

ERRATA

Southwest Village Specific Plan Environmental Impact Report No. 0614791 May 28, 2026

Subsequent to distribution of the final Subsequent Environmental Impact Report (Final SEIR) for the Southwest Village Specific Plan Project (project), minor revisions to the SEIR have been made. Specifically, revisions have been made to clarify the implementation timing for mitigation measures PR-LU-1 and SP-LU-1, to remove an Irrevocable Offer of Dedication as a means of conveying mitigation lands to the City, and clarification that properties proposed to remain in the Agricultural Residential (AR)-1-1 zone do not require a rezone. Additionally, minor formatting and SEIR Section reference errors have been corrected, including a formatting issue that resulted in portions of the responses to comments being duplicated or omitted. These revisions are shown below as ~~double strikethrough~~ text to indicate deletions and double underline text to indicate additions. Text in single ~~strikethrough~~/underline are revisions made between the Draft SEIR and the Final SEIR and are not revisions associated with this Errata.

- 1. Certification, pg. CERT-1:** The text has been revised to remove AR-1-1 from the rezone list, as parcels proposed to remain AR-1-1 in the Specific Plan would not require a rezone.

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

- 2. Response to Comments, pg. RTC-13, Response B-10:** The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

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

As detailed in SEIR Section 5.12.4.4, the project would reduce VMT impacts via mitigation measure SP-TRA-1 for program-level areas and mitigation measure PR-TRA-1 for project-level areas. The proposed mitigation is based on the current City TSM and Mobility Choices Regulations, consistent with the City's Significance Determination Thresholds (City 2022) and Complete Communities: Housing Solutions and Mobility Choices Final PEIR (City 2020; incorporated by reference). The Mobility Choices Program is a programmatic approach to ensure Citywide VMT reductions. The SEIR's proposed mitigation includes payment of the City's Active Transportation In-Lieu Fee (ATILF), which funds future City transportation improvements in VMT-efficient areas in accordance with the Mobility Choices Program. As detailed in SEIR Section 5.12.4.5, impacts related to VMT at both the program and project-level would be significant after mitigation as identified in the Findings and Statement of Overriding Considerations (SOCs) from the Complete Communities: Housing Solutions and Mobility Choices Final PEIR (City 2020; Resolution R-313279; State Clearinghouse Number 2019060003). Per the Complete Communities Findings and SOC, compliance with the City's Mobility Choices Program regulations is considered mitigation to the extent feasible and no further mitigation is required. Refer to the Findings and SOC from the Complete Communities: Mobility Choices Final PEIR for additional details. These documents are available at: <https://www.sandiego.gov/complete-communities> (City 2020).

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

- 3. Response to Comments, pg. RTC-15, Response B-11:** The response has been revised to correct a formatting error that resulted in duplicative text.

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

~~encourage the incorporation of public transit~~ service as buildout of the Specific Plan occurs. As noted in B-10 above, the provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City.

4. **Response to Comments, pg. RTC-16, Response B-17:** The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

B-17: For project related mitigation at SR-905/Caliente Avenue, the commenter requests a pre- and post-development hydraulics and hydrology study, as well as drainage plans and details that depict the Caltrans right-of-way. To clarify, no project-related mitigation at SR-905/Caliente Avenue ramps is required considering no significant impact occurs at this location, but the project would include improvements at this intersection, as shown in SEIR Figure 3-25, *State Route 905 & Caliente Avenue Westbound On-Ramp*. The SEIR includes Appendix F-2, Conceptual Drainage and Water Quality Summary for the Southwest Village Specific Plan and Appendix F-3, Drainage Study for Southwest Village Tentative Map (Preliminary Engineering), which analyze the drainage conditions for the program- and project-level components at an appropriate level of detail to inform the significance conclusions of the SEIR. The project would submit any required documentation related to hydraulics, hydrology, and drainage during the encroachment permits process as outlined in the Caltrans Encroachment Permits Manual (Caltrans 2023, <https://dot.ca.gov/programs/traffic-operations/ep/ep-manual>). No revisions to the SEIR or the hydrology/drainage studies are required.

5. **Response to Comments, pg. RTC-42, Response E-11:** The response has been revised to remove a Conservation Easement and an Irrevocable Offer to Dedicate (IOD) as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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

6. **Response to Comments, pg. RTC-51, Response I-4:** The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

I-4 The commenter asserts that habitat connectivity for a number of smaller animal species would be impacted by the Beyer Boulevard expansion. The SEIR addresses habitat connectivity and wildlife movement for both large and small species. The Wildlife

Movement and Crossing Study (Appendix C, Attachment 2) evaluated movement corridors and habitat use for a variety of species across the project area, including the MHPA lands north and south of the proposed road alignment. While mesocarnivores, including bobcat and coyote, were highlighted due to their detectability and frequent use of Moody Canyon, the study also considered habitat conditions and movement potential for smaller species. To minimize fragmentation and maintain connectivity, the project incorporates wildlife movement features (see Section 3.5.3.1(b), Wildlife Movement Features) specifically designed to support small animals and birds. These include: native landscaping and micro-refugia adjacent to crossing structures to provide cover and movement corridors for reptiles, amphibians, birds, and small mammals; bird-safe glass in areas adjacent to open space (Phases 1 and 2) to reduce collision risk and facilitate safe movement for avian species; and crossing structures designed to accommodate a range of species sizes and movement behaviors, consistent with best practices for wildlife-friendly infrastructure. Refer to Response I-2 above regarding the concerns raised in this comment.

7. Response to Comments, pg. RTC-53, Response I-7: The response has been revised to correct a formatting error that resulted in duplicative text.

I-7 The commenter expresses concern that the mitigation ratio for vernal pool impacts would be insufficient to fully mitigate the project's impacts due to concerns about the success rate. The commenter's conclusion is based on a single study that re-visited a mitigation site 20 years after implementation and does not demonstrate that the mitigation of that example project is comparable to the proposed project mitigation. The mitigation program evaluated in the study cited by this comment does not include performance criteria, monitoring, and maintenance that is included in the proposed project mitigation to ensure long-term mitigation success. The habitat created in the 2006 example project would not meet the requirements of the proposed project mitigation. For example, the 2006 pools that did not hold water in that study would not meet the proposed project's mitigation vernal pool hydrological regime performance standards (see Attachment 14 Section 6.3). ~~The project's mitigation vernal pool hydrological regime performance standards (see Attachment 14 Section 6.3).~~ The Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (VPQCBMP) is included as SEIR Appendix C, Attachment 14 of the Biological Resources Report (SEIR Appendix C) and includes success criteria that must be met before the restoration plan can be signed off and approved as successful mitigation. Project mitigation also requires the implementation of the Vernal Pool and Quino Checkerspot Butterfly Habitat Management Plan (VPQCBHMP) for the Southwest Village Specific Plan Project. The VPQCBHMP identifies a long-term funding source, and long-term management requirements within the vernal pool preserve are detailed in the Habitat Management Plan (Attachment 17 of Appendix C). Ultimately, the project's vernal pool mitigation requires ongoing management and maintenance to ensure impacts are mitigated. Considering the mitigation requirements, the vernal pool mitigation would be successful. Refer to Attachments 14 and 17 of Appendix C for additional details.

- 8. Response to Comments, pg. RTC-59, Response I-15:** The response has been revised to correct a formatting error that resulted in duplicative text.

I-15 The commenter asserts that the vernal pools' proximity to the project footprint would limit wildlife movement and make the mitigation sites vulnerable to edge effects. The presence of development on one side of the proposed vernal pool mitigation area would not result in any significant wildlife movement issues considering the connectivity on the remaining three sides. As noted above, western spadefoot are recorded as travelling from breeding pools for foraging and burrowing. As described in Response I-13, the project protects over 300-acres of upland habitat adjacent to this vernal pool mitigation site to the south and southwest of the proposed vernal pool mitigation area. This 300-acre preserved area is also connected to other MHPA areas (see Wildlife Movement and Crossing Study [Appendix C, Attachment 2] for additional details). In addition, the vernal pool preserve and adjacent protected open space lands would be protected through MHPA Land Use Adjacency Guidelines and General Planning Policies, which address ~~many Guidelines and General Planning Policies, which address~~ many of the edge effects raised by the commentor, including non native plants, roads and utilities, lighting, and noise (see SEIR Section 5.1.2.1.k and mitigation measure PR-LU-1). Fencing the vernal pool preserve as described in the VPQCBMP would allow for spadefoot movement while also (see SEIR Appendix C, Attachment 14) deterring human and domestic animal intrusion. Specific fencing designs would be determined by location, and would include post and rail, wrought iron, or other fencing as provided in Attachment 1 to the VPQCBMP that would contain small gaps to allow spadefoot movement while preventing access by humans or pets. No significant impact issues are raised, and no revision to the SEIR is required as a result of this comment.

- 9. Response to Comments, pg. RTC-60, Response I-17:** The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

I-17 The commenter asserts that the project should provide, at a minimum, 400-meter buffers of upland habitat between the vernal pool mitigation sites and the project footprint. As discussed above, the proposed vernal pool mitigation sites and upland habitat mitigation plans would provide high quality vernal pool habitat surrounded by an additional 300 acres of protected open space to the south and southwest. This is a sufficient distance to facilitate movement of wildlife and maintain connectivity for species between the pools, including for the western spadefoot. The watersheds of the proposed pools would also be protected and completely within the proposed vernal pool preserve, and no further buffer is warranted. Refer to Responses I-14 and I-15 above, which concluded that the current design would support the movement and habitat needs of western spadefoot and other vernal pool-associated species.

- 10. Response to Comments, pg. RTC-69, Response L-5:** The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

L-5 The commenter provides a general, unsupported statement that the SEIR's project description, cumulative impacts analysis, and analysis of land use impacts are inadequate. The comment does not identify any specific informational omission by

reference to CEQA or provide any support for its bare conclusion to provide a specific response. The project description meets the requirements of CEQA Guidelines Section 15124. Impacts were addressed in accordance with the City's Significance Determination Thresholds (City of San Diego 2022) and CEQA. Responses to the commenter's more specific concerns are provided in responses below.

11. Response to Comments, pg. RTC-79, Response L-18: The response has been revised to match the open space acreage reported in the Southwest Village Specific Plan.

L-18 The commenter asserts that the project is inconsistent with the SANDAG 2021 Regional Plan because the SANDAG 2021 Regional Plan depicts habitat conservation in the Specific Plan area. The SANDAG 2021 Regional Plan is not a regulatory document and SANDAG has no land use authority over the Specific Plan area. The SANDAG 2021 Regional Plan draws upon adopted local plans in the region. The Specific Plan was identified by the OMCP and the SANDAG 2021 Regional Plan incorporates land uses included within community plans. The proposed development area of the Specific Plan is shown as white in the graphic presented in this comment; meaning the Specific Plan development area is not identified for habitat conservation. The mapped area referenced in the comment appears to align with the existing conservation areas shown in Figure 2-5, MHPA and VPHCP Conservation Areas of the SEIR. As discussed in SEIR Section 3.4.5.3, the project designates approximately ~~200,185~~ acres as open space, which is roughly ~~141,126~~ more open space acres than the 59 open space acres anticipated in the OMCP. The additional open space and MHPA/VPHCP conserved areas added as a result of the Specific Plan are shown in Figures 3-44 and 3-45, Post-Project MHPA Boundary and VPHCP 100% Conserved Lands of the SEIR. The project would therefore exceed the open space assumptions presented in this comment. In addition, the project includes wildlife crossing features as described in SEIR Section 3.6.2.1(d) to allow wildlife movement across the proposed extension of Beyer Boulevard West. No inconsistency and no significant impact related to any inconsistency with the SANDAG 2021 Regional Plan have been identified.

12. Response to Comments, pg. RTC-94, Response L-39: The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted and to correct a formatting error that resulted in duplicative text.

L-39 The commenter requests that the project prohibit refuse dumping and remove all existing dumped refuse from biological/natural open space and defensible space. It is illegal to discard any waste to discard any waste upon any public right-of-way, City property or private property, without consent of the owner. Existing dumped refuse is not an impact of the proposed project. The project would comply with the City's MSCP General Management Directions and Area Specific Management Directives for Otay Mesa, which require the removal of litter and trash on a regular basis. In addition, illegal dumping would be controlled through the installation of fencing along the MHPA/open space boundaries in compliance with MSCP Land Use Adjacency Guidelines. No revisions to the SEIR are required.

13. Response to Comments, pg. RTC-100, Response L-53: The response has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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

14. Response to Comments, pg. RTC-114 and RTC-115, Response N-1: The response has been revised to clarify the proposed rezones associated with the project.

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

The OMCP requires preparation of a Specific Plan for the project area in order for development to proceed. Property owners still have the same legal rights as before the Specific Plan proposal; the Specific Plan simply provides greater detail for planning. Currently, all properties within the Specific Plan area are zoned Agricultural-Residential (AR-1-1), which permits 1 dwelling unit per lot. The Specific Plan proposes to rezone properties containing mitigation lands, MHPA, or VPHCP 100% conserved lands to open space zones depending on property ownership. Privately owned parcels within PAs 23 and 29, would be zoned OR-1-2 where up to one single-family dwelling unit per parcel may be permitted. OR zones are intended to preserve privately owned property that is designated open space in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. The OR-1-2 zone is also intended to help implement the habitat preservation goals of the City and the MHPA by applying development restrictions to lands wholly or partially within the boundaries of the MHPA. PA 28 would also be designated open space in the Specific Plan and would be zoned OR-1-2. All OR-1-2 parcels within the Specific Plan area would be permitted to develop one unit per parcel, and any such unit would be subject to the maximum dwelling unit cap of 5,130 dwelling units allowed under the Specific Plan~~the OC zone, which does not allow residential development. These areas are located in PAs 22, 23 and 29 and are either City owned or Applicant owned and would be conserved. The Specific Plan proposes to rezone remaining properties within the open space areas in PA 28 to OR zones to preserve privately owned open space property in a land use plan for such~~

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

City- and applicant-owned parcels in PAs 23 and 29 would be zoned OC-1-1, which does not permit residential development. The purpose of the OC zone is to protect natural and cultural resources and environmentally sensitive lands. It is intended that the uses permitted in this zone be limited to aid in the preservation of the natural character of the land, thereby implementing land use plans.

15. Response to Comments, pg. RTC-119, Response O-11: The response has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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

16. Response to Comments, pg. RTC-131, Response Q-14: The response has been revised to reflect updated language in the Southwest Village Specific Plan.

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

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

and SEIR Section 5.6.3.2(b) regarding emergency access analysis. Finally, the project would be required to comply with the applicable California Building Code regulations related to emergency access at the time of building permit issuance.

17. Response to Comments, pg. RTC-157, Response Q-63: The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

Q-63: The commenter asserts that the Specific Plan and SEIR should be revised to increase the developable area of the Otay Mesa LLC property to a minimum of 25%, consistent with the 1997 MSCP. While the Specific Plan and SEIR do not address properties outside of the Southwest Village Specific Plan area boundary, the City acknowledges that properties zoned OR-1-2 under private ownership would still be allowed to develop the property consistent with the applicable the Municipal Code and the VPHCP. Clarification has been added to footnote 5 of Specific Plan Table 2.1 regarding this issue. Any units developed within the OR-1-2 zone would be subject to the maximum dwelling unit cap of 5,130 dwelling units under the Specific Plan. However, given the lack of existing infrastructure in the area, MHPA development limits, and VPHCP development limits for development in 100% conserved areas, individual property owners are expected to be constrained in obtaining individual permits to develop their parcels, limiting the likelihood that multiple units would be developed. Therefore, assuming development of these parcels would occur and including them in the project analyzed in the SEIR and planned development capacity of the Specific Plan as the commenter requests would be speculative and is not addressed further.

18. Response to Comments, pg. RTC-157, Response Q-67: The response has been revised to correct a formatting error that resulted in duplicative text.

~~**Q-67:** The commenter asks if the formal consultation for western spadefoot mentioned on page 5.4-79 of the SEIR would be conducted as part of the VPHCP MA and cover potential take of~~

Q-67: The commenter asks if the formal consultation for western spadefoot mentioned on page 5.4-79 of the SEIR would be conducted as part of the VPHCP MA and cover potential take of western spadefoot in the program-level areas. Refer to Response Q-66 above regarding the applicability of the VPHCP MA to the project-level areas only. Potential program-level impacts to western spadefoot are addressed through mitigation measure SP-BIO-1, which requires site-specific surveys for future projects implemented under the Specific Plan to avoid or mitigate for impacts to sensitive species, including western spadefoot, consistent with the relevant biological regulations. If future surveys required by mitigation measure SP-BIO-1 in the program-level areas identify potential impacts to western spadefoot and it is a listed species, an HCP would be required through a FESA Section 7 or Section 10 permit, as applicable.

19. Response to Comments, pg. RTC-161, Response Q-75: The response has been revised to correct a formatting error that resulted in a portion of the intended response being omitted.

Q-75 The commenter asserts that the SEIR and the Wildfire Evacuation Study do not acknowledge that the entire Specific Plan area is in a VHFHSZ or analyze the worst-case fire scenario. See Response Q-76 below. As stated in Section 5.6.1.2 of the SEIR, the entire project area is designated as a VHFHSZ according to the California Department of Forestry and Fire Protection’s Resource Assessment Program maps.

Regarding the commenter’s assertion that the project’s wildfire analysis is inadequate, a qualitative analysis of evacuation scenarios was conducted, including Scenario 6, which includes evacuating vehicles associated with the existing, cumulative and project buildout land uses. Overall, there is limited development south of SR-905, and the project is designed to be resilient to wildfire and required to meet the current regulations for development in a VHFHSZ, which includes standards for roadways, water availability, construction materials, and vegetation management requirements. Additionally, the State Fire Marshal’s data shows that homes constructed according to 2022 CBC Chapter 7A standards significantly reduce fire risks for properties located in the Wildland Urban Interface and Fire Hazard Severity Zones (California Building Industry Association 2022, <https://cbia.org/wp-content/uploads/2022/03/Wildfire-Press-Release-Ver-1.2.pdf>). Furthermore, the risk of major structural damage is greatly minimized when homes are part of a well-planned and mitigated master-planned community, such as the project (Federal Emergency Management Agency 2023, https://www.fema.gov/sites/default/files/documents/fema_2023-npr.pdf). According to the Office of the State Fire Marshal Property Loss Data, no master-planned community built after the adoption of CBC Chapter 7A has experienced significant structural losses. Therefore, newer, code-compliant master planned communities, such as those proposed in the Specific Plan, provide a baseline level of high wildfire safety when designed to updated fire code requirements. The community’s fire-smart design in accordance with current and updated regulations would reduce the potential for structure loss from wildfire to below a level of significance. The City has determined that the project’s wildfire analysis is adequate, and no revisions to the SEIR are required.

20. Response to Comments, pg. RTC-163, Response Q-77: The response has been revised to clarify the applicability of the Fire Plan requirement.

Q-77 This comment requests an explanation for the 200-unit threshold requiring preparation of a Fire Plan. Per Section D106.2 of the 2022 California Fire Code that the project-level VTM is subject to, multi-family residential projects with more than 200 dwelling units are required to provide two separate and approved fire apparatus access roads, regardless of whether the development is equipped with an approved automatic sprinkler system. Other future development would be subject to the fire regulations in effect at the time of development application.

21. Response to Comments, pg. RTC-179, Response R-1: The response has been revised to clarify the proposed rezones associated with the project.

R-1 The City acknowledges the commenter’s concerns regarding impacts to property values and property rights. CEQA requires an analysis of physical impacts to the environment; it does not require analysis of social and economic impacts, such as effects related to

property values. Per CEQA Guidelines Section 15131, "an economic or social change by itself shall not be considered a significant effect on the environment." Regardless, the following response is included in the record.

The OMCP requires the preparation of a Specific Plan for the area in order for development to proceed. Property owners still have the same legal rights as before the Specific Plan proposal; the Specific Plan simply provides greater detail for planning. Currently, all properties within the Specific Plan area are zoned AR-1-1, which permits 1 dwelling unit per lot. The Specific Plan proposes to rezone properties containing MHPA, VPHCP 100% conserved lands or project-level mitigation lands with open space zones depending on the property ownership. Privately owned parcels located in PAs 23 and 29, would be zoned OR-1-2 where up to one single-family dwelling unit per parcel may be permitted. OR zones are intended to preserve privately owned property that is designated open space in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. The OR-1-2 zone is also intended to help implement the habitat preservation goals of the City and the MHPA by applying development restrictions to lands wholly or partially within the boundaries of the MHPA. PA 28 would also be designated open space in the Specific Plan and would be zoned OR-1-2. All OR-1-2 parcels within the Specific Plan area would be permitted to develop one unit per parcel, and any such unit would be subject to the maximum dwelling unit cap of 5,130 dwelling units allowed under the Specific Plan the OC zone, which does not allow residential development. These areas are located in PAs 22, 23 and 29 and are either City owned or Applicant owned and would be conserved. The Specific Plan proposes to rezone remaining properties within the open space areas in PA 28 with OR zones to preserve privately owned open space property in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. The OR zones are also intended to help implement the habitat preservation goals of the City and the MSCP by applying development restrictions to lands wholly or partially within the boundaries of the MHPA. The OR 1-2 zone permits 1 dwelling unit per lot, which is consistent with the current AR 1-1 zone. For properties fully within the MHPA, property owners can still develop 25% of a parcel or build one dwelling unit or go Specific Plan area would be permitted to develop one unit per parcel, and any such unit would be subject to the maximum dwelling unit cap of 5,130 dwelling units allowed under the Specific Plan. However, given the constraints in the open space areas such as terrain, access, and easements, residential development potential in OR zones within the Specific Plan area is anticipated to be limited. City- and applicant-owned parcels in PAs 23 and 29 would be zoned OC-1-1, which does not permit residential development. The purpose of the OC zone is to protect natural and cultural resources and environmentally sensitive lands. It is intended that the uses permitted in this zone be limited to aid in the preservation of the natural character of the land, thereby implementing land use plans.

There are no existing public roads in the Specific Plan area that meet the City's engineering standards, nor is there an existing approved subdivision with planned public

roads. The Specific Plan would not fragment public roads serving lots in the Specific Plan area, as asserted in this comment.

- 22. Section 5.1, Project Overview, pg. S-2:** The text has been revised to match the open space acreage reported in the Southwest Village Specific Plan.

To support this level of development, the Specific Plan identifies public facilities including a location for a new 6.2-acre school site and an optional second ~~8.96-9~~ acre school site. The Specific Plan additionally designates ~~18.147-6~~ acres of park space and conceptualizes up to ~~3531.5~~ acres of park uses within the Specific Plan area, 5 miles of trails, and ~~approximately 200485.0~~ acres of open space. Access to the Specific Plan area would be provided from Otay Mesa via Caliente Avenue and from San Ysidro via an extension of Beyer Boulevard.

- 23. Section 1.2, Project Scope, pg. 1-1:** The text has been revised to match the open space acreage reported in the Southwest Village Specific Plan.

The Specific Plan provides a comprehensive policy framework intended to guide future development in the Southwest Village Specific Plan area, consistent with the OMCP and the City of San Diego (City) General Plan (2024) City of Villages Strategy. The Specific Plan area encompasses approximately 490 acres, which, when developed, would allow up to 5,130 attached and detached residences and 175,000 square feet of commercial and retail uses in a mixed-use Village Core. In addition, the Specific Plan would provide public facilities, including the dedication of a new elementary school site, and approximately ~~3531.5~~ acres of developed parks. Five miles of trails, and approximately ~~200485~~ acres of open space, including 60 acres of conserved open space, would also be provided. Access to the Specific Plan area would be from Otay Mesa via an extension of Caliente Avenue and from San Ysidro via an extension of Beyer Boulevard.

- 24. Section 3.4.5.1, Parks, pg. 3-21:** The text has been revised with the correct name for the area being referenced in the Otay Mesa Community Plan.

The OMCP land use plan for the Southwest District included conceptual locations for future park land uses, which are shown as eight rectangular green blocks on Figure 2-4. The final location of parks within the Southwest District would be determined on future specific plans; however, several of the parks were anticipated to be located adjacent to Spring Canyon and adjacent to future school sites. Population-based park acreages for the Southwest ~~District Specific Plan~~ area were planned to be approximately 53.5 acres in the OMCP, which was anticipated to be met with the development of one community park and multiple neighborhood parks; however, OMCP Table 7-1 indicated 59 acres would be necessary for the Southwest Village. One population-based park, Beyer Community Park, was identified as a 7.5-acre community park within the Southwest District, outside of the Specific Plan area to the west and south of the proposed Beyer Boulevard West roadway.

- 25. Section 3.4.5.3, Open Space, pg. 3-24:** The text has been revised to match the open space acreage reported in the Southwest Village Specific Plan.

The OMCP identifies 59 acres of open space within the Specific Plan area while the Specific Plan designates approximately ~~200485~~ acres, or ~~4138~~ percent of land included in the Specific Plan area as open space. Some of the areas (see Figure 3-1, green with hatching) are lands either already conserved or planned for conservation as part of the City's MHPA or Vernal Pool Habitat Conservation Plan (VPHCP). Prior development areas now designated as open space within the Specific Plan area also include undevelopable areas due to steep slopes or other hazards, and those areas planned for recreational uses, trails, nature viewing, and fuel management buffers (see open space areas depicted on Figure 3-1). Other activities allowed within the proposed open space includes storm drain discharge outfalls and brush management (consistent with SDMC Section 142.0412).

- 26. Section 3.5.3.1.b, Beyer Boulevard West, pg. 3-31:** The text has been revised to correct an erroneous reference.

The extension of Beyer Boulevard West from Enright Drive to West Avenue is planned as a modified 4-lane Urban Collector. A portion of this segment is constrained by conserved land (see Figure 3-22, *Conserved Parcels in Relation to Beyer Boulevard West* and refer to Section ~~3.7.93-5.7.3~~) and biological conservation easements. As a result, an approximately 3,500-foot segment would be built with 2 lanes with a reduced sidewalk (four feet width instead of 6.5 feet), parkway, and landscaping area width (see blue hatched areas on Figure 3-20) to include wildlife crossing features (discussed further below). All manufactured slopes surrounding Beyer Boulevard West would be revegetated with native plant species consistent with the surrounding habitats. This segment of Beyer Boulevard West would ~~be conditioned to need to~~ be completed and operational prior to occupancy of the 700th residential unit in the Phase 1 PAs.

- 27. Section 3.5.3.1.b, Beyer Boulevard West, pg. 3-32:** The text has been revised to correct an erroneous reference.

Implementation of Beyer Boulevard West requires various actions related to existing County of San Diego (County) owned lands and conservation lands with California Department of Fish and Wildlife (CDFW) easements. These actions are discussed in Sections ~~3.7.7 and 3.7.93-5.7.3~~.

- 28. Section 3.7.3, Rezone, pg. 3-57:** The text has been revised to remove AR-1-1 from the rezone list, as parcels proposed to remain AR-1-1 in the Specific Plan would not require a rezone.

The project includes a Rezone of the 490-acre Southwest Specific Plan area from AR-1-1 to the following residential base zones: ~~AR-1-1, RM-1-3, RM-3-7, RM-2-5, RM-3-7, and RMX-1, OC-1-1, OR-1-2, and OP-1-1~~. The allowable uses for each base zone are incorporated by reference from the City's LDC and Supplemental Development Regulations are identified in the Specific Plan that provide additional or modified regulations than those in the LDC. The project also proposes to rezone 259.9-acres of properties containing mitigation lands, MHPA, or VPHCP 100% conserved lands outside of the Specific Plan to the OC-1-1 zone, which does not allow residential development. In addition, 5.9 acres that contain drainage and access improvements would be rezoned to OR-1-2. The land to be rezoned outside of the Specific Plan is located directly to the south and southeast of the Southwest Village Specific Plan and would be conserved for habitat preservation and subject to long-term management.

29. Section 3.7.7, Vesting Tentative Map, pg. 3-61: The text has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

The project includes recordation of a covenant of easement over 5.23 acres of ESL within the VTM boundary that are not proposed for development as depicted on Figure 3-46, *Proposed Covenant of Easements for the Protection of Environmentally Sensitive Lands*. All manufactured slopes within BMZ 2 would be revegetated with native species and would be protected through the same covenant of easement as the ESL within the VTM boundary. The easement would ensure permanent protection of the habitat while providing allowance for ongoing vegetation management for fire protection purposes. Additionally, all upland mitigation lands shall be protected through fee title to the City or through a ~~Conservation Easement, Covenant of Easement, or Irrevocable Offer to Dedicate.~~

30. Section 5.12.6.2.c, MHPA and VPHCP BLA Summary, pg. 5.1-82: The text has been revised to match Table 5.1-8, *Summary of Proposed MHPA BLA and VPHCP Conservation Analysis*.

Table 5.1-8, *Summary of Proposed MHPA BLA and VPHCP Conservation Analysis*, provides a summary of the deletions from the MHPA and VPHCP 100% conserved lands and MHPA additions for both the MHPA BLA and VPCHPMA analysis, with an overall accounting of the net MHPA additions. As detailed in Table 5.1-8 MHPA and VPHCP 100% conserved lands deletions of sensitive vegetation communities would total 30.36 acres, while overall MHPA additions of sensitive vegetation communities would total ~~44.25~~^{44.35} acres, resulting in a net increase of ~~13.89~~^{14.19} acres of sensitive vegetation communities. To ensure no net loss of Tier I sensitive vegetation communities 0.50 acre of disturbed lands within MHPA BLA addition area Area A (see Figure 5.1-76) would be restored to maritime succulent scrub as part of the trail restoration providing a net increase of Tier I vegetation communities after restoration. Overall, the MHPA BLAs would result in a net increase of 8.65 acres of Diegan coastal sage scrub, and a net increase of 7.46 acres of non-native grassland areas suitable for vernal pool restoration. Overall, wetland vegetation community acreages would increase after the BLA, including enhancement of disturbed wetlands to create vernal pools and increase the quality of wetland resources within the addition areas. Figure 5.1-8, *Post-Project MHPA Boundary and VPHCP 100% Conserved Lands*, depicts the post-project MHPA and VPHCP/MHPA boundary after BLA and VPHCP MA. As shown, the configuration of the MHPA would result in the expansion of existing blocks of MHPA and VPHCP preserve areas, ensuring functional equivalency of the exchange lands.

31. Section 5.1.6.4.a, SP-LU-1, pg. 5.1-97: The text has been revised to more specifically identify the implementation timing for the mitigation measure.

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 prior to issuance of construction permits per San Diego Municipal Code 143.0110(d). 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 consistent with the MHPA Land Use Adjacency Guidelines of the MSCP and the specific requirements outlined below 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 issuance of construction permits per San Diego Municipal Code 143.0110(d) for approval of any subsequent development project in an area adjacent to a designated MHPA, the City 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 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 overspill.
- 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. BMZ 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 that use chemicals or generate by-products such as manure, which are potentially toxic or impactful 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.

32. Section 5.1.6.4.b, PR-LU-1, pg. 5.1-99: The text has been revised to more specifically identify the implementation timing for the mitigation measure.

PR-LU-1: MHPA Land Use Adjacency Guidelines

All project-level components 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 prior to issuance of construction permits per San Diego Municipal Code 143.0110(d). 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 consistent with the MHPA Land Use Adjacency Guidelines of the MSCP and the specific requirements outlined below 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 issuance of construction permits per San Diego Municipal Code 143.0110(d) for approval of any subsequent development project in an area adjacent to a designated MHPA, the City 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 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 overspill.
- 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. BMZ 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 that use chemicals or generate by-products such as manure, which are potentially toxic or impactful 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.

33. Section 5.4.3.4.b, PR-BIO-9b, pg. 5.4-77: The text has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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, or 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.

34. Section 5.4.3.4.b, PR-BIO-15, pg. 5.4-84: The text has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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, tThe 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 project¹, 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, or 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.~~

35. Section 5.6.5.4.a, PR-HAZ-2, pg. 5.6-35: The text has been revised to clarify the enforcement mechanisms to ensure that the mitigation measure is implemented.

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 prior to the issuance of a grading permit. 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 prior to the issuance of a grading permit.
- 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 prior to the issuance of an occupancy permit.

- 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 prior to each the issuance of a grading permit and occupancy permit. 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.

36. Section 5.6.5.4.b, PR-HAZ-1, pg. 5.6-36: The text has been revised to clarify the enforcement mechanisms to ensure that the mitigation measure is implemented.

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 issuance of grading permits for 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 grading and 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.~~

37. Section 10.1, SP-LU-1, pg. 10-3: The text has been revised to more specifically identify the implementation timing for the mitigation measure.

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 prior to issuance of construction permits per San Diego Municipal Code 143.0110(d). 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 issuance of construction permits per San Diego Municipal Code 143.0110(d) for 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 impactful 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.

38. Section 10.2, Page 10-32: The following matrix was corrected to include hazards, noise, and transportation-related document submittals that are already required in the MMRP but were missing from this checklist.

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
<u>Hazards</u>	<u>Groundwater Management and Monitoring Plans</u>	<u>Prior to issuance of Grading Permits</u>
<u>Noise</u>	<u>Site Specific Interior Noise</u>	<u>Prior to issuance of Building Permits</u>
<u>Transportation</u>	<u>Fee Payment Receipt</u>	<u>Prior to issuance of Building Permits</u>
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

39. Section 10.2, PR-LU-1, pg. 10-32: The text has been revised to more specifically identify the implementation timing for the mitigation measure.

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 prior to issuance of construction permits per San Diego Municipal Code 143.0110(d). 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 issuance of construction permits per San Diego Municipal Code 143.0110(d) for 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 impactful 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.

40. Section 10.2, PR-BIO-9b, pg. 10-75: The text has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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, or 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.

- 41. Section 10.2, pg. 10-81, PR-BIO-15:** The text has been revised to remove a Conservation Easement and an IOD as a method of conveying ownership of mitigation lands from the owner/permittee to the City.

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~~The 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, or 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.~~

- 42. Section 10.1, pg. 10-15, PR-HAZ-2:** The text has been revised to clarify the enforcement mechanisms to ensure that the mitigation measure is implemented.

SP-HAZ-2: Hazardous Sites

- c. 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 prior to the issuance of a grading permit. 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.
- d. 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 prior to the issuance of a grading permit.
- e. 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 prior to the issuance of an occupancy permit.
- f. 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 prior to each the issuance of a grading permit and occupancy permit. 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.
- g. 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.

43. Section 10.2, PR-HAZ-1, pg. 10-103: The text has been revised to clarify the enforcement mechanisms to ensure that the mitigation measure is implemented.

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 issuance of grading permits for 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 grading and 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.~~

Conclusion

Pursuant to CEQA Guidelines Section 15088.5(a), a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. The term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Significant new information requiring recirculation include, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

In accordance with the CEQA Section 15088.5(b), recirculation is not required when new information is added which merely clarifies, amplifies, or makes insignificant modifications to an adequate EIR. The revisions made to the final environmental document does not constitute significant new information. As none of the conditions outlined in Section 15088.5(a) have occurred, recirculation is not required.