Strategy (SCS). An SCS demonstrates how the region will meet its GHG reduction targets through integrated land use, housing, and transportation planning. While the purpose of an SCS is to reduce GHG emissions due to mobile sources, it also results in a decrease in mobile sources of criteria pollutants. Enhanced public transit service combined with incentives for land use development that provides a better market for public transit will play an important role in the SCS.

## 5.18.3 Issue 1: Cumulative GHG Emissions

*Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

### 5.18.3.1 Significance Thresholds

Consistent with the FEIR, impacts related to GHG emissions would be significant if the project would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

Since preparation of the FEIR, the City adopted a CAP which was last updated in 2022. Along with this update, the City updated its CEQA Significance Determination Thresholds for GHG emissions. As the project and future development within the project area would be required to comply with the CAP, the City is utilizing the 2022 CEQA Significance Determination Thresholds for this analysis herein. Pursuant to CEQA Guidelines Sections 15183.5(b), 15064(h)(3), and 15130(d), the City may determine that a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements of a previously adopted GHG emission

reduction plan. The City's CAP is a qualified GHG reduction plan based on CEQA Guidelines Section 15183.5(b)(1)(A-F); therefore, the City may determine that a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements of the CAP.

Per the City's 2022 CEQA Significance Determination Thresholds, the method for determining significance depends on whether the action requires plan- or policy- level or project-level environmental analysis. The program-level component analysis relies on the plan- or policy-level thresholds and the project-level component analysis relies on the project-level threshold. Each of the thresholds is described below.

## a. Program-Level Threshold

For plan- and policy-level environmental documents, as well as environmental documents for public infrastructure projects, the Planning Department has prepared a Memorandum, Climate Action Plan Consistency for Plan- and Policy-Level Documents and Public Infrastructure Projects (City 2022), to provide guidance on significance determination as it relates to consistency with the strategies in the CAP.

The City's guidance document requires environmental documents to address the ways in which the plan or policy is consistent with the goals and policies of the General Plan and CAP, specifically General Plan Policies LU-A.7, ME-D.17, CEJ.2, and CE-J.3 and Strategy 3 from the CAP, although all six strategies from the CAP should be discussed. Additionally, the analysis should discuss the applicability of the City's CAP Consistency Regulations. As adoption of the Specific Plan is a plan-level document, this threshold applies to the program-level analysis below.

## b. Project-level Threshold

For project-level environmental documents, significance is determined through (a) land use consistency and (b) project compliance with the regulations set forth in SDMC Chapter 14, Article 3, Division 14. The first step in determining CAP consistency for development projects is to assess the project's consistency with the growth projections used in the development of the CAP. If a project cannot answer "yes" to one of the three options below, then the project's cumulative GHG impact is significant and the project must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions.

a. Is the proposed project consistent with the existing General Plan and Community Plan land use and zoning designations? OR

b. If the proposed project is not consistent with the existing land use plan and zoning designations, and includes a land use plan and/or zoning designation amendment, would the proposed amendment result in an increased density within a Transit Priority Area (TPA)? OR

c. If the proposed project is not consistent with the existing land use plan and zoning designations, does the project include a land use plan and/or zoning designation

amendment that would result in an equivalent or less GHG-intensive project when compared to the existing designations?

The second step in demonstrating CAP consistency is implementation of the regulations set forth in SDMC Chapter 14, Article 3, Division 14 to ensure that new development is consistent with the CAP's assumptions for relevant CAP strategies toward achieving the identified GHG reduction targets. Projects that are consistent with the CAP as determined through compliance with the CAP Consistency Regulations may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects that do not comply with the CAP Consistency Regulations set forth in SDMC Sections 143.1410 and 143.1415 must prepare a comprehensive project-specific 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 project that is not consistent with the CAP.

Projects that can answer "yes" to one of the options in Step 1 and comply with the regulations in Step 2 would have a less than significant impact from GHG emissions, as these projects would be determined to be consistent with the CAP.

## 5.18.3.2 Analysis

### a. FEIR

The FEIR utilized guidance from the 2008 California Air Pollution Control Offices Association (CAPCOA) report "CEQA & Climate Change" (CAPCOA 2008) to identify screening criteria to determine when a GHG analysis would be required and information from the CARB Scoping Plan and Business as Usual (BAU) 2020 Forecast to determine when a cumulatively significant contribution of GHGs has occurred. The FEIR found that buildout of the OMCP would reduce GHG emissions by between 9.1 and 11.4 percent compared to BAU, which does not meet the City's goal of a minimum 28.3 percent reduction in emission levels; therefore, the FEIR found that impacts associated with GHG emissions would be significant. The FEIR identified Mitigation Framework GHG-2 to reduce impacts, which requires future development projects to demonstrate avoidance of significant impacts related to long-term operational emissions as identified in Mitigation Framework GHG-1, and to include project-level GHG reduction design features that demonstrate a reduction in GHG emissions to the extent practicable. The FEIR concluded that even with adherence to Mitigation Framework GHG-2 and compliance with applicable General Plan (2008) and OMCP policies, impacts associated with the contribution of GHG emissions to cumulative statewide emissions would be significant and unavoidable. A statement of overriding considerations was adopted for this impact.

### b. Program-level

GHG impacts associated with the adoption of the Specific Plan are evaluated at a program level, consistent with the City's 2022 CEQA Significance Determination Thresholds for plan- and policy-level environmental documents. The program-level analysis focuses on Specific Plan consistency with strategies in the CAP in addition to consistency with key General Plan (2024) policies. The method for determining the Specific Plan's consistency with the CAP is accomplished through the evaluation of

the proposed Specific Plan with General Plan (2024) policies LU-A.7, ME-D.17, CE-J.2, and CE-J.3 and consistency with CAP strategies, specifically Strategy 3.

The Specific Plan envisions a new village development focused around a high-density core that would accommodate a mobility hub with access to transit. The plan involves a grid network that emphasizes multi-modal opportunities and connections, which would reduce project-related and regional vehicle miles traveled (VMT) by reducing the need to drive a motor vehicle and shortening vehicle trip lengths. The Specific Plan is consistent with the relevant General Plan (2024) Policies and the City's CAP, as demonstrated by the policy consistency discussion provided in Table 5.18-3, *Program-level Climate Action Plan Consistency Analysis for the Southwest Village Specific Plan*, below. Furthermore, all future development within the Specific Plan would be subject to the City's GHG regulations in effect at the time development is proposed, which would ensure GHG emissions would be minimized during future development consistent with CAP projections.

## c. Project-level

For purposes of GHG, the project-level analysis is limited to construction and operation of Phase 1 of the residential development (Planning Areas [PAs] 8 through 14) and rough grading within PAs 15 to 20 (Phase 2) and PA 7 (Phase 4) in order to provide balanced cut and fill grading quantities. Other project-level improvements considered under this analysis include the Beyer Boulevard and Caliente Avenue extensions, drainage outfalls, a pump station, the emergency vehicle access road, and trails and sewer and water infrastructure improvements outside of the Specific Plan boundary. These portions of the project have been designed with site planning and landscape plans that allow consistency with the CAP consistency regulations to be demonstrated.

### *Land Use Consistency*

Due to the lack of site-specific land uses and zoning for the Specific Plan area at the time of CAP development, the CAP assumptions were based on the generalized development assumptions contained in the OMCP, which assumed the Southwest Village would include 1,400 single-family units and 4,480 multi-family units for a total of 5,880 units that would have supported an anticipated build-out population of 21,028 people (OMCP Table 2-5). As the proposed Specific Plan maximum residential density is 5,130 residential units, the Specific Plan density would be consistent with or less than the GHG emission generation assumptions used to develop the CAP.

The project-level components assume residential development of up to 920 units, including 142 multi-family detached (under 20 dwelling units per acre), 498 multi-family attached units (under 20 dwelling units per acre), and 280 multi-family attached units (over 20 dwelling units per acre) which would be within the Specific Plan residential density and less than the assumptions used in development of the CAP. The project-level supporting infrastructure would include construction of Beyer Boulevard and Caliente Avenue along with water and sewer infrastructure improvements. The project-level components also include Phase 2 and PA 7 (Phase 4) rough grading areas to provide balanced grading, drainage outfalls, a pump station, and trails. These project-level infrastructure components are necessary components of residential development and are consistent with the development patterns anticipated in the OMCP. As such, these components are consistent with the assumptions used in development of the CAP.

**Table 5.18-3**
**Program-level Climate Action Plan Consistency Analysis for the Southwest Village Specific Plan**

| *Policy Language* | *Consistency Discussion* |
|---|---|
| **Consistency with 2024 General Plan Policies** | |
| ***General Plan Policy LU-A.7.*** Establish a mix of uses within village areas, or individual projects within village areas, to promote walking/rolling, biking, and transit usage and support progress towards climate goals and greenhouse gas emission reductions. | **Consistent.** The project includes both a Community Plan Amendment and a rezone to establish the Specific Plan and base zones. The OMCP Vision Map (OMCP Figure 1-2) identifies the Southwest Specific Plan as a Village Opportunity area that would contain a mix of local commercial, office and multifamily residential uses around a village center designed to encourage pedestrian-oriented design and encourage transit ridership. Section 2.1 of the OMCP addresses implementation of the Specific Plan Areas and a Specific Plan be approved prior to implementation of a comprehensive development or rezoning proposal. The Specific Plan includes policies demonstrating consistency with applicable OMCP policies.<br><br>The proposed Specific Plan land uses are consistent with the land use types and intensities anticipated by the OMCP and is consistent with the City's General Plan City of Villages strategy which envisions build-out of this area to support a village center. The OMCP identifies a future rapid transit route traversing the Specific Plan area. 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. The Specific Plan land use plan identifies a village core with a mobility hub surrounded by residential densities that would be supportive of future high quality transit services.<br><br>The proposed land uses and zoning designations associated with the Specific Plan provide capacity for transit-supportive employment densities within the planned village core. Commercial land uses adjacent to the mobility hub would support employment opportunities within the village core. The Specific Plan would support up to 175,000 square feet of commercial and retail uses in the mixed-use village core. The project would not conflict with this General Plan Policy. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| ***General Plan Policy ME-D.17.*** Make transit planning an integral component of long range planning documents and the development review process.<br>a. Continue to coordinate with SANDAG and transit operators to identify corridors and intersections for dedicated transit lanes and transit signal priority treatments and identify recommended transit routes and stops/stations as a part of the preparation of community plans and community plan amendments, and through the development review process.<br>b. Plan for transit-supportive villages, transit corridors, and other higher intensity uses in areas that are served by existing or planned higher-quality transit services, in accordance with Land Use and Community Planning Element.<br>c. Proactively seek reservations or dedications of right-of-way along transit routes and stations through the planning and development review process.<br>d. Proactively seek opportunities to repurpose rights-of-way and/or installation of interim or pilot improvement projects that support transit operations and can be quickly implemented.<br>e. Locate new public facilities that generate large numbers of person trips, such as libraries, community service centers, and some recreational facilities in areas with existing or planned transit access.<br>f. Design for walkability in accordance with the Urban Design Element, as pedestrian supportive design also helps create a transit supportive environment.<br>g. Address rail corridor safety in the design of development adjacent to or near railroad rights-of-way.<br>h. Improve transit resiliency and the ability of transit infrastructure to withstand the effects of climate change, while maintaining services. | **Consistent.** A mobility hub is identified in the village core of the Land Use chapter of the Specific Plan. Consistent with the planned mobility hub and as detailed in the OMCP (see OMCP Figure 3-1), a future rapid transit route is planned to traverse the Specific Plan area. The SANDAG RTP identifies this rapid transit connection through the Specific Plan Area, with funding anticipated by 2050. The Specific Plan supports these planned transit routes by providing for transit supportive densities within a future village core that would accommodate a mobility hub in anticipation of the future rapid bus line.<br>The mobility hub would be designed to serve as a primary connection point for community and regional bicycle facilities, sidewalks, trails and paseos that connect the neighborhoods, parks, and open space. This location would provide pick-up and drop-off staging areas for bus services and private transportation options such as employer shuttles and rideshare services, as well as a bike share, repair, and electric vehicle charging stations.<br>The Specific Plan is additionally planned to include a number of parks connected by pedestrian facilities including trails, sidewalks and paseos. Beyer Boulevard provides pedestrian access to the west to San Ysidro and a primitive trail is additionally provided to the west to connect to the City's planned Beyer Park project in San Ysidro.<br>Two school sites are identified within the Specific Plan area which would offer local schools to area residents, connected by bicycle and pedestrian facilities to support non-vehicular trips. The project would not conflict with this General Plan Policy. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| ***General Plan Policy CE-J.2 and CE-J.3***<br><br>CE-J.2 Include community street tree master plans in community plans.<br><br>a. Prioritize community streets for street tree programs.<br><br>b. Identify the types of trees proposed for those priority streets by species (with acceptable alternatives) or by design form.<br><br>c. Integrate known protected trees and inventory other trees that may be eligible to be designated as a protected tree.<br><br>CE-J.3 Develop community plan street tree master plans during community plan updates in an effort to create a comprehensive citywide urban forest master plan (See Conservation Element Policy CE-J.1. | **Consistent.** The Specific Plan calls for tree planting in villages, sidewalks, and other urban public spaces and identifies tree species to define the street tree program for the Specific Plan. The Specific Plan incorporates design standards, policies, and strategies that promote extensive tree planting throughout the Specific Plan area. Specific Plan Section 3.6 includes a policy to plant trees along streets, pathways, paseos and trails and incorporate trees into public outdoor spaces such as plazas and parks to provide shade, beauty and buffer. Another policy in this section states, "Plant designated Themed Street Trees along all public roadways, as identified for each roadway type in Sections 4.5.1 through 4.5.10. In the Specification Tables for each roadway type in Chapter 4 Mobility, roadways have designated street trees to create an attractive and cohesive community identity.<br><br>The Specific Plan includes a landscape plant palette as Appendix A to the Specific Plan. Numerous trees in various sizes are identified for neighborhoods, streetscapes, parks, interior slopes, and trailheads. Species and mature height and spread are identified to allow for appropriate sizing depending on parkway widths.<br><br>Additionally, development in the Specific Plan is subject to the City's CAP Consistency Regulations which includes minimum tree planting standards and requirements for providing shading along the Throughway Zone as defined by the Street Design Manual of the Land Development Manual.<br><br>Additionally, under existing conditions, the Specific Plan is undeveloped with limited trees. Currently, vegetation in the area is a mix of native and non-native shrub, grassland, disturbed land, and herbaceous species typical of somewhat impacted California coastal sage scrub throughout the region. The entire project footprint would require grading to support the proposed development. As there are very limited to no trees within the majority of the Specific Plan area, the project would result in significantly more trees than the existing condition. The Specific Plan incorporates design standards, policies, and strategies that promote extensive tree planting throughout the Specific Plan development area. The project would not conflict with this General Plan Policy. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| **Consistency with Climate Action Plan Strategies** | |
| **Strategy 1: Decarbonization of the Built Environment**<br>This strategy aims to minimize the environmental impact of new and existing buildings throughout the City by encouraging decarbonization and electrification. | |
| ***Measure 1.1: Decarbonize Existing Buildings***<br>• Develop a comprehensive roadmap to achieve decarbonization of the existing building stock including, programs, regulatory and incentive tools that includes extensive engagement and utilization of a shared-decision making model with Communities of Concern.<br>• Develop a Building Performance Standards (BPS) policy. | **Not applicable.** The project does not include existing buildings and this measure does not apply. The project would not conflict with this CAP Measure. |
| ***Measure 1.2: Decarbonize New Building Development***<br>Develop and adopt a Building Electrification policy, through code update or other mechanism, requiring new residential and commercial buildings to eliminate the use of natural gas, increase energy efficiency, increase distributed energy generation and storage and increase electric vehicle (EV) charging stations, engaging with residents of Communities of Concern, workers, and builders. | **Consistent.** The Specific Plan would require all dwelling units to be constructed in compliance with state or local green building standards in effect at the time of building construction. While a building electrification policy code update or other reach codes are not currently in effect, all future development within the project area would be required to comply with applicable codes in effect at the time of building permits. ~~Additionally, the first phase of development is committed to an all-electric development with no natural gas.~~ EV charging would be provided consistent with 2022 CALGreen building standards, which went into effect January 1, 2023. The project would not conflict with this CAP Measure. |
| ***Measure 1.3: Decarbonize City Facilities***<br>Develop and adopt a municipal energy implementation plan and zero carbon emissions buildings and operations policies. | **Not applicable.** The project does not include the development of City facilities, nor would it interfere with the City's ability to adopt a municipal energy implementation plan. The project would not conflict with this CAP Measure. |
| **Strategy 2: Access to Clean & Renewable Energy**<br>This strategy affirms the City's commitment to clean energy by prioritizing EV infrastructure and renewable energy incentives for consumers. | |
| ***Measure 2.1: Citywide Renewable Energy Generation***<br>• Partner with San Diego Community Power (SDCP) to increase customer adoption of 100% renewable energy supply.<br>• Partner with SDCP to incentivize local generation of renewable energy resources. | **Not applicable.** The project would not interfere with the City's ability to increase renewable energy supply. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| ***Measure 2.2: Increase Municipal Zero Emission Vehicles***<br><br>Develop a City Fleet Vehicle Replacement and Electrification strategy consistent with the Municipal Energy Implementation Plan and state requirements for municipal electrification. | **Not applicable.** The project is not a municipal project, nor would the project interfere with the City's ability to develop a City Fleet Vehicle Replacement and Electrification strategy. The project would not conflict with this CAP Measure. |
| ***Measure 2.3: Increase Electric Vehicle Adoption***<br><br>Develop a citywide electric vehicle strategy to accelerate EV adoption, including flexible fleets, circulators and electric bicycles, focusing on the barriers to ownership and charging for residents within the Communities of Concern. | **Not applicable.** The project would not interfere with the City's ability to develop new EV policies. Nonetheless, it is noted that the project would provide the necessary EV charging infrastructure to allow for the opportunity to create EV integration. The project would not conflict with this CAP Measure. |
| **Strategy 3: Mobility & Land Use**<br><br>This strategy focuses on facilitating the shift towards alternative modes of transportation to reduce mobile source emissions, primarily through infrastructure improvements, partnerships, and incentives. | |
| ***Measure 3.1: Safe and Enjoyable Routes for Pedestrians and Cyclists***<br><br>• Develop Safe Routes to Schools safety plans; start a San Diego Safe Routes to Schools program focusing on Communities of Concern and underperforming schools.<br>• Implement the City's Bicycle Master Plan and community plan bicycle networks with a Class IV First approach.<br>• Review and improve flexible fleets and micro-mobility policies/shared use mobility programs, especially focused in Communities of Concern and first mile/last mile applications.<br>• Partner with micro-mobility operators to optimize the number of scooters available in mobility hubs and/or near transit.<br>• Update Bicycle Master Plan with current best practices for facility designation, reflecting recent community plan updates and proposed regional connections. Also describing existing constraints, opportunities, and implementation strategies. | **Consistent.** The project would not interfere with the City's ability to develop Citywide policies and programs. The Specific Plan supports and plans for future high-quality transit through the Specific Plan area as discussed above under the consistency analysis for General Plan Policy ME-D.17**.** Additionally, the project is located in area designated as having a low Climate Equity Index, consistent with communities of concern. The transit and bicycle opportunities proposed within the Specific Plan would offer communities of concern access to new high-quality pedestrian and bicycle facilities including local access to parks and schools, as further detailed below.<br><br>The Specific Plan's circulation system would provide multiple and direct pedestrian connections and accessibility to local activity centers. The Specific Plan provides for an interconnected system of paseos, pedestrian nodes, trails and sidewalks connecting pedestrians to parks, to future transit stops, a school site, and the commercial center within the Specific Plan area. In addition to this pedestrian and trail network, the Specific Plan would incorporate residential and urban paseos that would provide pedestrian pathways between residential and mixed- use areas that are separated from roadways and parking areas. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| • Develop a Mobility Master Plan to reduce mobile sources emissions and further a shift in mode.<br>• The City will evaluate existing and future fee structures to increase the priority of active transportation project implementation, especially within Communities of Concern, and the City will increase its efforts to identify and pursue grant funds for the planning and implementation of active transportation projects. Supporting Actions. | Chapter 3.0 of the Specific Plan's Design Guidelines and Standards provides a number of design recommendations for walkability that would be implemented as the Specific Plan is developed. Section 3.5 of the Specific Plan identifies Streetscape and Public Realm Design Policies that address providing accessible pedestrian connections, providing lighting, hardscape, furnishings, and signage for an enhanced pedestrian experience. The pedestrian opportunities throughout the Specific Plan are a focal point of the grid street network and connections are located so that residents can access amenities (parks, trails, schools, the village center, and transit) on-foot.<br><br>The Specific Plan includes a number of policies that would ensure that build-out of the Specific Plan would prioritize pedestrian improvements. For example, Section 6 of the Specific Plan identifies site design measures that would support pedestrian opportunities and experience:<br>• Developments shall incorporate safe pedestrian connections to adjoining residential developments, commercial projects, and open space area<br>• Minimize cross-circulation between vehicles and pedestrians<br>• Provide a continuous, clearly marked walkway from parking areas to main building entrances of buildings<br>• Special paving should be incorporated into pedestrian walkways, crosswalks, intersections, plazas and parking lot design and driveway entries to improve pedestrian safety and create a sense of place.<br>• Pedestrian-scale lighting should be installed at building entryways, bicycle-parking areas, seating areas, transit stops, surface parking areas, common open space areas, paseos, and other pedestrian paths.<br>• Pedestrian seating and benches should be installed when feasible, should adhere to ADA standards, and should not obstruct pedestrian pathways.<br><br>In addition to the referenced Specific Plan policies, future development would be required to demonstrate consistency with the City's CAP regulations including the provision of pedestrian amenities where applicable. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| | Chapter 4.0 of the Specific Plan identifies a mobility network that provides a pedestrian-focused grid and a land use pattern to encourage walking, biking and transit use within the Village Core. A system of Class I and Class II bike lanes and pedestrian infrastructure would provide connections to the planned mobility hub located at the intersection of Caliente Avenue and Beyer Boulevard. The mobility hub is anticipated to provide other mobility choices such as micro-mobility options (scooter/bicycle rentals) and rideshare parking. Specific bicycle facilities by roadway segment are described in Table 4.2 of the Specific Plan. These alternative transportation options would provide connections to the surrounding region and reduce mobile source emissions from transportation. The project would not conflict with this CAP Measure. |
| ***Measure 3.2: Increase Safe, Convenient, and Enjoyable Transit Use***<br>• Advocate for a permanent, regional, Youth Opportunity Pass and support the expansion of the program to include college students and residents in Communities of Concern.<br>• Create a quick build policy and design guidelines to facilitate repurposing of the right-of-way or installation of interim or pilot transit projects.<br>• Develop dedicated bus lanes or shared bus and bike lanes to increase transit efficiency and on-time performance, focusing on routes supporting residents within underserved communities and high-frequency connections for riders going to schools, universities and jobs.<br>• Implement projects and update the Placemaking Ordinance, including a street furniture program that reduces heat exposure, prioritizes natural shade solutions, provides cool transit stops, and improves access to nearby restrooms in high transit use areas and pedestrian corridors, prioritizing Communities of Concern.<br>• Ensure every high-volume transit stop has access to transit shelters, which include shade structures and benches; work with MTS to establish standard for the provision of bus shelters in the city (e.g., | **Consistent.** The project would not interfere with the City's ability to develop Citywide policies and programs such as the Youth Opportunity Pass. The Specific Plan supports and incorporates identified future transit routes and stops. The Metropolitan Transit System (MTS) provides bus service (Route 905a and 905b) along Otay Mesa Road and Caliente Avenue north of the Specific Plan area. Route 905 bus stops are also located on the east bound off-ramp and west bound on-ramp at State Route 905 and Caliente Avenue. MTS routes 906 and 907 have stops along Beyer Boulevard and San Ysidro Boulevard in San Ysidro west of the Specific Plan area. As detailed in the OMCP (Figure 3-1), a future rapid transit route is planned to traverse the Specific Plan area. The SANDAG RTP identifies this rapid transit connection through the Specific Plan Area, with funding anticipated by 2050. The Specific Plan supports these planned transit routes by providing for transit supportive densities within a future village core that would accommodate a mobility hub in anticipation of the future rapid bus line.<br><br>The mobility hub would be designed to serve as a primary connection point for community and regional bicycle facilities, sidewalks, trails and paseos that connect the neighborhoods, parks, and open space. This location would provide pick-up and drop-off staging areas for bus services and private transportation options such as employer shuttles and rideshare services, as well as a bike share, repair, and electric vehicle charging stations. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
|---|---|
| minimum accommodations) with a priority in Communities of Concern. | |
| ***Measure 3.3: Work from Anywhere***<br>• Amend the Land Development Code to include mandatory transportation demand management (TDM) regulations - citywide.<br>• Develop a City employee TDM policy.<br>• Establish a team and roadmap to support actions that require connectivity and close the digital divide. | **Not applicable.** The project would not interfere with the City's ability to develop TDM policies and programs. The project would provide connections to communication systems for telephone, telecom, computers, and cable television to the Specific Plan area, supporting City implementation of this measure. The project would not conflict with this CAP Measure. |
| ***Measure 3.4: Reduce Traffic Congestion to Improve Air Quality***<br>• Install traffic circles and roundabouts.<br>• Retime traffic signals to reduce vehicle fuel consumption through improving the flow of traffic. | **Consistent.** The project would not interfere with the City's ability to retime traffic signals or install new roundabouts. The proposed land use and mobility network proposed by the Specific Plan aims to minimize traffic congestion by including an urban core that would offer commercial services to surrounding residents, providing a pedestrian-focused grid, and a planned land use pattern to encourage walking, biking, and transit use. This strategy is intended to limit vehicle trips, resulting in reduced VMT and reduced air and GHG emissions per capita, satisfying the City's sustainability goals and policies within the General Plan and CAP. The project would not conflict with this CAP Measure. |
| ***Measure 3.5: Climate-Focused Land Use***<br>• Focus 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.<br>• Plan for land uses that will allow existing residents, employees and visitors to more safely, conveniently and enjoyably travel as a pedestrian, by walking, biking, or transit.<br>• Update the placemaking ordinance to better support mode shift, to increase accessibility, walkability, and activate public spaces. | **Consistent.** The area is not currently developed and, as such, transit does not exist in the project area at this time. The Specific Plan is designed around a grid network that emphasizes multi-modal opportunities and connections.<br>The Specific Plan mobility plan comprehensively addresses all users to provide a balanced multi-modal complete streets approach. A comprehensive bicycle network (described previously) would ensure connectivity to surrounding communities and the proposed Village Core and mobility hub. A number of paseos, which would typically be within, adjacent, or through planned development (outside public right-of-way) are planned to be incorporated into the development concepts to provide enhanced pedestrian connectivity through minimum 10-foot-wide pathways with minimum 2-foot landscape median. Signage and seating would be provided to enhance the pedestrian experience. Modifications to roadway standards have been proposed where appropriate to enhance the experience for all users of the roadway. |

| *Policy Language* | *Consistency Discussion* |
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| | The Specific Plan would include a variety of parks to provide passive and active recreation opportunities. All parks are planned with pedestrian and bicycle connections to the planned mobility hub. All of the mobility elements and the public amenities included in the Specific Plan would serve to reduce GHG and air emissions by developing a community that is accessible to all modes. The project would not conflict with this CAP Measure. |
| ***Measure 3.6: Vehicle Management***<br>• Optimize use of curb space including management of on-street parking in TPAs.<br>• Amend the land development code to eliminate parking minimum requirements.<br>• Amend the land development code to establish parking maximum requirements for use types and locations where appropriate.<br>• Amend the land development code to prohibit new auto-oriented land uses that would create conflicts with walking and bicycling within TPAs. | **Not applicable.** The project would not interfere with the City's ability to amend the land development code. The Specific Plan is not within a TPA. Development within the project area would be required to comply with City standards and regulations to guide the provision of parking as the plan is built out. Within the Village Core, parking would be provided in areas surrounded by development and out of the public eye, allowing for activation of streetscapes and public spaces. Additionally, within the Village Core, parking standards are identified that include designating off-street parking areas for car-sharing services or implementing other parking management strategies, where applicable. Unbundled parking is encouraged in order to separate the price to rent or buy a multi-family home or commercial building from the cost of a parking space. The project would not conflict with this CAP Measure. |
| **Strategy 4: Circular Economy & Clean Communities**<br>This strategy focuses on reducing food waste and improving waste diversion to create a more sustainable economy. | |
| ***Measure 4.1: Changes to the Waste System***<br>• Approve and implement the Polystyrene Foam and Single Use Plastics Ordinance, pending Environmental Impact Report.<br>• Expand the Polystyrene Foam and Single Use Plastics Ordinance to phase-out single-use materials and prioritize reuse rather than disposable goods. | **Not applicable.** The project would not interfere with the City's ability to expand the Polystyrene Foam and Single-Use Plastics Ordinance. The project would comply with the current San Diego Single Use Plastic Reduction Ordinance, which became effective as of April 1, 2023. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
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| ***Measure 4.2: Municipal Waste Reduction***<br>• Capture landfill methane gas emissions.<br>• Through an update to the City's administrative regulations include purchasing requirements for sustainable products and food whenever option is available.<br>1) Reduce GHG emissions and water use of total beef, pork, chicken, turkey and dairy purchases by 20 percent.<br>2) Increase local, healthy, and sustainable foods to 20 percent of total food purchases prioritizing locally sourced, valued workforce and animal welfare<br>• Include procurement targets, with a focus on the maintenance of street easements, parks, and other green spaces, for purchasing compost through the Miramar Greenery or other local composting facilities to expand the demand and production of high quality compost in the city. | **Not applicable.** The project would not interfere with the City's ability to update administrative regulations. Nonetheless, it is noted that each residential unit within the project area would be required to provide waste receptacles including trash, recycling, and bins for organics recycling collection in accordance with the City's Recycling Ordinance. Organic waste would be disposed of and composted at a municipal facility. Additionally, composting by individual homeowners is an allowed use. The project would not conflict with this CAP Measure. |
| ***Measure 4.3: Local Food Systems & Food Recovery***<br>• Create a food council or advisory board with local stakeholders.<br>• Invest in expanding the food waste prevention network - expand infrastructure & partnerships for edible food recovery.<br>• Require food waste prevention, donation and recycling plans for all City food service operations and large events on City managed, leased or owned lands.<br>• Establish a multidisciplinary team of subject matter experts across City departments with a focus on land use, economic growth, neighborhood vitality and healthy food access to work with community members to expand urban agricultural programs and develop policies to encourage community- based farms, including demonstration projects. | **Not applicable.** The project would not interfere with the City's ability to develop councils, infrastructure, or partnerships. Additionally, the Specific Plan identifies general open space areas that could provide opportunities for community gardens. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
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| ***Measure 4.4: Zero Waste to Landfill***<br>• Update, adopt and implement the Zero Waste Plan.<br>• Create a community reuse and repair program to increase waste diversion, reduce material consumption and develop training and learning opportunities.<br>• Update the Citywide Recycling Ordinance to ban divertible materials (yard waste, food) from residential and commercial trash containers, in compliance with SB 1383.<br>• Develop a marketing plan for compost and mulch developed within the city. Identify and target compost and mulch markets in urban areas as well as urban agriculture. Partner with industries to increase compost and mulch use including landscaping, stormwater and water conservation.<br>• Analyze city regulations and other barriers to developing businesses that reuse or repair consumer goods, where doing so will not adversely impact the surrounding residential neighborhood.<br>• Increase public awareness of and access to opportunities for reuse, product rentals, repair, and donation.<br>• Support and expand citywide reuse infrastructure. | **Not applicable.** The project would not interfere with the City's ability to develop Citywide policies and programs. However, it is noted that implementing the Zero Waste plan and Citywide Recycling Ordinance would be a requirement of the Specific Plan. Additionally, each development within the Specific Plan would prepare a Waste Management Plan to identify measures to reduce and recycle construction and demolition waste. The project would not conflict with this CAP Measure. |
| ***Measure 4.5: Capture Methane from Wastewater Treatment Facilities***<br>Capture methane gas from wastewater treatment. | **Not applicable.** The project would not interfere with the City's ability to implement methane capture from wastewater treatment facilities. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
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| **Strategy 5: Resilient Infrastructure**<br>This strategy focuses on adaptation, resource preservation, and equity as the City plans for a changing climate. | |
| ***Measure 5.1*: *Sequestration***<br>• Protect, restore and enhance urban canyons. Support habitat restoration of urban canyons, inclusion of environmental education and recreation opportunities, and continued preservation.<br>• Develop an area specific management plan to protect, restore and preserve wetland and upland areas on City managed lands, prioritizing Communities of Concern.<br>• Develop Natural Resource Management Plans on all managed preserved lands and include in plans the sequestration as the information becomes available. | **Consistent.** A substantial portion of the Specific Plan would be preserved as open space. Much of the land surrounding the development area is undevelopable due to steep slopes, canyons, Multi-Habitat Planning Area (MHPA) and vernal pool preserve areas, and geotechnical hazards. Open space areas identified as part of the Specific Plan are adjacent to other existing and planned open space areas and would expand the areas included in the City's MHPA.<br>The Specific Plan calls for restoration of disturbed lands and habitats within 50 feet of proposed primitive trail alignments (a total 100 feet wide) to prevent access to the unauthorized trails and allow for natural vegetation regrowth to occur for the remaining portions of the unauthorized segments due to non-use. Signage shall be used where appropriate to provide education on trail closures and restoration areas. Additionally, as the Specific Plan is built-out, disturbed slopes adjacent to the surrounding natural habitats would be revegetated with native species. The project would not conflict with this CAP Measure. |
| ***Measure 5.2: Tree Canopy***<br>• Increase tree planting in Communities of Concern starting with the planting of 40K new trees in these communities by 2030.<br>• Create a Street Tree Master Plan with a target of planting 100,000 trees by 2035. Within the Street Tree Master Plan, identify City lands and spaces that need trees and identify ways to increase permeable areas for new trees, focused in Communities of Concern.<br>• Conduct a new Urban Tree Canopy assessment utilizing light detection and ranging (LiDAR) technology to identify areas in need of additional tree canopy.<br>• Increase tree planting in Communities of Concern by identifying city lands/spaces that need trees. | **Consistent.** The Specific Plan area along with all of the OMCP area is identified as a Community of Concern. The project would not interfere with the City's ability to develop a Street Tree Master Plan or other policies regarding tree planting. The Specific Plan requires tree planting in villages, sidewalks, and other urban public spaces and includes design standards, policies, and strategies that promote extensive tree planting throughout the Specific Plan area.<br>The Specific Plan includes a landscape plant palette as Appendix A to the Specific Plan. Numerous trees in various sizes are identified for neighborhoods, streetscapes, parks, interior slopes, and trailheads.<br>Additionally, all future development would be required to comply with the City's CAP Consistency Regulations which includes minimum tree planting standards and requirements for providing shading along the Throughway Zone as defined by the Street Design Manual of the Land Development Manual. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
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| • Develop a plan to increase permeable areas for new trees and restore spaces that have been paved, focused in Communities of Concern.<br>• Support expansion of urban tree canopy in parks and along active transportation network. Prioritize implementation in Communities of Concern.<br>• Develop policies that encourage and incentivize developers, homeowner associations, and other organizations to preserve, maintain and plant trees.<br>• Reform, streamline, and expand the No Fee Street Tree program to remove barriers that exist which detour or prohibit participation by residents within Communities of Concern.<br>• Protect and maintain all healthy City trees that have minimal conflicts to existing and future infrastructure, by use of policy, code, public outreach and code enforcement. | |
| ***Measure 5.3*: *Local Water Supply***<br>• Develop local water supply and reduce dependence on imported water.<br>• Support ongoing gallon per capita water use (GPCD) targets. | **Not applicable.** The project would not interfere with the City's ability to develop a local water supply or meet per capita water use targets. Additionally, the Specific Plan would be constructed consistent with the latest building codes which would ensure building energy and water efficiency within a Community of Concern. The project would not conflict with this CAP Measure. |
| **Strategy 6: Emerging Climate Actions**<br>This strategy is purposefully broad to allow for new and innovative methods of achieving net zero GHG emissions. | |
| ***Measure 6.1: Explore further opportunities to achieve net zero GHG emissions***<br>Areas of focus within Strategy 6 include developing more effective partnerships with regional partners such as the Port of San Diego, SANDAG and the County of San Diego; collaboration on research and projects with the private sector; advancements to ensure energy resilience and exploration of alternative fuel sources; further research to | **Not applicable.** The project would not interfere with the City's ability to develop Citywide programs, regulations, and policies related to achieving net zero emissions. The Specific Plan buildout would occur in phases. Each development phase would be required to comply with the latest City regulations in effect at the time of building permits including any future regulations that are enacted to achieve net zero emissions. The project would not conflict with this CAP Measure. |

| *Policy Language* | *Consistency Discussion* |
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| understand potential land and water carbon sequestration opportunities; and developing pilot projects that catalyze new techniques and technologies from all sectors. This is not an exhaustive list, but a starting point for the City to actively pursue new ideas, listening to best available data and practices, and adapting as needed to achieve the greatest amount of GHG avoided while maximizing the impact on core benefits to our residents and businesses. | |

OMCP = Otay Mesa Community Plan; SANDAG = San Diego Association of Governments; RTP = Regional Transportation Plan; CAP = Climate Action Plan; BPS = Building Performance Standard; EV = electric vehicle; CALGreen = California Green Building Standards Code; SDCP = San Diego Community Power; ADA = Americans with Disabilities Act; MTS = Metropolitan Transit System; TDM = transportation demand management; TPA = Transit Priority Area; SB = Senate Bill; MHPA = Multi-Habitat Planning Area; LiDAR = light detection and ranging; GPCD = gallon per capita water use

### *CAP Consistency Regulations*

The CAP Consistency Regulations are applicable to the development of PAs 8 through 14. However, the CAP Consistency Regulations do not apply to other off-site infrastructure improvements and activities such as the extension of Beyer Boulevard, a City Mobility Element roadway, because the CAP regulations apply only to "development on a premises" which is defined by the City Land Development Code as "an area of land with its structures that, because of its unity of use, is regarded as the smallest conveyable unit". For purposes of the project, all portions of PAs 8 through 14 located within the Specific Plan boundary are considered the "premises", as the Specific Plan defines the development area and includes all land that would be adjacent to structures.

Notwithstanding that Beyer Boulevard west of the Specific Plan area is not subject to the CAP Consistency Regulations, the Beyer Boulevard design in this location incorporates substantial trees to offer shading consistent with the intent of the CAP Consistency Regulations. Pedestrian amenities for Beyer Boulevard west of the Specific Plan would be determined in coordination with the City based on the needs and constraints associated with this portion of the road.

All aspects of the applicable project-level components located within the Specific Plan have been designed to demonstrate consistency with the City's CAP Consistency Regulations. Required pedestrian amenities along public streets have been noted on the project landscape plans. Bicycle parking is provided within individual garages which have access to electrical outlets for charging. No other public bicycle parking is required, therefore no additional bicycle charging infrastructure is required or provided. As detailed on the project plans, the project-level components would be consistent with the CAP Consistency Regulations.

## 5.18.3.3 Significance of Impacts

## a. Program-level

Program-level GHG impacts associated with adoption of the Specific Plan are assessed by determining consistency with the City's CAP per the updated threshold in Section 5.18.3.1.a. As detailed in Section 5.18.3.1.a, the Specific Plan would be consistent with the City's CAP and key General Plan (2024) policies that relate to GHG emissions. The proposed land uses and Specific Plan policies and design standards would promote the use of public transit, biking, and walking, to support reductions in regional VMT by reducing the need to drive a motor vehicle and shortening vehicle trip lengths. 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.

The FEIR identifies Mitigation Framework GHG-1 and GHG-2. However, as discussed in Section 5.18.3.1, the 2020 target GHG reduction threshold identified in GHG-1 and GHG-2 has been updated to address compliance with the City's CAP, consistent with the City's 2022 CEQA Significance Determination Thresholds. Accordingly, FEIR Mitigation Framework GHG-1 and GHG-2 do not apply to the project and are not required to be implemented by the project.

Therefore, unlike the significant and unavoidable impact conclusions in the FEIR, program-level GHG impacts would be less than significant.

### b. Project-level

As with the program-level analysis, project-level GHG impacts are assessed by determining consistency with the City's CAP via a two-step analysis. As detailed above, 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, unlike the significant and unavoidable impact conclusions in the FEIR, impacts associated with GHG emissions for the project-level components would be less than significant.

## 5.18.3.3 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts would be less than significant; therefore, no mitigation is required.

### b. Project-level

Impacts would be less than significant; therefore, no mitigation is required.

# 5.18.4 Issue 2: Consistency with Adopted Plans, Policies, and Regulations

*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?*

## 5.18.4.1 Significance Thresholds

As evaluated in the FEIR, impacts related to GHG emissions would be significant if the project would:

- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of GHGs.

As described above, the City updated its CAP, the applicable GHG reduction plan for the project, in 2022. The City's 2022 CEQA Significance Determination Thresholds are updated to reflect the revised CAP. Therefore, for the purposes of the following analyses, GHG emission impacts are evaluated based on consistency with the CAP per the thresholds identified in Section 5.18.3.1.

## 5.18.4.2 Analysis

### a. FEIR

The FEIR evaluated consistency with policies and plans related to GHG emissions and found that the OMCP contained policies that would reduce GHG emissions from transportation and operational building uses (related to water and energy consumption, solid waste generation, etc.) and the plan would be consistent with the strategies of local and state plans, policies, and regulations aimed at reducing GHG emissions from land use and development. Subsequent projects implemented in accordance with the OMCP would be required to implement Mitigation Framework GHG1, which required GHG-reducing features beyond those mandated under existing codes and regulations. However, the FEIR found that because project-level details were not known at the time, there was the potential that projects would not meet the necessary City reduction goals to achieve the reductions required by AB 32. Thus, the level of potential impacts associated with conflicts with adopted plans related to GHG emissions would be significant and unavoidable.

### b. Program-level

As detailed under Section 5.18.3, implementation of the program-level components would be consistent with the CAP strategies and relevant General Plan (2024) strategies. Additionally, future development within the program-level development areas would be required to demonstrate consistency with the City's CAP Consistency Regulations, or other GHG regulations in effect at the time of development. Program-level development would not conflict with the CAP.

### c. Project-level

As detailed under Section 5.18.3, implementation of the project-level components would be consistent with the CAP Consistency Regulations and within the growth projections in the CAP. Therefore, project-level development would not conflict with the CAP.

## 5.18.4.2 Significance of Impacts

### a. Program-level

Required compliance with the City's CAP Consistency Regulations would ensure the consistency of future program-level development with the CAP. Therefore, unlike the significant and unavoidable impact conclusions in the FEIR, impacts related to GHG emissions would be less than significant for program-level components.

### b. 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, unlike the significant and unavoidable impact conclusions in the FEIR, project-level impacts would be less than significant.

## 5.18.4.3 Mitigation, Monitoring, and Reporting

### a. Program-level

Impacts would be less than significant without mitigation.

### b. Project-level

Impacts would be less than significant without mitigation.

# 5.19 Tribal Cultural Resources

The following section describes the existing tribal cultural resource conditions, evaluates policies and regulatory requirements applicable to the project, evaluates potential impacts, and identifies mitigation measures, if applicable, related to project implementation. The information in this section was not included in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR). Since the FEIR was prepared, Appendix G of the State California Environmental Quality (CEQA) Guidelines has undergone revisions in how tribal cultural resource impacts are addressed. In 2014, the California legislature passed, and Governor Brown signed into law, Assembly Bill (AB) 52, which amended the Public Resources Code (PRC) to add new requirements regarding tribal cultural resources in CEQA reviews. Appendix G of the State CEQA Guidelines was amended for the inclusion of specific questions related to tribal cultural resources (TCRs) impacts and the amended Appendix G checklist is used as the basis for the analysis of potential impacts related to implementation of the program-level and project level components of the project. The discussion is based on the Historical Resources Investigation included as Appendix D and consultation with California Native American tribes traditionally and culturally affiliated with the project area who have requested consultation pursuant to PRC Section 21080.3.1.

## 5.19.1 Existing Conditions

As discussed in FEIR Section 5.5, *Historical Resources*, the project area contains numerous previously recorded prehistoric sites. Existing conditions are similar to the conditions when the FEIR was prepared. No development has taken place within the project area since that time. The existing conditions for the physical and cultural setting are the same as discussed in Section 5.5.1.1.

As detailed in Section 5.5.6, one prehistoric archaeological resource (CA-SDI-22,936) within the project is recommended eligible for listing on the California Register of Historical Resources (CRHR) and has been designated as a historical resource by the Historical Resources Board (HRB) and is on the City of San Diego's (City's) historical resources register. This site is considered a significant TCR, as it meets California Code, PRC Section 21074 definition of a TCR. No other TCRs have been identified within the project area.

### 5.19.1.1 Native American Heritage Commission Sacred Lands File

To implement the FEIR Mitigation Framework HIST-1 Step 1 (see Section 5.5.3.3.a), a Sacred Lands File search was completed to determine the likelihood for the program-level and project-level areas to contain tribal cultural resources. A letter was sent to the State Native American Heritage Commission (NAHC) in Sacramento on October 31, 2017, for Planning Area (PA) 8 through PA 10 requesting a search of their Sacred Lands File. The NAHC replied on November 1, 2017, indicating that they had no record of Native American cultural resources in the immediate area of the project. A letter was sent to the NAHC in Sacramento on February 7, 2018, requesting a search of their Sacred Lands File for PA 11 through PA 14. The NAHC replied on February 8, 2018, indicating that they had no record of Native American cultural resources in the immediate area of PA 11 through PA 14. Another letter was sent to the NAHC on May 9, 2023, to search for the entire project-level and

program-level areas. The NAHC replied on June 15, 2023, with positive results. The response letters from the NAHC are included as Attachment 1 of Appendix D.

Tribal scoping letters were sent on May 13, 2024, to the contacts provided by the NAHC. Two responses were received. Daniel Tsosie of the Campo Band of Mission Indians responded on May 16, 2024, via email stating the importance of preservation of cultural sites and the fact that Otay itself is a resource with integrity. The Campo Band of Mission Indians maintains the Area of Potential Effect is a very sensitive area that is connected to the Kumeyaay people's present-day oral traditions. In addition, the Campo Band of Mission Indians requested a copy of the survey report and that they be included in mitigation planning and monitoring. Angelina Gutierrez emailed a letter on behalf of Desiree M. Whiteman, the Tribal Historic Preservation Officer for the San Pasqual Band of Mission Indians, on May 31, 2024. The letter stated that the project is within the boundaries of the territory that the Tribe considers its aboriginal territory and as such, the Tribe would like to engage in government-to-government consultation under AB 52 in order to have a voice in the development of measures to protect sites. The Tribe also requested access to any cultural resources reports.

### 5.19.1.2 Tribal Outreach

As part of the FEIR, the City distributed letters to all tribal groups identified by the NAHC per Senate Bill 18 on February 26, 2007, and no requests for consultation were received.

The City conducted government-to-government outreach to Native American tribes under AB 52 in 2024. The City provided formal consultation notification to the San Pasqual Band of Mission Indians, Iipay Nation of Santa Ysabel, and Jamul Indian Village on October 14, 2024, inviting them to consult on the project. No tribes requested consultation or provided comment within the 30-day period specified under the bill.

## 5.19.2 Regulatory Framework

The regulatory framework discussed in the FEIR Section 5.5.1.3 is also applicable to tribal cultural resources and is hereby incorporated by reference. The framework includes the National Register of Historic Places, California Register of Historical Resources, CEQA, California Native American Graves Protection and Repatriation Act (2001), Historical Resources Regulations (San Diego Municipal Code Chapter 14, Article 3, Division 2: Purpose of Historical Resources Regulations or Sections 143.0201-143.0280), Historical Resources Guidelines, and General Plan (2008). Changes and updates to regulations related to historical resources since FEIR preparation are summarized in Section 5.5.5. AB 52 established PRC Section 21084.2 after the certification of the FEIR and is summarized below.

## 5.19.2.1. State

### a. California Code, Public Resources Code Section 21074

The following is the California Code, PRC Section 21074 definition of a tribal cultural resource:

(a) "Tribal cultural resources" are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

### b. Assembly Bill 52

The act amended PRC Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a Notice of Preparation or a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (MND) is filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under CEQA, known as tribal cultural resources.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the

project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project's impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt an MND (PRC Section 21082.3(d)(2) and (3)).

PRC Section 21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

Confidentiality does not however apply to data or information that are, or become publicly available, are already in lawful possession of the project applicant before the provision of the information by the California Native American tribe, are independently developed by the project applicant or the project applicant's agents, or are lawfully obtained by the project applicant from a third party that is not the lead agency, a California Native American tribe, or another public agency (PRC Section 21082.3(c)(2)(B).

As of July 1, 2015, PRC Section 21084.2 establishes that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment." AB 52 requires lead agencies to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. If a project will result in an adverse effect to a tribal cultural resource, the lead agency must consider measures to mitigate the impact, when feasible (PRC Section 21084.3). Examples include:

(1) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural

context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

(2) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

(A) Protecting the cultural character and integrity of the resource

(B) Protecting the traditional use of the resource

(C) Protecting the confidentiality of the resource.

(3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

(4) Protecting the resource

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources:

1. "Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria: 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 5020.1(k), or

2. A cultural 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

# 5.19.3 Impact Analysis

## 5.19.3.1 Issue 1: Tribal Cultural Resources

*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:*

*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*

*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.*

## 5.19.3.2 Significance Thresholds

The City has not yet prepared thresholds of significance for potential impacts to tribal cultural resources. Therefore, for purposes of this analysis, guidance provided by issue questions listed in CEQA Guidelines Appendix G are utilized to evaluate the potential for significant impacts to tribal cultural resources:

- 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 5020.1(k), or
- 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.

## 5.19.3.3 Analysis

### a. FEIR

As AB 52 was established after the certification of the FEIR, the potential impact of the project on TCRs was not analyzed in a separate section of the FEIR. However, TCRs were discussed in FEIR Section 5.5, *Historical Resources*. The FEIR identified potentially significant impacts to archaeological resources, including TCRs. The FEIR found that implementation of the Mitigation Framework HIST-1 and HIST-2 would reduce impacts to below significance.

### b. Program-Level

Although no TCRs have been identified within the program-level area, as detailed in FEIR Section 5.5.2, and Section 5.5.6 of this SEIR, the record search mapped two archaeological resources (CA-SDI-8,645 and CA-SDI-16,704 in PAs 4 and 5) within the program-level areas. The majority of the program-level areas have not been surveyed, and the potential for the presence of historical resources is considered to be moderate to high; such resources could be identified during later project-specific studies as TCRs.

The possibility remains that intact subsurface cultural deposits, which can also be TCRs, may exist within the proposed program-level area considering the sensitivity rating of the area and that cultural resources have been identified in the program-level area. Proposed grading would potentially disturb or destroy such subsurface TCRs.

### c. Project-Level

As detailed in Section 5.5.6, one prehistoric archaeological resource (CA-SDI-22,936) within the project is recommended eligible for listing on the CRHR and has been designated as a historical resource by the HRB and is on the City's historical resources register. Therefore, this site is considered a significant TCR. The project grading would impact the entirety of this significant TCR.

In addition, there is potential for intact subsurface cultural deposits, which can also be TCRs, to exist within the proposed project-level area considering the sensitivity rating of the area and that a significant TCR has been identified in the project-level area. Proposed grading would potentially disturb or destroy such subsurface TCRs.

## 5.19.3.4 Significance of Impacts

### a. Program-Level

Although no impacts to known TCRs have been identified, the program-level areas have the potential for TCRs that could be identified in future project-specific studies and potential future tribal outreach, as well in the form of as-yet unknown subsurface cultural resources. Therefore, there is the potential for discovery of a resource that could be impacted by project grading activities. The FEIR did not analyze TCRs or identify a significant TCR impact. Program-level impacts to a TCR would be potentially significant.

### b. Project-Level

One known TCR has been identified at the project-level and, in addition there is a potential for encountering subsurface TCRs during ground disturbance. The FEIR did not analyze TCRs or identify a significant TCR impact. Project-level impacts to the known TCR as well as unknown potential subsurface TCRs would be potentially significant.

## 5.19.3.5 Mitigation, Monitoring, and Reporting

### a. Program-level

Mitigation measure SP-HIST-1 would be required, as detailed in Section 5.5.6.4. Other mitigation measures would be developed and implemented as necessary based on future project-specific studies for projects proposed under the program.

### b. Project-level

Mitigation measure PR-HIST-1 and PR-HIST-2 would be required, as detailed in Section 5.5.6.4.

## 5.19.3.6 Significance after Mitigation

### a. Program-level

With implementation of SP-HIST-1 impacts associated with future development at the program-level would be reduced to the extent feasible. As indicated in the impact analysis, there is potential for a significant archaeological and/or historical resource which can also be a TCR to be present that cannot be avoided; however, implementation of SP-HIST-1 or other measures developed to address specific resources would serve to mitigate such impacts to the extent feasible. As indicated in Section 5.5.6.5, there is potential for significant archaeological resources to be present that cannot be mitigated to below a level of significance. These archaeological resources have potential to meet the definition of a TCR. No additional feasible mitigation or project alternative has been identified that could reduce TCR impacts to below a level of significance. Therefore, the impacts to these resources would remain significant and unmitigated.

### b. Project-level

Implementation of project-level mitigation measures PR-HIST-1 and PR-HIST-2 would reduce impacts to TCRs in the form of discoveries of buried cultural deposits. The presence of an archaeological and Native American monitor during ground-disturbing activities would allow for the identification of buried resources to occur so that work can stop, and any identified cultural resources be evaluated. If TCRs are identified, avoidance measures would be implemented if possible, per PRC Section 21084.3. If avoidance is not feasible, treatment or mitigation measures, such as a Research Design and Data Recovery Program, would be developed and implemented in consultation with the consulting tribe(s) for the project in order to reduce impacts to the extent feasible. However, even with the implementation of measures PR-HIST-1 and PR-HIST-2, impacts associated with future development at the project-level would remain significant, which is a greater impact compared to the FEIR. The FEIR identified archaeological impacts would be less than significant with mitigation. No additional feasible mitigation or project alternative has been identified that could reduce this impact. Therefore, the impacts to these resources would remain significant and unmitigated.

# Chapter 6.0
# Significant Unavoidable Environmental Effects/Irreversible Changes

California Environmental Quality Act (CEQA) Guidelines Section 15126.2 (c) and (d) require that the significant unavoidable impacts of the project, as well as any significant irreversible environmental changes that would result from project implementation, be addressed in an Environmental Impact Report (EIR).

## 6.1 Significant Environmental Effects Which Cannot Be Avoided if the Project Is Implemented

In accordance with CEQA Guidelines Section 15126.2 (c), any significant unavoidable impact of a project, including those impacts that can be mitigated but not reduced to below a level of significance despite the applicant's willingness to implement all feasible mitigation measures, must be identified in an EIR. The FEIR identified the following significant environmental effects that could not be avoided or mitigated to less than significant:

- Air Quality: Criteria Pollutants (Construction and Operational Emissions) and Sensitive Receptors (Stationary Sources and Collocation)
- Human Health/Public Safety/Hazardous Materials: Health and Safety Hazards (Health Hazards)
- Noise: Traffic Generated Noise, Stationary Noise Source (Collocation), and Construction Noise
- Traffic/Circulation: Capacity (Roadway Segments, Intersections, Freeway Segments, and Freeway Ramp Metering)
- Utilities: Solid Waste
- Greenhouse Gas Emissions: Consistency with Adopted Plans, Policies, and Regulations and Cumulative GHG Emissions

The project would result in new significant unmitigated impacts to land use, historical resources, and tribal cultural resources that were not previously identified in the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR). Per the analysis contained within this SEIR, significant and unmitigated impacts would occur at the program-level:

- Land Use: Land Use Plan Conflicts (General Plan and OMCP)
- Air Quality/Odor: Criteria Pollutants (Construction and Operational Emissions) and Sensitive Receptors (Stationary Sources/Collocation)
- Historical Resources: Prehistoric or Historical Resources (Archaeological Resources and Historic Buildings, Structures, and Objects) and Religious or Sacred Uses
- Human Health/Public Safety/Hazardous Materials: Health and Safety Hazards (Health Hazards)
- Noise: Traffic Generation Noise Impacts, Stationary Source Noise (Collocation), and Noise Effects for Sensitive Receptors and Species
- Traffic/Circulation: Vehicle Miles Traveled
- Utilities: Solid Waste
- Tribal Cultural Resources

Per the analysis contained within this SEIR, significant and unmitigated impacts would occur at the project-level:

- Land Use: Regulation Consistency (General Plan and OMCP Historical Preservation Elements)
- Historical Resources: Prehistoric or Historic Resources (Archaeological Resources and Historic Buildings, Structures, and Objects)
- Noise: Traffic Generation Noise Impacts and Noise Effects for Sensitive Receptors and Species
- Traffic/Circulation: Vehicle Miles Traveled
- Tribal Cultural Resources

All other significant impacts identified in Chapter 5.0, *Environmental Analysis*, of this SEIR as resulting from project implementation can be reduced to below a level of significance with the mitigation measures identified throughout Chapter 5.0, *Environmental Analysis*, and as included in Chapter 10.0, *Mitigation Monitoring and Report Program*.

## 6.2 Irreversible Environmental Changes which Would Result if the Project is Implemented

In accordance with CEQA Guidelines Section 15126.2 (c):

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or

> nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvements which provide access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The most prominent irreversible environmental change associated with the project would be the conversion of undeveloped land to urbanized uses, including converting undeveloped land to residential and commercial uses and developing infrastructure, including roadways and utilities through previously undisturbed areas. This includes the planned extension of Beyer Boulevard through previously 100% conserved lands. Most of this infrastructure would extend from the existing infrastructure and connect to areas of new development planned by the OMCP and considered in the FEIR. The conversion of undeveloped land to urbanized uses would be a permanent change and once construction occurs, reversion of the land to its original condition would be nearly impossible. Chapter 7.0, *Growth Inducement*, discusses in more detail the potential secondary effects of extending infrastructure into these previously planned but currently undeveloped areas but determined the project would not provide unplanned development or extend infrastructure beyond that envisioned in the OMCP.

Implementation of the project would bring with it other permanent direct and indirect changes that have been recognized in the FEIR and other sections of this SEIR. There would be new development, people and traffic brought into the project area (see Section 5.12, *Traffic/Circulation*) which would result in increases in noise levels (see Section 5.1, *Land Use*, and 5.10, *Noise*) and air quality emissions (see Section 5.3, *Air Quality/Odor*), as well as the introduction of humans and infrastructure into a currently undeveloped area of the City. The landform and visual quality of the area would be permanently altered in noticeable ways (see Section 5.2, *Visual Effects and Neighborhood Character*); and there would be an increased human presence in the area, with a change from vacant land to a developed residential community. The proposed grading activities would result in the irreversible removal of the known significant archaeological site, religious or sacred uses, and potentially unknown archaeological resources, religious or sacred uses, or tribal cultural resources as described in Sections 5.5, *Historical Resources*, and 5.19, *Tribal Cultural Resources*. The loss of biological resources as described in Section 5.4, *Biological Resources*, would also be irreversible.

Besides the commitment of land to urban use, implementation of the project would also involve the consumption of natural resources as well as energy derived from non-renewable sources, such as fossil fuels. Implementation of the project would also require the irreversible consumption of natural resources and energy. Natural resource consumption would include lumber and other forest products, sand and gravel, asphalt, steel, copper, other metals, and water. Building materials, while perhaps recyclable in part at some long-term future date, would for practical purposes be considered permanently consumed. Energy derived from non-renewable sources, such as fossil fuels, would be consumed during construction and operational lighting, heating, cooling, and transportation uses. To minimize the use of energy, water, and other natural resources, the project would incorporate sustainable building practices into the site, architectural and landscape designs. As described in the FEIR, design considerations aimed at improving energy efficiency, reducing

landfill waste, and conserving water have been incorporated into OMCP policies, and in turn have been incorporated as policies in the Southwest Village Specific Plan (Specific Plan; Rick Engineering Company 2026~~5~~). These policies would serve to reduce irreversible water, energy, and building material consumption associated with construction and occupation of the project.

The project would not introduce any irreversible damage due to environmental accidents. As discussed in Section 5.6, *Human Health/Public Safety/Hazardous Materials*, the project would not have a significant and unmitigated impact related to hazardous substances or hazardous sites. Mitigation measures SP-HAZ-2 and PR-HAZ-1 would ensure that any potential environmental health hazards are identified and mitigated before new development is constructed. The residential units would be constructed according to all applicable regulations and standards to avoid unnecessary or unusual risks.

The irreversible changes resulting from the project would be different from the irreversible changes disclosed in the FEIR. As discussed in Sections 5.5, *Historical Resources*, and 5.19, *Tribal Cultural Resources*, the project would have significant and unmitigated program- and project-level impacts on archaeological resources; historic buildings, structures, and objects; religious or sacred sites; and tribal cultural resources that were not identified in the FEIR. While the project would implement mitigation measures SP-HIST-1, SP-HIST-2, PR-HIST-1, and PR-HIST-2 to reduce impacts to the maximum extent feasible, the project would involve an irreversible commitment of cultural resources.

# Chapter 7.0
# Growth Inducement

California Environmental Quality Act (CEQA) Guidelines Section 15126.2(e) requires that an Environmental Impact Report (EIR):

> Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community services facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The City of San Diego's (City) CEQA Significance Determination Thresholds provide further guidance to determine the potential significance of growth inducement. Based on the thresholds, a significant impact could occur if a project would:

> Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). Accelerated growth may further strain existing community facilities or encourage activities that could significantly affect the surrounding environment.

According to the City's Significance Determination Thresholds, growth inducement "is usually associated with those projects that foster economic or population growth, or the construction of additional housing, either directly or indirectly, which may result in the construction of major and new infrastructure facilities." Growth inducement is generally dependent on the presence or lack of existing utilities and municipal or public services. The provision of such necessities in an unserved area can induce growth between newly serviced areas and the community from which the facilities are obtained. Also, "a change in land use policy or projects that provide economic stimulus, such as industrial or commercial uses, may induce growth." In addition, the thresholds state that "the analysis must avoid speculation and focus on probable growth patterns or projects". In addition, growth inducement can also be defined as growth that makes it more feasible to increase the density of development in surrounding areas.

# 7.1 Project Effects on Short-term Growth

The FEIR did not assess project impacts on short-term growth. During project construction, demand for various construction trade skills and labor would increase. It is anticipated that this demand would be met predominantly by the local labor force and would not require importation of a substantial number of workers or cause an increased demand for temporary or permanent local housing. Further, construction of the project is expected to be developed in phases over a decade long period. However, each construction period is anticipated to last approximately 24 months and the occurrence of the development of each phase cannot be predicted at this point in time. This analysis assumes that development of each phase would be punctuated by a few years of inactivity. Since construction would be short term and temporary, it would not lead to an increase in employment on site that would stimulate the need for additional housing or services. Accordingly, no associated substantial short-term growth-inducing effects would result. The FEIR acknowledged that cumulative impacts from growth would occur as a result of multiple projects being developed by 2030, however, the project extends this timeline to 2045.

# 7.2 Project Effects on Growth Rate

The Southwest Village Specific Plan (Specific Plan) proposes a maximum dwelling unit cap of 5,130 dwelling units, supporting a density range of 8 to 62 dwelling units per acre (du/ac). The adopted community plan land use designations of the Southwest Specific Plan area include Parks, Open Space, and Institutional, Village Centers, and Residential. The Otay Mesa Community Plan (OMCP) land use designations include Neighborhood Village (15 to 25 du/ac), Parks, Residential – Low Medium (10 to 14 du/ac), and Institutional (see Figure 3-1, *Specific Plan Land Use Plan*). The development of a Specific Plan would be considered an amendment to the OMCP and would implement the land use designations of the OMCP, with potential refinement of the land use designations (see SEIR Section 3.7.4~~5~~). The Specific Plan would also include rezones (see SEIR Section 3.7.3).

The adoption of the proposed~~a~~ Specific Plan would allow up to 5,130 dwelling units to be developed where the current plan designates the site for 5,880 dwelling units. As the proposed maximum number of dwelling units is less than that identified~~proposed~~ by the currently adopted OMCP, the project is within the proposed growth range of the OMCP and would not impact the growth rate.

# 7.3 Project Effects on Infrastructure

Since the adoption of the OMCP in 2014, residential development in the Northwest District and portions of the Southwest Specific Plan area of the OMCP have been established. Development since 2014 has occurred near San Ysidro High School, but no new development has occurred south of the existing terminus of Caliente Avenue. The Candlelight Master Plan community, directly north of the Specific Plan area, is anticipated to be built by 2026 (NBC 7, 2024). Since 2014, additional infrastructure improvements and developments completed throughout the Otay Mesa area included: the Otay Mesa Conveyance and Disinfection System Project, which constructed a potable water pipeline to convey desalinated sea water produced in Mexico into Otay Water District, the

Otay Crossings Commerce Park in the County, and the Otay Mesa Vernal Pool and Upland Habitat Restoration project.

Also as previously identified within the FEIR, utility and roadway extensions would be required to be constructed in conjunction with the proposed Specific Plan to extend energy, roads, water, and sewer to the Southwest Village community. There is currently no infrastructure to serve the Specific Plan area; infrastructure to serve the entirety of the Specific Plan area would be provided as future vesting tentative maps (VTM) are developed. These project-specific extensions would not facilitate further extension to other sites where they are currently unavailable. The OMCP has planned for areas of community development and includes the requirements for future development to ensure site-specific infrastructure would be provided to serve the area. Most of this infrastructure would extend from the existing infrastructure located underneath the existing roads to connect to the areas of these new developments. Therefore, the Specific Plan utility and roadway extensions would not contribute to growth inducement in the area.

As previously detailed in the FEIR, buildout of the OMCP area would be required to ensure that other essential services, such as libraries, fire, and police, continue to meet City standards. Future development within the Specific Plan area, along with other cumulative buildout in the area under the OMCP, would create demand for new services and facilities. Development of future VTMs would be required to pay Development Impact Fees to support the continued operation and provision of these services.

The project would also extend roads, utilities, and services from existing infrastructure to serve proposed development as it is built. Since the project would connect to existing utility infrastructure, implementation of the project would not remove a barrier to economic or population growth through the construction or connection of new public utility infrastructure.

## 7.4 Conclusion

The project would not result in development beyond the density or intensity envisioned in the OMCP. The project would implement policies of the San Diego Association of Governments (SANDAG) 2021 Regional Plan (SANDAG 2021) and City's 2021-2029 Housing Element (City 2021) related to growth and provision of housing as discussed further in Section 5.16, *Population and Housing*. Overall, the project would not provide unplanned development or extend infrastructure to unserved areas that would remove barriers to growth. The project would not be considered growth inducing.

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# Chapter 8.0
# Cumulative Impacts

Section 15130(a) of the California Environmental Quality Act (CEQA) Guidelines requires a discussion of cumulative impacts of a project "when the project's incremental effect is cumulatively considerable." Cumulatively considerable, as defined in CEQA Guidelines Section 15065(a)(3), "means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." According to Section 15130(b) of the CEQA Guidelines, the discussion of cumulative effects "shall reflect the severity of the impacts and their likelihood of occurrence, but need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness…"

According to Section 15130(b)(1) of the CEQA Guidelines, the discussion of cumulative effects is to be based on either (a) a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those impacts outside the control of the agency, or (b) a summary of projections contained in an adopted plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

According to CEQA Guidelines Section 15130(d):

> Previously approved land use documents, including, but not limited to, general plans, specific plans, regional transportation plans, plans for the reduction of greenhouse gas emissions, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.

In addition, CEQA Guidelines Section 15130(e) notes that:

> If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).

Based on this guidance, this cumulative impact analysis relies primarily on the cumulative impact analysis of the Final Environmental Impact Report (FEIR) prepared for the Otay Mesa Community Plan (OMCP). Updates to the FEIR cumulative impacts assessment address the proposed project, inclusive of both the program-level and project-level components, as well as plans and programs that have been adopted or updated since the FEIR was prepared (refer to Section 8.1 below). The

basis of and geographic area for the analysis of cumulative impacts is dependent on the nature of each issue area and is discussed within the analyses below. As such, for some issue areas, specific foreseeable development projects are also considered in the updates to the cumulative impact analysis (refer to Section 8.2 below); however, this cumulative impact analysis primarily focuses on the plan method for analyzing cumulative impacts.

# 8.1 Plans and Programs Evaluated for Cumulative Impacts

This cumulative analysis relies on regional planning documents and associated CEQA documents to serve as a basis for the analysis of the broader, regional cumulative effects of the project, such as air quality and global climate change. The regional planning documents used in this analysis include the latest versions of the following documents: (1) City of San Diego (City) General Plan (2024), (2) OMCP (2014), (3) San Diego Association of Governments (SANDAG) 2021 Regional Plan, and (4) San Diego Air Pollution Control District's 2022 Regional Air Quality Standards (RAQS). The local plans assessed as part of the cumulative analysis include the following documents: (1) Multiple Species Conservation Program (MSCP) Subarea Plan (1997), (2) Vernal Pool Habitat Conservation Plan (VPHCP) (2019), and (3) City of San Diego 2022 Climate Action Plan (CAP). At the time of certification of the FEIR, some of these plans had not yet been adopted or have since been updated; therefore, they were not evaluated in the cumulative impacts analysis of the FEIR. Also, while some of these plans were available at the time of the OMCP FEIR preparation, the programmatic analysis may not have utilized the site-specific or detailed information now being utilized for the proposed project analysis herein. The current applicable versions of these plans have been discussed throughout this SEIR and are incorporated by reference in the appropriate sections of the cumulative analysis below. They are publicly available online as detailed in Chapter 11.0, *References Cited*.

# 8.2 List of Projects

The following reasonably foreseeable cumulative projects were identified in the project vicinity. The locations of the cumulative projects are depicted in Figure 8-1, *Cumulative Projects*. As shown in Figure 8-1, the cumulative project radius spans from locations adjacent to the Specific Plan area to approximately 3.8 miles away within the OMCP area. A brief description of each cumulative project is presented in Table 8-1, *Cumulative Projects*; the numbers in the list correspond to the locations shown on Figure 8-1.

**Table 8-1**
**Cumulative Projects**

| No. | Name | Status | Description |
|---|---|---|---|
| 1 | Airway Logistics SDP (PTS #665589) | Under construction | An industrial distribution project with 247,780 square feet of floor area for multiple tenants on Airway Road between Britannia Boulevard and La Media Road. |

| No. | Name | Status | Description |
|---|---|---|---|
| 2 | Azul Playa Del Sol/Luna (California Terraces PA 6) and SCR (PTS# 605702) | Under construction, partially completed | A residential project with up to 740 multi-family units located on the southwest corner of Ocean View Hills Parkway and Del Sol Blvd. Approximately 710 units were occupied as of February 2022 with construction of the remaining 30 units outstanding. |
| 3 | BDM Mixed Use (PTS# 673818) | Approved; not yet constructed | A mixed-use development with 430 multi-family residential units and 6,000 square feet of commercial uses south of Otay Mesa Road and east of Emerald Crest Court. |
| 4 | Beyer Park | Under construction | A City park on approximately 43 acres with an entrance located at the southern terminus of Enright Drive. |
| 5 | California Terraces PA 61 (PTS# 605191) | Approved; constructed | Subdivision for a residential project with up to 267 multi-family units located on the southeast corner of Otay Mesa Road and Caliente Avenue. |
| 6 | California Terraces PA 61 (PTS # 690358) | Approved; constructed | An amendment to the site plan above to change the originally approved 45,000 square feet of commercial on the western portion of the site to 79 multi-family dwelling units. |
| 7 | Candlelight (PTS# 40329) | Approved, not yet constructed | A multi-family project with 475 units located on both sides of Caliente Avenue south of the existing Caliente Avenue southern terminus. This project has been approved by City decision-makers and not yet constructed, although an amendment to existing permit PTS# 691625 is currently under review to reduce the project to 450 units with development regulation deviations. |
| 8 | Epoca I (PTS# 678447) | Approved; constructed | A multi-family residential project with 118 units on the west side of Cactus Road, north of Siempre Viva Road. |
| 9 | Epoca J (PTS# 675612) | Approved; constructed | A multi-family residential project with 160 units on the west side of Cactus Road, north of Siempre Viva Road. |
| 10 | Epoca L (PTS# 678856) | Approved; not yet constructed | An affordable, multi-family residential project with 120 units on the west side of Cactus Road, north of Siempre Viva Road. |
| 11 | Festival (PTS# 627316) | Under review | A commercial project of two fast food restaurants with drive-throughs totaling 5,500 square feet located on the northeast corner of San Ysidro Boulevard and Center Street. |
| 12 | La Media Road (PTS# 667298) | Under construction | Capital Improvement Project to widen La Media Road between SR 905 and Siempre Viva Road. |
| 13 | Lumina (PTS# 555609) | Under construction | A mixed-use project of 1,129 multi-family units and 62,530 square feet of community commercial space. |
| 14 | Lumina II (PTS# 625830) | Approved | A residential project of 132 dwelling units at 2380 Cactus Road. |
| 15 | Lumina III (PTS# 651806) | Lot Creation approved; NDP in Review | A residential project with 25 multi-family units located along Cactus Road south of Airway Road. |

| No. | Name | Status | Description |
|---|---|---|---|
| 16 | Marijuana Production Facility (PTS# 585510) | Completed | A marijuana production facility of 86,400 square feet located at 6225 Progressive Avenue. City records state opening day was November 2021. |
| 17 | Metropolitan Airpark (PTS# 559378) SCR (PTS# 664354) | Approved | An aviation and commercial project with expansion of existing aviation uses, commercial office uses, industrial uses, restaurants, and hotel uses located on the northeast corner of Otay Mesa Road and Heritage Road. |
| 18 | Nakano (PRJ-1076302) | Approved; not yet constructed | Project to annex a 23.8-acre site into the City of San Diego and allow for residential construction up to 221 units. |
| 19 | Plaza La Media North (PTS# 334235) | Approved; Under construction | A commercial project with 106,700-square-foot community retail, 13,500-square-foot drugstore, 6,000-square-foot fast food with drive-through, and a gas station with food mart and carwash with 12 fueling spaces located on the southeast corner of Otay Mesa Road and La Media Road. |
| 20 | Plaza La Media South (PTS# 632813) | Approved; not yet constructed | A commercial project with 408,607 square feet of industrial space and 4.5 acres open space located on the northeast corner of La Media Road and Airway Road. |
| 21 | San Diego-Tijuana Cross Border Facility Phase 2 (PTS# 473500) | Under construction | A commercial project with a 340-room hotel, 6,000-square-foot sit down restaurant, gas station with food mart and carwash with 12 fueling spaces, 34,000-square-foot specialty retail, 401,000-square-foot industrial/business park, and airport travel related cross border facility located on the south side of Siempre Viva Road approximately midway between Britannia Boulevard and La Media Road. |
| 22 | Sanyo Logistics (PTS# 668005) | Approved | An industrial project for two multi-tenant distribution buildings totaling 242,969 square feet at 7133 Airway Road. |
| 23 | Sunroad (PTS# 538140) | Under construction | A project with an 845,050-square-foot warehousing space located on the south side of Otay Mesa Road near Piper Ranch Road. |

NDP = Neighborhood Development Permit; SR = State Route
Source: City 2025

# 8.3 Significance Thresholds

Pursuant to the City's 2022 CEQA Significance Determination Thresholds, in general the following rules of thumb should apply for determining significant cumulative impacts:

1. If there are known documented existing significant impacts occurring in a community, additional increments would exacerbate the impact (e.g., an overloaded transportation system).

2. If a community plan and/or precise plan identifies cumulative impacts in the communitywide EIR, individual projects which contribute significantly to the communitywide impacts would be considered cumulatively significant.

3. A large-scale project (usually regional in nature) for which direct impacts are mitigated by the collective number of individual impacts results in a cumulative impact.

# 8.4 Cumulative Analysis

The FEIR concluded that implementation of the OMCP would result in significant and unmitigable cumulatively considerable impacts to the following environmental issue areas: air quality/odor, noise, solid waste, traffic/circulation, and greenhouse gas (GHG) emissions. The FEIR did not conclude there would be a significant and unmitigable impact to the following resources:, land use, visual effects and neighborhood character, biological resources, historical resources, human health/public safety/hazardous materials, hydrology/water quality, geology/soils, energy conservation, paleontological resources, traffic/circulation, public services, utilities (other than solid waste), water supply, population and housing, and agricultural/mineral resources. Nevertheless, this cumulative impact assessment also updates the analysis for these resources that were covered in the FEIR.

This cumulative impact analysis addresses the potential for the project to contribute to significant cumulative impacts. Generally, the analysis for each issue area evaluates whether the project, including both the program-level and project-level components, would result in a cumulatively considerable contribution to a significant cumulative impact.

## 8.4.1 Land Use

The geographic scope of the cumulative land use analysis is related to the applicable planning areas for each of the land use plans discussed in the following analysis.

### *FEIR*

The FEIR acknowledged that development in the OMCP area would contribute to an overall increase in density and intensity of uses. However, the FEIR found that the City's General Plan (2008) anticipated the cumulative effects associated with denser, mixed-use villages and created specific design and planning standards to address those cumulative effects, and those standards are

mirrored in the OMCP. Therefore, the FEIR concluded that the OMCP would not result in cumulative impacts associated with land use plan conflicts or land use compatibility. For potential cumulative impacts related to inconsistencies with biological resources plans, the FEIR found that the regulatory framework of these plans would not allow for a net loss of habitat value and, therefore, the OMCP would not result in significant cumulative impacts.

## *Project*

As discussed in Section 5.1, *Land Use*, the project would not conflict with the OMCP, SANDAG 2021 Regional Plan Brown Field or Naval Outlying Field Imperial Beach (NOLF IB) Airport Land Use Compatibility Plans (ALUCPs). Therefore, the project would not result in a cumulatively considerable contribution to cumulative impacts related to conflicts with these plans. However, project implementation could place land uses where conflicts with the City General Plan Noise Element and OMCP compatibility thresholds would occur as detailed in Section 5.1.3.2.c.~~E~~ The project would result in a conflict with the General Plan policies related to noise that would lead to a secondary physical noise impact. These impacts occur within the project site as a direct result of the project and would not combine with other cumulative project impacts. As such, this impact is considered a direct impact and is not a cumulative impact.

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 impacts would be less than significant. As no physical impact would occur, cumulative impacts associated with a land use conflict would also be less than significant.

The project 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, and secondary impacts related to solid waste would occur. The generation of solid waste and associated landfill capacity issues is a cumulative issue. The project's generation of waste in exceedance of waste reduction goals would significantly contribute to a cumulatively significant solid waste impact. To reduce this impact, the project would include mitigation measure SP-UTIL-1 Waste Management Plan. As this mitigation cannot be guaranteed, this impact would remain significant and not mitigated.

The project would impact a significant archaeological site, as well as have the potential to result in impacts to unknown significant archaeological and historical resources, as detailed in Chapter 5.5, Historical Resources. The archaeological site CA-SDI-22,936 is considered important on the cumulative level based on the nature of the resource (e.g., a minimally disturbed habitat site in Otay Mesa, scarcity, finite/non-renewable), and the site may provide archaeological information important to the region. There is also potential for the discovery of unknown significant archaeological or historic resources that could be regionally important. Overall, the project impact to archaeological and historical sites would be potentially cumulatively significant. The project would include mitigation (SP-HIST-1, SP-HIST-2, PR-HIST-1 and PR-HIST-2) to reduce these significant cumulative impacts, but the sites would continue to be 100% impacted in conflict with the General Plan Historic Preservation Element Policy HP-A.5 and OMCP Historic Preservation Element that both identify the need to preserve significant archaeological and historical sites for future generations. Cumulative land use plan impacts related to archaeological and historical resources would be significant and unmitigated.

Potential cumulative impacts related to biological resources plans are discussed further in Section 8.4.4, below. The project includes lands within the Multi-Habitat Planning Area (MHPA) and VPHCP conservation area and would require a boundary line adjustment (BLA) under the MSCP, 100% conserved land exchanges for the VPHCP, as well as a Major Amendment to the VPHCP. Therefore, cumulative impacts to biological resources have the potential to occur. However, the MSCP was designed to compensate for the loss of biological resources throughout the region and mitigation proposed for project impacts to biological resources would adhere to the MSCP framework. This includes providing biologically equivalent conservation areas for the MHPA BLA and replacement of any removed~~impacts to~~ 100% conserved land, and adherence to the MHPA Land Use Adjacency Guidelines where development is proposed adjacent to conserved lands. Cumulative projects would similarly be required to adhere to the City's regulatory framework to avoid a significant net loss in biological resources. Therefore, the project would result in a less than significant cumulative impact related to environmental plan (MHPA or VPHCP) consistency.

## 8.4.2 Visual Effects and Neighborhood Character

The study area for visual character impacts is the OMCP, as neighborhood character is defined and guided at the community plan level and the cumulative visual study area would be the viewshed

### *FEIR*

The FEIR concluded that the design controls placed on subsequent development through the OMCP would ensure that development occurs in accordance with the OMCP's goals, policies and design objectives. Although development as a result of the OMCP would contribute to the increased urbanization in the subregion, the extent of adverse effects on the visual character would be reduced through the implementation of OMCP policies addressing the design and location of future buildings and inclusion of open-space, neighborhood parks, etc. The FEIR concluded there would not be a cumulative impact related to visual effects and neighborhood character.

### *Project*

As envisioned in the OMCP, the proposed project has been designed and would be implemented in a manner that would avoid impacts related to visual effects and neighborhood character. The Specific Plan designates the highest intensity uses within the center of the project area and locates lower intensity uses around the perimeter, providing development that is compatible with the surrounding open space. The Specific Plan policy framework would ensure that future development would present a visually consistent, architecturally interesting community that would be consistent with allowable height and bulk regulations. Furthermore, future individual projects within the Specific Plan area would be required to demonstrate compliance with landform grading guidelines contained in the City Grading Regulation, Environmentally Sensitive Lands (ESL) Regulations, and Steep Hillside Guidelines of the Land Development Code. Therefore, consistent with the impact conclusions of the FEIR, while the project would result in development in currently vacant areas, there would be a less than significant cumulative impact related to visual effects and neighborhood character.

## 8.4.3 Air Quality/Odor

The cumulative assessment of air quality impacts is based on the San Diego Air Basin (SDAB), and considers the adopted RAQS and State Implementation Plan (SIP).

### *FEIR*

The FEIR found that implementation of the OMCP is consistent with the SIP and RAQS and would not result in a cumulatively considerable ambient air quality impact related to air quality plans. However, the FEIR concluded that while it is not anticipated that construction activities under the OMCP would result in significant air quality impacts, because pollutant emissions from future implementing development projects within the OMCP area could not be adequately quantified at the time the FEIR was prepared, cumulative impacts to sensitive receptors resulting from collocation were considered to be significant. For operational conditions, the FEIR found that the OMCP would be consistent with adopted regional air quality improvement plans and would represent a decrease in mobile source emissions used to develop the RAQS. However, because pollutant emissions from future developments that would implement the OMCP could not be adequately quantified in the FEIR at the community plan level of planning, cumulative operational pollutant emission impacts were concluded to be significant and unmitigable.

### *Project*

The Specific Plan would allow for the development of up to 5,130 dwelling units on the project site, which is less than the 5,880 dwelling units that were analyzed for the Specific Plan area in the FEIR. As the proposed maximum number of dwelling units is less than that proposed by the OMCP, the project would generate fewer air quality emissions compared to what was evaluated in the FEIR and is anticipated in air quality plans for the area. Therefore, no conflict with air quality plans would occur and no cumulative impact related to air quality plans would occur.

As discussed in Section 5.3, *Air Quality/Odors*, construction emissions are not projected to exceed the applicable emissions thresholds. Nonetheless, due to the unknown construction schedules and details for future project development, construction activities could generate criteria pollutant emissions in exceedance of thresholds for pollutants for which the SDAB is non-attainment, which would be a potentially significant cumulative impact. FEIR Mitigation Framework AQ-1 would be carried forward as SP-AQ-1 for future project development during construction. It is not known at the program level of analysis if the implementation of mitigation measure SP-AQ-1 would reduce construction emissions to a level that is less than significant. Considering the project's potential exceedances of air quality standards would contribute to the region's non-attainment of air quality standards, the project construction emissions would have a cumulatively considerable contribution to this significant cumulative impact.

In addition, total operational emissions associated with buildout of the Specific Plan would exceed project level significance thresholds, thereby contributing to a potentially significant cumulative air quality impact. FEIR Mitigation Framework AQ-2 would be carried forward to future development within the project as mitigation measure SP-AQ-2. However, it is not known at the program level of analysis if the implementation of mitigation measure SP-AQ-2 would reduce emissions to a level that

is less than significant. Therefore, as was identified in the FEIR, cumulative operational emissions impacts of the project would be significant.

As new development within the project area would result in a cumulatively considerable net increase in non-attainment criteria pollutants for construction and operations, and cumulative impacts would be significant, the project would result in a cumulatively considerable increase in pollutant emissions.

Construction-related localized pollutant and odor emissions are not anticipated to result in significant cumulative impacts for sensitive receptors, as these emissions would be generated on individual project sites for a limited period of time. The land uses in the Specific Plan would not be odor generating and the In addition, as buildout of the OMCP as a whole was not anticipated to result in carbon monoxide (CO) hotspots, no cumulative impact related to CO hotspots would occur with the project.

The project could result in the siting of land uses generating stationary source pollutants within proximity to sensitive receptors. Considering the location of the proposed mixed-use areas being a distance further away than the CARB citing criteria from adjacent cumulative projects, and the adjacent areas designations not allowing for the land uses that may emit air toxics identified in the CARB siting table, the potential citing issue within the project site is not anticipated to combine cumulatively with other cumulative projects. In addition, this direct impact would not result in a regionally significant issue outside of the project area. In conclusion, while the project would have a direct impact related to air toxics, the project would not result in a cumulatively considerable contribution to a significant cumulative air toxics impact.

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 cumulative odor impacts.

## 8.4.4 Biological Resources

The cumulative study area for sensitive habitats and species is the MSCP Subarea Plan area, which covers the City. As a part of the MSCP Subarea Plan, the regional wildlife corridors are addressed through the MHPA. Also considering the nature of the resource, the cumulative study area for wetlands is the watershed.

### *FEIR*

Cumulative impacts to sensitive habitats and wildlife are addressed through project compliance with the MSCP. The MSCP was designed to compensate for the loss of biological resources throughout the San Diego region. Projects that conform with the MSCP as specified by the Subarea Plan, and implementing ordinances (i.e., Biology Guidelines and ESL Regulations) are not expected to result in a significant cumulative impact to vegetation communities identified as Tier I through IV. Therefore, with the implementation of habitat-based mitigation required by the City Biology Guidelines (City 2018), no cumulative impacts to Tier I – IIIB vegetation communities are anticipated to occur. Similarly, adequate preservation of habitat consistent with the MSCP would avoid cumulative

impacts to sensitive species covered under the plan. Similar to the MSCP, the VPHCP is designed to ensure regional protection of vernal pool resources and the species that occupy them, thereby avoiding significant cumulative impacts to vernal pool resources.

The FEIR concluded that although development under the OMCP would result in incremental impacts to biological resources, compliance with OMCP policies, the MSCP Subarea Plan, ESL Regulations, the Biology Guidelines, and strict adherence to the FEIR Mitigation Framework would ensure that impacts from future development would not be cumulatively significant.

### *Project*

As discussed in Section 5.4, *Biological Resources*, the development of the project has the potential to result in impacts to special-status species and their habitats, sensitive vegetation communities, and jurisdictional resources. The wildlife corridor analysis summarized in Section 5.4 addressed the project impact on the regional OMCP wildlife movement and determined that the impacts would be less than significant. The mitigation measures identified in Section 5.4, *Biological Resources*, would reduce impacts to less than significant levels. As these mitigation measures propose special-status species avoidance and habitat mitigation consistent with the MSCP Subarea Plan, VPHCP, Biology Guidelines, and ESL Regulations, implementation of the project would not result in significant cumulative impacts to biological resources covered by the MSCP or VPHCP. This includes Tier I – IIIB vegetation communities, vernal pool, Orcutt's bird's-beak, Otay tarplant, San Diego barrel cactus, San Diego button-celery, San Diego goldenstar, snake cholla, thread-leaved brodiaea, variegated dudleya, San Diego fairy shrimp, Riverside fairy shrimp, orange-throated whiptail, coast horned lizard, Cooper's hawk, burrowing owl, southern California rufous-crowned sparrow, coastal cactus wren, northern harrier, bald eagle, coastal California gnatcatcher, least Bell's vireo, and southern mule deer identified with potential to occur within the project area, as well as others that may occur in surrounding areas (City 1997; City 2019). Potential cumulative impacts to other species not covered by the MSCP or VPHCP are discussed below.

The compensatory mitigation required for impacts to aquatic resources associated with project development would be required to fulfill the no-net-loss wetland policy and mitigation requirements identified in the City Biology Guidelines as well as the resource agencies regulatory requirements, which would ensure no cumulatively significant loss of wetland vegetation communities.

Regarding Quino checkerspot butterfly, although the project area is not anticipated to support a regionally significant population of this species based on the survey results, implementation of the project would result in the development of an approximately 300-acre area that is currently undeveloped and the removal of 0.93 acre of host and nectar plants. The project, combined with the other developments anticipated in the area and the lack of MSCP coverage for the species, would result in a cumulative impact to Quino checkerspot butterfly. Mitigation measures require the preservation and restoration/creation of habitat for the species via no-net-loss habitat mitigation. Therefore, the project contribution to this impact would not be cumulatively considerable.

Regarding Crotch's bumble bee, with future development of the project area in Otay Mesa, suitable habitat for the species would decrease. The project, combined with the other developments anticipated in the area and the lack of MSCP coverage for the species, would result in a cumulative impact to Crotch's bumble bee, if present. Mitigation measures require avoidance of Crotch's

bumble bee and the preservation of habitat containing nectar resources for the species. Therefore, the project contribution to this impact would not be cumulatively considerable.

Regarding western spadefoot, with future development of the project area in Otay Mesa, suitable habitat for the species would decrease. The project, combined with the other developments anticipated in the area and the lack of MSCP coverage for the species, would result in a cumulative impact to western spadefoot. Mitigation measures require vernal pool habitat restoration and breeding season avoidance measures and/or pre-construction surveys. Therefore, the project contribution to this impact would not be cumulatively considerable.

The project 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. The project would comply with the City's standard noise control requirements and habitat mitigation requirements identified in the MSCP Subarea Plan and Biology Guidelines and would not significantly contribute to a cumulative impact related to noise for these species.

Cumulative projects would be required to comply with the General Plan and OMCP policies, the MSCP Subarea Plan, the VPHCP, ESL Regulations, and the Biology Guidelines to reduce cumulative impacts. Compliance with these City-wide regulations and policy documents reduces potential biological resource impacts to below a level of significance. The project would comply with these City-wide regulations and policies that reduce biological resource impacts. Overall, the project would not substantially contribute to a cumulatively considerable impact to biological resources.

## 8.4.5 Historical Resources

The cumulative study area for archaeological resources is the San Diego County region, and the historical resources study area is the City of San Diego.

### *FEIR*

The FEIR concluded that as OMCP implementation would not result in impacts associated with the historical built-environment, no cumulative impact related to built-environment historical resources would occur. Potential impacts to archaeological resources were found to occur with OMCP implementation; however, with the implementation of the Mitigation Framework detailed in the FEIR, cumulative impacts to archaeological resources were found to be reduced below a level of significance.

As was described in the FEIR, potential impacts to historical resources (built environment, archaeological, religious/sacred) and human remains, when taken into consideration with other past projects, current projects, and probable future projects in the OMCP area and City, could contribute to a significant cumulative impact with respect to non-renewable, historical resources.

### *Project*

As discussed in Section 5.5, *Historical Resources*, the project area contains recorded historical resources and has the potential to contain unrecorded historical resources, including built environment, archaeological, and religious/sacred resources, as well as human remains. 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, and would be less than significant. While mitigation measures for built environment and archaeological resources (including sacred sites) would reduce impacts to these resources, impacts to CA-SDI-22,936 as well as unknown historical (built environment and archaeological) resources in the project area could remain significant. The CA-SDI-22,936 impact would also be considered cumulatively significant considering the type/condition of the resource (e.g., minimally disturbed habitation site), scarcity of such resources, that it is a finite/non-renewable resource, and the project would result in a 100% encroachment. Therefore, the project contribution to the significant cumulative historical resources impact would be cumulatively considerable.

## 8.4.6 Human Health/Public Safety/Hazardous Materials

The study area for hazards impacts depends on the source of a hazard and the distance the hazard travels from a source. For example, some pollutants are emitted into the air and disperse rapidly, while aircraft hazards cover a larger area surrounding airports where aircraft are active.

### 8.4.6.1 Health Hazards

#### *FEIR*

Based on the conclusion of the General Plan (2008) Program Environmental Impact Report, the FEIR concluded that because the degree of future impacts and applicability, feasibility, and success of future mitigation measures would not be adequately known, there would be a cumulatively significant impact to human health and safety. However, as a result of OMCP policies and the FEIR Mitigation Framework, the OMCP was found not to have a cumulatively considerable contribution to this impact.

#### *Project*

Section 5.6, *Human Health/Public Safety/Hazardous Materials*, noted that should a gas station, dry cleaner, or other use identified in Table 5.3-8, *Summary of Project-level Operational Emissions*, be proposed as part of the project development, the exposure of sensitive receptors to toxic air contaminants would potentially occur. Implementation of mitigation measures SP-AQ-3 and SP-AQ-4 would reduce impacts related to the exposure of sensitive receptors to health risks associated with toxic air contaminants; however, it cannot be known whether impacts would be reduced below a level of significance, especially in combination with other cumulative sources of toxic air contaminants. Therefore, there is potential for the project to result in the exposure of future residents to toxic air contaminants. Considering the location where gas stations, drycleaners and other uses identified in the CARB's land use siting constraints (see FEIR Table 5.3-7) would be allowed in the Specific Plan and distance to the cumulative projects, adequate buffers to cumulative

projects would be provided. In addition, cumulative projects do not propose any buffers to the project site that would be inconsistent with the buffer requirements identified in the CARB land use siting constraints. Thus, the proposed project land use siting impact would not combine cumulatively with other cumulative projects. In addition, the project's direct impact would not be considered cumulatively significant considering its effects would be limited to the project site. In conclusion, while the project would have a direct impact related to air toxics, the project would not result in a cumulatively considerable contribution to a significant cumulative health hazards impact.

## 8.4.6.2 Wildfire Hazards

### *FEIR*

The FEIR noted that City regulations, as well as City General Plan (2008) and OMCP policies, would help reduce, but not completely abate, the potential risks of wildland fires, and subsequent review of development proposals implemented in accordance with the OMCP would likely result in a reduction of impacts through design measures focused on fire safety. However, for some projects, the FEIR noted it is possible that adherence to regulations may not adequately avoid or reduce incremental urban and wildland fire impacts, and such projects would require additional measures. Nonetheless, cumulative wildfire hazard impacts were considered less than significant with mitigation incorporated in the FEIR.

### *Project*

Future development within the Specific Plan area would add development in wildland-urban interface areas and could expose people and structures to wildland fire hazards and increase the risk of wildfires due to human activities. Impacts of the project related to wildfire risk were considered to be reduced below a level of significance with mitigation incorporated. The Wildfire Evacuation Study (WES; Appendix E) considers the addition of vehicles from opening year projects identified in the Local Mobility Analysis (Appendix J-4) and concludes adequate roadway capacity is available for evacuation of the project area in combination with those opening year projects. The WES concludes buildout of the project would not result in a significant risk related to wildland fire or evacuation. In addition, cumulative projects would be required to comply with the City Brush Management Regulations as well as the California Wildland-Urban Interface Code~~California Building Code~~ similar to the project. Therefore, the contribution of project development to cumulative impacts associated with increased wildfire risks and evacuation would not be cumulatively considerable.

## 8.4.6.3 Aircraft Hazards

### *FEIR*

The OMCP would introduce additional residents and businesses within the Airport Influence Area for Brown Field. Future development pursuant to the OMCP would require consistency with the adopted ALUCP. Therefore, the FEIR concluded implementation of the OMCP would not result in a cumulative impact associated with aircraft hazards.

### *Project*

Development under the Specific Plan was determined to not meet criteria to require Airport Land Use Commission review and therefore is consistent with the Brown Field ALUCP pursuant to Section 2.6.1 of the Brown Field ALUCP. The Specific Plan area is also not located within the safety hazard zones identified in the ALUCP and would not alter aircraft activity. Therefore, the cumulative impact associated with aircraft hazards would be less than significant.

## 8.4.6.4 Hazardous Substances/Sites

### *FEIR*

The FEIR notes that six hazardous materials case sites were identified in the OMCP area and future projects would be required to consult with and obtain clearance from San Diego County's (County's) Department of Environmental Health before subsequent development projects on such sites would be recommended for approval. Given compliance with existing local, state, and federal regulations, General Plan (2008) and OMCP policies, and Mitigation Framework HAZ-3, the FEIR concluded the impact would not be cumulatively considerable.

### *Project*

Implementation of the project would increase the use, transport, and disposal of hazardous materials in the project area; however, compliance with existing regulations regarding the handling, storage, and treatment of hazardous materials during both construction and operation would ensure impacts related to hazardous materials use, transport, and disposal would be less than significant. Therefore, the project would result in a less than significant cumulative impact related to the use, transport, or disposal of hazardous substances.

While the project area is not known to be located on a listed hazardous materials site, not all program-level areas have been studied and project-level areas contain contaminants requiring remediation. Implementation of identified mitigation measure and adherence to existing regulatory standards would reduce impacts associated with development on a hazardous site to a less than significant level. Compliance with regulations would ensure that the project would not substantially contribute to a significant cumulative impact related to hazardous materials/sites.

# 8.4.7 Hydrology/Water Quality

The cumulative study area for hydrology/water quality is the watershed. ~~.~~

### *FEIR*

The FEIR notes that future development in the region has the potential to result in cumulative water quality impacts. As noted in the FEIR, development throughout the region has the potential to result in significant cumulative impacts to hydrology and water quality as a result of inadequate infrastructure, erosion and sedimentation, and the discharge of pollutants. However, the OMCP includes policies to minimize impacts to hydrology and water quality and future development would

be required to adhere to the local, state and federal regulations related to water quality, as well as implement Mitigation Framework HYD/WQ-1 and HYD/WQ-2. The FEIR concluded adherence to these regulation and mitigation measures would preclude the potential for cumulatively considerable impacts as a result of OMCP buildout.

### *Project*

Downstream waters such as the Tijuana River are Clean Water Act 303(d) listed as impaired by pollutants (see EIR Section 5.7) and are considered cumulatively impacted. Downstream areas also include flood plains. Consistent with the FEIR Mitigation Framework, the future development under the Specific Plan would implement mitigation requiring the City to review hydrologic and hydraulic studies and storm water quality plans for specific development projects. These site-specific studies would address potential hydrology and water quality issues and provide appropriate recommendations to reduce impacts to downstream flows, storm water drainage facilities and potential pollutant runoff. The proposed project and cumulative projects would be required to comply with local, state and deferral regulations pertaining to drainage and water quality. With compliance with these regulations, the project contribution ~~o~~ to cumulative hydrology and water quality impacts would be less than significant.

## 8.4.8 Geology/Soils

Impacts related to geology and soils are generally site-specific and localized, as risks associated with geologic settings in one location do not result in associated geologic failure elsewhere.

### *FEIR*

The FEIR detailed that potential impacts to future development would be addressed through project-level analysis and the application of remedial measures identified in site-specific geotechnical investigations (when applicable) through Mitigation Framework GEO-1. Mitigation Framework GEO-2 would reduce the potential for erosion impacts from the OMCP. Additionally, given adherence to the City's Grading Ordinance and conformance to building construction standards for seismic safety with the California Building Code satisfactory to the City Engineer, cumulative impacts were determined to be less than significant by the FEIR.

### *Project*

As indicated in the FEIR analysis, the project would allow for future development that could be exposed to geologic hazards. However, mitigation measures would require the preparation of site-specific geotechnical reports and investigations in accordance with the aforementioned regulations that would detail site-specific mitigation and design criteria to reduce potential impacts. In addition, the project geology/soils issues would not combine with other cumulative projects considering the localized nature of geology/soils issues. As indicated under hydrology/water quality, soil erosion issues would be controlled by design measures required per local, state, and federal requirements. Overall, the project would have a less than significant cumulative geology/soils impact.

## 8.4.9 Energy Conservation

The study area for cumulative energy impacts is the County.

### *FEIR*

According to the FEIR, through adherence to energy policies contained within state regulations and the OMCP, future development implemented in accordance with the OMCP would not contribute to a cumulatively considerable increase in energy-related cumulative impacts.

### *Project*

As indicated in the FEIR analysis, the construction and operation of the project would be consistent with federal, state, and local regulations involving fuel consumption and energy use. Implementation of the Specific Plan policy framework would support efficient use of energy and non-vehicular modes of transportation. Therefore, project cumulative impacts related to energy usage would be less than significant.

## 8.4.10 Noise

Noise attenuates with distance; therefore, the cumulative study area related to noise is limited to a localized area approximately 1,000 feet of the project (including roadways and utility improvement areas).

### *FEIR*

The FEIR concluded that the development of the OMCP would cumulatively increase ambient noise levels in the area from stationary sources, colocation of commercial/industrial and noise-sensitive land uses, and traffic noise exposure. The FEIR also concludes that existing ordinances dictating periods of construction avoid significant impacts, and no cumulatively considerable noise impacts would result from construction activities.

### *Project*

As part of the noise assessment for the project, the construction noise assessment considered the effect of concurrent construction throughout different planning areas of the Specific Plan area. This analysis concluded that combined construction noise would not result in violations of the City construction noise limit at sensitive receptors; therefore, cumulative construction noise impacts would be less than significant.

The development of the project would contribute vehicular volumes to the local mobility network that would contribute to the ambient noise environment in combination with other cumulative development projects. As discussed in Section 5.10, *Noise*, implementation of the project in combination with additional vehicle trips anticipated through 2050, would result in a substantial (3 decibels) increase in traffic noise levels for multiple off-site roadway segments and would, therefore, expose existing sensitive receptors to cumulative increases in noise levels. While implementation of

the identified mitigation measures (SP-NOS-1, and SP-NOS-2 and PR-NOS-1) could reduce the noise level experienced at noise-sensitive land uses, it is unknown if noise levels could be reduced below the compatibility thresholds. Therefore, the cumulative impact related to traffic noise would be significant and unmitigated and the project contribution to the significant cumulative traffic noise impact would be cumulatively considerable.

On-site stationary sources of noise are regulated by Section 59.5.0401 of the City's Noise Abatement and Control Ordinance and mitigation measure SP-NOS-3 requires site-specific analyses for future development to identify whether stationary sources would comply with the City's noise limits or propose attenuation measures, if necessary, to achieve these limits. It cannot be verified that compliance with existing regulations would reduce all stationary source noise direct impacts below a level of significance. However, considering the distance of the proposed mixed-use areas from cumulative projects, this impact would not combine with other cumulative projects to result in a co-location noise impact. Therefore, while operational noise from heating, ventilation, and air conditioning units, temporary pump stations, and typical sources of noise associated with residential, commercial, and mixed uses would increase in the project area, the cumulative impact would be less than significant.

As the project area is outside of the noise contours for nearby airports and would not alter aircraft activity associated with these airports, no cumulative impact related to airport noise would occur.

The project would result in potentially significant direct impacts to sensitive species during construction and operation. In the cumulative conditions, only the nearby cumulative projects (Candlelight and Southwind) would potentially combine construction and stationary noise impacts with the project. As with the project, cumulative projects would be required to comply with the MSCP,MHPA Land Use Adjacency Guidelines, and Biology Guidelines requirements related to noise, which reduce stationary and construction noise impacts to sensitive species to below a level of significance. The project's transportation noise impacts to sensitive species were addressed through the inclusion of project design noise wall features and habitat-based mitigation in accordance with the Biology Guidelines (Refer to SEIR Section 8.4.4). The transportation noise analysis assumed cumulative traffic conditions. Thus, the project contribution to significant cumulative noise impacts to sensitive species would be below a level of significance.

## 8.4.11 Paleontological Resources

### *FEIR*

Cumulative impacts related to paleontological resources are assessed for the County. The majority of the OMCP area overlies geologic formations assigned a high or moderate paleontological sensitivity rating. As such, the FEIR identified there would be a potential for development under the OMCP to impact subsurface paleontological resources and result in a cumulative decrease in the presence of such resources. However, Mitigation Framework PALEO-1 was required and found to reduce impacts to paleontological resources to below a level of significance. Therefore, the FEIR concluded that the incremental contribution of impacts from grading activities in high and moderate fossil-bearing formations would not be considered cumulatively significant.

### *Project*

Consistent with the analysis in the FEIR, implementation of the project and other cumulative projects would occur in areas with a high or moderate paleontological sensitivity rating. Ground-disturbing activities therefore have the potential to contribute to a significant cumulative decrease in the presence of paleontological resources. However, as discussed further in Section 5.11, *Paleontological Resources*, mitigation measures (SP-PALEO-1 and PR-PALEO-2) would require implementation of the City's General Grading Guidelines for Paleontological Resources, which would ensure that impacts to paleontological resources resulting from future construction related activities in the project area would be less than significant. These mitigation measures require the placement of a standard monitoring requirement on all grading plans to ensure paleontological monitoring is implemented and defines the steps to be taken to ensure significant paleontological resources are recovered, recorded, and curated, in the event resources are encountered. Therefore, the project would not result in significant contributions to a cumulative paleontological resources impact.

## 8.4.12 Traffic/Circulation

Considering the City addresses VMT on a city-wide basis through the Complete Communities: Housing Solutions and Mobility Choices, the cumulative VMT study area for traffic/circulation is the City. Circulation network, emergency access and roadway facilities are cumulatively addressed at the Community Plan level.

### *FEIR*

The cumulative analysis of traffic in the FEIR considered impacts at a program level and reflected potential cumulative (i.e., Horizon Year 2062) impacts. With Mitigation Framework TRF-1 and proposed downgrade of roadway classifications of Beyer Boulevard West and Caliente Avenue from the FEIR, 24 roadway segments, 39 intersections, 5 freeway segments, and 5 freeway metered on-ramp locations were anticipated to operate at unacceptable levels of service. While some OMCP circulation impacts would ultimately be reduced to less than significant through project-level mitigation according to Mitigation Framework TRF-1 or Public Facilities Financing transportation projects, buildout of the OMCP, in conjunction with other past, present, or future projects, would result in a significant cumulative impact. The OMCP's contribution to traffic impacts would also be cumulatively considerable.

### *Project*

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 related to compliance with transportation-related land use plans, policies and ordinances would be less than significant.

As described further in Section 5.12, *Traffic/Circulation*, level of service is no longer the applicable metric for identifying traffic impacts. Rather, impacts of the project are assessed under a vehicle miles traveled (VMT) metric related to the regional average VMT for residential uses. The project VMT cumulative impacts would be considered significant due to anticipated VMT/capita being in

excess of 85 percent of the regional mean VMT. The project would allow for development of up to 5,130 dwelling units on the project site, which is less than the 5,880 dwelling units that were evaluated in the FEIR. As the proposed maximum number of dwelling units is less than that proposed by the OMCP, the project would generate fewer vehicle trips compared to what was evaluated in the FEIR. Nonetheless, cumulative impacts related to VMT would be significant and the project would result in a cumulatively considerable contribution to this cumulative VMT impact. This conclusion would be consistent with the Findings and Statement of Overriding Considerations (SOCs) that were adopted with the Complete Communities: Housing Solutions and Mobility Choices PEIR (City 2020; SCH No. 2019060003) that incorporated by reference herein. Per those Findings and SOCs, compliance with the City's Mobility Choices Program regulations are considered mitigation to the extent feasible.

No significant impact related to circulation plans, traffic hazards, or emergency access would occur with project in addition to other cumulative development projects, as each project would be required to implement appropriate roadway improvements according to the City's Transportation Study Manual and provide adequate emergency access in accordance with regulations. Cumulative impacts related to circulation plans, traffic hazards, or emergency access would be less than significant.

## 8.4.13 Public Services

The study area for cumulative impacts to public services is the OMCP area, except for schools, given that the service area for school facilities is the applicable school districts.

### *FEIR*

The FEIR notes that anticipated population growth within the OMCP area together with other developments in the surrounding area would increase the demand for fire protection, police protection, schools, parks and recreation, and libraries, resulting in the need for new or modified facilities. However, impacts associated with the need for new or physically altered public services and facilities are cumulative in nature. 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.

### *Project*

Consistent with the FEIR, Section 5.13, *Public Services*, identifies potential public service facilities needed to serve the project area in combination with other cumulative development within the OMCP area and its surroundings. As the project would decrease the allowable number of dwelling units from that analyzed in the FEIR based on the OMCP, the project would not increase the need for public services beyond the facilities that were anticipated to be needed in the FEIR. The project would not result in the need for new facilities beyond those already planned for the area and addressed in the FEIR. Park and school facilities are planned to be constructed within the project area, and potential impacts associated with these facilities are addressed throughout the SEIR. Future facility improvements and associated impacts are unknown at this time and would be

speculative to address. Thus, additional impact analysis is not provided consistent with CEQA Guidelines Section 15145. Consistent with the FEIR conclusions, the project would not result in any known significant cumulative impacts associated with new public services facilities.

## 8.4.14 Utilities

The geographic scope of the utilities cumulative impact analysis is typically the service area of the relevant utility agencies. However, a majority of the following analysis focuses on physical utility improvements occurring within the project area and cumulative impacts associated with construction of such improvements are addressed in the relevant subtopics of this analysis, which have other study areas.

### 8.4.14.1 Water

#### *FEIR*

The FEIR noted that the City had planned for water facilities that would adequately accommodate the projected growth of the OMCP area. An increase in pumping capacity at the Otay Mesa pump station was necessitated by OMCP buildout but was found not to result in cumulative environmental impacts given the improvements would occur within an existing pump station. The FEIR concluded that future water infrastructure expansions would occur in accordance with the water supplier's master plans, which account for projected growth in the area and, as such, the OMCP would not contribute to a significant cumulative impact.

#### *Project*

As noted in Section 5.14, *Utilities*, proposed water infrastructure would primarily be located within the planned roadways within the project area and water infrastructure connections within existing roadways would be coordinated with existing utilities and with the City to ensure that no conflicts would result during construction, including through the use of transportation management plan by the City. All proposed water lines and appurtenances to be constructed on-site within public streets would follow the required City guidelines, design criteria, and standard drawings and specifications for new construction. Therefore, cumulative impacts associated with water infrastructure would be less than significant.

### 8.4.14.2 Wastewater

#### *FEIR*

The FEIR detailed that the additional wastewater transmission improvements identified within the 2004 Otay Mesa Trunk Sewer Master Plan and 2009 Refinement Report would occur within existing utility line easements and facilities, and, therefore, would not result in significant new environmental impacts. Therefore, the FEIR concluded no cumulative impacts associated with wastewater transmission infrastructure would result from the OMCP.

### *Project*

Consistent with the analysis in the FEIR, development in the project area would necessitate the construction of additional sewer infrastructure, including sewer mains, laterals, and pump stations. All on-site and off-site sewer lines to be developed to serve the Specific Plan area would be designed to meet all requirements of the City's Public Utilities Department Sewer Design Guide (May 2015 or latest edition). Final design would be reflected on the improvement plans and sewer system calculations to be submitted for review and approval of each future development. Impacts associated with anticipated sewer improvements have been analyzed throughout this SEIR in the relevant issue areas. Therefore, the cumulative impacts associated with wastewater infrastructure would be less than significant for the project.

## 8.4.14.3 Reclaimed Water

### *FEIR*

The FEIR noted that reclaimed water facilities would be expanded pursuant to the Otay Water District's 2010 Water Resources Master Plan and, therefore, no cumulative impacts from implementation of the OMCP associated with reclaimed water would occur.

### *Project*

The project is not within the Otay Water District service area and does not propose the use of reclaimed water from Otay Water District due to the lack of existing infrastructure in the Specific Plan area. Therefore, there would not be a cumulative impact associated with reclaimed water. As noted in Section 5.14, *Utilities*, implementation of the City's Pure Water Program is proposed to extend to the South Bay, including the Specific Plan area, which may ultimately result in reclamation of wastewater. However, the reclaimed water would be distributed through the planned domestic water infrastructure in the area and no new facilities would be required. As the project would not result in reclaimed water infrastructure, cumulative impacts associated with reclaimed water would be less than significant.

## 8.4.14.4 Solid Waste

### *FEIR*

The FEIR concluded that even with strict adherence to the OMCP policies, regulations in the SDMC, and implementation of Mitigation Framework UTIL-1, the OMCP would result in an increase in solid waste disposal that would constitute a significant, cumulative solid waste impact. Regulatory compliance alone was estimated to allow for a 40 percent diversion rate at the Community Plan level. In order to meet state-mandated 75 percent diversion requirements, additional measures for waste reduction would need to be identified for individual projects. Therefore, buildout of the OMCP was anticipated to increase the amount of solid waste, resulting in a cumulatively considerable contribution to the significant cumulative impact relative to solid waste capacity and collection.

### *Project*

Implementation of the project would have the potential to generate a steady rate of waste due to the number of new residential units being proposed as part of the Southwest Village development. As was noted in the FEIR, landfills within the San Diego region are approaching capacity and are due to close within the next 3 to 20 years. The City's cumulative significance threshold for requiring a Waste Management Plan (WMP) is development that includes more than 40,000 square feet of building space or generating more than 60 tons of waste per year. The project would produce waste in exceedance of the 60 ton-per-year threshold of significance for having a cumulative impact on solid waste. Thus, the project would considerably contribute to a significant cumulative solid waste impact. To reduce this impact, the project would implement SP-UTIL-1 that requires a waste management plan be prepared and implemented for projects that exceed a waste generation of 60 tons. The required waste management plan would be include measures in pursuit of the City's waste reduction targets and associated Refuse and Recyclable Materials Storage Regulations (LDC Chapter 14, Article 2 Division 8) and Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7) regulations. However, compliance with this measure and these ordinances alone may not result in solid waste diversion achieving City and/or state goals. Therefore, because all future program-level development may not be required to prepare a WMP or may not reduce project-level waste management impacts to below a level of significance, impacts related to solid waste would be significant at the program-level, consistent with the impact conclusions of the FEIR. Thus, the project would result in a significant and unmitigated cumulative solid waste impact.

## 8.4.14.5 Storm Water Infrastructure

### *FEIR*

The FEIR did not include a cumulative impact analysis for storm water infrastructure, as identification of necessary storm water infrastructure was anticipated to occur on a site-specific basis for future development in accordance with the City's Storm Water Standards.

### *Project*

Buildout of the project would require a network of storm drains, open channels, water quality, and Hydromodification Management Plan features would be used to collect, convey, and manage storm water runoff throughout the development area prior to discharging into Moody Canyon Creek. Physical impacts of the installation of stormwater facilities in the project area have been addressed throughout the SEIR; therefore, no cumulative impact specific to storm water infrastructure would occur.

## 8.4.14.6 Communication Systems

### *FEIR*

The FEIR did not include a cumulative impact analysis for communications system, as private companies with capacity to serve the OMCP area exist and would site communication lines within planned rights-of way.

### *Project*

Similar to the analysis in the FEIR, it is anticipated that individual communication systems providers would construct communication utilities for the project area and be required to comply with City regulations related to such facilities. In addition, these facilities are anticipated to be located within public rights-of-way or utility easements within the development footprint analyzed in the SEIR. Therefore, the cumulative impact associated with communications systems would be less than significant.

## 8.4.15 Water Supply

### *FEIR*

The FEIR assessed the San Diego County Water Authority (SDCWA) 2010 Urban Water Management Plan (UWMP) to determine cumulative impacts of OMCP development. The analysis of impacts to water supply for the project were evaluated by the City, considering future available supplies of SDCWA. Therefore, the cumulative analysis of water supply for the project focuses on the scope of the City.

The FEIR noted that the SDCWA 2010 UWMP identified a diverse mix of water resources projected to be developed through 2035 to ensure long-term water supply reliability for the County. The Water Supply Assessment prepared for the OMCP concluded that the OMCP would be consistent with the water demands assumptions included in regional water resource planning documents and water suppliers would be able to serve the projected demands of the OMCP area, in addition to existing and planned future water demand of the County. Therefore, the FEIR concluded no significant cumulative impact would occur from the implementation of the OMCP.

### *Project*

As discussed further in Section 5.15, *Water Supply*, an updated Water Supply Assessment and Verification Report (see Appendix M) was completed to evaluate the availability of water supplies that are or would be available during normal, single-dry, and multiple-dry water years during a 20-year projection to meet the projected demands of the project, in addition to existing and planned future water demands of the City. It was determined that the project is consistent with water demand assumptions in the regional water resource planning documents of the City, SDCWA, and the Metropolitan Water District. In summary, the evaluation demonstrated that there are sufficient water supplies over a 20-year planning horizon to meet the projected demands of the project, as well as the existing and other planned development projects within the City service area in normal, dry, and multiple dry year forecasts. Therefore, while project buildout would increase water demand, it would not cause water supply agencies to lack necessary resources for the project in combination with other existing and planned development. As such, cumulative impacts associated with water supply would be less than significant.

## 8.4.16 Population and Housing

### *FEIR*

The study area considered for the population and housing cumulative impact analysis is defined as the County. The FEIR determined that buildout of the OMCP area would contribute a projected maximum net increase of 6,374 dwelling units to the housing stock of the City and region. The increase in housing stock was considered to accommodate projected growth in the region, rather than inducing unplanned growth through new development. In addition, the FEIR found that the OMCP development 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. Therefore, the FEIR concluded no significant cumulative impacts to population and housing would result from the OMCP.

### *Project*

The project would be consistent with the OMCP analysis as it would contribute up to 5,130 dwelling units to the housing stock within the City and region. The 5,130 dwelling units allowed under the project would be less than the 5,880 dwelling units that were evaluated for the project area in the FEIR. As the proposed maximum number of dwelling units is less than that proposed by the OMCP, the project would result in fewer people and homes compared to what was evaluated in the FEIR. The project is also consistent with the SANDAG 2021 Regional Plan's "Complementary Land Use" concept as it would provide a multimodal community with residential, institutional, and commercial land uses to provide for the region's projected growth. The project is also consistent with the vision and objectives of Blueprint SD through its implementation of the OMCP, as it proposes development of a multimodal community village. Cumulative projects as well as the proposed project would be required to comply with the City's Inclusionary Affordable Housing Regulations. As the proposed project would not result in population growth exceeding that anticipated in the FEIR and associated projections for population and housing in the region and would comply with the City's Inclusionary Affordable Housing Regulations, cumulative impacts related to population and housing would be less than significant.

## 8.4.17 Agricultural/Mineral Resources

### 8.4.17.1 Agricultural Resources

### *FEIR*

Cumulative impacts related to agricultural resources are assessed for the County. As discussed in the FEIR, buildout of the OMCP would convert mapped Farmland to non-agricultural uses; however, these lands are not contiguous and would not represent a significant regional loss of agricultural production potential. Therefore, the FEIR concluded impacts to agricultural resources would not be cumulatively considerable.

### *Project*

Consistent with the findings of the FEIR, although the project area is largely mapped as Farmland of Local Importance surrounded by Grazing Land, there are not ongoing agricultural uses in the project area and such uses were intended by the OMCP as an interim use until development is proposed. The project area is not in active agricultural use and the adjacent areas are similarly not in agricultural use. The development of the proposed project would not result in a cumulative loss of agricultural lands, as the OMCP area is already not planned for long-term agricultural use. cumulative impacts related to agricultural resources would be less than significant.

## 8.4.17.2 Mineral Resources

### *FEIR*

Cumulative impacts related to mineral resources are assessed for the region of San Diego County. The FEIR concluded buildout of the OMCP area, which includes "regionally significant" aggregate resources in areas mapped as Mineral Resource Zone (MRZ) 2, would not result in a cumulatively considerable impact to mineral resources.

### *Project*

As noted in Section 5.17, *Agricultural and Mineral Resources*, the project area and off-site improvement areas along Beyer Boulevard are mapped as MRZ 3, which are not considered sensitive because they comprise areas that may or may not have mineral resources. Additionally, 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, cumulative impacts to mineral resources would be less than significant for project implementation.

# 8.4.18 Greenhouse Gas Emissions

### *FEIR*

GHG emissions are a cumulative concern on the global level and impacts evaluated for individual projects are limited to their contribution to the cumulative impact. The FEIR identified that implementation of the OMCP would result in a reduction of GHG emissions compared to a business-as-usual scenario; however, the anticipated reduction did not achieve the City's reduction target. Therefore, the FEIR concluded that the implementation of the OMCP would result in a cumulatively considerable contribution to the significant, cumulative GHG emissions impact.

### *Project*

At the time the FEIR was prepared, GHG emissions were assessed relative to a business-as-usual scenario and associated reduction threshold. Since then, for plan- and policy-level environmental documents, as well as environmental documents for public infrastructure projects, the Planning Department has prepared a Memorandum titled, CAP Consistency for Plan- and Policy-Level Documents and Public Infrastructure Projects, to provide guidance on significance determination as

it relates to consistency with the strategies in the CAP. As adoption of the project is a plan-level document, this threshold applies to the project analysis and was described further and used in the analysis provided in Section 5.18, *Greenhouse Gas Emissions*.

As the analysis of potential GHG impacts is limited to potential cumulative impacts, the analysis provided in Section 5.18, *Greenhouse Gas Emissions*, provides the cumulative analysis for the project. The project was found to be consistent with the CAP strategies and would result in fewer dwelling units than that proposed by the OMCP, thereby generating fewer GHG emissions compared to what was disclosed in the FEIR. In addition, future development would be subject to the CAP and required to comply with the City's CAP Consistency Regulations. Therefore, the project would not result in cumulatively considerable GHG emissions.

## 8.4.19 Tribal Cultural Resources

### *FEIR*

Assembly Bill-52 was established after the certification of the FEIR and the potential impact of the OMCP on tribal cultural resources (TCRs) was not specifically analyzed in the FEIR.

### *Project*

Similar to the discussion of historical resources provided in Section 8.4.5, project development along with other cumulative projects in the OMCP area and City have the potential to result in a significant cumulative impact related to the loss of TCRs. Known TCRs as well as unidentified subsurface cultural deposits, which may also be TCRs, could be disturbed by project development. project mitigation measures require evaluation of future projects for potential TCRs and, if recommended by initial evaluations, outlines applicable Native American monitoring requirements and procedures in the event of unanticipated discoveries. Even with the inclusion of mitigation, potential impacts to TCRs would remain significant and the development of the project may contribute to a cumulatively considerable impact to TCRs.

Project-level Areas

Specific Plan Area

**Cumulative Projects**

1 - Airway Logistics SDP (PTS #665589)

2 - Azul Playa Del Sol/Luna (California Terraces PA 6) and SCR (PTS# 605702)

3 - BDM Mixed Use (PTS# 673818)

4 - Beyer Park

5/6 - California Terraces PA 61 (PTS# 605191)/California Terraces PA 61 (PTS # 690358)

7 - Candlelight (PTS# 40329)

8 - Epoca I (PTS# 678447)

9 - Epoca J (PTS# 675612)

10 - Epoca L (PTS# 678856)

11 - Festival (PTS# 627316)

12 - La Media Road (PTS# 667298)

13 - Lumina (PTS# 555609)

14 - Lumina II (PTS# 625830)

15 - Lumina III (PTS# 651806)

16 - Marijuana Production Facility (PTS# 585510)

17 - Metropolitan Airpark (PTS# 559378) SCR (PTS# 664354)

18 - Nakano (PRJ-1076302)

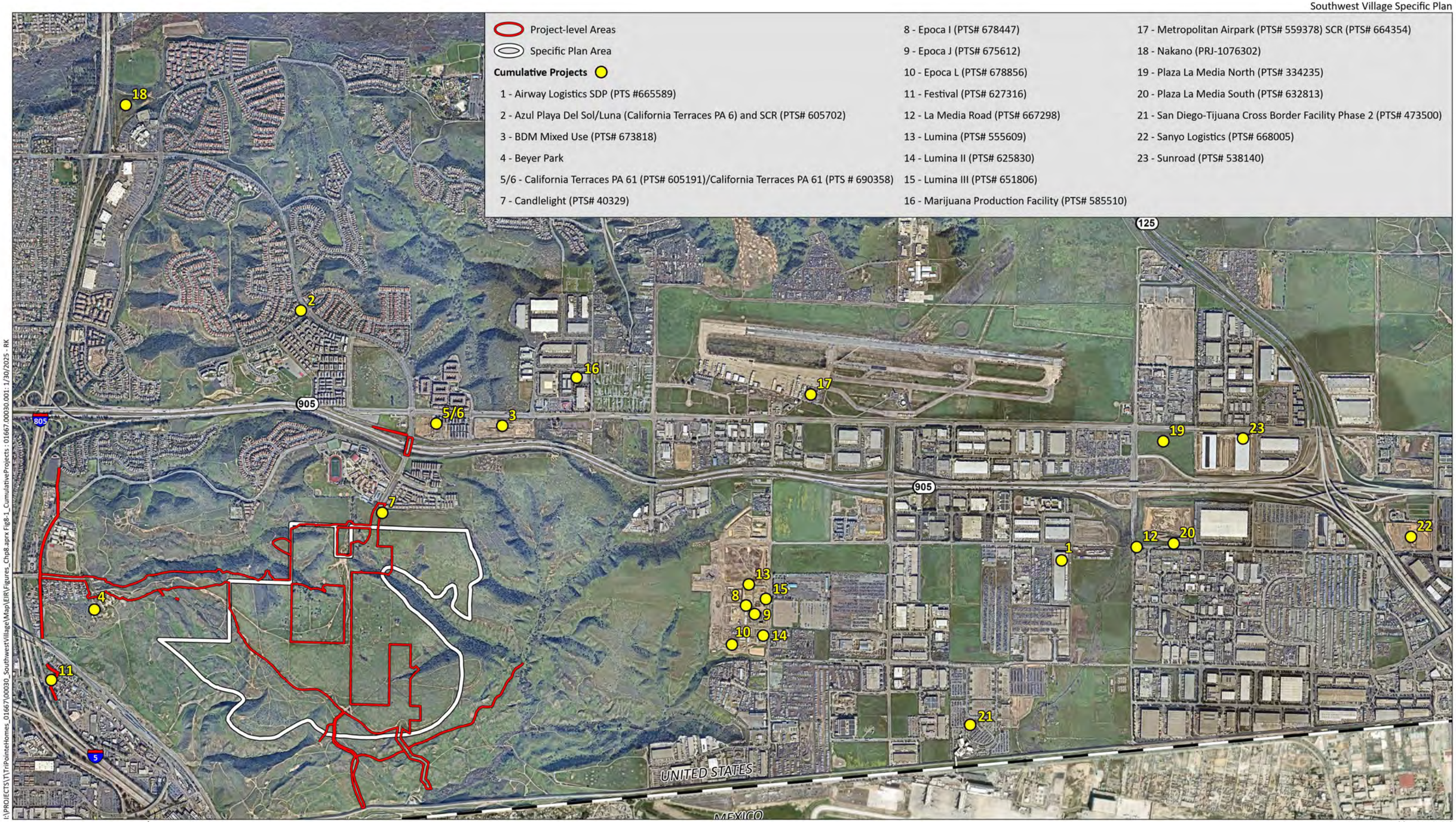
19 - Plaza La Media North (PTS# 334235)

20 - Plaza La Media South (PTS# 632813)

21 - San Diego-Tijuana Cross Border Facility Phase 2 (PTS# 473500)

22 - Sanyo Logistics (PTS# 668005)

23 - Sunroad (PTS# 538140)




0 2,000 Feet

Source: Aerial (SanGIS 2023)

I:\PROJECTS\TriPointeHomes_01667\00030_SouthwestVillage\Map\EIR\Figures_Chp8.aprx Fig8-1_CumulativeProjects : 01667.00030.001 : 1/30/2025 - RK

# Cumulative Projects

Figure 8-1

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# Chapter 9.0
# Project Alternatives

## 9.1 Introduction

To fully evaluate the environmental effects of projects, the California Environmental Quality Act (CEQA) mandates that alternatives to the project be analyzed. Section 15126.6 of the CEQA Guidelines requires the discussion of "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 the evaluation of the comparative merits of the 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.

As discussed in Chapter 5.0, *Environmental Analysis*, the project would result in potentially significant, direct, and/or cumulative environmental impacts related to 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. Mitigation measures have been identified that would reduce all direct and cumulative impacts to below a level of significance for the project, with the exception of impacts to land use (noise compatibility, historic resources preservation consistency), air quality/odor (criteria pollutants construction and operational emissions and stationary sources and collocation), historical resources (prehistoric and historic), human health/public safety/hazardous materials (health hazards), noise (traffic-generated and stationary source noise [collocation]), traffic/circulation (vehicle miles travelled [VMT]), utilities (solid waste), and tribal cultural resources, which would remain significant and unmitigated. In developing the alternatives to be addressed in this section, consideration was given to their ability to meet the basic objectives of the project and eliminate or substantially reduce significant environmental impacts. As identified in Chapter 3.0, *Project Description*, project objectives include the following:

1. Provide balanced residential neighborhoods with a range of housing, including attached and detached options, close to employment centers.

2. Accommodate increasing growth in the region and provide critically needed housing in accordance with the City of San Diego's (City's) Regional Housing Needs Assessment.

3. Provide a Village Core that connects residential neighborhoods through a grid network including a comprehensive bicycle and pedestrian network that supports connections to transit.

4. Provide an integrated regional transportation network of walkways, bikeways, transit, roadways, and freeways that efficiently link communities and villages to each other and to employment centers.

5. Protect the canyon lands, adjacent mesa tops, and sensitive biological resources while providing recreational opportunities.

6. Provide public amenities and spaces including parks, paseos, trails, open space, and other amenities for active and passive recreation.

7. Follow environmentally sensitive design and sustainable development practices.

8. Plan for infrastructure improvements concurrent with development.

As required under Section 15126.6 (e)(2) of the CEQA Guidelines, an Environmental Impact Report (EIR) must identify the environmentally superior alternative. Pursuant to the CEQA Guidelines, if the No Project Alternative is determined to be the most environmentally superior alternative, then another alternative among the alternatives evaluated must be identified as the environmentally superior alternative. Subsequent EIR (SEIR) Section 9.3, *Alternatives Considered*, addresses the Environmentally Superior Alternative.

## 9.1.1 FEIR Alternatives

The Final EIR (FEIR) identified alternatives that would reduce the environmental impacts of implementation of the Otay Mesa Community Plan (OMCP), including direct and/or cumulative impacts to 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 greenhouse gas (GHG) emissions. The FEIR included the following project alternatives:

- No Project Alternative
- Reduced Biological Impacts Alternative
- Reduced Density Alternative

### 9.1.1.1 No Project Alternative

The FEIR No Project Alternative assumed implementation of the 1981 OMCP, which would have allowed for lower density residential development and an increase in industrial density compared to the 2014 OMCP (see FEIR Figure 10-1). This alternative would not have avoided any of the significant impacts identified in the FEIR and would have preserved less open space than the OMCP and generated more average daily vehicle trips (ADT). The alternative also would not have met all of the OMCP project objectives nor would it have implemented the mixed-use villages to meet General Plan (2024) and OMCP goals for City of Villages communities.

### 9.1.1.2 Reduced Biological Impacts Alternative

The Reduced Biological Impacts Alternative would have reduced the development footprint in the OMCP, including in the Southwest Village within the project area (see FEIR Figure 10-2 to see the reduced development areas and potential Multi-Habitat Planning Area (MHPA) boundary line adjustment areas). Other areas of reduced development footprint outside the project area included a community commercial site west of Oceanview Hills Parkway and areas north of Old Otay Mesa Road and southwest of San Ysidro High School. Within the project area, areas of coastal sage scrub habitat (identified as Tier II Uplands on FEIR Figure 10-2) on the southwestern, southern, and southeastern sides of the Southwest Village Specific Plan (Specific Plan) area would have been preserved, which would have improved connections to local habitat corridors to the west between Interstate 805 and the project area. Preserved land throughout the OMCP Update would have become part of the MHPA and development potential would have been restricted to 25 percent within the least sensitive portion of the site. In the project area, this land would have been 100% conserved lands because this area has a high potential for vernal pool and burrowing owl restoration due to the appropriate vernal pool soils, connectivity with the adjacent open space network, and minimum edge effects.

The environmental impacts of the Reduced Biological Impacts Alternative would not have avoided any of the significant and unavoidable impacts of the FEIR, but it would have reduced impacts that were identified to be less than significant with mitigation related to biological resources, historical resources, hydrology/water quality, human health/public safety/hazardous materials, utilities (including solid waste), and paleontological resources. It would have generally met the OMCP project objectives and General Plan (2024) and OMCP goals for village communities, but it would not have been able to accommodate the anticipated population growth to the same extent as the OMCP.

The proposed project is similar to the Reduced Biological Impacts Alternative in terms of proposed development and open space areas. After negotiations with the Wildlife Agencies, the Specific Plan land use plan was revised similar to the Reduced Biological Impacts Alternative and focused on avoiding impacts and increasing the preservation of coastal sage scrub, maritime succulent scrub, vernal pools and vernal pool species, and non-native grasslands with potential for providing vernal pool and/or burrowing owl habitat restoration. Specifically, the areas on FEIR Figure 10-2 shown as cross-hatched and to be avoided would not be developed under the proposed project and would instead be designated open space in the proposed Specific Plan within Planning Areas (PAs) 28, 29, and 30 as shown on Figure 3-1, *Specific Plan Land Use Plan*. In addition to the open space areas identified in the Reduced Biological Impacts Alternative, the project identified 10.7~~7.8~~ additional acres in PA 23 for open space, which would further reduce biological impacts by providing additional open space adjacent to existing open space areas.

### 9.1.1.3 Reduced Density Alternative

The Reduced Density Alternative would have replaced the International Business and Trade land use designation with Light Industrial land use and reduced the permitted residential densities within the Southwest Village Specific Plan area and the Central Village Area (see FEIR Figure 10-3). While this alternative would have reduced ADT and, therefore, impacts related to traffic, air quality, noise, and GHG emissions, it would not have avoided any of the significant and unavoidable impacts of the

FEIR. It would have generally met the OMCP Update's project objectives, but it would not have met the mixed-use, village-centric General Plan (2024) and OMCP goals to create a City of Villages.

# 9.2 Alternatives Considered but Rejected

This section identifies 5 alternatives that were eliminated from further consideration in this SEIR, including the reasons for elimination.

## 9.2.1 Increased Density Alternative

This alternative assumes the development of the 5,130 residences included as part of the Specific Plan plus an increase of 750 additional residences within the residential areas of the Specific Plan area (PAs 1, 4-16, 18-22, and 22-27) to fulfill the 5,880 residential units anticipated in the FEIR. This alternative would not involve changes to the overall development footprint of the Specific Plan and would increase densities generally to support providing additional housing in the City. While increasing residential development within the Specific Plan area from 5,130 units to 5,880 units would fulfill the development potential identified in the OMCP and provide additional housing in the City, an increased density alternative would not reduce impacts associated with construction or operational activities. The same unmitigated impacts for the project would occur to land use, air quality/odor, historical resources, noise, traffic/circulation, and utilities under an increased density alternative. As the overall development footprint and type of development would not change, this alternative would meet most of the project objectives, except it would not meet the OMCP objective of providing balanced residential neighborhoods with a range of housing, including attached and detached options as well as the project. Additionally, existing housing in Otay Mesa has not demonstrated support for building at increased density levels comparable to other developed areas in the City where high employment and mass transit is available. Because there are no nearby employment centers or nearby transit available to serve the area, an increase in density in the project area would not result in decreases in VMT per capita. As it has not been demonstrated that this alternative would feasibly reduce a significant unmitigated impact of the project, this alternative is rejected from further consideration.

## 9.2.2 Increased Development Area

This alternative would result in allowing residential development in PA 23, which is designated MHPA (open space) in the proposed Specific Plan area. Allowing residential development within PA 23 would increase the likelihood that the Specific Plan achieves the allowed maximum 5,130 dwelling unit residential capacity. Overall density would be the same as the project; however, this alternative is included to consider additional developed areas to promote development and further support reaching 5,130 dwelling units and providing the housing and densities needed to support a high quality transit line through the Specific Plan area connecting Otay Mesa to San Ysidro via Beyer Boulevard West. The intent of this alternative is to encourage residential development to support meeting the 5,800 unit residential capacity, which would also potentially support more investments in transit. This alternative would not guarantee transit improvements are provided, as transit is also a separate agency not under the control of the City nor applicant. As discussed in SEIR Section 9.2.1, an increase in density in the project area would not result in decreases in VMT per capita

considering the lack of transit (including planned) and lack of major employment center. While promoting additional residential development within PA 23 may result in more transit funding opportunities, replacing designated open space with residential development would result in greater construction and operational impacts for most other environmental issues areas and is therefore rejected from further consideration.

### 9.2.3 No Caliente Avenue North of Central Avenue Alternative

Avoiding the construction of Caliente Avenue, north of Central Avenue, was considered to reduce impacts to biological and cultural (archaeological) resources. The portion of Caliente Avenue north of Central Avenue located within the Candlelight project area would impact 0.39 acre of City wetlands and 0.22 acre of disturbed City wetlands and the alignment is near the location of a known significant archaeological site and tribal cultural resources site (CA-SDI-22,936). Similar to Beyer Boulevard West, Caliente Avenue is a roadway extension that must connect at its existing terminus north of the Specific Plan to access State Route 905. Due to the existing portion of Caliente Avenue, moving the roadway to another location is infeasible. Furthermore, as the main access point into the Specific Plan area, the roadway width and impact footprint are necessary to adequately accommodate trips associated with the planned development. The width and design of Caliente Avenue North, north of Central Avenue, as analyzed in this SEIR was also approved as part of the Candlelight Tentative Map 114999; PTS 633633; and associated wetlands impacts are expected to occur regardless of the proposed project. Therefore, in light of existing approvals that would result in the construction of Caliente Avenue north of Central Avenue, the project does not have control over whether this segment is built by others and would be required to complete this improvement if it is not built prior to project implementation. Impacts associated with extending Caliente Avenue north of Central Avenue would not be avoided regardless of the project and the No Caliente Avenue North of Central Avenue Alternative is rejected from further consideration.

### 9.2.4 Avoidance of Conserved Parcels Alternative

An alignment for Beyer Boulevard West that would veer south and avoid the VPHCP 100% conserved lands was considered to reduce impacts to biological resources and avoid the need for a Major Amendment to the VPHCP that is part of the proposed project. Consideration of a southern alignment alternative for Beyer Boulevard West was determined to not be feasible or preferred from a biological perspective because it would result in a longer road, more grading and embankments, and a greater overall impact footprint. Most importantly, several existing constraints would make this alternative infeasible as detailed below (and summarized from Appendix C, Attachment 11):

- Historic Landslide Areas – Avoidance of the VPHCP 100% conserved lands would result in locating Beyer Boulevard West within a landslide complex referred to as the San Ysidro Landslide area. A shift of the Beyer Boulevard West roadway southward into the San Ysidro Landslide area would require the construction of embankments and the implementation of geotechnical measures to provide geologic stability. Even with these measures, geotechnical and engineering concerns with landslide hazards may remain. Avoiding the VPHCP 100% conserved lands would require a larger impact footprint and would increase the instability of

the landslide complex thereby increasing impacts to biological resources and resulting in potential new hazards related to geotechnical instability.

- Beyer Community Park – The City is in the final design stages for a new public park that will be constructed just south of the current terminus of Beyer Boulevard West. This park has long been planned, funded, and included in City planning documents. Due to the location of the park, the proposed Beyer Boulevard West alignment cannot immediately turn south to allow for avoidance of the Furby North Preserve. Furthermore, the area just east of Beyer Community Park and just west of the Furby North Preserve is City MHPA and the planned mitigation land for the proposed Beyer Community Park.
- Design Standards Cannot Be Met – If Beyer Boulevard West were to veer south to avoid VPHCP 100% conserved lands, City design standards and geometries needed for a circulation element roadway would not be met resulting in substandard roadway design.
- Conflicts with other Conservation Lands – Other conserved parcels are located immediately south of the VPHCP 100% conserved lands, such as the Pipitone conservation easement, and no feasible roadway alignment to the south exists that could avoid all existing 100% conserved lands.

Due to the constraints near proposed Beyer Boulevard West, the Avoidance of Conserved Parcels alternative is not feasible and is rejected from further consideration.

### 9.2.5 Old Otay Mesa Road Alternative

Consideration was given to eliminating the Beyer Boulevard West extension altogether and instead providing access via a widened Old Otay Mesa Road. The results of a transportation assessment identified the minimum roadway width needed along Old Otay Mesa Road to accommodate the shift in trips from Beyer Boulevard West would be a six-lane arterial roadway for the road to function at an acceptable level of service C (see Appendix C, Attachment 11).

This alternative was presented to the Wildlife Agencies at a batching meeting held on November 18, 2022. This alternative would still require substantial grading along the Beyer Boulevard West alignment even for a fire-only access road. Additionally, grading to expand Old Otay Mesa Road would require disturbance into developed areas and sensitive vegetation communities, including 100% conserved lands south of Old Otay Mesa Road and within Moody Canyon. Although a fire-only Beyer Boulevard West access road would slightly reduce impacts to biological resources, grading required for Old Otay Mesa Road would involve greater impacts to sensitive vegetation communities by approximately 18 acres and would increase impacts to 100% conserved lands (Appendix C, Attachment 11). This alternative would also create safety risks due to inadequate fire and emergency access routes for the surrounding communities. Further, this alternative would require extensive property acquisition, including land for a school, San Diego Gas & Electric substation, existing homes, and protected open space areas. For these reasons, the Old Otay Mesa Road Alternative is rejected from further consideration.

# 9.3 Alternatives Considered

This SEIR evaluates a No Project Alternative (Adopted Community Plan) and Reduced Project Alternative. A description of each alternative and their associated impacts compared to the proposed project are provided below, and summarized in Table 9-1, *Alternatives Comparison*.

**Table 9-1**
**Alternatives Comparison**

| Environmental Issue Area | Project | No Project Alternative (Adopted Community Plan) | Reduced Project Alternative |
|---|---|---|---|
| Land Use | SU | SU > | SU < |
| Visual Effects and Neighborhood Character | LS | LS > | LS = |
| Air Quality/Odor | SU | SU > | SU < |
| Biological Resources | SM | SM > | SM < |
| Historical Resources | SU | SU > | SU < |
| Human Health/Public Safety/Hazardous Materials | SU | SU > | SU = |
| Hydrology/Water Quality | SM | SM > | SM < |
| Geology/Soils | SM | SM > | SM < |
| Energy Conservation | LS | LS > | LS < |
| Noise | SU | SU > | SU < |
| Paleontological Resources | SM | SM > | SM < |
| Traffic/Circulation | SU | SU = | SU = |
| Public Services | LS | LS > | LS < |
| Utilities | SU | SU > | SU < |
| Water Supply | LS | LS > | LS < |
| Population and Housing | LS | LS > | LS = |
| Agricultural and Mineral Resources | LS | LS > | LS = |
| Greenhouse Gas Emissions | LS | LS > | LS = |
| Tribal Cultural Resources | SU | SU > | SU < |

Notes:
LS = less than significant; SM = significant and mitigated; SU = significant and unmitigated
(=) = Impacts the same/similar to the project; (<) = Impacts less than the project; (>) = Impacts greater than the project

## 9.3.1 No Project Alternative (Adopted Community Plan)

### 9.3.1.1 Description of the No Project Alternative (Adopted Community Plan)

Consistent with State CEQA Guidelines Section 15126.6(e)(3)(A), a No Project Alternative (Adopted Community Plan) is included to compare the environmental impacts of the proposed project to the environmental impacts if the project is not approved and the project areas are developed pursuant to the OMCP as currently adopted. The OMCP identifies development throughout the entire OMCP area, including the Southwest Specific Plan area, and required that more specific land uses,

densities, and roadway alignments would be identified in a future Specific Plan. 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. 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 (Figure 2-4, *Otay Mesa Community Plan Southwest District Land Uses*). 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.

The OMCP identifies 292.7 acres of developable area (not counting open space categories). This indicates the potential for 177.4~~164.8~~ more acres of additional development than are included in the proposed Specific Plan, which would represent a 60~~56~~% increase in developed areas compared to the proposed Specific Plan. In particular, PAs 23 and 29 are identified for residential development in the OMCP as opposed to open space in the proposed Specific Plan. Due to changes in existing conditions and regulatory considerations since the OMCP was prepared, it is not certain that development could be implemented within the same locations and at the same densities as described in the OMCP; however, if achievable, 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, which is an 87% increase in parks. Any future Specific Plan would need to meet the regulatory and permitting requirements in place at that time, which may result in a different development scenario than described in the OMCP and FEIR; however, the general development scenario as described in the OMCP is used for the basis of the No Project Alternative (Adopted Community Plan).

#### 9.3.1.2 Environmental Analysis of the No Project Alternative (Adopted Community Plan)

### a. Land Use

Development under the No Project Alternative (Adopted Community Plan) would not proceed as proposed in the Specific Plan and the Southwest Specific Plan area would be developed as described in the OMCP pursuant to a future Specific Plan. Implementation of the OMCP land use plan within the project area would result in 750 more dwelling units and additional development areas within 177.4~~164.8~~ acres comprising PAs 23 and 29 that are identified as open space in the proposed Specific Plan. PAs 23 and 29 were removed from development with the project to avoid conflicts with biological constraints and MHPA areas and geologic landslide risk areas associated with the San Ysidro Landslide area. The alignments for Beyer Boulevard and Caliente Avenue would also be refined by a future Specific Plan but would likely occur in similar locations as identified in the OMCP.

Impacts related to conflicts with the General Plan (2024), Environmentally Sensitive Lands Regulations (ESL), Brush Management Regulations of the City's Land Development Code (LDC), the Multiple Species Conservation Plan (MSCP) Subarea Plan Land Use Adjacency Guidelines, and the Vernal Pool Habitat Conservation Plan (VPHCP) would generally increase as PAs 23 and 29 could be developed. Also, adjacency issues related to open space and MHPA areas would slightly increase under this alternative as 750 more residential units would be allowed within and adjacent to open

space. Due to the proximity to Caliente Avenue, future development pursuant to the OMCP under this alternative would also connect to Caliente Avenue and the significant and unmitigated General Plan and OMCP land use plan inconsistency impacts related to historical resources preservation would not be avoided because an important archaeological site would still be 100% impacted. Also, the significant and unmitigated impacts would be greater related to inconsistencies with General Plan (2024) and OMCP goals and policies, including noise compatibility guidelines~~standards~~ and waste diversion due to increases in development potential and development areas.

The No Project Alternative (Adopted Community Plan) would be consistent with the 2021 SANDAG Regional Plan, Brown Field Airport ALUCP, and OMCP; however, due to the potential for increased conflicts with the General Plan (2024)~~.~~, ESL, Brush Management Regulations of the LDC, MSCP Subarea Plan Land Use Adjacency Guidelines, and VPHCP, impacts would be significant and unmitigated, and greater than the project.

## b. Visual Effects and Neighborhood Character

The No Project Alternative (Adopted Community Plan) would result in the change of existing undeveloped mesa tops and canyons to an urbanized, built environment within a larger footprint than the project (an additional 177.4~~164.8~~ acres) as areas in the western part of the Specific Plan at PAs 23 and 29 would remain identified for residential development in the OMCP. The increase in development by 750 dwelling units from the 5,130 dwelling units with the proposed project (a 14.6% increase) and an increase in 177.4~~164.8~~ acres of developable area at PAs 23 and 29 (a 60~~56~~% increase) compared to the proposed project would result in less than significant visual impacts to scenic vistas, scenic resources, and visual quality as development has been anticipated in these areas in the OMCP. Like the project, future development under this alternative would comply with the City's Grading Regulations, General Plan (2024), and OMCP policies. The No Project Alternative (Adopted Community Plan) would result in a less than significant impact to visual effects and neighborhood character, but due to the larger amount of development and additional developable areas, impacts would be greater compared to the project.

## c. Air Quality

Development under the No Project Alternative (Adopted Community Plan) would increase the amount of residential dwelling units by up to 750 units compared to the project, for a total of 5,880 dwelling units. While the overall development under this alternative would be greater than under the proposed project, the No Project Alternative (Adopted Community Plan) would not exceed the existing growth projections for which regional air quality standards (RAQS) are based since the RAQS were prepared pursuant to the OMCP, which identified up to 5,880 dwelling units. Development potential would be greater compared to the project and emissions from construction and operation would somewhat increase with more development. Construction timeframes and equipment for specific development projects are not known for this alternative, and there is a potential for multiple development projects to be constructed at one time, resulting in significant construction-related emissions. Future development under this alternative would be required to implement air quality mitigation measures and air quality impacts would remain significant and unmitigated, and greater than what would result from the project.

## d. Biological Resources

The OMCP identifies potential development within PAs 23 and 29 in the western part of the Specific Plan that are proposed by the project as open space. Like the proposed project, a future Specific Plan under the No Project Alternative (Adopted Community Plan) would be subject to regulatory requirements that have been updated since the OMCP was prepared. Therefore, while development of the 177.4~~164.8~~ acres within the project's proposed open space PAs 23 and 29 may be more limited than what was assumed in the OMCP it is assumed that some development may proceed within these areas under the No Project Alternative (Adopted Community Plan). The significant and mitigated biological resources impacts identified for the project would occur under this alternative. As this alternative could increase development potential within open space, it could result in greater impacts compared to the project to sensitive species, sensitive habitats, and wetlands due to the introduction of more development near and in sensitive biological resources.

## e. Historical Resources

The No Project Alternative (Adopted Community Plan) would result in a larger development footprint than the project. The No Project Alternative (Adopted Community Plan) would result in a similar impact to an important archaeological site (CA-SDI-22,936) and religious or sacred use and would have a greater potential to result in the discovery of unknown subsurface archaeological resources, including religious or sacred uses, relative to the project considering the footprint would be larger. Future development under this alternative would likely require implementation of mitigation measures similar to the proposed project to reduce impacts. As with the project, impacts related to one prehistoric archaeological resource (CA-SDI-22,936) and a religious or sacred use would remain significant and not mitigated. This impact was not identified in the FEIR as CA-SD-22,936 was not determined to be eligible for listing on the CRHR or the City's historical resources register at that time but was designated as a significant historical resource by the City Historical Resources Board on September 26, 2024 related to Criterion A for its archaeological and cultural significance. As this alternative would increase development potential relative to the project due to the increase of developable areas in PAs 23 and 29, this alternative would result in greater significant and unmitigated impacts to historical resources compared to the project.

## f. Human Health/Public Safety/Hazardous Materials

The No Project Alternative (Adopted Community Plan) would result in 750 more dwelling units compared to the project within a larger development footprint in an area with wildfire risk. As a result, this alternative would result in greater impacts than the project and would require mitigation for health and safety hazards and hazardous sites (similar to the proposed project. Notification to the Federal Aviation Administration (FAA) due to the proximity to Brown Field is not anticipated under this alternative, similar to the project. Significant human health impacts related to air toxics identified for the project would occur, and impacts related to human health/public safety/hazardous materials would be significant and unmitigated and would be greater than the project.

## g. Hydrology/Water Quality

The No Project Alternative (Adopted Community Plan) would result in 750 more dwelling units compared to the project within a larger development footprint and it is assumed that additional impervious surfaces would be created by the approximately 60~~56~~% increase in potentially developable area compared to the proposed project. Future development under the No Project Alternative (Adopted Community Plan) would be required to adhere to all applicable water quality standards as provided in various water quality regulations and plans including all pertinent requirements of the City's Storm Water Runoff and Drainage Regulations, the (LDC, National Pollutant Discharge Elimination System [NPDES] permit, as well as all regulations related to water quality. Development would be required to comply with applicable stormwater management requirements which focus on retention and infiltration of waters on-site. Future development would also be required to implement applicable Low Impact Development (LID) and Pollutant Control best management practices (BMPs) and erosion control measures to retain flows on-site and minimize the velocity of stormwater runoff. Such BMPs could include underground storage and compact biofiltration detention basins. Development under this alternative would be required to adhere to all state and local development regulations including the Water Quality Control Plan for the San Diego Basin. Therefore, impacts associated with hydrology and water quality under the No Project Alternative (Adopted Community Plan) would be less than significant with mitigation and would be greater than the project.

## h. Geology/Soils

Future development under the No Project Alternative (Adopted Community Plan) would involve residential development of up to 5,880 residential units, or an increase in 750 units compared to the project. It would also allow development within areas that are identified as within the San Ysidro Landslide area. Adherence to the City's development review process, the California Building Code, and mitigation measures similar to the proposed project would ensure that future development under this alternative would not cause substantial adverse effects associated with fault rupture, ground shaking, liquefaction, landslide, expansive soils, or soil erosion; however, due to the potential for increased development to occur within the San Ysidro Landslide area, impacts related to geology and soils under the No Project Alternative (Adopted Community Plan) would be greater compared to the project.

## i. Energy Conservation

Future development under the No Project Alternative (Adopted Community Plan) would involve residential development of up to 5,880 residential units, or an increase in 750 units compared to the project. Future development under this alternative would result in incrementally increased energy use compared to the project due to the larger number of dwelling units. However, this alternative is not expected to use excessive amounts of energy. It is expected that impacts associated with energy conservation would be less than significant, but greater compared to the project.

## j. Noise

The No Project Alternative (Adopted Community Plan) would result in an increase of 750 dwelling units compared to the proposed project and an incremental increase in traffic. Future development under the No Project Alternative (Adopted Community Plan) would be subject to implementation of mitigation measures similar to the proposed project that would reduce noise impacts. Increasing residential development under No Project Alternative (Adopted Community Plan) would result in significant and unmitigated noise impacts associated with construction and stationary sources, including potential impacts to future schools and roadways. Therefore, impacts related to traffic-generated noise and stationary source noise (collocation) under the No Project Alternative (Adopted Community Plan) would remain significant and not mitigated and would be greater compared to the project.

## k. Paleontological Resources

Future development under the No Project Alternative (Adopted Community Plan) would result in a potentially larger development area compared to the proposed project, including development in PA 23 that is proposed as open space under the proposed project which is mapped as moderate paleontological sensitivity. Overall ground disturbance would be increased under this alternative. Existing City LDC Section 142.0151 has been codified to require paleontological monitoring for grading activities, which would apply as mitigation to the project and this alternative. Because PA 22 would be developed, paleontological resources would not be avoided and impacts related to paleontological resources under the No Project Alternative (Adopted Community Plan) would be less than significant with mitigation, but greater than the project.

## l. Traffic/Circulation

The No Project Alternative (Adopted Community Plan) would include development of 750 more dwelling units than the project and traffic generation would be increased accordingly. The No Project Alternative (Adopted Community Plan) would include the general roadway connections identified in the Specific Plan, including Caliente Avenue and Beyer Boulevard. Future development would be designed consistent with established roadway design standards, and access to the existing roadway network would be configured consistent with established roadway design standards that would allow for emergency access. As the No Project Alternative (Adopted Community Plan) would result in 750 more dwelling units within the same location and proximity to destinations, VMT per capita under this alternative would be significant. Therefore, impacts associated with traffic/circulation would be significant and not mitigated, similar to the project.

## m. Public Services

Future development under the No Project Alternative (Adopted Community Plan) would result in an increased demand on fire protection, police protection, school, and library facilities compared to the proposed project since the total buildout of the Specific Plan area would be increased by up to 750 dwelling units and would include an additional 177.4~~164.8~~ acres of developed areas that would require public services. Construction of any future public service facilities would require a separate

environmental review and approval. Therefore, impacts associated with public services would be less than significant, but greater than the project.

## n. Utilities

Future development under the No Project Alternative (Adopted Community Plan) would result in an increase of 750 residential dwelling units compared to the proposed project. Development under this alternative would increase demand for utilities and services as compared to the project. Utility infrastructure improvements under the No Project Alternative (Adopted Community Plan) would be evaluated as part of a future review for site-specific projects and would require the preparation of a site-specific Waste Management Plan (WMP). The No Project Alternative (Adopted Community Plan) would likely result in an increased demand for water supply, wastewater treatment, and solid waste disposal compared to development proposed under the project since overall buildout would increase by up to 750 dwelling units. Because future projects may not reduce project-level waste management impacts to below a level of significance, impacts related to solid waste to meet the 75 percent diversion requirement cannot be assured. Therefore, impacts associated with utilities would be significant and not mitigated, and incrementally greater than the project.

## o. Water Supply

Future development under the No Project Alternative (Adopted Community Plan) would result in an increase of 750 residential dwelling units compared to the proposed project and could result in development in PAs 23 and 29 where open space is proposed by the project. Development under this alternative would increase the demand for water supply and could result in expanded water infrastructure within PAs 23 and 29. Future development would be required to prepare a Water Supply Assessment. Impacts related to water supply would be less than significant, but greater than the project.

## p. Population and Housing

Future development under the No Project Alternative (Adopted Community Plan) would be located in areas that are already identified to be served by infrastructure as identified in the OMCP, and therefore would not induce population growth. While there would be 750 more residential units compared to the project, the No Project Alternative (Adopted Community Plan) would not displace a substantial number of people or housing as the project areas are not developed. Similar to the proposed project, impacts associated with population and housing would be less than significant.

## q. Agricultural and Mineral Resources

Under the No Project Alternative (Adopted Community Plan), development within the project areas would be similar to the proposed project, except that more ground disturbance could occur, including within areas the project identifies for open space in PAs 23 and 29. While most of the Specific Plan area include areas identified as Farmland of Local Importance, agricultural operations do not existing currently in the project area. Regarding mineral resources, there is no history of mining and there are no mapped or known mineral resources in the OMCP. Overall, the No Project

Alternative (Adopted Community Plan) would result in less than significant impacts to agricultural and mineral resources, similar to the project.

### r. Greenhouse Gas Emissions

Development under the No Project Alternative (Adopted Community Plan) would increase the amount of residential dwelling units by up to 750 units compared to the project, for a total of 5,880 dwelling units. This larger number of units would result in greater GHG emissions than the project. Future development under the No Project Alternative (Adopted Community Plan) would be required to prepare a Specific Plan, and would be subject to the San Diego Municipal Code (SDMC) regulations that implement the City's Climate Action Plan (CAP). Impacts associated with GHG under the No Project Alternative (Adopted Community Plan) would be less than significant, but greater than the project.

### s. Tribal Cultural Resources

The No Project Alternative (Adopted Community Plan) would result in a larger development footprint. The No Project Alternative (Adopted Community Plan) would have greater potential to result in the discovery of tribal cultural resources relative to the project considering the footprint would be larger. Future development under this alternative would likely require implementation of mitigation measures similar to the proposed project to reduce impacts. As with the project, impacts related to tribal cultural resources would be significant. As this alternative would increase development potential relative to the project due to the increase of developable areas in PAs 23 and 29, this alternative would result in greater impacts to tribal cultural resources compared to the project.

## 9.3.1.3 Conclusion Regarding the No Project Alternative (Adopted Community Plan)

Most impact conclusions under the No Project Alternative (Adopted Community Plan) would be the same as impact conclusions for the project, but some impacts would be greater relative to the project considering the increase in development footprint and number of units proposed under this alternative (Table 9-1). Impacts would be greater for all environmental issue areas except for traffic/circulation where impacts were identified to be significant and unmitigated and agricultural and mineral resources, where impacts were identified to be less than significant.

This 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). The No Project Alternative (Adopted Community Plan) would include an additional 750 residential units and 27.5 acres of parks within the Specific Plan area and would continue to identify residential development within 177.4~~164.8~~ acres identified as open space for the proposed project (PAs 23 and 29). PAs 23 and 29 are adjacent to and within mesa tops, canyon lands, and sensitive biological resources, and the No Project Alternative development would not protect canyon, mesa top, and sensitive biological resources (Objective 5) to the extent of

the project. 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 extent of the project, as the project would avoid development within PAs 23 and 29 to protect additional sensitive biological resources.

## 9.3.2 Reduced Project Alternative

### 9.3.2.1 Description of the 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 10.5~~10.74~~ acres comprising PA 22 from residential to MHPA open space near the existing MHPA as shown in Figure 9-1, *Reduced Project Alternative Site Plan*. The land use designation for PA 22 would change from residential to open space, resulting in 10.5~~10.74~~ acres of additional open space and 267 fewer units of allowable development within the Specific Plan area for a total of 4,863 dwelling units. All other components of the project would remain unchanged in the Reduced Project Alternative.

### 9.3.2.2 Environmental Analysis of the Reduced Project Alternative

#### a. Land Use

Development under the Reduced Project Alternative would be subject to a revised Specific Plan with a land use plan designating PA 22 for open space instead of residential, resulting in the loss of 267 residential dwelling units. Issues related to land use plan conflicts, land use compatibility, and regulations would be similar to the project under this alternative as a similar Specific Plan would be proposed. The addition of 10.5~~10.74~~ acres of open space would result in the removal of residential development from areas adjacent to other open space PAs, including MHPA. Residential development in PA 19 and PA 20, immediately south of PA 22, would occur adjacent to open space and MHPA areas in PA 28 and PA 29, and impacts related to conflicts with the City's MSCP Subarea Plan and MHPA under the Reduced Project Alternative would be less than significant with mitigation and would have slightly less impacts compared to the project. The significant and unmitigated General Plan and OMCP land use plan inconsistency impacts related to historical resources would not be avoided with this alternative because the important archaeological site would still be 100% impacted by Caliente Avenue with this alternative. Also, the significant and unmitigated impacts related to inconsistencies with General Plan (2024) and OMCP goals and policies related to noise compatibility guidelines~~standards~~ would be similar as noise incompatibilities were not identified at PA 22. The project inconsistency with OMCP Public Facilities, Services, and Safety Element Policy 6.5-3 related to construction and demolition debris diversion would be decreased under the Reduced Project Alternative because less development and less construction and demolition debris would be generated under this alternative.

## b. Visual Effects and Neighborhood Character

Development within the project area would be similar to the proposed project, except that PA 22 would be changed from residential to open space and 267 fewer dwelling units would be allowed in the Specific Plan area. Similar to the impact analysis for the project, development would occur near identified view corridors established to provide views from mesas and canyon edges and the redesignation of PA 22 to open space is located on a mesa near canyon edges. As PA 22 would remain as open space and would be near Spring Canyon to the east of the Specific Plan, this alternative would be consistent with visual resources policies in the OMCP and would have a less than significant impact on scenic vistas, scenic resources, and visual quality. Trails would also be included similar to the project, which would be consistent with OMCP policies related to providing green space. The Reduced Project Alternative would similarly result in the change of undeveloped mesa tops and canyons to an urbanized, built environment, similar to the project. The reduction of 10.5~~10.74~~ acres from the overall approximately 490-acre development area (2.1~~2~~% reduction) would have minimal change to the overall Specific Plan visual impacts to scenic vistas, scenic resources, and visual quality. Like the project, the future development would comply with the City's Grading Regulations, General Plan (2024) and OMCP policies. The Reduced Project Alternative would result in a less than significant impact to visual effects and neighborhood character, similar to the project.

## c. Air Quality

Development under the Reduced Project Alternative would be subject to the development standards in the Specific Plan, as well as the OMCP, the City's General Plan (2024), and the SDMC. This alternative would reduce the amount of residential land uses within an approximately 10.5~~10.74~~ acre area in PA 22, and overall residential development in the Specific Plan area would be reduced by up to 267 units compared to the project. As there would be some reduction in overall development under this alternative, the Reduced Project Alternative would not exceed the existing growth projections for which RAQS are based. Development potential would be reduced compared to the project and construction and operation would somewhat decrease with less development. Construction time frames and equipment for specific development projects are not available at this time, and there is a potential for multiple development projects to be constructed at one time, resulting in significant construction-related emissions. Future development under this alternative would be required to implement air quality mitigation measures documented in the FEIR, but air quality impacts would remain significant. Therefore, impacts associated with air quality under the Reduced Project Alternative would be significant and not mitigated, but with less residential development, air quality impacts would be somewhat reduced compared to the project.

## d. Biological Resources

The Specific Plan under the Reduced Project Alternative would result in the redesignation of 10.5~~10.74~~ acres in PA 22 from residential land uses to open space in proximity to other open space areas, including MHPA. The FEIR identified PA 22 as non-native grassland habitat. Non-native grassland is a Tier IIIB habitat and is a sensitive habitat type. Avoidance of this area would reduce the significant impact to non-native grasslands. The non-native grasslands within PA 22 would likely serve as habitat for northern harrier, southern rufous-crowned sparrow, coastal whiptail, red diamond rattlesnake, two-striped garter snake, and San Diego desert woodrat based on the location

of these species within non-native grassland elsewhere in the Specific Plan area. Impacts to these species would therefore be avoided in PA 22. While this alternative would reduce impacts to 10.5~~10.74~~ acres of non-native grassland habitat and associated sensitive species relative to the project, this alternative would result in significant impacts to sensitive species, sensitive habitats, and wetlands in the remainder of the footprint as described for the project.

Future development under the Reduced Project Alternative would be subject to the implementation of mitigation measures documented in this SEIR for biological resources, which would reduce impacts related to sensitive species, sensitive habitats, and wetlands to a less than significant level. Applicable federal, state, and local regulations would also apply, such as the VPHCP, City LDC – Biology Guidelines, and City MHPA. Not constructing housing in a 10.5~~10.74~~-acre area near other open space areas, including MHPA, and leaving it as undeveloped open space would reduce some of the biological resource impacts associated with the project. Impacts related to biological resources under the Reduced Project Alternative would be less than significant with mitigation and would have slightly less impacts compared to the project.

## e. Historical Resources

The Reduced Project Alternative would result in the redesignation of 10.5~~10.74~~ acres of PA 22 from residential land uses to open space. No previously recorded sites occur within PA 22. The Reduced Project Alternative would result in the same impact to an important archaeological site (CA-SDI-22,936) and religious or sacred uses as the project and would have a slightly reduced potential to result in unknown subsurface archaeological resources and religious or sacred uses impacts relative to the project considering the footprint reduction of 10.5~~10.74~~ acres. Future development under this alternative would be required to implement mitigation measures SP-HIST-1, SP-HIST-2, SP-HIST-3, PR-HIST-1, and PR-HIST-2 to reduce impacts. As with the project, impacts related to one prehistoric archaeological resource (CA-SDI-22,936) and religious or sacred uses would remain significant and not mitigated.

## f. Human Health/Public Safety/Hazardous Materials

The Reduced Project Alternative would result in the redesignation of 10.5~~10.74~~ acres of PA 22 from residential land uses to open space in an area with wildfire risk, as much of the project is located in proximity to steep slopes, limited precipitation, vegetation fuel, and natural, unmaintained open space. PA 22 is on the east side of the Specific Plan and is not located adjacent to landslide areas associated with the San Ysidro landslide complex to the west and south; however, the remainder of the proposed project would not be changed and would similarly result in less than significant impacts with mitigation for health and safety hazards (SP-HAZ-1), hazardous sites (SP-HAZ-2 and PR-HAZ-1). Notification to the FAA due to the proximity to Brown Field is not anticipated under the project and this alternative. Significant human health impacts related to air toxics identified for the project would occur, and impacts related to human health/public safety/hazardous materials would be significant and unmitigated, similar to the project.

## g. Hydrology/Water Quality

The Reduced Project Alternative would result in the redesignation of 10.5~~10.74~~ acres of residential land uses in PA 22 to open space. Overall buildout and development intensity would be reduced by 267 dwelling units under this alternative compared to the proposed project, including a reduction in impervious surfaces in PA 22. Future development under the Reduced Project Alternative would be required to adhere to all applicable water quality standards as provided in various water quality regulations and plans including all pertinent requirements of the City's Storm Water Runoff and Drainage Regulations, the LDC, NPDES permit, as well as all regulations related to water quality. Development would be required to comply with applicable stormwater management requirements which focus on retention and infiltration of waters on-site. Future development would also be required to implement applicable LID and Pollutant Control BMPs and erosion control measures to retain flows on-site and minimize the velocity of stormwater runoff. Such BMPs could include underground storage and compact biofiltration detention basins. Development under this alternative would be required to adhere to all state and local development regulations including the Water Quality Control Plan for the San Diego Basin. Therefore, impacts associated with hydrology and water quality under the Reduced Project Alternative would be less than significant with mitigation, and slightly less than the project.

## h. Geology/Soils

Future development under the Reduced Project Alternative would be subject to the updated development and design standards and conceptual designs provided in the Specific Plan, as well as the City's OMCP, Seismic Safety Study, and pursuant to a site-specific geotechnical report. The Reduced Project Alternative would support development similar to the project which could be subject to potential geologic hazards in the western areas of the Specific Plan, which would be similarly avoided under this alternative. Adherence to the regulations mentioned above as well as the California Building Code and mitigation measures SP-GEO-1 and SP-GEO-2 would ensure that future development under this alternative would not cause substantial adverse effects associated with fault rupture, ground shaking, liquefaction, landslide, expansive soils, or soil erosion and impacts would be less than significant with mitigation. Therefore, impacts related to geology and soils under the Reduced Project Alternative would be less than significant with mitigation, and slightly less than the project due to the reduction of building area at PA 22.

## i. Energy Conservation

Future development under the Reduced Project Alternative would be subject to the Specific Plan land use plan and zoning, as well as the City's OMCP and SDMC, and would be subject to the development and design standards and conceptual designs provided in the Specific Plan. Future development under the Reduced Project Alternative would result in slightly decreased energy use compared to the project as 267 less dwelling units could be built in the Specific Plan area. Therefore, impacts associated with energy conservation would be less than significant, slightly less than the project.

## j. Noise

Future development under the Reduced Project Alternative would be subject to the Specific Plan, as well as the City's OMCP and SDMC. The Reduced Project Alternative would not include residential development in PA 22 and would result in a net reduction of 267 dwelling units and a reduction in traffic and associated noise. Future development under the Reduced Project Alternative would be subject to implementation of mitigation measures documented in this EIR for noise that would reduce noise impacts. Reducing residential land uses under the Reduced Project Alternative would not avoid potentially significant noise impacts associated with construction and stationary sources, including potential impacts from future schools and roadways, as impacts from traffic generated noise occur at other PAs and would not be affected by the reduction in residential development on PA 22. Additionally, without detailed operational data, it cannot be verified that compliance with existing noise regulations would reduce stationary source noise below a level of significance. Therefore, impacts related to traffic-generated noise and stationary source noise (collocation) under the Reduced Project Alternative would remain significant and not mitigated, slightly less than the project.

## k. Paleontological Resources

The Specific Plan under the Reduced Project Alternative would result in the redesignation of 10.5~~10.74~~ acres of residential land uses in PA 22 to open space which is mapped as moderate paleontological sensitivity. Overall buildout and development intensity is anticipated to be the same under this alternative and the proposed project. Existing City LDC Section 142.0151 has been codified to require paleontological monitoring for grading activities, which would apply as mitigation to the project and this alternative. Because PA 22 would not be developed, some paleontological resources would be avoided and impacts related to paleontological resources under the Reduced Project Alternative would be less than significant with mitigation, slightly less than the proposed project.

## l. Traffic/Circulation

Future development under the Reduced Project Alternative would occur pursuant to the proposed Specific Plan, as well as the City's OMCP and SDMC. Buildout under this alternative would be reduced by up to 267 dwelling units compared to the project and traffic generation would be reduced. The Reduced Project Alternative would include the roadway improvements identified in the Specific Plan. Future development would be designed consistent with established roadway design standards, and access to the existing roadway network would be configured consistent with established roadway design standards that would allow for emergency access. While the Reduced Project Alternative would result in fewer dwelling units, VMT per capita under this alternative is not anticipated to differ from the proposed project and significant VMT impacts could occur. Therefore, impacts associated with traffic/circulation would be significant and not mitigated, similar to the project.

## m. Public Services

Future development under the Reduced Project Alternative would result in a reduced demand to require construction of new fire protection, police protection, school, or library facilities since the total buildout of the Specific Plan area would be reduced by up to 267 dwelling units. Construction of any future public service facilities would require a separate environmental review and approval. Therefore, impacts associated with public services would be less than significant, slightly reduced compared to the project.

## n. Utilities

Future development under the Reduced Project Alternative would be subject to the Specific Plan land use plan and zoning and development and design standards provided in the Specific Plan. Development under this alternative, like the project, would reduce demand for utilities and services as compared to the adopted Community Plan. Utility infrastructure improvements under the Reduced Project Alternative would be evaluated as part of a future review for site-specific projects and would require the preparation of a site-specific WMP. The Reduced Project Alternative would likely result in a reduced demand for water supply, wastewater treatment, and solid waste disposal compared to development proposed under the project since overall buildout would reduce by up to 267 dwelling units. Because future projects may not be required to prepare a WMP or may not reduce project-level waste management impacts to below a level of significance, impacts related to solid waste to meet the 75 percent diversion requirement cannot be assured at the program-level. Therefore, impacts associated with utilities would be significant and not mitigated but slightly reduced compared to the project.

## o. Water Supply

Future development under the Reduced Project Alternative would be subject to the Specific Plan land use plan and zoning, development and design standards, and conceptual designs provided in the Specific Plan. Development under this alternative, like the project, would increase the demand for water; however, as the total amount of development would be reduced under this alternative and sufficient water supplies were determined to serve buildout of the Specific Plan, impacts associated with water supply would be less than significant, slightly reduced compared to the project.

## p. Population and Housing

Future development under the Reduced Project Alternative would be located in areas that are already identified to be served by infrastructure as identified in the OMCP, and therefore would not induce population growth. While there would be less residential land uses in the Specific Plan compared to the project, the Reduced Project Alternative would not displace a substantial number of people or housing. Therefore, impacts associated with population and housing would be less than significant, similar to the project.

## q. Agricultural and Mineral Resources

Under the Reduced Project Alternative, development within the project areas would be similar to the proposed project, except that 10.5~~10.74~~ acres in PA 22 would be redesignated for open space instead of residential development. While most of Specific Plan area include areas identified as Farmland of Local Importance, including PA 22, agricultural operations were anticipated as an interim use until development is proposed. Regarding mineral resources, there is no history of mining and there are no mapped or known mineral resources in the OMCP. Land use at PA 22 would be changed to open space with no mining or agricultural use allowed similar to the project and the remaining areas would still be developed similar to the project. Overall, the Reduced Project Alternative would result in less than significant impacts to agricultural and mineral resources, similar to the project.

## r. Greenhouse Gas Emissions

Future development under the Reduced Project Alternative would be subject to the updated Specific Plan, as well as the City's OMCP and SDMC. Future development under the Reduced Project Alternative would also be subject to the implementation of the City's CAP. Residential land uses would be removed from PA 22 under this alternative and buildout of the Specific Plan and associated GHG emissions would be slightly reduced compared to the project. Impacts associated with GHG under the Reduced Project Alternative would be less than significant, similar to the project.

## s. Tribal Cultural Resources

The Reduced Project Alternative would result in the redesignation of 10.5~~10.74~~ acres of PA 22 from residential land uses to open space. The Reduced Project Alternative would have a slightly reduced potential to result in tribal cultural resources impacts considering the footprint reduction of 10.5~~10.74~~ acres; however, potential impacts would still occur. Future development under this alternative would be required to implement mitigation measures similar to the proposed project to reduce impacts. As with the project, impacts related to tribal cultural resources site CA-SDI-22,936 would be significant and not mitigated to below a level of significance~~but incrementally less compared to the project~~. This Reduced Project Alternative would reduce the development area relative to the project due to the decrease of developable areas in PA 22, this alternative would result in incrementally reduced impacts to tribal cultural resources compared to the project.

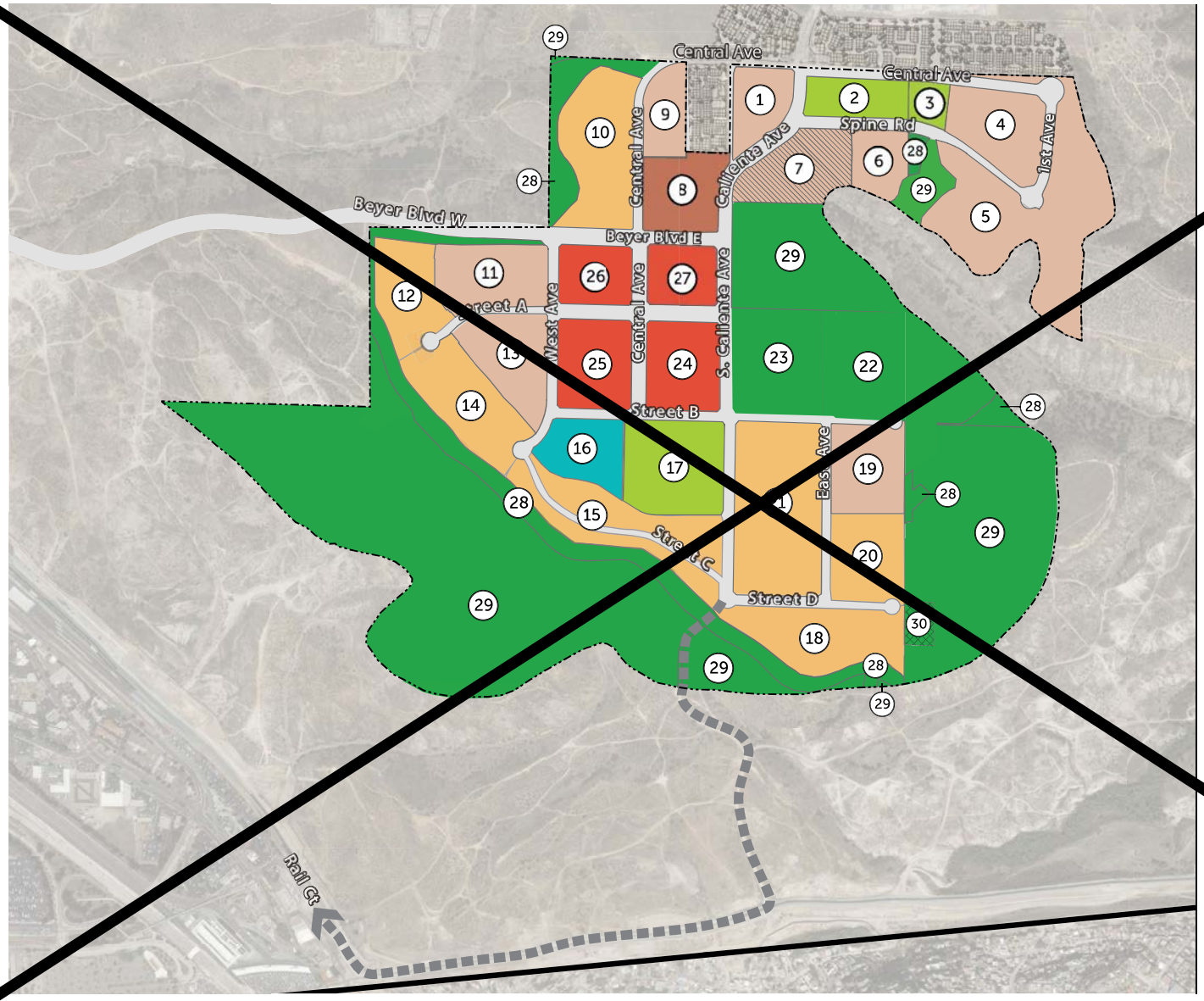
# 9.3.3.3 Conclusion Regarding the Reduced Project Alternative

As described above and summarized in Table 9-1, the Reduced Project Alternative would result in similar or slightly reduced impacts compared to the project, with none of the environmental resources resulting in an increase in the severity of impacts. Under the Reduced Project Alternative, most of the Specific Plan would be similar to the project; however, the land use designations for 10.5~~10.74~~ acres in PA 22 would be changed from residential to MHPA open space. Less than significant impacts associated with visual effects and neighborhood character, population and housing, agricultural and mineral resources, and GHG 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, and paleontological resources, would be reduced under the Reduced Project Alternative compared to the project. The less than significant impacts on energy conservation, public services, and water supply would also be reduced under this alternative. Significant and unmitigated impacts related to land use plan consistency (noise compatibility and historic resources preservation consistency), air quality/odor (criteria pollutants construction and operational emissions and stationary sources and collocation), historical resources (prehistoric and historic), noise (traffic-generated and stationary source noise [collocation]), 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 (health hazards), traffic/circulation (VMT), and tribal cultural resources 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 as balanced of a land use plan (Objective 1) as the proposed project. The removal of a residential block would cause this alternative to not meet the Specific Plan's objectives to provide balanced neighborhoods and a Village Core (Objective 3) with a grid network (Objective 4) as it would result in the reduction of a Village Core and the associated transportation grid network.

## 9.4 Environmentally Superior Alternative

CEQA Guidelines section 15126.6(e)(2) requires an EIR to identify the environmentally superior alternative. If the No Project Alternative is the environmentally superior alternative, the EIR must identify an environmentally superior alternative from the other alternatives. 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 not meet the Specific Plan's objectives to provide balanced neighborhoods (Objective 1) and a Village Core (Objective 3) with a grid network (Objective 4) as it would result in the reduction of a Village Core.

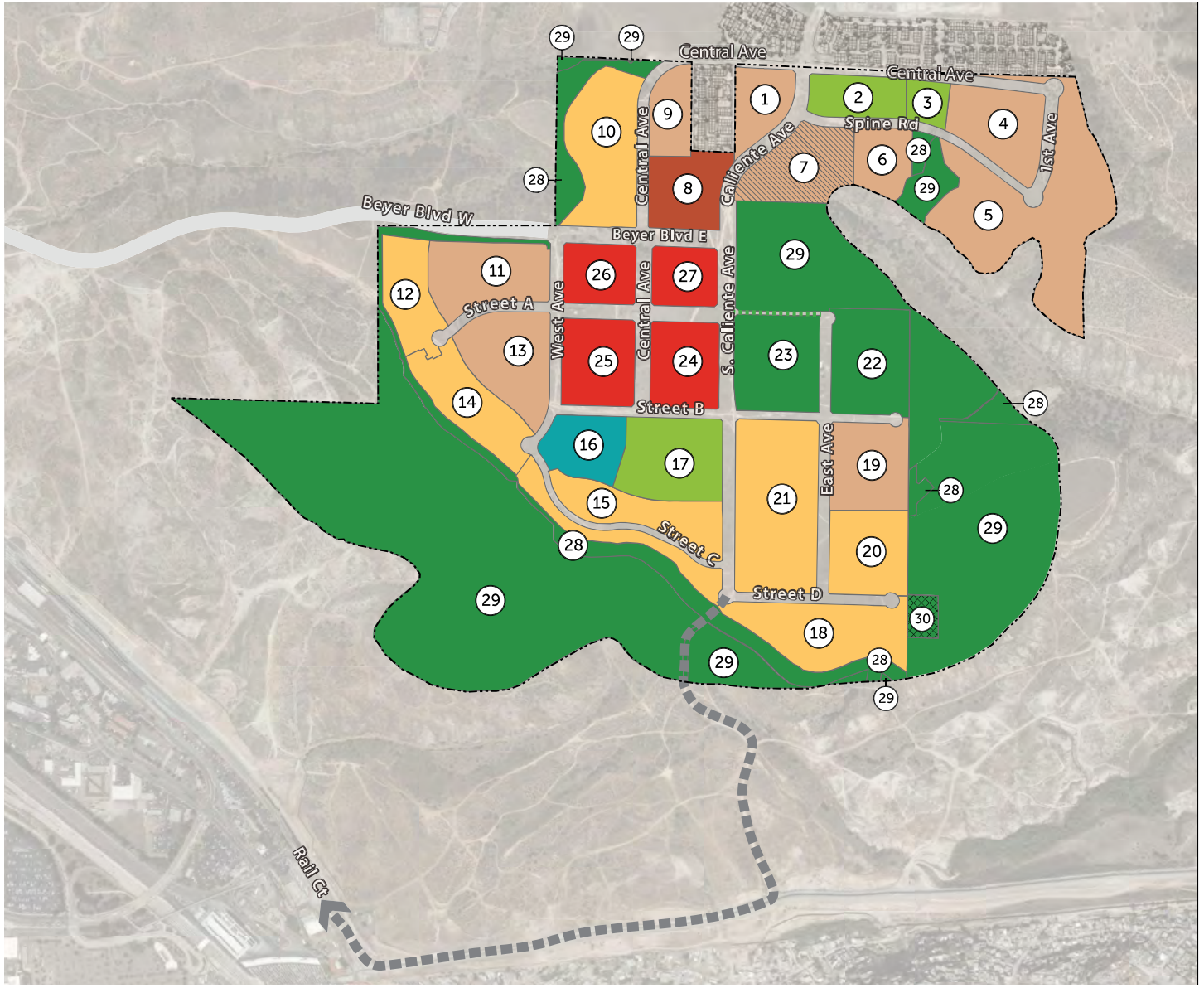



Source: RICK 2024

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# Reduced Project Alternative Site Plan

Figure 9-1




## LEGEND

- Specific Plan Area
- (#) Planning Area
- Residential Mixed-Use 30-62 du/ac
- Medium-High 20-44 du/ac
- Medium 15-29 du/ac
- Medium-Low 8-22 du/ac
- School
- Parks
- Open Space
- School Overlay
- Pump Station Overlay
- Emergency Vehicle Access (EVA) Road

N

NOT TO SCALE

Source: RICK 2026

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# Reduced Project Alternative Site Plan

Figure 9-1

# Chapter 10.0
# Mitigation Monitoring and Reporting Program

California Environmental Quality Act (CEQA) Section 21081.6 requires that a mitigation monitoring and reporting program (MMRP) be adopted upon certification of an Environmental Impact Report (EIR) to ensure that the mitigation measures are implemented for significant or potentially significant impacts. The mitigation monitoring and reporting program specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

The Southwest Village Specific Plan project is described in the Supplemental Environmental Impact Report (SEIR). The SEIR, incorporated herein as referenced, focuses on issues determined to be potentially significant by the City of San Diego (City). This SEIR also 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. The issues determined to require subsequent analysis in the SEIR include land use, landform alteration/visual quality, air quality/odors, biological resources, cultural/historical resources, human health/public safety/hazardous materials, hydrology and water quality, geology, energy conservation, noise, paleontological resources, traffic, public services, utilities, water supply, population and housing, agricultural and mineral resources, greenhouse gas emissions and tribal cultural resources.

The FEIR concluded that the following impacts were significant: land use (ESL regulations, historical resources regulations, MHPA/land use adjacency guidelines), air quality (criteria pollutants, sensitive receptors), biological resources (sensitive plants and animals, migratory wildlife, sensitive habitat, Multiple Species Conservation Program (MSCP), invasive plants, wetland impacts, noise generation), historical resources (prehistoric/historical sites, religious or sacred uses, human remains), human health/public safety/hazardous materials (health and safety hazards, wildfire, aircraft hazards, hazardous sites), hydrology/water quality (runoff, natural drainage system, flow alteration, water quality), geology/soils (geologic hazards, erosion), noise (traffic, stationary sources and construction), paleontological resources, transportation/circulation (capacity), utilities (solid waste), and greenhouse gas emissions. The FEIR indicated that significant impacts associated with build out of the community plan, including the Southwest Village Specific Plan, would be substantially lessened or avoided if the mitigation measures recommended in the FEIR were implemented by future development for various environmental issues.

The FEIR concluded that the following impacts were significant and unavoidable even after implementation of mitigation: air quality (criteria pollutants, sensitive receptors), health and safety (air toxics), noise (traffic, stationary sources and construction), transportation/circulation (capacity), utilities (solid waste), and greenhouse gas emissions.

The FEIR Mitigation Framework has been carried forward into this SEIR for the program-level components, as applicable, to mitigate impacts for the issues of 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 SEIR environmental analysis for the program-level components concluded that all of the significant and potentially significant impacts could be avoided or reduced through implementation of recommended mitigation measures, with the exception of impacts related to noise compatibility, land use and historical resources regulations consistency, criteria pollutants, sensitive receptors/stationary sources and collocation, prehistoric/historic sites, health hazards, traffic generation noise impacts, noise effects for sensitive receptors and species, VMT, solid waste, and tribal cultural resources. Impacts related to these issues would be significant and unmitigated at thea program -level of review. These conclusions are consistent with the FEIR with the exception of the new land use, historical resources, and tribal cultural resources impacts. The VMT impact is consistent with the Findings and Statement of Overriding Considerations from the Complete Communities: Mobility Choices Final PEIR (City of San Diego SCH No. 2019060003 May 2020).

The analysis for the project-level components included implementation of the FEIR Mitigation Framework through site specific studies and identified project specific mitigation measures consistent with the FEIR Mitigation Framework. New project-specific mitigation measures were identified to address potentially significant impacts related to biological resources, historical resources, noise (on-site noise compatibility), traffic/circulation (VMT), and tribal cultural resources. After mitigation, all project-level impacts would be reduced to less than significant except land use plan consistency (noise compatibility) and consistency with historical resource regulations, historical resources, traffic-generated noise, and traffic/circulation (VMT), which would be significant and unmitigated. These conclusions are consistent with the FEIR with the exception of the new land use, historical resources, and traffic/circulation (VMT) impacts. The VMT impact is consistent with the Findings and Statement of Overriding Considerations from the Complete Communities: Mobility Choices Final PEIR (City of San Diego SCH No. 2019060003 May 2020).

The MMRP is under the jurisdiction of the City and other agencies, as specified in the respective measures. The MMRP addresses the impacts identified as significant for the program-level components, as well as those identified as significant for the project-level components, in light of the FEIR. Section 10.1, Program-level MMRP, presents the MMRP for the program-level components, which carries forward the applicable Mitigation Framework from the FEIR as modified for the Specific Plan. Section 10.2, Project-level MMRP, presents the MMRP for the project-level components which implements mitigation consistent with the FEIR Mitigation Framework.

# 10.1 Program-level MMRP

The following is the MMRP for the program-level components, which carries forward the applicable Mitigation Framework from the FEIR, as modified for the Specific Plan.

## ~~10.1.1 Program-Level Mitigation Framework~~

**Land Use**

**SP-LU-1: MHPA Land Use Adjacency Guidelines**

All subsequent development projects that are implemented in accordance with the Specific Plan which are adjacent to designated MHPA areas shall comply with the MHPA Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. Mitigation measures include but are not limited to: sufficient buffers and design features, barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA, and berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or interfere with wildlife utilization of the MHPA. The project biologist for each proposed project shall identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review shall be required to determine the significance of impacts from land use adjacency and compliance with the MHPA Land Use Adjacency Guidelines of the MSCP. Prior to approval of any subsequent development project in an area adjacent to a designated MHPA, the City of San Diego shall identify specific conditions of approval in order to avoid or to reduce potential impacts to adjacent the MHPA.

Specific requirements shall include:

- Prior to the issuance of occupancy permits, development areas shall be permanently fenced where development is adjacent to the MHPA to deter the intrusion of people and/or pets into the MHPA open space areas. Signage may be installed as an additional deterrent to human intrusion as required by the City.
- The use of structural and nonstructural best management practices (BMPs), including sediment catchment devices, shall be required to reduce the potential indirect impacts associated with construction to drainage and water quality. Drainage shall be directed away from the MHPA or, if not possible, must not drain directly into the MHPA. Instead, runoff shall flow into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA.
- Drainage shall be shown on the site plan and reviewed satisfactory to the City Engineer.

- All outdoor lighting adjacent to open space areas shall be shielded to prevent light over-spill off-site. Shielding shall consist of the installation of fixtures that physically direct light away from the outer edges of the road or landscaping, berms, or other barriers at the edge of development that prevent light over spill.

- The landscape plan for the project shall contain no exotic plant/invasive species and shall include an appropriate mix of native species which shall be used adjacent to the MHPA.

- All manufactured slopes must be included within the development footprint and outside the MHPA.

- All brush management areas shall be shown on the site plan and reviewed and approved by the Environmental Designee. Zone 1 brush management areas shall be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area shall be the responsibility of the Owner/Permittee.

- Access to the MHPA, if any, shall be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the Environmental Designee.

- Land uses, such as recreation and agriculture, which use chemicals or generate by-products such as manure, which are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures shall include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance should be provided. Where applicable, this requirement shall be incorporated into leases on publicly owned property as leases come up for renewal.

**Air Quality**

**SP-AQ-1: Control Measures/Technology**

For projects that would exceed daily construction emissions thresholds established by the City, best available control measures/technology shall be incorporated to reduce construction emissions to below daily emission standards established by the City. Best available control measures/technology shall include:

a. Minimizing simultaneous operation of multiple pieces of construction equipment;

b. Use of more efficient, or low pollutant emitting, equipment, e.g., Tier III or IV rated equipment;

c. Use of alternative fueled construction equipment;

d. Dust control measures for construction sites to minimize fugitive dust, e.g., watering, soil stabilizers, and speed limits; and

e. Minimizing idling time by construction vehicles.

**SP-AQ-2: Buffer Sensitive Receptors**

Development that would significantly impact air quality, either individually or cumulatively, shall receive entitlement only if it is conditioned with all reasonable mitigation to avoid, minimize, or offset the impact. As a part of this process, future projects shall be required to buffer sensitive receptors from air pollution sources through the use of landscaping, open space, and other separation techniques.

**SP-AQ-3: Public Notice**

Prior to the issuance of building permits for any new facility that would have the potential to emit toxic air contaminants, in accordance with Assembly Bill 2588, an emissions inventory and health risk assessment shall be prepared. If adverse health impacts exceeding public notification levels (cancer risk equal to or greater than 10 in 1,000,000; see FEIR Section 5.3.5.1 [b and c]) are identified, the facility shall provide public notice to residents located within the public notification area and submit a risk reduction audit and plan to the Air Pollution Control District (APCD) that demonstrates how the facility will reduce health risks to less than significant levels within five years of the date the plan.

**SP-AQ-4: Health Risk Assessment**

Prior to the issuance of building permits for any project within the Specific Plan area containing any of the following facilities, or that proposes locating the facility closer to an air quality sensitive receptor than the recommended corresponding buffer distances, the project shall be required to prepare a health risk assessment (HRA) with a Tier I analysis in accordance with current APCD HRA Guidelines and the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics "Hot Spots" Program Risk Assessment Guidelines (San Diego Air Pollution Control District [SDAPCD] 2022b; OEHHA 2015), or more recent guidance at the time of implementation.

This applies to:

- Distribution Centers that accommodate more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units per day, or where

transport refrigeration unit operations exceed 300 hours per week (1,000 feet buffer)

- Chrome platers (1,000 feet buffer)
- Dry Cleaners using Perchloroethylene, 1 machine (300 feet buffer)
- Dry Cleaners using Perchloroethylene, 2 machines (500 feet buffer)
- Dry Cleaners using Perchloroethylene, 3 machines (Requires consultation with APCD)
- Large Gas Station, 3.6 million gallons or more per year (300 feet buffer)

All required HRAs shall include:

1. The estimated maximum 70-year lifetime cancer risk;
2. The estimated maximum non-cancer chronic health hazard index; and
3. The estimated maximum non-cancer acute health hazard index.

Risk estimates shall each be made for the off-site point of maximum health impact, the maximally exposed individual resident, and the maximally exposed individual worker. The location of each of these receptors shall be specified. The lifetime cancer risk, non-cancer chronic and acute health hazard indexes for nearby sensitive receptors shall also be reported. Cancer and non-cancer chronic risk estimates shall be based on inhalation risks. HRAs shall include estimates of population exposure, including cancer burden, as well as cancer and non-cancer chronic and acute risk isopleths (contours). The HRA shall identify best available control technology required to reduce risk to less than 10 in 1,000,000.

**Biological Resources**

**SP-BIO-1: Sensitive Plants and Wildlife**

To reduce potentially significant impacts that would cause a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, if present within the project area, all subsequent projects implemented in accordance with the project area shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City's Biology Guidelines. The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any listed or rare wildlife species shall be recorded and presented in a biological resources report. Based on available habitat within the project area, focused presence/absence surveys shall be conducted in accordance with the City's Biology Guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the future projects on these

species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the FESA, MBTA, Bald and Golden Eagle Protection Act, California Endangered Species Act (CESA), MSCP Subarea Plan, VPHCP, and ESL Regulations.

In addition to the requirements detailed above, specific measures shall be implemented when the biological survey results in the identification of burrowing owls on the project site. Future projects shall be required to conduct a habitat assessment to determine whether or not protocol surveys are needed. Should burrowing owl habitat or sign be encountered on or within 150 meters of the project site, breeding season surveys shall be conducted. If occupancy is determined, site-specific avoidance and mitigation measures shall be developed in accordance with the protocol established in the "Staff Report on Burrowing Owl Mitigation, State of California Natural Resources Agency Department of Fish and Game. March 7, 2012" (hereafter referred as California Department of Fish and Game [CDFG] 2012, Staff Report). Measures to avoid and minimize impacts to burrowing owl shall be included in a Conceptual Burrowing Owl Mitigation Plan which includes take avoidance (preconstruction) surveys, site surveillance, and the use of buffers, screens, or other measures to minimize construction-related impacts.

**Mitigation for Impacts to Sensitive Upland Habitats**

Future projects implemented in accordance with the project resulting in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City's Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with the Upland Mitigation Ratios currently outlined in Table 3 of the City's Biology Guidelines (City 2018). Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not limited to riparian habitats, wetlands, oak woodlands, and coastal sage scrub consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City Biology Guidelines.

Mitigation for impacts to sensitive vegetation communities shall be implemented at the time future development projects are proposed. Project-level analysis shall determine whether the impacts are within or outside of the MHPA. Any MHPA boundary adjustments shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage.

Mitigation for impacts to sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City 2018). These mitigation ratios are based on Tier level of the vegetation community, the location of the impact and the location of the mitigation site(s). For example, impacts to lands inside of the MHPA and mitigated outside the MHPA would have the highest

mitigation ratio whereas impacts to lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

If 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. Mitigation lands purchased to compensate for impacts to areas within conserved lands shall be located in the Otay Mesa area if feasible.

~~**SP-BIO-2: Migratory Wildlife**~~

~~Mitigation for future projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the project area, shall be identified in site-specific biological resources surveys prepared in accordance with City's Biology Guidelines as further detailed in SP-BIO-1 during the subsequent development review process. The biological resources report shall include results of protocol surveys and recommendations for additional measures to be implemented during construction related activities; shall identify the limits of any identified local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities (e.g., non-native grassland to riparian or agricultural to developed land) to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor. Measures that shall be incorporated into project-level construction documents to minimize direct impacts on wildlife movement, nesting, or foraging activities shall be addressed in the biological resources report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species-specific mitigation plans (such as a Burrowing Owl Mitigation Plan) in order to comply with the FESA, MBTA, Bald and Golden Eagle Protection Act, California Fish and Game Code, and/or the ESL Regulations.~~

**SP-BIO-2~~3~~: Wetlands**

To reduce potential direct impacts to City, state, and federally regulated wetlands, all subsequent projects developed in accordance with the Specific Plan shall be required to comply with USACE Clean Water Act Section 404 requirements and special conditions, RWQCB Clean Water Act Section 401 requirements and special conditions, CDFW Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for avoiding and minimizing impacts to wetlands or compliance with City guidelines for the wetland deviation. Consistency with these regulations for impacts on wetlands and special aquatic sites would reduce potential impacts to regulated wetlands and provide compensatory mitigation (as required) to ensure no net-loss of wetland habitats.

Prior to obtaining discretionary permits for future actions implemented in accordance with the Specific Plan, a site-specific biological resources survey shall be

completed in accordance with the City's Biology Guidelines. In addition, a preliminary or final aquatic resource delineation of the program-level areas shall be completed following the methods outlined in the USACE's 1987 Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region. A determination of the presence/absence and boundaries of any waters of the United States and waters of the state shall also be completed following the appropriate USACE guidance documents for determining the OHWM boundaries. The limits of any riparian habitats within the program-level analysis areas under the sole jurisdiction of CDFW shall also be delineated, as well as any special aquatic sites (excluding vernal pools) that may not meet federal criteria but are regulated by the RWQCB. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize direct impacts to potential wetlands/waters, riparian habitats, vernal pools, etc. consistent with federal, state, and City guidelines. Any required mitigation for impacts shall be outlined in a conceptual wetland mitigation plan prepared in accordance with the City's Biology Guidelines (2018).

Additionally, any impacts to wetlands in the City would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options: Essential Public Projects, Economic Viability Option, or Biologically Superior Option. ESL Regulations require that impacts to wetland be avoided. Unavoidable impacts to wetlands shall be minimized to the maximum extent practicable and mitigated consistent with the City's Biology Guidelines including a no-net loss of wetland resources.

**Vernal Pools and Vernal Pool Species**

Impacts to vernal pools shall be addressed through project compliance with the VPHCP. This includes required assessments of vernal pool flora and fauna, hydrology, habitat function, and restoration potential and protocol fairy shrimp surveys, in addition to the requirements listed above. Mitigation for projects impacting vernal pools shall be consistent with the VPHCP and City of San Diego Biology Guidelines as determined by completion of a Compensatory Mitigation Plan approved by the City and Wildlife Agencies. Mitigation may include salvage of special status species from vernal pools to be impacted, introduction of salvaged material into restored vernal pool habitat where appropriate (e.g., same pool series) and maintenance of vernal pool habitat consistent with the VPHCP.

**Historical Resources**

**SP-HIST-1: Archaeological Resources**

Prior to issuance of any permit for a future development project implemented in accordance with the Specific Plan that could directly affect an archaeological resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any

significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities.

INITIAL DETERMINATION

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological resources, then a historic evaluation consistent with the City Land Development Code Historical Resources Guidelines shall be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

STEP 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report shall generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance shall occur, background research is required which includes a record search at the SCIC at San Diego State University. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information shall be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background

research and field surveys historical resources are identified, then an evaluation of significance must be performed by a qualified archaeologist.

STEP 2:

Once a historical resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will be required which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. At this time, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicate there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

STEP 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring may be required

during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American Traditional Cultural Property or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of PRC Section 5097.98 must be followed. These provisions are outlined in the Mitigation Monitoring and Reporting Program included in the environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may make recommendations about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

STEP 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that will reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental Analysis Section staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and traditional cultural properties containing the confidential resource maps and records search

information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

STEP 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan shall be required in accordance with the project Mitigation Monitoring and Reporting Program. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., Assembly Bill 2641 and California Native American Graves Protection and Repatriation Act of 2001) and federal (i.e., Native American Graves Protection and Repatriation Act) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual (s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, 36 Code of Federal Regulations 79 of the Federal Register. Additional information regarding curation is provided in Section II of the City Land Development Code Historical Resources Guidelines.

**SP-HIST-2: Historic Architectural Resources**

Prior to issuance of any permit for a future development project implemented in accordance with the Specific Plan that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, and any significant historic resources shall be treated in accordance with the Historic Resources Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

a. Preparing a historic resource management plan;

b. Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);

c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;

d. Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and

e. Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.

Specific types of historical resource reports, outlined in Section III of the HRG, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these reports will also recommend appropriate mitigation to reduce the impacts to below a level of significance. If required, mitigation programs can also be included in the report.

**SP-HIST-3: Human Remains**

Although no human remains have been found within the project area, there is a potential for the discovery of human remains during project grading. It is preferable to avoid impacting human remains, but this is not always possible given the potential of uncovering undocumented human remains during project grading or other ground-disturbing activities. When a data recovery program of an archaeological site is required, all possible pre-excavation planning should be implemented to reduce the possibility of the accidental discovery of human remains. Historic era burial locations can often be identified with background research. Forensic dogs can be used to identify human remains, especially in cases where scattered cremation remains are present. Non-destructive ground penetrating procedures such as ground penetrating radar can be used to identify subsurface anomalies that may indicate the presence of inhumations. Since data recovery programs never recover all the data from an archaeological site, similar procedures implemented during

project implementation would be helpful in reducing the potential for discovery of unanticipated human remains.

If human remains are found, existing laws and protocols are required to be followed before proceeding with any project action that would further disturb the remains. Provisions set forth in California PRC Section 5097.98 and state Health and Safety Code Section 7050.5 shall be implemented in consultation with the Most Likely Descendant identified by the NAHC and as described in PR-HIST-2 IV A-C. Discovery of Human Remains, the requirements of which are incorporated here by reference.

**Hazards and Hazardous Materials**

**SP-HAZ-1: Reduction of Risk of Wildfires**

Future projects implemented in accordance with the Specific Plan shall be required to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan, Otay Mesa Community Plan, 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 California Fire Code, Section 145.0701 through 145.0711 of the LDC, and the CWUIC in Title 24, Part 7~~Chapter 7 of the CBC~~.

**SP-HAZ-2: Hazardous Sites**

a. A Phase I ESA shall be completed in accordance with federal, state, and local regulations for any property identified on a list compiled pursuant to Government Code Section 65962.5. The report shall include an existing condition survey, detailed project description, and specific measures proposed to preclude upset conditions (accidents) from occurring. If hazardous materials are identified, a Phase II risk assessment and remediation effort shall be conducted in conformance with federal, state, and local regulations.

b. The applicant shall retain a qualified environmental engineer to develop a soil and groundwater management plan to address the notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater). The qualified environmental consultant shall monitor excavations and grading activities in accordance with the plan. The groundwater management and monitoring plans shall be approved by the City prior to development of the site.

c. The applicant shall submit documentation showing that contaminated soil and/or groundwater on proposed development parcels have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (Regional Water Quality Control Board/Department of Toxic Substances Control/DEHQ) based on the future planned land use of the specific area within the boundaries of the site (i.e., commercial, residential), and that the risk to

human health of future occupants of these areas therefore has been reduced to below a level of significance.

d. The applicant shall obtain written authorization from the regulatory agency (Regional Water Quality Control Board/Department of Toxic Substances Control/DEHQ) confirming the completion of remediation. A copy of the authorization shall be submitted to the City to confirm that all appropriate remediation has been completed and that the proposed development parcel has been cleaned up to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEHQ shall be notified of the proposed land use.

e. All cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, and required permits shall be secured prior to commencement of construction to the satisfaction of the City and compliance with applicable regulations such as but not limited to SDMC Section 42.0801, Division 9 and Section 42.0901 et seq.

**Hydrology and Water Quality**

**SP-HYD/WQ-1: Storm Water Runoff and Drainage**

Prior to approval of development projects implemented under the Specific Plan, the applicant shall demonstrate to the satisfaction of the City Engineer, based on the project application, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations. Future design of projects shall incorporate all practicable measures as further outlined below in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the Land Development Code [LDC]), and the LDC, and shall be based on the recommendations of a detailed hydraulic analysis.

**a. San Diego RWQCB**

- Comply with all NPDES permit(s) requirements, including the development of a Stormwater Pollution Prevention Plan (SWPPP) if the disturbed soil area is one acre or more, or a Water Quality Control Plan if less than one acre, in accordance with the City's Storm Water Standards.

- If a future project includes in-water work, it shall require acquiring and adhering to a 404 Permit (from U.S. Army Corps of Engineers) and a Streambed Alteration Agreement (from CDFW).

- Comply with the San Diego RWQCB water quality objectives and bacteria TMDL.

**b. City of San Diego**

To prevent flooding, future projects shall be designed to incorporate any applicable measures from the City of San Diego LDC. Flood control measures that shall be incorporated into future projects within a SFHA, or within a 100-year floodway, include but are not limited to the following:

- Prior to issuance of building permits or approval of any project within or in the vicinity of a floodway or SFHA, all proposed development within a SFHA is subject to the following requirements and all other applicable requirements and regulations of FEMA and those provided in Chapter 14, Article 3, Division 1 of the LDC.

- In all floodways, any encroachment, including fill, new construction, significant modifications, and other development, is prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c) (13).

- If the engineering analysis shows that development will alter the floodway or floodplain boundaries of the SFHA, the developer shall obtain a CLOMR from FEMA.

- Fill placed in the SFHA for the purpose of creating a building pad shall be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM) Granular fill slopes shall have adequate protection for a minimum flood water velocity of five feet per second.

- The applicant shall denote on the improvement plans “Subject to Inundation” all areas lower than the base elevation plus two feet.

- If the structures will be elevated on fill such that the lowest adjacent grade is at or above the base flood elevation, the applicant must obtain a Letter of Map Revision based on Fill (LOMR-F) prior to occupancy of the building. The developer or applicant shall provide all documentation, engineering calculations, and fees required by FEMA to process and approve the LOMR-F.

- In accordance with Chapter 14, Article 3, Division 1 of the LDC channelization or other substantial alteration of rivers or streams shall be limited to essential public service projects, flood control projects, or projects where the primary function is the improvement of fish and wildlife habitat. The channel shall be designed to ensure that the following occur:

    - Stream scour is minimized.

- Erosion protection is provided.
- Water flow velocities are maintained as specified by the City Engineer. There are neither significant increases nor contributions to downstream bank erosion and sedimentation of sensitive biological resources; acceptable techniques to control stream sediment include planting riparian vegetation in and near the stream and detention or retention basins.
- Wildlife habitat and corridors are maintained.
- Groundwater recharge capability is maintained or improved.

- Within the flood fringe of a SFHA or floodway, permanent structures and fill for permanent structures, roads, and other development are allowed only if the following conditions are met:
  - The development or fill shall not significantly adversely affect existing sensitive biological resources on-site or off site.
  - The development is capable of withstanding flooding and does not require or cause the construction of off-site flood protective works including artificial flood channels, revetments, and levees nor shall it cause adverse impacts related to flooding of properties located upstream or downstream, nor shall it increase or expand a FIRM Zone A.
  - Grading and filling are limited to the minimum amount necessary to accommodate the proposed development, harm to the environmental values of the floodplain is minimized including peak flow storage capacity, and wetlands hydrology is maintained.
  - The development neither significantly increases nor contributes to downstream bank erosion and sedimentation nor causes an increase in flood flow velocities or volume.
  - There shall be no significant adverse water quality impacts to downstream wetlands, lagoons, or other sensitive biological resources, and the development is in compliance with the requirements and regulations of the NPDES as implemented by the City of San Diego.

**SP-HYD/WQ-2: Storm Water Quality**

Future projects shall be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall ensure that any impacts on receiving waters shall be precluded and, if necessary, mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage

Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Stormwater Standards Manual.

Storm water improvements and water quality protection measures that shall be required for future projects include:

- Increasing onsite biofiltration;
- Preserving, restoring, or incorporating natural drainage systems into site design;
- Directing concentrated flows away from MHPA and open space areas. If not possible, drainage shall be directed into sediment basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA or open space areas;
- Reducing the amount of impervious surfaces through selection of materials, site planning, and narrowing of street widths where possible;
- Increasing the use of vegetation in drainage design;
- Maintaining landscape design standards that minimize the use of pesticides and herbicides; and
- To the extent practicable, avoiding development of areas particularly susceptible to erosion and sediment loss.

**San Diego Regional Water Quality Control Board and SDMC Compliance**

- The requirements of the RWQCB for storm water quality are addressed by the City in accordance with the City NPDES requirements and the participation in the regional permit with the RWQCB.
- Prior to permit approval, the City shall ensure any impacts on receiving waters are avoided or mitigated in accordance with the City of San Diego Stormwater Regulations.
- In accordance with the City of San Diego Stormwater Standards Manual, development shall be designed to incorporate on-site storm water improvements satisfactory to the City Engineer and shall be based on the adequacy of downstream storm water conveyance.

**Geology and Soils**

**SP-GEO-1: Geologic Hazards**

Impacts associated with geologic hazards shall be mitigated at the project-level through adherence to the City's Seismic Safety Study and recommendations of a site-specific geotechnical report prepared in accordance with the City's Geotechnical Report Guidelines. Impacts shall also be avoided or reduced through engineering design that meets or exceeds adherence to the SDMC and the CBC.

More specifically, compressible soils impacts shall be mitigated through the removal of undocumented fill, colluvium/topsoil, and alluvium to firm the ground. Future development shall also be required to clean up deleterious material and properly moisture, condition, and compact the soil in order to provide suitable foundation support.

Regarding impacts related to expansive soils, future development shall be required to implement typical remediation measures, which shall include placing a minimum 5-foot cap of low expansive (Expansion Index [EI] of 50 or less) over the clays; or design of foundations and surface improvements to account for expansive soil movement.

**SP-GEO-2: Geotechnical Investigations**

Submittal, review, and approval of site-specific geotechnical investigations shall be completed in accordance with the SDMC requirements. Engineering design specifications based on future project-level grading and site plans shall be incorporated into all future projects implemented in accordance with the Specific Plan to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer and shall include the following measures to control erosion during and after grading or construction:

- Desilting basins, improved surface drainage, or planting of ground covers installed early in the improvement process in areas that have been stripped of native vegetation or areas of fill material;
- Short-term measures, such as sandbag placement and temporary detention basins;
- Restrictions on grading during the rainy season (November through March), depending on the size of the grading operation, and on grading in proximity to sensitive wildlife habitat; and
- Immediate post-grading slope revegetation or hydroseeding with erosion-resistant species to ensure coverage of the slopes prior to the next rainy season.

Conformance to mandated City grading requirements shall ensure that future grading and construction operations will avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, shall be subject to NPDES General Construction Storm Water Permit provisions. Additionally, any development of this significant size within the City shall be required to prepare and comply with an approved Storm Water Pollution Prevention Plan that shall consider the full range of erosion control BMPs such as, but not limited to, including any additional site-specific and seasonal conditions. Project compliance with NPDES requirements will significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development.

Prior to obtaining grading permits for future actions a site-specific geotechnical investigation shall be completed as necessary in accordance with the City of San Diego Guidelines for Preparing Geotechnical Reports. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer. Measures designed to reduce erosion at the project-level shall include the following:

- Control erosion by minimizing the area of slope disturbance and coordinate the timing of grading, resurfacing, and landscaping where disturbance does occur.
- On sites for industrial activities require reclamation plans that control erosion, where feasible, in accordance with the LDC.
- Control erosion caused by storm runoff and other water sources.
- Preserve as open space those hillsides characterized by steep slopes or geological instability in order to control urban form, ensure public safety, provide aesthetic enjoyment, and protect biological resources.
- Replant with native, drought-resistant plants to restore natural appearance and prevent erosion.
- Practice erosion control techniques when grading or preparing building sites.
- Utilize ground cover vegetation when landscaping a development in a drainage area to help control runoff.
- Incorporate sedimentation ponds as part of any flood control or runoff control facility.
- During construction, take measures to control runoff from construction sites. Filter fabric fences, heavy plastic earth covers, gravel berms, or lines of straw bales are a few of the techniques to consider.

- Phase grading so that prompt revegetation or construction can control erosion. Only disturb those areas that will later be resurfaced, landscaped, or built on. Resurface parking lots and roadways as soon as possible, without waiting until completion of construction.

- Promptly revegetate graded slopes with groundcover or a combination of groundcover, shrubs, and trees. Hydroseeding may substitute for container plantings. Groundcovers shall have moderate to high erosion control qualities.

- Where necessary, design drainage facilities to ensure adequate protection for the community while minimizing erosion and other adverse effects of storm runoff to the natural topography and open space areas.

- Ensure that the timing and method of slope preparation protects natural areas from disturbance due to erosion or trampling. The final surface shall be compacted and spillovers into natural areas shall be avoided.

- Plant and maintain natural groundcover on all created slopes.

When required, the geologic technical report shall consist of a preliminary study, a geologic reconnaissance, or an in-depth geologic investigation report that includes fieldwork and analysis. The geologic reconnaissance report and the geologic investigation report shall include all pertinent requirements as established by the Building Official.

In addition, the Building Official shall require a geologic reconnaissance report or a geologic investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site. Section 145.1803 of the SDMC discusses in more detail the requirements related to the geotechnical report outlined in the City Seismic Safety Study (City of San Diego 2008).

**Noise**

**SP-NOS-1: Exterior Noise Analysis**

Prior to the issuance of building permits, site-specific exterior noise analyses that demonstrate that the project would not place residential receptors in locations where the exterior existing or future noise levels would exceed the noise compatibility guidelines~~standards~~ of the City's General Plan shall be required as part of the review of future residential development proposals. Noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures, may be used to achieve the noise compatibility guidelines~~standards~~. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

**SP-NOS-2: Interior Noise Analysis**

Prior to the issuance of building permits, site specific interior noise analyses demonstrating compliance with the interior noise compatibility guidelines~~standards~~ of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines~~standards~~ of the City's General Plan. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing heating, ventilation, and air conditioning (HVAC) in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines~~standards~~. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

**SP-NOS-3: Site-Specific Acoustical/Noise Analysis**

Prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, shall be prepared which identifies all noise generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Noise reduction measures shall include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

**Paleontological Resources**

**SP-PALEO-1: Paleontological Resources**

**I. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. The applicant shall submit a letter of verification to Resident Engineer (RE) and/or Building Inspector (BI) identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

**II. Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

   a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

   Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to RE and/or BI identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known

geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix below).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.

    b. The PI may submit a detailed letter to RE and/or BI prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils , etc., which may reduce or increase the potential for resources to be present.

**III. During Construction**

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The paleontological monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the PI, RE and/or BI of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to RE and/or BI during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter previously undisturbed and paleontologically sensitive geologic deposits as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for paleontological resources to be present.

3. The paleontological monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE and/or BI the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries.

B. Discovery Notification Process

1. In the event of a discovery, the paleontological monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and notify the RE and/or BI. The contractor shall also process a construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).

2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.

3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.

C. Recovery of Fossils

If a paleontological resource is encountered:

1. The paleontological monitor shall salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary as determined by the PI, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.

2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

**IV. Post Construction**

A. Preparation and Submittal of Draft Paleontological Monitoring Report

1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

a. For significant or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

b. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.

2. MMC shall return the Draft Paleontological Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Paleontological Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved Draft Paleontological Monitoring Report.

5. MMC shall notify the RE and/or BI of receipt of all Draft Paleontological Monitoring Report submittals and approvals.

B. Handling of Recovered Fossils

1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.

2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).

2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.

D. Final Paleontological Monitoring Report(s)

1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

**Traffic/Circulation**

**SP-TRA-1: Vehicle Miles Traveled Reduction Measures**

Each future discretionary action (e.g., VTM, Site Development Permit, etc.) will be required to prepare analysis demonstrating consistency with the City's TSM in effect at the time of analysis, including preparation of project-specific LMA and VMT studies. VMT impacts can be mitigated by reducing the number of automobile trips generated by a project or by reducing the distance that people drive. If full mitigation to achieve 15 percent below regional average VMT/capita cannot be achieved, then mitigation to the greatest extent feasible shall be achieved by:

- Implementation of VMT reduction measures outlined in the current City of San Diego Mobility Choices Regulation: Implementation Guidelines or opting into the Active Transportation In-Lieu Fee (ATILF) if the planning area is in Mobility Zones 2 or 3, or
- Payment of the current City of San Diego Mobility Choices Regulations ATILF if the planning area is in Mobility Zone 4, or
- Implementation of other City ordinances or currently adopted policy or mitigation approaches in effect at the time future projects are proposed.

**Utilities**

**SP-UTIL-1: Waste Management Plan**

Pursuant to the City's Significance Determination Thresholds, future subsequent development projects (including construction, demolition, and /or renovation) that would generate 60 tons or more of solid waste shall be required to prepare a WMP. The WMP shall be prepared by the applicant, conceptually approved by the City Environmental Services Department~~ESD~~ and discussed in the environmental document. The WMP shall be implemented by the applicant and address the demolition, construction, and occupancy phases of the project as applicable to include the following:

a. A timeline for each of the three main phases of the project (demolition, construction, and occupancy).
b. Tons of waste anticipated to be generated (demolition, construction, and occupancy).
c. Type of waste to be generated (demolition, construction, and occupancy).
d. Describe how the project will reduce the generation of C&D debris.

e. Describe how the C&D materials will be reused on-site.

f. Include the name and location of recycling, reuse, and landfill facilities where recyclables and waste will be taken if not reused on-site.

g. Describe how the C&D waste will be source-separated if a mixed C&D facility is not used for recycling.

h. Describe how the waste reduction and recycling goals will be communicated to subcontractors.

i. Describe how a "buy recycled" program for green construction products, including mulch and compost, will be incorporated into the project.

j. Describe how the Refuse and Recyclable Materials Storage Regulations (LDC Chapter 14, Article 2 Division 8) will be incorporated into design of building's waste storage area.

k. Describe how compliance with the Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7) will be incorporated in the operational phase.

l. Describe any International Standards of Operation 1, or other certification, if any.

# 10.2 Project-level MMRP

## ~~10.2.1 Monitoring Activities~~

~~Monitoring activities shall be accomplished by individuals identified in the Document Submittal/Inspection Checklist table below. While specific qualifications shall be determined by the City, the monitoring team shall possess the following capabilities:~~

- ~~Interpersonal, decision-making, and management skills with demonstrated experience in working under trying field circumstances;~~
- ~~Knowledge of and appreciation for the general environmental attributes and special features found in the project area;~~
- ~~Knowledge of the types of environmental impacts associated with construction of cost-effective mitigation options; and~~
- ~~Excellent communication skills.~~

## ~~10.2.2 MMRP Procedures~~

~~Prior to any construction activities, a preconstruction meeting is required and shall include all parties involved in the monitoring program to establish the responsibility and authority of the participants. Mitigation measures that need to be defined in greater detail shall be addressed prior to any project plan approvals in follow-up meetings designed to discuss specific monitoring effects.~~

~~An effective reporting system shall be established prior to any monitoring efforts. All parties involved shall have a clear understanding of the mitigation measures as adopted and these mitigations shall be distributed to the participants of the monitoring effort. Those that are required to have a complete list of all the mitigation measures adopted by the City shall include the City of San Diego and Mitigation and Monitoring Coordinator (MMC). The MMC shall distribute to each Environmental Specialist and Environmental Monitor a specific list of mitigation measures that pertain to his or her monitoring tasks and the appropriate time frame that these mitigations are anticipated to be implemented.~~

## ~~10.2.3 General Requirements~~

The following general requirements shall be a part of the MMRP for the project-level components:

**A. GENERAL REQUIREMENTS – PART I**
**Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department ~~Director's~~ Environmental Designee shall review and approve all construction documents (CDs; plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/ MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: http://www.sandiego.gov/development-services/industry/standtemp.html.

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY –** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its costs~~cost~~ to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

**B. GENERAL REQUIREMENTS – PART II**
**Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT:** The PERMIT HOLDER/OWNER is responsible for arranging and performingto arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: Biological Monitor, Archaeological/Native American Monitor, and Paleontological Monitor.

   **Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

   CONTACT INFORMATION:

   a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**

   b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 604791, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the City Engineer. The requirements may not be reduced or changed but may be annotated (e.g., to explain when and how compliance is being met and location of verifying proof). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as neededappropriate (e.g., specific locations, times of monitoring, methodology, etc.)

   **Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by the RE and MMC before the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the Resident Engineer and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17-inch reduction of the appropriate construction plan,

such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

| Document Submittal/Inspection Checklist | | |
|---|---|---|
| Issue Area | Document Submittal | Associated Inspection/Approvals/Notes |
| General | Consultant Qualification Letters | Prior to Preconstruction Meeting |
| General | Consultant Construction Monitoring Exhibits | Prior to or at Preconstruction Meeting |
| Land Use | Land Use Adjacency Issues CVSRs | Land Use Adjacency Issue Site Observations |
| Biology | Biologist Limit of Work Verification | Limit of Work Inspection |
| Biology | Biology Monitoring Reports | Biology/Habitat Inspection |
| Archaeology | Archaeology Reports | Archaeology/Historic Site Observation |
| Paleontology | Paleontology Reports | Paleontological Observations |
| Bond Release | Request for Bond Release Letter | Final MMRP Inspections Prior to Bond Release Letter |

# ~~10.2.4 Project-Level Mitigation~~

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**Land Use**

**PR-LU-1: MHPA Land Use Adjacency Guidelines**

All project-level components~~subsequent development projects~~ that are implemented in accordance with the Specific Plan which are adjacent to designated MHPA areas shall comply with the MHPA Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant

species, grading, and brush management requirements. Mitigation measures include but are not limited to: sufficient buffers and design features, barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA, and berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or interfere with wildlife utilization of the MHPA. The project biologist for each proposed project shall identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review shall be required to determine the significance of impacts from land use adjacency and compliance with the MHPA Land Use Adjacency Guidelines of the MSCP. Prior to approval of any subsequent development project in an area adjacent to a designated MHPA, the City of San Diego shall identify specific conditions of approval in order to avoid or to reduce potential impacts to adjacent the MHPA.

Specific requirements shall include:

- Prior to the issuance of occupancy permits, development areas shall be permanently fenced where development is adjacent to the MHPA to deter the intrusion of people and/or pets into the MHPA open space areas. Signage may be installed as an additional deterrent to human intrusion as required by the City.

- The use of structural and nonstructural best management practices (BMPs), including sediment catchment devices, shall be required to reduce the potential indirect impacts associated with construction to drainage and water quality. Drainage shall be directed away from the MHPA or, if not possible, must not drain directly into the MHPA. Instead, runoff shall flow into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA.

- Drainage shall be shown on the site plan and reviewed satisfactory to the City Engineer.

- All outdoor lighting adjacent to open space areas shall be shielded to prevent light over-spill off-site. Shielding shall consist of the installation of fixtures that physically direct light away from the outer edges of the road or landscaping, berms, or other barriers at the edge of development that prevent light over-spill.

- The landscape plan for the project shall contain no exotic plant/invasive species and shall include an appropriate mix of native species which shall be used adjacent to the MHPA.

- All manufactured slopes must be included within the development footprint and outside the MHPA.

- All brush management areas shall be shown on the site plan and reviewed and approved by the Environmental Designee. Zone 1 brush management areas shall be included within the development footprint and outside the MHPA. Brush

management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area shall be the responsibility of the Owner/Permittee.

- Access to the MHPA, if any, shall be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the Environmental Designee.

- Land uses, such as recreation and agriculture, which use chemicals or generate by-products such as manure, which are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures shall include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance should be provided. Where applicable, this requirement shall be incorporated into leases on publicly owned property as leases come up for renewal.

**Biological Resources**

**PR-BIO-1: San Diego Button Celery**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as detailed below and in PR-BIO-16a and PR-BIO-16b~~prepared by RECON Environmental dated November 2024~~ for the project prior to and~~or~~ during any ground disturbance within areas containing San Diego button celery. Prior to issuance of the first~~for any~~ grading permit~~s~~ for Phase 1, the ADD environmental designee shall verify the requirements for the revegetation/restoration plans and specifications, including salvage of any San Diego button celery in vernal pools that will~~would~~ be impacted and re-establishment of vernal pools containing San Diego button celery at a 3:1 ratio, for a total acreage of 0.03 acre of vernal pools with San Diego button celery, have~~s~~ been shown and noted on the appropriate landscape construction documents. The Landscape Construction Documents (LCDs) and specifications must be found to be in conformance with the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~, the performance criteria~~requirements~~ of which are summarized below, to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and Project Qualified Biologist (PQB)~~Biologist~~. Because all impacts to San Diego button celery occur within two vernal pools affected during Phase 1 grading, all required salvage, seed collection, and establishment of mitigation vernal pools at the 3:1 ratio (0.03 acre) shall be implemented entirely during Phase 1.

A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall oversee restoration activities and ensure performance criteria are met. The restoration effort for San Diego button celery shall require a maintenance contractor to salvage any San Diego button celery in vernal pools that would be impacted and re-establish vernal pools containing San Diego button celery at a 3:1 ratio, for a total acreage of 0.03 acre of vernal pools with San Diego button celery, as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~. The qualified restoration specialist shall submit an as-built report documenting the successful implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Following installation sign-off, the qualified restoration specialist shall submit annual reports assessing the attainment of the detailed success criteria listed in ~~Sections 6.2 through 6.6 of~~ the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan~~prepared by RECON Environmental dated November 2024 for the project~~.

Implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan will require the following~~prepared by RECON Environmental dated November 2024 for the project will require the following~~:

**I. Prior to Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 0.03 acre of vernal pools with San Diego button celery has been shown and noted on the appropriate landscape construction documents. The Landscape Construction Documents (LCDs) and specifications must be found to be in conformance with the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, Landscape Architecture Section (LAS) for review and approval. LAS shall consult with Mitigation Monitoring Coordination (MMC) and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration,

planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (2018). The ~~Principal Qualified Biologist (~~PQB~~)~~ shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM) and Grading Contractor (GC), where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a monthly basis throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and <u>prepare the required summary for MMC, consistent with the monitoring and reporting procedures described in Section IV</u>~~submit a report for approval by MMC~~.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow

release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM) (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, Principal Restoration Specialist (PRS), and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

**II. Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMPs) on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not

listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

   a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential

disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted at minimum weekly intervals for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 3, maintenance visits will occur once per month between January to June and two visits between July to December. Quarterly visits will be conducted during Years 4 and 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur weekly during the 120-day establishment period. During Year 1,

once weekly monitoring for first 2 months, followed by once every other week monitoring for months 2–6, and followed by monthly monitoring thereafter. Monitoring will occur monthly during the growing season during Years 2 through 5. Annual monitoring assessments during all 5 Years will occur throughout the rainy season and growing season.

d. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

e. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.~~ The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of

the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are:

      - CRAM assessments would use the Vernal Pool Module (version 6.2 or most recent) and achieve the following by Year 5:

- Vernal Pool Hydrological Regime Performance Standard:
    - The duration, periodicity, and depth of inundation for the re-established vernal pools would be considered successful if, before the end of the monitoring period, the vernal pools demonstrate hydrological patterns of duration, periodicity, and depth of inundation that fall within the range of the highest-functioning reference vernal pool.
    - Total area of inundation of the mitigation vernal pools must be equal to the area proposed in the mitigation plan during an average of above average rainfall year.
    - Each re-established vernal pool must be inundated for a duration and depth that is within the range inundation observed for the reference vernal pools. Each re-established vernal pool must be inundated, during an average or above rainfall year, for a duration and depth that supports vernal pool flora and fauna.
    - The average depth and duration of inundation of the re-established pools must be consistent with the average depth and duration of the reference pools.
- Biological Vernal Pool Performance Standards
    - Native species richness: at least 6
    - Endemic vernal pool species cover (percent): at least 40
    - Non-native cover (percent): Under 10, 0 California Invasive Plant Council (Cal-IPC) high or perennial species
- Endemic Vernal Pool Plant Species Richness
    - The endemic vernal pool species richness (i.e., number of native vernal pool species) value for each of the restored vernal pools is equal to or greater than the minimum value found in the reference vernal pool.
    - The average value of vernal pool species richness for all of the restored vernal pools is equal to or greater than the minimum value found in the reference vernal pools.

- Endemic Vernal Pool Vegetation Cover
    - The vernal pool endemic plant species cover of all re-established pools on average must be at least 40 percent of the average for the reference pools.
    - Vernal pool endemic species cover for each restored vernal pool must increase in each successive year based on initial quantitative monitoring, except in years of extreme drought.
    - A total of 0.03 acre of re-established vernal pool basins shall support San Diego button-celery
- Vernal Pool Non-native Cover
    - Within all the vernal pools in the mitigation sites, California Invasive Plant Council List High or perennial weed species would not be present, and the relative cover of all other non-native species would not exceed ten percent.
    - The average absolute cover of non-native species in the restored/enhanced vernal pools must be less than the average absolute cover of non-native species of the reference pools

▪ San Diego and Riverside Fairy Shrimp

- Success for fairy shrimp re-introduction shall be determined by measuring the ponding of water, presence of viable cysts, hatched fairy shrimp, and gravid females, as outlined below:
    - Water measurements shall be taken annually in the re-established vernal pools to determine the depth, duration, and quality (e.g., pH, temperature, total dissolved solids, and salinity) of ponding. The re-established vernal pools shall pond for a period of time and at an appropriate depth and quality to support fairy shrimp.
    - Wet samples shall be taken annually in the re-established pools to determine the presence of hatched fairy shrimp and gravid females. Hatched fairy shrimp and gravid females shall be present in the re-established vernal pools for at least three wet seasons before a determination of success can be made.

- Dry samples shall be taken in the re-established vernal pools to determine the presence of viable cysts in the soils. Dry sampling shall occur in the last year to verify the viable cyst presence.

- Upland Southern Maritime Succulent Scrub
  - Percent cover native shrub species: 60
  - Percent cover native herbaceous species: 50
  - Species richness: 75
  - Percent cover non-native species: less than 10, 0 Cal-IPC high or perennial species
- Quino Checkerspot Butterfly Performance Standards
  - Success for the patches of Quino checkerspot butterfly habitat would demonstrate expansion from pre-mitigation conditions and general improvement with a greater diversity and density of Quino checkerspot butterfly host and nectar species, as follows:
    - Native species richness: 7
    - Non-native cover (percent): less than 10, 0 Cal-IPC high or perennial species

**PR-BIO-2: Otay Tarplant**

The Owner/Permittee shall implement the Otay Tarplant/Native Grassland Mitigation Plan prepared by RECON Environmental dated August 2024 for the project prior to any ground disturbance within areas containing Otay t~~T~~arplant ~~(Beyer Boulevard)~~. This mitigation plan shall be implemented prior to the issuance of the initial Phase 4 (native grassland impact) or Beyer Boulevard West (Otay tarplant impact) grading permit, whichever is issued first. Overall supervision of the installation and maintenance of this restoration effort pursuant to the performance criteria will be the responsibility of a qualified restoration specialist with at least five years of native habitat and sensitive plant species restoration experience and a four-year degree in ecology, conservation biology or a related field. The restoration effort shall ensure a 4:1 replacement of impacted Otay tarplant within a 1-acre area. Restoration shall involve seed collection from on-site Otay tarplant prior to fall rains when seeds are fully mature. Native grassland species that co-exist well with Otay tarplant and compete with non-native weed species shall be seeded in the restoration area. Habitat restoration shall occur pursuant to the Otay Tarplant Restoration/Native Grassland M~~m~~itigation Plan ~~prepared by RECON Environmental dated November~~

~~2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. At the end of the five-year monitoring period, a minimum of 7,600 Otay tarplant individuals should be present within the mitigation site; however, the number of individuals expected to be present may be adjusted based on the results of the pre-construction survey. The qualified restoration specialist shall submit annual reports assessing the success of the Otay tarplant restoration effort as detailed in Section 6.1 of the Otay Tarplant/Native Grassland Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~. The restoration effort shall continue until receipt of sign-off from the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~.

The Owner/Permittee shall provide funding to the City to manage the lands associated with this mitigation plan consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the grading permit for Phase 4 or Beyer Boulevard West, whichever is issued first, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the Otay tarplant/native grassland mitigation land consistent with the City's MHPA management standards. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies' approval.

As detailed in the Otay Tarplant/Native Grassland Mitigation Plan, the project shall require the following~~Implementation of the Otay Tarplant/Native Grassland Mitigation Plan prepared by RECON Environmental dated August 2024 for the project will require the following~~:

**I. Prior to Permit Issuance**

A. LDR Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable; the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of Otay tarplant within a 1-acre area has been shown and noted on the appropriate landscape construction documents. The LCDs and specifications must be found to be in conformance with the Otay Tarplant and Native Grassland Mitigation Plan~~Otay Tarplant Restoration Plan prepared by RECON Environmental dated November 2024 for the project~~, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval.

LAS shall consult with MMC and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (2018). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of offsite in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

**II. Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

   a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to

obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 and Year 2, monitoring will occur other week during the Otay tarplant growing/blooming season (January – June). Monitoring will occur monthly during Years 3 through 5. Annual monitoring assessments during all 5 Years will occur in the spring.

d. All plant material must have survived without supplemental irrigation for the last two years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

g. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.~~ The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Otay Tarplant/Native Grassland Mitigation Plan are:

      - Otay Tarplant

        - At the end of the five-year monitoring period, a minimum of 7,600 Otay tarplant individuals should be present within the

mitigation site; however, the number of individuals expected to be present may be adjusted based on the results of the pre-construction survey.

- Native Grassland
  - Percent cover – total native species (minimum): 60
  - Percent cover – native grass species (minimum): 20
  - Native species richness: 8
  - Percent cover – non-native species (maximum): 40, 0 Cal-IPC high or perennial species

**PR-BIO-3: San Diego Barrel Cactus and Snake Cholla**

The Owner/Permittee shall have a qualified restoration specialist conduct pre-construction survey prior to any ground disturbance within areas containing San Diego barrel cactus and snake cholla (Phase 1, 2, 4, and Beyer Boulevard West extension) to identify and salvage all San Diego barrel cactus and snake cholla present within the phase boundaries for transplantation within either~~implement~~ the proposed vernal pool preserve area as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by PR-BIO-1, PR-BIO-16a, and PR-BIO-16b or the Coastal Cactus Wren restoration area as detailed in the Coastal Cactus Wren Mitigation Plan required by PR-BIO-11~~prepared by RECON Environmental dated November 2024~~ for the project prior to any ground disturbance within areas containing San Diego barrel cactus and snake cholla ~~(e.g., within Phases 1, 2, and 4 and Beyer Boulevard)~~. The Owner/Permittee will initiate the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prior to the issuance of the first grading permit for Phase 1 and will implement the Coastal Cactus Wren Mitigation Plan prior to the issuance of the Beyer Boulevard West grading permit. The final location for translocation of salvaged individuals will be made by the qualified restoration specialist based on timing, species salvaged, and best placement to ensure survival of the translocated individuals, in accordance with the two mitigation plans. A qualified restoration specialist shall be on-site as needed during project activities. Overall supervision of the installation and maintenance of this restoration effort will be the responsibility of a qualified restoration specialist with a minimum of five years of vernal pool restoration experience in coastal southern California and a four-year degree in ecology, conservation biology or a related field. The restoration effort shall require a maintenance contractor that has been approved by the City to salvage any San Diego barrel cactus and snake cholla within the impact areas and translocate them to the proposed vernal pool preserve (within upland areas around vernal pools), as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan, and translocation to the Coastal Cactus Wren restoration area as detailed in the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~. Individual barrel cactus and snake

cholla would be replaced at a 1:1 ratio. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ and the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in ~~Section 6.2 through 6.4 of~~ said plan ~~prepared by RECON Environmental dated November 2024 for the project~~ and the success of the Coastal Cactus Wren Mitigation Plan effort as detailed in Section 6.0 of said plan ~~prepared by RECON Environmental dated August 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~.

Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see VI.C.1.d.).

The Owner/Permittee will provide funding to the City to manage the lands associated with this mitigation measure consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the grading permit for Phase 4 or Beyer Boulevard West, whichever is issued first, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the Otay tarplant/native grassland and coastal cactus wren mitigation land consistent with the City's MHPA management standards. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies' approval.

Implementation of the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~ will require the following:

**I. Prior to Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 1.09 acres of coastal cactus wren habitat has been shown and noted on the appropriate landscape construction documents. LCDs and specifications must be found to be in conformance with the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (2018). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

   a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

   b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

   c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

   d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

   e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow

release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed SWPPP training.

**II. Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

   a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PQB~~PBQ~~ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to

obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 through Year 5, monitoring will occur monthly. Annual monitoring assessments during all 5 Years will occur in the spring.

d. All plant material must have survived without supplemental irrigation for the last three years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

f. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. ~~The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to

MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Coastal Cactus Wren Mitigation Plan are:

      - Percent cover – coast cholla: 50

      - Percent cover – native herbaceous species: 20

      - Species richness: 12

      - Percent cover – non-native vegetation: 10, 0 Cal-IPC high or perennial species

**PR-BIO-4: Thread-leaved Brodiaea**

The Owner/Permittee shall obtain a qualified biologist (i.e., a professional with a minimum of five years of rare plant survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) that has been approved by the City to conduct a focused rare plant survey in the spring prior to~~before~~ the start of construction to verify the presence of thread-leaved brodiaea as it has a moderate potential to occur on-site but was not previously detected during biological surveys. If no thread-leaved brodiaea are detected, no additional measures shall be required. If the species is detected, a qualified biologist that has been approved by the City will flag or fence any thread-leaved brodiaea that occur within the temporary and permanent impact areas before initiation of construction activities for the project to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Thread-leaved brodiaea will be avoided to the maximum extent feasible within temporary impact areas. Any individuals that cannot be avoided will be salvaged by a maintenance contractor for transplant and incorporated into the Final Vernal Pool/Quino Checkerspot Restoration area. Habitat restoration shall occur pursuant to the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ and Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~ to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~.

Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 and requirements and final success standards of the Coastal Cactus Wren Mitigation Plan are detailed in PR-BIO-3.

**PR-BIO-5: Quino Checkerspot Butterfly**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by PR-BIO-1, PR-BIO-16a, and PR-BIO-16b~~prepared by RECON Environmental dated November 2024 for the project~~ before any ground disturbance within areas containing Quino Checkerspot Butterfly host or nectar plants for project impacts to 0.93 acre of suitable Quino checkerspot butterfly habitat. Mitigation for Quino checkerspot butterfly shall involve restoration of host plant and nectar plant patches within the vernal pool restoration areas, including preservation and enhancement of 0.96 acre of existing suitable habitat, and restoration/creation of a 0.93-acre area of Quino checkerspot butterfly habitat for a total of 1.89 acres of Quino checkerspot butterfly habitat preservation, enhancement and creation and preservation. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Permit authority would either be through formal consultation through the Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major

AmendmentFormal 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. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prepared by RECON Environmental dated November 2024 for the project to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQBBiologist. Requirements of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1, PR-BIO-16a, and PR-BIO-16b. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in Section 6.2 through 6.6of said plan, prepared by RECON Environmental dated November 2024 for the project. Requirements and fFinal success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d.).

**PR-BIO-6: San Diego and Riverside Fairy Shrimp**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prepared by RECON Environmental dated November 2024 for the project prior to any ground disturbance within areas containing vernal pools. Mitigation is required for direct impacts to 0.94-acre ponding basins containing San Diego Fairy Shrimp, 0.13 acre of indirect impacts to ponding basins containing San Diego Fairy Shrimp, and 0.20-acre of ponding basins containing San Diego and Riverside fairy shrimp. Mitigation for direct and indirect impacts to San Diego and Riverside fairy shrimp species shall be addressed through a 2:1 inoculation of vernal pool surface area, consistent with the requirements of the City's Biology Guidelines for mitigating vernal pools with fairy shrimp. A total of 3.86 acres of re-established vernal pools shall be inoculated with both shrimp species, exceeding the 2:1 mitigation obligation. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prepared by RECON Environmental dated November 2024 for the project to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQBBiologist. Requirements of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1, PR-BIO-16a, and PR-BIO-16b. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in Section 6.2 through 6.4 of said planprepared by RECON Environmental dated November 2024 for the project. Requirements and fFinal success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d).

**PR-BIO-7a: Least Bell's Vireo Breeding Season Avoidance – Construction**

LEAST BELL'S VIREO (State Endangered/Federally Endangered)

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur within least Bell's vireo suitable habitat areas between March 15 and September 15, the breeding season of the least Bell's vireo, until the following requirements have been met to the satisfaction of the City Manager:

A. A qualified biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of the least Bell's vireo. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If the least Bell's vireo is present, then the following conditions must be met:

    1. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

    2. Between March 15 and September 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied least Bell's vireo or habitat. An analysis showing that noise generated by construction activities will not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

    3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo.

Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

B. If least Bell's vireo are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and September 15 as follows:

1. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A. 3 shall be adhered to as specified above.

2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures shall be necessary.

**PR-BIO-7b: Least Bell's Vireo Breeding Season Avoidance – Restoration Implementation**

During the wetland restoration implementation in PR-BIO-16a, impacts to least Bell's vireo could occur. The following measure specific to least Bell's vireo is provided below.

To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the mitigation area should occur outside the breeding season for these species (February 1 to September 15). To avoid indirect impacts to least Bell's vireo nesting within Spring Canyon, any work that may cause noise in excess of 60 A-weighted decibels hourly average, or the ambient if it is greater, shall be avoided during the breeding season for this species (March 15–September~~August~~ 15). If removal of

habitat in the mitigation area must occur during the breeding season, a qualified biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-implementation survey shall be conducted within 3 calendar days prior to the start of restoration activities (including removal of vegetation). The applicant shall submit the results of the pre-implementation survey to the City of San Diego for review and approval prior to initiating any restoration activities. If nesting birds are detected, a letter report in conformance with the City of San Diego's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, work and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the City's satisfaction. The City of San Diego's Mitigation Monitoring Coordinator shall verify and approve that all measures identified in the report are in place prior to and/or during implementation.

**PR-BIO-8a: Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA**

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur within coastal California gnatcatcher suitable habitat areas within MHPA between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

A. A qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of coastal California gnatcatcher. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If gnatcatchers are present, then the following conditions must be met:

    1. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

    2. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in

noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities will not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

   * Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

B. If coastal California gnatcatcher are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:

   1. If this evidence indicates the potential is high for gnatcatcher to be present based on historical records or site conditions, then condition A.3 shall be adhered to as specified above.

2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures shall be necessary.

**PR-BIO-8b: Coastal California Gnatcatcher Breeding Season Avoidance – Restoration Implementation**

During the wetland restoration implementation in PR-BIO-16a, impacts to coastal California gnatcatcher could occur. The following measure specific to coastal California gnatcatcher is provided.

A. To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the mitigation area should occur outside the breeding season for these species (February 1 to September 15). To avoid indirect impacts to coastal California gnatcatcher nesting within the adjacent maritime succulent scrub, any work that may cause noise in excess of 60 A-weighted decibels hourly average, or the ambient if it is greater, shall be avoided during the breeding season for this species (March 1–August 15). If removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-implementation survey shall be conducted within 3 calendar days prior to the start of restoration activities (including removal of vegetation). The applicant shall submit the results of the pre-implementation survey to the City of San Diego for review and approval prior to initiating any restoration activities. If nesting birds are detected, a letter report in conformance with the City of San Diego's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, work and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the City's satisfaction. The City of San Diego's Mitigation Monitoring Coordinator shall verify and approve that all measures identified in the report are in place prior to and/or during implementation.

**PR-BIO-9a: Crotch's Bumble Bee Impact Minimization**

Should this species no longer be a state candidate for listing or state listed as threatened or endangered at the time of the preconstruction meeting, then no avoidance measures shall be required.

1. Prior to the issuance of a Notice To Proceed (NTP) for construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Environmental Designee (ED) shall review and approve Construction Documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design.

A. The Owner/Permittee shall obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) prior to the issuance of Grading Permit, Demolition Plans/Permits and Building Plans/Permits. Take of any endangered, threatened, candidate species that results from the project is prohibited, except as authorized by State law (California Fish and Game Code Section 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the CESA.

B. To avoid impacts on Crotch's bumble bee, removal of habitat in the proposed area of disturbance should occur outside of the Colony Active Period between April 1 through August 31 as feasible. If the removal of habitat in the proposed area of disturbance must occur during the Colony Active Period, a Qualified Biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall conduct a pre-activity survey no more than three days prior to the initiation of construction activities to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance.

C. Surveys must be conducted by a Qualified Biologist meeting the qualifications discussed in the CDFW guidance (i.e., Survey Considerations for California Endangered Species Act [CESA] Candidate Bumble Bee Species, dated June 6, 2023).

D. The pre-activity survey shall consist of photographic surveys following CDFW guidance (i.e., Survey Considerations for CESA Candidate Bumble Bee Species, dated June 6, 2023). In coordination with CDFW, the Qualified Biologist may be required to send all photo vouchers to a CDFW-approved taxonomist to confirm the identifications of the bumble bees encountered during surveys. The surveys shall consist of passive methods unless a Memorandum of Understanding is obtained from CDFW. If additional activities (e.g., capture or handling) are deemed necessary to identify bumble bees of an unknown species that may be Crotch's bumble bee, then the Qualified Biologist shall obtain the required authorization via a Memorandum of Understanding or Scientific Collecting Permit pursuant to CDFW Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). Survey methods that involve lethal take of species are not acceptable. Survey results will be considered valid until the start of the next colony active period.

E. If pre-activity surveys identify Crotch's bumble bee individuals on-site, the Qualified Biologist shall notify and consult with CDFW to establish, monitor, and maintain no-work buffers around the associated floral resources or nest, as appropriate. The size and configuration of the no-work buffer shall be based on the best professional judgment of the

Qualified Biologist in consultation with CDFW. Construction activities shall not occur within the no-work buffers until the bees appear no longer active (i.e., associated floral resources appear desiccated and no bees are seen flying for three consecutive days indicating dispersal from the area).

F Survey data shall be submitted by the Qualified Biologist to the California Natural Diversity Database (CNDDB) in accordance with the Memorandum of Understanding with CDFW, or Scientific Collecting Permit requirements, as applicable.

**PR-BIO-9b: Crotch's Bumble Bee Habitat Mitigation**

Should this species no longer be a state candidate for listing or state listed as threatened or endangered at the time of the preconstruction meeting, then no Crotch's bumble bee habitat mitigation measure shall be required.

1. Prior to the issuance of a Notice To Proceed for construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Environmental Designee (ED) shall review and approve Construction Documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design.
2. The Owner/Permittee shall mitigate for impacts to Crotch's bumble bee nesting and foraging habitat via preservation of 160.94-acres of Crotch's bumble bee potential foraging and nesting habitat, including approximately 42 acres that supports moderate to high cover of nectar resources, to the satisfaction of the City and CDFW. This mitigation shall be fully secured, approved by MMC and CDFW, and documented in writing prior to issuance of the Notice to Proceed for any construction activities that would impact Crotch's bumble bee foraging or nesting habitat. MMC shall verify that the required mitigation has been completed or secured prior to authorizing the NTP. As described in mitigation measure PR-BIO-15, all upland mitigation would be dedicated in fee title to the City or otherwise protected through a Conservation Easement, Covenant of Easement or Irrevocable Offer of Dedication prior to issuance of the first grading permit for Phase 1 of the project.
3. If creation, restoration, or enhancement is proposed to meet mitigation requirements, the Habitat Mitigation Plan shall be submitted to MMC and CDFW for review and approval prior to issuance of the NTP. Any proposed creation/restoration/enhancement mitigation shall require the preparation of a Habitat Mitigation Plan to the satisfaction of the City and CDFW.

   Creation/restoration/enhancement shall include a locally native plant palette that focuses on preferred nectar species of Crotch's bumble bee with a diversity of blooms across seasons (three preferred species per season with overlapping bloom periods). No pesticides (e.g., herbicides, insecticides, or rodenticides) shall be used during creation/restoration/enhancement activities or long-term maintenance of the mitigation site.

The creation/restoration/enhancement mitigation area shall be protected and managed/maintained in perpetuity. A long-term management plan shall be prepared by a Qualified biologist to ensure long-term habitat sustainability of any restored/created/enhanced bumble bee habitat. The plan shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; a two-year maintenance, monitoring, and reporting program; an estimated completion time; contingency measures; and identify a long-term funding source.

4. Any creation/restoration/enhancement mitigation area shall be covered by a Covenant of Easement to the benefit of the City or dedicated in fee title to the City. The project proponent shall provide funding in an amount approved by the City based on a Property Analysis Record (PAR; Center for Natural Lands Management 1998), or similar cost estimation method, to secure the ongoing funding for the perpetual long-term management, maintenance, and monitoring of the creation/restoration/enhancement mitigation area pursuant to the long-term management plan by an agency, nonprofit organization, or other entity approved by the City.
5. Any proposed preservation mitigation area shall be covered by a Covenant of Easement to the benefit of the City or dedicated in fee title to the City, as determined in consultation with CDFW and the City, to the satisfaction of the City.

**PR-BIO-10: Burrowing Owl Preconstruction Surveys**

PRECONSTRUCTION SURVEY ELEMENT

**Prior to Permit or Notice to Proceed Issuance:**

1. As this project has been determined to be burrowing owl occupied or to have burrowing owl occupation potential, the Applicant or Permit Holder shall submit evidence to the Assistant Deputy Director (ADD) of Entitlements and Multiple Species Conservation Program (MSCP) staff verifying that a Biologist possessing qualifications pursuant to CDFG 2012, Staff Report, has been retained to implement a burrowing owl construction impact avoidance program.

2. The qualified burrowing owl biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's burrowing owl requirements and subsequent survey schedule.

**Prior to Start of Construction:**

1. The Applicant Department or Permit Holder and Qualified Biologist must ensure that initial pre-construction/take avoidance surveys of the project "site" are completed between 14 and 30 days before initial construction activities, including brushing, clearing, grubbing, or grading of the Development Footprint;

regardless of the time of the year. "Site" means the Development Footprint and the area within a radius of 450 feet of the Development Footprint. The report shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or burrowing owl eviction(s) and shall include maps of the Development Footprint and burrowing owl locations on aerial photos.

2. The pre-construction survey shall follow the methods described in CDFG 2012, Staff Report, Appendix D.

3. 24 hours prior to commencement of ground disturbing activities, the Qualified Biologist shall verify results of preconstruction/take avoidance surveys. Verification shall be provided to the City's Mitigation Monitoring and Coordination (MMC) and MSCP Sections. If results of the preconstruction surveys have changed and burrowing owls are present in areas not previously identified, immediate notification to the City and Wildlife Agencies shall be provided prior to ground disturbing activities.

**During Construction:**

1. **Best Management Practices** shall be employed as burrowing owls are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are burrowing owl occupied and have followed all protocol in this mitigation section, or sites within 450 feet of occupied burrowing owl areas, should undertake measures to discourage burrowing owls from recolonizing previously occupied areas or colonizing new portions of the site. Such measures include, but are not limited to, ensuring that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms.

2. **Ongoing Burrowing Owl Detection** –– If burrowing owls or active burrows are not detected during the pre-construction surveys, Section ""A"" below shall be followed. If burrowing owls or burrows are detected during the pre-construction surveys, Section ""B"" shall be followed. NEITHER THE MSCP SUBAREA PLAN NOR THIS MITIGATION SECTION ALLOWS FOR ANY BURROWING OWLS TO BE INJURED OR KILLED OUTSIDE **OR** WITHIN THE MHPA; in addition, IMPACTS TO BURROWING OWLS WITHIN THE MHPA MUST BE AVOIDED.

A. **Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are <u>Not</u> Detected During the Initial Pre-Construction Survey ––** Monitoring the site for new burrows is required using CDFG Staff Report 2012 Appendix D methods for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE –– Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule).*

1) If no active burrows are found but burrowing owls are observed to occasionally (1-3 sightings) use the site for roosting or foraging, they should be allowed to do so with no changes in the construction or construction schedule.

2) If no active burrows are found but burrowing owls are observed during follow up monitoring to repeatedly (4 or more sightings) use the site for roosting or foraging, the City's MMC and MSCP Sections shall be notified and any portion of the site where owls have been sites and that has not been graded or otherwise disturbed shall be avoided until further notice.

3) If a burrowing owl begins using a burrow on the site at any time after the initial pre-construction survey, procedures described in Section B must be followed.

4) Any actions other than these require the approval of the City and the Wildlife Agencies.

B. **Post Survey Follow Up if Burrowing Owls and/or Active Natural or Artificial Burrows are detected during the Initial Pre-Construction Survey ––** Monitoring the site for new burrows is required using CDFG 2012, Staff Report, Appendix D for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE – Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol).*

1) This section (B) applies only to sites (including biologically defined territory) wholly outside of the MHPA – **all direct and indirect impacts to burrowing owls within the MHPA <u>SHALL</u> be avoided.**

2) If one or more burrowing owls are using any burrows (including pipes, culverts, debris piles, etc.) on or within 300 feet of the proposed construction area, the City's MMC and MSCP Sections shall be contacted. The City's MSCP and MMC Section shall contact the Wildlife Agencies regarding eviction/collapsing burrows and coordinate with the Wildlife Agencies and the qualified consulting burrowing owl biologist to address. A translocation plan will be required for any owls discovered within the impact area before or during construction, with the approval of the Wildlife Agencies. No construction shall occur within 300 feet of an active

burrow without written concurrence from the Wildlife Agencies. This distance may increase or decrease, depending on the burrow's location in relation to the site's topography, and other physical and biological characteristics.

a) **Outside the Breeding Season** –– If the burrowing owl is using a burrow on site outside the breeding season (i.e., September 1 – January 31), the burrowing owl may be evicted after the qualified burrowing owl biologist has determined via fiber optic camera or other appropriate device, that no eggs, young, or adults are in the burrow. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFG 2012, Staff Report, Appendix E (or most recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

b) **During Breeding Season** –– If a burrowing owl is using a burrow on-site during the breeding season (February 1-August 31), construction shall not occur within 300 feet of the burrow until the young have fledged and are no longer dependent on the burrow, at which time the burrowing owls can be evicted. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFG 2012, Staff Report, Appendix E (or most recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

3. **Survey Reporting During Construction ––** Details of construction surveys and evictions (if applicable) carried out shall be immediately (within 5 working days or sooner) reported to the City's MMC, and MSCP Sections and the Wildlife Agencies and must be provided in writing (as by e-mail) and acknowledged to have been received by the required Agencies and DSD Staff member(s).

**Post Construction**:

4. Details of all surveys and actions undertaken on-site with respect to burrowing owls (i.e., occupation, eviction, locations etc.) shall be reported to the City's MMC and MSCP sections and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries of all previous reports for the site; and maps of the Development Footprint and burrowing owl locations on aerial photos.

**PR-BIO-11: Cactus Wren Habitat Restoration**

The Owner/Permittee shall implement the Coastal Cactus Wren Mitigation Plan ~~prepared by RECON Environmental dated August 2024 for the project~~ prior to any ground disturbance within areas containing suitable coastal cactus wren habitat ~~(Beyer Boulevard).~~ This mitigation plan shall be implemented prior to the issuance of

the first Beyer Boulevard West grading permit. Mitigation is required to offset a total of 1.09 acre of impacts to cactus wren habitats, including 0.63 acre of direct impact and 0.46 acre of indirect impacts. The Coastal Cactus Wren Mitigation plan proposes to mitigate impacts to coastal cactus wren habitat through restoration of existing low quality disturbed maritime succulent scrub and enhancement of surrounding maritime succulent scrub habitat. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. A total of 1.09 acre of coastal cactus wren habitat restoration shall be required within the County of San Diego's Furby North Preserve. The County of San Diego, as the owner of this land will continue to serve as the long-term manager for the area after all success criteria are met. Following installation sign-off, the qualified restoration specialist shall submit annual reports assessing the attainment of the detailed success criteria listed in the plan. The five-year maintenance and monitoring effort shall continue until receipt of sign-off from the MMC, MSCP, and PQB~~Biologist~~. Requirements and final success standards of the Coastal Cactus Wren Mitigation Plan are detailed in PR-BIO-3.

**PR-BIO-12: Western Spadefoot Habitat Restoration**

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ prior to any ground disturbance within areas containing suitable habitat for western spadefoot. Mitigation is required to offset impacts to 1.33-acre of ponding basins containing western spadefoot. Mitigation shall be accomplished by implementing a total of 3.86 acres of re-established vernal pools which serve as suitable habitat for the species. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Monitoring shall be conducted for all existing and reestablished vernal pools during the aquatic phase to document western spadefoot eggs, tadpoles, and adults. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project to the satisfaction~~ of the DSD's Environmental Designee (MMC), MSCP, and PQB~~Biologist~~. Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1. The Owner/Permittee shall obtain a take permit from the USFWS via a Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major Amendment.

**PR-BIO-13: Breeding Season Avoidance/Pre-Construction Surveys for Western Spadefoot**

The Owner/Permittee shall complete grading and construction activities during the dry season when no portions of the project impact area contain areas of ponded water with the potential to support breeding of western spadefoot, as feasible. Prior

to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the western spadefoot are shown on the construction plans: If construction or maintenance must occur during a time when portions of the site may support the breeding of this species, a qualified biologist (holding a Bachelor's degree in Biology or a closely related field with appropriate areas of study to understand San Diego's local floral and faunal relationships; sufficient local field experience in identification of flora or fauna, particularly rare, endangered, and status and trends, including western spadefoot surveys, experience in habitat evaluation and in quantifying environmental impacts, and familiarity with suitable mitigation methods including revegetation design and implementation, as approved by the City)~~. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the western spadefoot are shown on the construction plans: the qualified biologist~~ shall conduct a survey of all potential western spadefoot breeding areas no more than 3 days prior to construction impacts within these areas. If any areas are determined to be occupied by western spadefoot eggs or larva/tadpoles, these areas shall either be:

a) staked or fenced by, or under the supervision of a qualified biologist. No construction/maintenance activities shall occur within these avoidance areas unless authorized by the Qualified Biologist or until the western spadefoot individuals and/or larvae have left of their own accord; or

b) a qualified biologist will relocate eggs or larva/tadpoles to a suitable location such as the vernal pool restoration area, subject to the approval of the City of San Diego.

Regardless of construction timing, a qualified biologist shall be on-site during all construction activities occurring within and adjacent to the disturbed wetlands, vernal pools, and vernal pools with fairy shrimp, to ensure no western spadefoot adult are directly impacted. Any western spadefoot adult found shall be relocated to the nearest safe location containing suitable habitat outside the work area. Both the biological monitor and the translocation area should be approved by the City of San Diego prior to construction.

The biological monitor shall maintain a complete record of any western spadefoot encountered and moved from harm's way during the maintenance activity. Information shall include location, date, and time of observation; details of the observed behavior; relocation site; estimated number of toads seen or heard; and photographs (when feasible). The final monitoring report shall be submitted to the City prior to final grading sign-off.

**PR-BIO-14: Breeding Season Avoidance/Pre-Construction Bird Surveys**

Removal of habitat that supports active nests in the proposed area of disturbance shall occur outside the breeding season (February 1 to September 15) as feasible for northern harrier, coastal cactus wren, Cooper's hawk, southern California rufous-crowned sparrow, white-tailed kite, merlin, bald eagle, California horned lark, yellow-

breasted chat, grasshopper sparrow, yellow warbler, loggerhead shrike, and Bell's sage sparrow, or any species identified as a listed, candidate, sensitive, or special status species in the MSCP. If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting bird species, listed above, on the proposed area of disturbance. The pre-construction survey shall be conducted within 3 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. If these bird species listed above are detected, a letter report in conformance with the City's Biology Guidelines (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

**PR-BIO-15: Dedication of Mitigation Lands**

To mitigate impacts to 63.32 acres for Phase 1, 39.17 acres for Phase 2, 38.47 acres for Beyer Boulevard, 10.48 acres for Phase 4, 1.79 acres for the Emergency Vehicle Access Road, t~~T~~he Owner/Permittee shall provide a minimum of 153.23 acres of upland mitigation lands to offset impacts to sensitive upland vegetation in accordance with the Biology Guidelines. Prior to issuance of the first grading permit for~~within each~~ Phase ~~of the project~~1, the Owner/Permittee shall either dedicate all~~the~~ upland mitigation lands~~for that Phase~~ in fee title to the City or otherwise protect the mitigation lands through a Conservation Easement, Covenant of Easement or Irrevocable Offer to Dedicate (IOD). In total, the project shall dedicate 160.94 acres of sensitive uplands, consisting of 89.94 acres of maritime succulent scrub, 24.82 acres of disturbed maritime succulent scrub, 24.93 acres of Diegan coastal sage scrub, 2.36 acres of disturbed Diegan coastal sage scrub, and 18.89 acres of non-native grassland in fee title or otherwise protect the lands through a Conservation Easement, Covenant of Easement, or IOD to the City. This mitigation package includes 7.71 acres of additional mitigation beyond required mitigation ratios. ~~The Owner/Permittee shall dedicate at least 63.32 acres for Phase 1, 39.17 acres for Phase 2, 38.47 acres for Beyer Boulevard, 10.48 acres for Phase 4, 1.79 acres for the Emergency Vehicle Access Road. If the Candlelight project were to proceed ahead of this project, the Phase 1 mitigation obligation would be reduced by 0.91 acre (0.91 acre of non-native grassland mitigation).~~ If the Southwind project were to proceed ahead of this project, the ~~Phase 1~~ mitigation obligation would~~shall~~ be reduced by 0.34 acre (0.05 acre of maritime succulent scrub, 0.12 acre of disturbed coastal sage scrub, and 0.17 acre of non-native grassland mitigation).

~~The Owner/Permittee will provide a funding source for the City to manage the dedicated lands consistent with Section 1.5, Preserve Management of the City's~~

~~MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the first grading permit for the project, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the mitigation land consistent with the City's MHPA management standards. The endowment payments would be phased to correspond with the phased land dedication, concurrent with project impacts. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies approval.~~

**PR-BIO-16a: Wetland ~~and Vernal Pool Mitigation~~**

Prior to issuance of any~~land development permits including clearing, grubbing, grading, and/or~~ construction permits, such as grading permits, that impact jurisdictional waters, ~~the project applicant shall provide compensatory wetland mitigation for project impacts to City wetlands resulting in no overall net loss of wetlands. T~~the project impact to 0.004~~36~~ acre of riparian forest (southern willow scrub and disturbed southern willow scrub) wetlands shall be mitigated ~~(without Candlelight)~~ at a 3:1 ratio ~~for riparian forest (southern willow scrub and disturbed southern willow scrub)~~ and impacts to 0.36 acre of mule fat scrub shall be mitigated at a 2:1 ratio (mule fat scrub, disturbed riparian, disturbed wetlands, natural flood channel) with a total of 0.73 acre of mitigation consistent with a Final Wetlands Plan and a Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as approved by the City, USACE, RWQCB, and CDFW~~the Wetland Plan prepared by RECON Environmental dated October 2024 for the project~~. The Final Wetlands Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan shall be approved prior to the issuance of the first Phase 1 grading permit.

To ensure no net loss, the mitigation shall include a 1:1 creation or restoration component in accordance with the City's Biology Guidelines.

**PR-BIO-16b: Vernal Pools**

Prior to the issuance of any construction permits, such as grading permits~~Additionally~~, to compensate for the loss of vernal pool and disturbed wetland resources, the applicant shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan ~~prepared by RECON Environmental dated November 2024 for the project~~ to provide~~implement~~ a minimum of 2.18~~5~~ acres or 2.1~~0~~0 acres (without Southwind mitigation) of vernal pool creation as follows.

Direct and indirect impacts to vernal pool and disturbed wetland resources shall be mitigated at a ratio of 2:1 with the exception of the two vernal pools that support San Diego button-celery which shall be mitigated at a ratio of 3:1 (see mitigation measure PR-BIO-1). A total of 2.18 acres of vernal pool basins shall be restored in phases within the 33.7 acre vernal pool preserve to mitigate for project impacts. The phases shall be proportional to impacts associated with each development phase as follows: Phase 1/EVA Road (82%), Phase 2/4 (15%), and Beyer Boulevard West (3%).

A. Prior to the issuance of grading permits for Phase 1/EVA Road, direct and indirect impacts to 0.14 acre of disturbed wetland and 0.74 acre of vernal pool shall be mitigated at a 2:1 ratio and 0.01 acre of vernal pool with button celery shall be mitigated at a 3:1 ratio (see mitigation measure PR-BIO-1), with a minimum mitigation of 1.79 acres of vernal pool basin. This represents 82% of the total mitigation required for project-level impacts to vernal pools/disturbed wetlands, which would correspond to the restoration of 3.16 acres of vernal pool basin within 27.63 acres of the vernal pool mitigation area.

B. Prior to the issuance of the initial grading permit for Phases 2 or 4, whichever is issued first, impacts to 0.16 acre of vernal pools (0.14 acre)/disturbed wetlands (0.04 acre) shall be mitigated at a 2:1 ratio for a minimum of 0.32 acre of vernal pool basin. This represents 15 percent of the total mitigation required for project-level impacts to vernal pools/disturbed wetlands, which would correspond to the restoration of 0.58 acre of vernal pool basin within 5.06 acre of the vernal pool mitigation area.

C. Prior to the issuance of the grading permit for Beyer Boulevard West, impacts to 0.04 acre of vernal pools shall be mitigated at a 2:1 ratio for a minimum of 0.08 acre of vernal pool basin. This represents 3 percent of the total mitigation required which would correspond to the restoration of 0.12 acre of vernal pool basin within 1.01 acre of the vernal pool mitigation area.

| Grading Phase | Vernal Pool and Disturbed Wetland | | | Total Mitigation Required (% of total) | Total basin area to be created (acres phased by % of total mitigation) | Total Restoration Area (acres phased by % of total mitigation) |
|---|---|---|---|---|---|---|
| | Direct and indirect Impact (acres) | Mitigation Ratio | Mitigation Required | | | |
| Phase 1/EVA | 0.88 | 2:1 | 1.76 | 82% | 3.16 | 27.63 |
| Road[1] | 0.01[2] | 3:1 | 0.03 | | | |
| Phase 2/4 | 0.16 | 2:1 | 0.32 | 15% | 0.58 | 5.06 |
| Beyer Boulevard West | 0.04 | 2:1 | 0.08 | 3% | 0.12 | 1.01 |
| Total | 1.09 | - | 2.18 | - | 3.86 | 33.70 |

NOTE: Totals may not add due to rounding.

[1] Mitigation would be implemented for impacts within the Southwind project area by the first project to proceed. If these impacts occur and are mitigated by another project, the impacts and mitigation obligations would be eliminated from this project.

[2] 0.01 acre of vernal pool supports San Diego button-celery which requires a 3:1 mitigation ratio, per the VPHCP.

Prior to issuance of any~~land development permits, including clearing, grubbing, grading, and/or~~ 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 Subarea Plan and VPHCP and in accordance with the terms and

conditions of all required permits. Areas under the jurisdictional authority of USACE, RWQCB, and CDFW shall be delineated on all grading plans.

A Wetland Plan and a Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan have been prepared for the project. To obtain the necessary permits, the applicant shall submit a Final Wetlands ~~Mitigation and Monitoring~~ Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation ~~and Monitoring~~ Plan to the satisfaction of the City, USACE, RWQCB, and CDFW. The final plans shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; a five-year maintenance, monitoring, and reporting program; an estimated completion time; and contingency measures and shall identify a long-term funding source. ~~A Wetland Plan by RECON Environmental dated October 2024 and Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan by RECON Environmental dated November 2024 have been prepared for the project.~~ The project applicant shall also be required to implement the Final Wetlands ~~Mitigation and Monitoring~~ Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation ~~and Monitoring~~ Plan subject to ~~the~~ oversight and approval by the City~~of the Development Services Department director (or their designee)~~, USACE, RWQCB, and CDFW.

~~Should the purchase of additional mitigation credits be necessary to satisfy permit conditions from USACE, RWQCB, and CDFW, applicant shall secure mitigation credits within a City-approved conservation bank in accordance with the terms and conditions of all required permits. The applicant is required to present proof of mitigation credit purchase to the City, and the wetland permitting agencies prior to issuance of any land development permits.~~

The r~~R~~equirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d.). The requirements and final success standards of the Final Wetland Plan are detailed below.

Implementation of the Final Wetland ~~Mitigation~~ Plan ~~prepared by RECON Environmental dated October 2024~~ for the project will require the following:

**I. Before Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Before NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 0.73 acre of wetlands have been shown and noted on the appropriate landscape construction documents. LCDs and specifications must be found to be in conformance with the Final Wetland Mitigation Plan which

shall include the requirements summarized below~~prepared by RECON Environmental dated October 2024 for the project, the requirements of which are summarized below~~.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence before approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2012). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

   a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

   b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

   c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Before the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed SWPPP training.

**II. Before Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Before beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, before the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Before the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

   a. Before the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC before the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the

MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-Day Plant Establishment Period (PEP)

   a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV.

**III. During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise

chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC before the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**IV. Post Construction**

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During

Year 1 through Year 2, monitoring will occur every other week during the growing season (January – May). During Year 3 through Year 5, monitoring will occur monthly. Annual monitoring assessments will occur in the spring of Years 1, 3, and 5.

d. All plant material must have survived without supplemental irrigation for the last three years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

g. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle~~to document the completion of the 120-day plant establishment period~~. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.~~ The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.~~

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner,

RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

d. The final success standards for the Wetland Mitigation Plan are:

- Vegetative Performance Standards:
  - Percent cover – native tree/shrub species: 60
  - Percent cover – native herbaceous species: 70
  - Species richness: 85
  - Percent cover – non-native species: 10, 0 Cal-IPC high or perennial species

**Historical Resources**

**PR-HIST-1: Data Recovery for CA-SDI-22, 936**

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, the Applicant shall provide a letter of completion prepared by the Qualified Archaeologist (as defined in the Historical Resources Guidelines) that oversaw the recovery program that demonstrates, to the satisfaction of MMC, that the Archaeological Data Recovery Program (ADRP) for archaeological site (CA-SDI-22,936) was completed. This letter shall include the Final ADRP Report with documentation of the Acceptance Verification from the curation institution for all recovered materials. The ADRP with Native American participation shall consist of a statistical sample and shall be implemented in accordance with the Results of the Historical Resources Investigation of the Southwest Village Specific Plan, San Diego, California prepared by RECON Environmental dated March~~November~~ 2026~~4~~ for the project, as follows:

Archaeological Data Recovery Program

A. A two-phased data recovery program shall occur within the low-disturbance central area (665-square-meter portion) of CA-SDI-22,936 that contains the potential intact subsurface deposits.

   i. Phase I shall consist of seven 1x1-meter units to be hand-excavated in 10-centimeter increments until two 10-cm level or sterile subsoil have been encountered, which represents a sample size of 1 percent. Soils shall be dry-screened through a 1/8$^{th}$ inch mesh. Five column samples for macrobotanical analyses will be taken from productive units. A sample of flaked lithic artifacts shall be selected for protein residue analysis.

   ii. Phase II shall occur if data redundancy of the results from the test excavations described in the above 2024 report is not achieved. Data redundancy would be achieved if there is a lack of intra-site variation in artifact distribution, no noticeable increase in amounts of material recovered per volume excavated, or a lack of features that mirror the initial test

excavation results. If intra-site variability in artifact type clustering or features are discovered, Phase II shall be implemented and consist of excavating an additional seven 1x1-meter units, which represents a sample size of 2 percent.

B. Laboratory analysis including specialized studies shall be conducted in accordance with the ADRP in the Historical Resources Investigation prepared by RECON Environmental dated March~~November~~ 2026~~4~~ for the project.

C. Curation of materials recovered during the ADRP with the exception of human remains and any associated grave goods shall be prepared in compliance with local and state standards and be permanently curated at an approved facility that meets the City standards. Provisions for the discovery of Human Remains are described below in PR-HIST-2, IV. Discovery of Human Remains.

D. A Final ADRP Report shall be completed under the oversight of the Qualified Archaeologist and provided to MMC prior to the issuance of any construction permits. The Final ADRP Report shall include documentation of the Acceptance Verification from the curation institution for all recovered materials. The cost of implementing the ADRP, report preparation and curation is the responsibility of the property owner.

E. The results shall be included in the overall construction monitoring report described below in PR-HIST-2, VI. Post Construction.

**PR-HIST-2: Construction Monitoring**

The following project-specific mitigation measure shall be implemented to reduce impacts to unknown or buried historical resources at the project-level:

**I. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical

Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

**II. Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (¼-mile radius) has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼-mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer, Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the CM and/or Grading Contractor.

a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

    a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME; with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

    b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

    b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

**III. During Construction**

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop within 50 feet of

the Discovery and the Discovery Notification Process in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities within 50 feet of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

   a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

   b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program which has been reviewed by the Native

American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains and the soils have been cleared by the Most Likely Descendant (MLD) and the Archaeological Monitor. The following procedures as set forth in CEQA Section 15064.5(e), the California PRC (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains in accordance with PRC section 5097.98.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.

2. NAHC will immediately identify the person or persons determined to be the MLD and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI as follows, and, if:

   a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;

   b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with Public Resources Code (PRC) 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN,

   c. In order to protect these sites, the Landowner shall do one or more of the following:

      (1) Record the site with the NAHC;

      (2) Record an open space or conservation easement on the site;

      (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.

2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).

3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

**V. Night and/or Weekend Work**

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 A.M. of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV – Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8 A.M. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

**VI. Post-construction**

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D), which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms—DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to

the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued

2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**Human Health/Public Safety/Hazardous Materials**

**PR-HAZ-1: Hazardous Sites**

a. The applicant shall retain a qualified environmental engineer to develop a soil and groundwater management plan to address the notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater). The qualified environmental consultant shall monitor excavations and grading activities in accordance with the plan. The groundwater management and monitoring plans shall be approved by the City prior to development of the site.

b. All cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, and required permits shall be secured prior to commencement of construction to the satisfaction of the City and compliance with applicable regulations such as but not limited to SDMC Section 42.0801, Division 9 and Section 42.0901.

**Noise**

**PR-NOS-1: Interior Noise Analysis**

Prior to the issuance of building permits for development on lots containing the buildings or units listed below, site specific interior noise analyses demonstrating compliance with the interior noise compatibility guidelines~~standards~~ of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines~~standards~~ of the City's General Plan. These analyses shall be prepared for development on lots containing the following buildings or units as identified on the Vesting Tentative Map No. 2188969:

- PA 8 - Buildings 1, 2, 12, 13, 16, 17, 18, 19, 20, and 21
- PA 10 – Dwelling Units 1, 2, 3, and 4; Buildings 35, 36, and 37
- PA 11 - Buildings 75, 76, 80, 81, 82 and 83

- PA 12 - Dwelling Units 63, 64, 65, 66, and 67; Buildings 107 and 108

Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing HVAC in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines~~standards~~. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

**Paleontological Resources**

**PR-PALEO-1: Paleontological Resources**

**I. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. The applicant shall submit a letter of verification to Resident Engineer (RE) and/or Building Inspector (BI) identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

**II. Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

    a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

    Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to RE and/or BI identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix below).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.

    b. The PI may submit a detailed letter to RE and/or BI prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils , etc., which may reduce or increase the potential for resources to be present.

**III. During Construction**

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The paleontological monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the PI, RE and/or BI of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to RE and/or BI during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter previously undisturbed and paleontologically sensitive geologic deposits as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for paleontological resources to be present.

3. The paleontological monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE and/or BI the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries.

B. Discovery Notification Process

1. In the event of a discovery, the paleontological monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and notify the RE and/or BI. The contractor shall also process a construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).

2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.

3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.

C. Recovery of Fossils

If a paleontological resource is encountered:

1. The paleontological monitor shall salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary as determined by the PI, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.

2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

**IV. Post Construction**

A. Preparation and Submittal of Draft Paleontological Monitoring Report

1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

    a. For significant or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

    b. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.

2. MMC shall return the Draft Paleontological Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Paleontological Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved Draft Paleontological Monitoring Report.

5. MMC shall notify the RE and/or BI of receipt of all Draft Paleontological Monitoring Report submittals and approvals.

B. Handling of Recovered Fossils

1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.

2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).

2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.

D. Final Paleontological Monitoring Report(s)

1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

**Traffic/Circulation**

**PR-TRA-1: Mobility Zone 4 Active Transportation In-Lieu Fee**

Prior to the issuance of any building permit, the Owner/Permittee shall pay the current City of San Diego Active Transportation In-Lieu fee (ATILF).

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# Chapter 12.0
# Preparers and Individuals Consulted

This document has been completed by the City of San Diego's Development Services Department and is based on independent analysis and determinations made pursuant to the San Diego Land Development Code Section 128.0103.

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- Julia Hill, Associate Planner
- Tim Gabrielson, Engineer
- Michael Taylor, Landscape Architect
- Patricia Trauth, Landscape Architect
- Brendan Hastie, Water Resources Specialist
- Eric Hengesbaugh, Water Resources Specialist

## Wildlife Tracking Institute

### *Wildlife Tracking Study*

- Barry Martin, Wildlife Tracking Consultant

# 12.3 Public Agencies

## U.S. Fish and Wildlife Service

- Jonathan Snyder, Assistant Field Supervisor, Carlsbad Office
- David Zoutendyk, Carlsbad Office, Division Supervisor, Carlsbad Office
- Anita Eng, Biologist, Carlsbad Office

## California Department of Fish and Wildlife

- David Mayer, Senior Environmental Scientist
- Karen Drewe, Senior Environmental Scientist
- Heather Schmalbach, Senior Environmental Scientist
- Allison Kalinowski, Environmental Scientist
- Jessie Lane, Environmental Scientist