



THE CITY OF SAN DIEGO

## ADDENDUM

Project No. 665589  
Addendum to EIR No. 30330/304032  
SCH No. 2004651076

**SUBJECT: Industrial Building SDP (aka Airway Logistics Center):** A request for a SITE DEVELOPMENT PERMIT to construct a 247,480-square-foot multi-tenant industrial distribution building to include 235,480 square feet of warehouse space and 12,000 square feet of associated office space. The warehouse would include 66 dock doors, 6 motorcycle parking spaces and 276 surface parking spaces. The project would also construct various on- and off-site improvements (i.e., sidewalks, retaining walls, storm water facilities, and public utilities). The project would also widen Airway Road along the project frontage to provide the ultimate roadway width of 76 feet curb-to-curb to be consistent with the Otay Mesa Community Plan Mobility Element for a 4-lane major roadway. The 13.4-acre vacant site is located south of Airway Drive and west of La Media Road and east of Britannia Boulevard. The land use designation is Business and International Trade and zoned IBT-1-1 (International Business and Trade) per the Otay Mesa Community Plan. Additionally, the site is within the Community Plan Implementation Overlay Zone A (CPIOZ-A), Very High Fire Severity Zones, Airport Land Use Compatibility Overlay Zone (Brown Field Airport), Airport Influence Area (Review Area 1 and 2-Brown Field Airport), Airports Safety Zones (Safety Zone 6-Brown Field Airport), Federal Aviation Administration Part 77 Notification Area (Brown Field Airport), Parking Standards Transit Priority Area, and the Prime Industrial Lands and Transit Priority Area. (Legal Description: Parcel 1 of Parcel Map No. 21010, APN 646-110-28.) Applicant: Badiee Development.

### I. SUMMARY OF ORIGINAL PROJECT

The project site is within the plan boundaries of Otay Mesa Community Plan. The Otay Mesa Community Plan Update (OMCPU) Final Program Environmental Impact Report (Project No. 30330/304032; SCH No. 2004651076) (hereinafter referred to as the OMCPU Final PEIR) was certified by the San Diego City Council on March 11, 2014, Resolution No. R-308810. The OMCPU involved an update to the Otay Mesa Community Plan, a General Plan Amendment, rescission of the Otay Mesa Development District, adoption of a Rezone Ordinance to replace the Otay Mesa Development District with citywide zoning and creation of two new CPIOZs, amendments to the City's Land Development Code (LDC), and an update of the Otay Mesa Community Plan Public Facilities Financing Plan (PFFP). In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15168, the OMCPU Final PEIR examined the environmental impacts of the OMCPU.

The OMCP provides for a long-range, comprehensive policy framework for growth and development in the Otay Mesa community through 2062. The OMCP identified a land use strategy with new land use designation proposals to create villages, activity centers, and industrial/employment centers along major transportation corridors, while strengthening cultural and business linkages to Tijuana, Mexico via the Otay Mesa Port of Entry. The land use element established a number of land use planning goals for the OMCP area, such as providing a distribution of land uses that provides sufficient capacity for a variety of uses, facilities, and services needed to serve the planning area: providing distinct villages that include places to live, work, and recreate; providing diversified commercial uses that serve local, community, and regional needs, and providing sufficient industrial land capacity to maintain Otay Mesa as a subregional employment center, among others.

The OMCP included the same nine elements contained in the City's 2008 General Plan, with goals and policies for each element. The nine elements are: Land Use; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; and Historic Preservation.

The PEIR concluded that the project would result in significant and unmitigated environmental impacts to air quality, greenhouse gas (GHG) emissions, noise, traffic/circulation, and utilities. The following issue areas were determined to be significant but mitigated to below a level of significance with mitigation: land use, biological resources, historical resources, hydrology/water quality, geology, and paleontological resources. All other impacts analyzed in the PEIR were determined to be less than significant.

Implementation of the OMCP requires subsequent approval of public or private development proposals (i.e., future development) to carry out the land use plan and demonstrate compliance with policies presented in the OMCP.

As it pertains to the OMCP, the site is identified as undeveloped land within the Airport District and designated Heavy Commercial. Lands with the Heavy Commercial Designation allow for a variety of commercial and industrial uses, but it is intended for heavier commercial uses such as distribution, storage, and large retail establishments. THE OMCP zones the site IBT-1-1 (International Business and Trade).

## **II. SUMMARY OF PROPOSED PROJECT**

A request for a SITE DEVELOPMENT PERMIT to construct a 247,480-square-foot multi-tenant industrial distribution building that would include 235,480 square feet of warehouse space and 12,000 square feet of associated office space. The warehouse would include 66 dock doors and 276 surface parking spaces. The project would include construction of various on- and off-site improvements (i.e. sidewalks, retaining walls, storm water facilities, and public utilities). The project would widen Airway Road along the project frontage to provide the ultimate roadway width of 76 feet curb-to-curb to be consistent with the Otay Mesa Community Mobility Element Plan for a 4-lane major roadway.

The project site is undeveloped and is not currently serviced by public utilities. However, the project would connect to an existing 10-inch polyvinyl chloride (PVC) sewer main and 16-inch water pipe the

currently traverse Airway Road. There are currently no storm drain facilities on the property, and existing onsite drainage consists of sheet flows from west to east. The project would install a biofiltration basin for water quality, hydromodification, and peak flow detention that would traverse the length of the eastern project boundary. The project would also introduce an underground system of storm drainpipes and inlets to convey runoff from west to east. Existing overhead powerlines currently traversing Airway Road would be undergrounded.

All landscaping materials and irrigation within the project site would conform to the requirements of the City LDC Landscape Standards and the applicable sections of San Diego Municipal Code Chapter 14, Article 2, Division 4: Landscape Regulations. The landscape plan would consist of natural, drought-tolerant plant palette. The plant palette includes, but is not limited to, western redbud (*Cercis occidentalis*), crape myrtle (*Lagerstroemia indica*), Chinese pistache (*Pistacia chinensis*), Chinese lantern (*Physalis alkekengi*), African sumac (*Rhus lancea*), little gem magnolia (*Magnolia grandiflora*), tipu tree (*Tipuana tipu*), Torrey pine (*Pinus torreyana*), Brisbane Box (*Lophostemon confertus*), and Afghan pine (*Pinus brutia*), as well as shrubs, accents, and groundcover species. Site access would be provided via two driveways along Airway Road. Figures 1 and 2 present the regional and project locations, respectively. Figure 3 presents the proposed site plan. Project construction would require 2,060 cubic yards of cut and 80,600 cubic yards of fill, resulting in a net import of 78,540 cubic yards of soil.

### **III. ENVIRONMENTAL SETTING**

The 13.4-acre undeveloped site is located south of Airway Drive and west of La Media Road and east of Britannia Boulevard. Vegetation on the project site consists primarily of non-native grassland (9.4 acres), along with disturbed land (3.9 acres) and developed land (0.1 acre). The project site is relatively flat, with elevations ranging from 477 to 489 feet above mean sea level. The project is surrounded by existing industrial uses to the west and south, a mix of existing industrial uses and undeveloped land to the east, and undeveloped land to the north. Brown Field Municipal Airport is located approximately 0.5-mile north of the project site. State Route 905 (SR-905) is located approximately 0.25-mile north of the project site, and State Route 125 is located approximately 1.1 mile to the northeast. In addition, the project site is located in a developed area currently served by existing public services and utilities.

The land use designation is Business and International Trade and zoned IBT-1-1 (International Business and Trade) per the Otay Mesa Community Plan. Additionally, the site is within the CPIOZ-A, Very High Fire Severity Zones, Airport Land Use Compatibility Overlay Zone (Brown Field Airport), Airport Influence Area (Review Area 1 and 2-Brown Field Airport), Airports Safety Zones (Safety Zone 6-Brown Field Airport), Federal Aviation Administration Part 77 Notification Area (Brown Field Airport), Parking Standards Transit Priority Area, and the Prime Industrial Lands and Transit Priority Area.

### **IV. ENVIRONMENTAL DETERMINATION**

The City previously prepared and certified the OMCPU Final PEIR (Project No. 30330/304032/SCH No. 2004651076) per Resolution No. R-30881 on March 11, 2014. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 and 15164 of the State CEQA Guidelines that:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete or was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous environmental document;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. The OMCPU Final PEIR has been incorporated by reference pursuant to CEQA Guidelines Section 15150. Public review of this Addendum is not required per the CEQA.

## **V. IMPACT ANALYSIS**

This Addendum includes the environmental issues analyzed in detail in the previously certified PEIR as well as the project-specific environmental analysis pursuant to the CEQA. The analysis in this document evaluates the adequacy of the PEIR relative to the project and documents that the proposed modifications and/or refinements would not cause new or more severe significant impacts than those identified in the previously certified environmental document.

The OMCPU Final PEIR identified significant unmitigable impacts related to noise, traffic/circulation, air quality, GHG emissions, and utilities (solid waste) as these issue areas would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the OMCPU Final PEIR would result in significant traffic/circulation, air quality, noise, utilities (solid waste), and GHG emissions, which would remain significant and unmitigable.

The OMCPU Final PEIR identified direct significant impacts that would be substantially lessened or avoided if with implementation of the mitigation framework included in the Final PEIR to be implemented by subsequent projects: land use, biological resources, historical resources, human health/public safety/hazardous materials, hydrology/water quality, geology/soils, and paleontological resources.

An overview of the project's impacts in relation to the previously certified PEIR is provided in Table 1, Impact Assessment Summary. The following analysis indicates there would be no new significant impacts, nor would there be an increase in the severity of impacts resulting from the project. Further, there is no new information in the record or otherwise available indicating that there are substantial changes in circumstances that would require major changes to the PEIR.

A comparison of the project's impacts related to those of the certified OMCPU Final PEIR is provided below in Table 1.

Environmental Issues	OMCPU Final PEIR Finding Analysis	OMCP Mitigation	Project	Project Level New Mitigation?	Project Resultant Impact
Land Use	Significant but mitigated	Yes	No new impacts	No	Less than Significant
Visual Effects and Neighborhood Character	Less than significant	No	No new impacts	No	Less than Significant
Air Quality/Odor	Significant, unmitigated	Yes	No new impacts	No	Less than Significant
Biological Resources	Significant but mitigated	Yes	No new impacts	Yes	Mitigated to a Level Less Than Significant
Historical Resources	Significant, but mitigated	Yes	No new impacts	Yes	Mitigated to a Level Less than Significant
Human Health/Public Safety/Hazardous Materials	Significant, but mitigated	Yes	No new impacts	No	Less than Significant
Hydrology/Water Quality	Significant but mitigated	Yes	No new impacts	No	Less than Significant
Geology/Soils	Significant but mitigated	Yes	No new impacts	No	Less than significant
Energy Conservation	Less than significant	No	No new impacts	No	Less than significant
Noise	Significant, unmitigated	Yes	No new impacts	No	Less than Significant

**Table 1  
Impact Assessment Summary**

Environmental Issues	OMCPU Final PEIR Finding Analysis	OMCP Mitigation	Project	Project Level New Mitigation?	Project Resultant Impact
Paleontological Resources	Significant but mitigated	Yes	No new impacts	No	Less than Significant
Traffic/Circulation	Significant, unmitigated	Yes	No new impacts	Yes	Mitigated to a Level Less Than Significant
Public Services	Less than significant	No	No new impacts	No	Less than Significant
Utilities	Significant, unmitigated	Yes	No new impacts	No	Less than significant
Water Supply	Less than significant	No	No new impacts	No	Less than significant
Population and Housing	Less than significant	No	No new impacts	No	Less than significant
Agricultural and Mineral Resources	Less than significant	No	No new impacts	No	Less than significant
Greenhouse Gas Emissions	Significant, unmitigated	Yes	No new impacts	No	Less than significant

**Land Use**

***OMCPU Final PEIR***

Land Use is discussed in Section 5.1 of the OMCPU Final PEIR that concluded that implementation of the OMCP would not result in impacts related to conflicts with applicable local and regional land use plans. Therefore, impacts were identified to be less than significant.

The OMCPU Final PEIR identified that residential and industrial uses collocated in proximity to one another could result in incompatible land use impacts. The OMCPU Final PEIR further identified that future development projects would be required to comply with the collocation policies of the General Plan and OMCP to reduce or avoid potential land use incompatibility impacts. The OMCPU Final PEIR determined that compliance with the OMCP and General Plan policies, along with local, state, and federal regulations, would reduce potential impacts of collocation to below a level of significance. The OMCP would require the conversion of industrial and agricultural lands to residential and other mixed uses. The environmental effects that would result include the increased potential for exposure of sensitive receptors to hazardous materials. Through implementation of the mitigation framework, the potential environmental impacts resulting from change in land use designations in accordance with the OMCP were determined to be less than significant.

The OMCPU Final PEIR identified that the development footprint of the OMCP would encroach into sensitive environmentally sensitive land (ESL) areas. Additionally, implementation of the project would have the potential to result in significant impacts to historical resources given the presence of historical resources throughout the OMCP area. However, future projects would require subsequent environmental review and compliance with OMCP policies, development standards, as well as adherence to the ESL Regulations, Historical Resources Regulations, and site-specific mitigation, as

applicable, in accordance with the mitigation framework. Therefore, program-level impacts were concluded to be mitigated to below a level of significance.

Potentially significant impacts of future development on land designated as Multi-Habitat Plan Area (MHPA) by the City's Multiple Species Conservation Program (MSCP) Subarea Plan were identified in the OMCPU Final PEIR. The impacts identified were associated with indirect impacts wherever development and human activity would interface with MHPA lands. The OMCPU Final PEIR concluded that impacts could be significant, but through compliance with established standards and regulations and as well as the mitigation framework would serve to reduce impacts to below a level of significance to MHPA Lands.

### ***Project***

The existing General Plan and Community Plan land use designation for the project site is Business and International Trade, and the existing zoning designation is IBT-1-1 (International Business and Trade). Development of the proposed industrial use would be consistent with the existing land use and zoning designations. The proposed industrial use would be consistent with the industrial land uses located adjacent to the western and southern project boundaries, and along the northernmost portion of the eastern project boundary. Therefore, the project would not divide an established community, and impacts would be less than significant.

The purpose of the ESL Regulations (LDC Sections 143.0101 – 143.0160) is to protect, preserve, and, where damaged, restore environmentally sensitive lands and the viability of the species supported by those lands. The ESL Regulations apply to all proposed development when environmentally sensitive lands, including sensitive biological resources, steep hillsides, floodplains, or coastal bluffs, are present. The project site does not include steep hillsides, or coastal bluffs, and is not located within the 100-year floodplain. However, the project site does contain ESL due to the presence of sensitive biological resources. As described in the discussion of potential impact to biological resources below, the project would implement mitigation measures MM-BIO-1 through MM-BIO-4, as detailed in the project's MMRP, to reduce impacts to a level less than significant. These mitigation measures are consistent with OMCPU Final PEIR mitigation framework measure BIO-1. Therefore, the project would be consistent with the City's ESL Regulations.

The purpose of the City's Historical Resources Regulations, found in Section 143.0251 of the LDC, is to protect, preserve, and, where damaged, restore the historical resources of San Diego, which include historical buildings, historical structures or objects, important archaeological sites, historical districts, historical landscapes, and traditional cultural properties. As described in the discussion of potential impact to historical resources below, there are no historic buildings, structures, or objects on the project site, and the Native American Heritage Commission's (NAHC's) records search of their Sacred Lands File was negative. Although the field survey of the project site did not identify any cultural material, excavation during construction would have the potential to unearth unknown or previously undisturbed archaeological resources, which would be considered a significant impact. The project would implement mitigation measure MM-HIST-1 Archaeological Monitoring, as detailed in the MMRP, to reduce impacts related to archaeological resources to a level less than significant. This mitigation measure would be consistent with OMCPU Final PEIR mitigation framework measure HIST-1. Therefore, the project would be consistent with the City's Historical Resources Regulations.

Review of the Brown Field Municipal Airport, Airport Land Use Compatibility Plan (ALUCP) Exhibit III-1 Noise determined that the project site is located outside of the 60 A-weighted decibels [dB(A)] Community Noise Equivalent Level (CNEL) noise contour, and therefore would be exposed to aircraft noise levels less than 60 dB(A) CNEL. Review of the Brown Field Municipal Airport ALUCP Exhibit III-2 Safety determined that the project site is located within Zone 6 Traffic Pattern Zone. Distribution and office uses are considered compatible within Zone 6. The project site is located within Airport Influence Area - Review Areas 1 and 2 for Brown Field Municipal Airport (the boundary separating both review areas crosses the project site), and within the FAA Part 77 Notification Area for Brown Field Municipal Airport. The project building's maximum height of 44-feet, six-inches would not exceed applicable height limits for this zone and would not create a hazard related to air navigation. Therefore, project land uses would be compatible with the applicable airport compatibility plan, and impacts would be less than significant.

As described in the discussion of potential impacts related to noise below, the project would be similar to the surrounding industrial uses and would generate noise levels similar to the existing surrounding environment. Furthermore, there are no project components that are anticipated to generate noise levels that would exceed 75 dB(A) one-hour equivalent noise level ( $L_{eq}$ ) at the property line. Therefore, the project would not generate on-site noise that would exceed the noise limits established in the City's Noise Abatement and Control Ordinance, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the OMCPU Final PEIR result

## **Visual Effects and Neighborhood Character**

### ***OMCPU Final PEIR***

Section 5.2 of the OMCPU Final PEIR provides an analysis of visual effects and neighborhood character impacts associated with the OMCPU. Potential impacts could result to: public views; alteration of the communities' visual character by introducing development that is incompatible with the scale and design of surrounding development; the alteration of the existing landform through grading; and through a negative visual appearance due to the loss, covering, or modification of any unique physical features such as a natural canyon or hillside slope in excess of 25 percent gradient.

The OMCPU Final PEIR concluded that implementation of the OMCP would not result in significant impacts to the existing or planned character of the area. The majority of the existing public views of canyons and mesas would be preserved under the OMCP and to prevent impacts to views of public resources, the OMCP included designating view corridors and gateways through plan policies and project design features. With compliance with the OMCP policies, as well as inclusion of these project design features, impacts to public views would be less than significant.

The OMCPU Final PEIR determined that impacts associated with compatibility with surrounding neighborhood character would be less than significant, as future development would be required to comply with the relevant land use and development design guidelines and policies of the General



Plan and CPU. The OMCPU Final PEIR determined that vacant, graded areas within the Northwest District are not considered visually sensitive and future development would improve visual compatibility with existing development. Through implementation of the plan update, the visual character of the OMCP area would become more urbanized. The land use and development design guidelines and policies of the OMCP are intended to ensure that future development within the OMCP area would not result in architecture, urban design, landscaping, or landforms that would negatively affect the visual quality of the area, or strongly contrast with the surrounding development or natural topography through excessive bulk, signage, or architectural projection. Future development would be required to comply with the relevant land use and development design guidelines and policies of the General Plan and CPU. In addition, development in areas designated for commercial and industrial uses on properties that have been previously graded and developed with structures that conform to the Urban Design Element would be subject to review in accordance with CPIOZ-A. Development proposals that do not comply with the CPIOZ-A supplemental regulations would be subject to discretionary review in accordance with CPIOZ-B. Therefore, impacts would be less than significant.

Impacts associated with landform alteration would be less than significant, as future development would be required to comply with the relevant land use and development regulations, grading ordinance, ESL regulations, and relevant land use and development design guidelines and policies of the General Plan and CPU. Impacts were determined to be less than significant.

The OMCPU Final PEIR identified that the OMCP could result in a negative visual appearance due to the loss, covering, or modification of any unique physical features such as a natural canyon or hillside slope in excess of 25 percent gradient. Future development would be required to comply with relevant development regulations, ESL regulations, and relevant land use and development design guidelines and policies of the General Plan and CPU. Therefore, impacts were determined to be less than significant. Overall, adherence to existing policies and regulations, as well as implementation of the OMCP policies would ensure that potential impacts would be below a level of significance.

### ***Project***

The project site is relatively flat and is surrounded by existing industrial land uses located immediately to the west and south of the project boundaries, and along the northernmost portion of the eastern project boundary that obscure views from the project site. Additionally, there are no scenic amenities, such as public views of canyons and mesas, that are visible from the project site. Review of Figure 5.2-8 of the OMCPU Final PEIR determined that a "View Corridor through Industrial/Commercial" is located at the intersection of Airway Road and La Media Road approximately 0.25-mile east of the project site. However, the OMCPU Final PEIR stated that project sites near a "View Corridor through Industrial/Commercial" that consist of non-native grassland could be developed for Industrial uses. As described in greater detail in the biological resources section below, vegetation on the project site consists primarily of non-native grassland (9.4 acres), disturbed land (3.9 acres), and developed land (0.1 acre). Additionally, the project has been designed with appropriate setbacks that would avoid blocking views through this view corridor, and would introduce landscaping on the northern project boundary adjacent to Airway Road that would improve the visual quality through this view corridor. Furthermore, this view corridor already includes existing industrial development along Airway Road located adjacent to the eastern and western boundaries of the project site. Therefore, the project would not change the existing

character of the view corridor, would not block views through the corridor, would improve the aesthetic quality of view corridor through project landscaping. The project would comply with applicable land use and development design guidelines and policies of the OMCP which are intended to ensure that future development within the OMCP area would not result in architecture, urban design, landscaping, or landforms that would negatively affect the visual quality of the area, or strongly contrast with the surrounding development. The project would be compatible with the scale and design of surrounding development, and impacts would be less than significant.

Review of Figure 3-3 of the OMCPU Final PEIR determined that the project site is located within the "South District," which consists of a mix of industrial, agricultural, and commercial uses. The OMCPU Final PEIR determined that implementation of the OMCP would result in the conversion of vacant parcels and agricultural uses to industrial uses, anticipating that these industrial uses would be large warehouse-type structures and automotive lots. The OMCPU Final PEIR determined that this intensification of industrial uses would be consistent with the existing character of the Southern District, and that impacts would be less than significant. The project would be consistent with the conclusion of the OMCPU Final PEIR because it would convert a vacant parcel consisting primarily of non-native grassland to an industrial use consistent with character of the surrounding industrial land uses. Additionally, the project has been designed consistent with all applicable design guidelines of the OMCP. Therefore, the project would be consistent with surrounding development, and impacts would be less than significant.

The project site does not contain any unique physical features such as a natural canyon or natural hillside slopes. Although the project would alter more than 2,000 cubic yards of earth per graded acre, the project would not meet any of the conditions that would result in a significant impact related to landform alteration. There are no steep hillsides on the project site due to the relatively flat elevations ranging from 477 to 489 feet above mean sea level. Similarly, the project would not require mass terracing of natural slopes due to the relatively flat nature of the site. Furthermore, the project would not create manufactured slopes higher than 10 feet or steeper than 2:1 (50 percent) slope gradient. Therefore, the project would not project result in a substantial change in the existing landform or loss of unique physical features, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Air Quality**

### ***OMCPU Final PEIR***

Section 5.3 of the OMCPU Final PEIR provides an analysis of air quality impacts associated with the CPU.

The OMCPU Final PEIR determined that development occurring as a result of implementing the OMCP would not obstruct or conflict with the implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portion of the State Implementation Plan, as the changes in land uses under the OMCP and the traffic generated under the OMCP would result in fewer emissions than

the adopted community plan upon which the current RAQS is based, resulting in a less than significant impact.

The OMCPU Final PEIR concluded that the OMCP could result in air quality impacts related to criteria pollutant emissions from construction and operation of a project within the OMCP area. The OMCPU Final PEIR included mitigation measure AQ-1, which would require best available control measures/technology to be implemented during construction activities when construction emissions would exceed applicable thresholds, and mitigation measure AQ-2, which would require any future projects that significantly impact air quality to be conditioned with all reasonable mitigation to avoid, minimize, or offset the impact and to buffer sensitive receptors through the use of landscaping, open space or other techniques. However, the OMCPU Final PEIR determined that, while the mitigation framework and OMCP policies would reduce emissions, future projects may not be able to reduce air emissions below the City's threshold. Therefore, impacts associated with criteria pollutant emissions would remain significant and unavoidable.

The OMCPU Final PEIR identified impacts to sensitive receptors associated with carbon monoxide hotspots and diesel particulate matter would be less than significant, as there would be no harmful concentrations of carbon monoxide and localized air quality emissions would not exceed applicable standards, and the chronic risks resulting from diesel exhaust emissions associated with the vehicles operating within and adjacent to the OMCP are projected to be less than significant and would not expose future residents or workers to significant cancer risk from traffic-generated diesel exhaust emissions.

The OMCPU Final PEIR determined that impacts associated with collocation of sensitive receptors with commercial and industrial uses could result in exposure of sensitive receptors to toxic air emissions, resulting in a significant impact. The OMCPU Final PEIR included mitigation measure AQ-4, which requires a health risk assessment to be prepared for any project locating sensitive receptors closer than their recommended buffer distances to toxic air emitters. However, this impact likewise would remain significant and unavoidable.

The OMCPU Final PEIR concluded that there are no known sources of specific, long-term odors within the community plan area, and that none of the identified land uses would typically be associated with the creation of objectionable odors. In addition, the OMCPU Final PEIR concluded that since the OMCP did not include any new sources of odor that would affect sensitive receptors (schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities), impacts associated with odors would be less than significant.

### ***Project***

Project-specific construction and operational air emissions were calculated using California Emissions Estimator Model (CalEEMod; RECON Environmental [RECON] 2020a) to assess potential air quality impacts consistent with the OMCPU Final PEIR mitigation framework.

The RAQS is the applicable regional air quality plan that sets forth the San Diego Air Pollution Control District's (SDAPCD's) strategies for achieving the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The San Diego Air Board is designated non-attainment for the federal and state ozone standard. Accordingly, the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward

attaining the standards for ozone (O<sub>3</sub>). The growth projections used by the SDAPCD to develop the RAQS emissions budgets are based on the population, vehicle trends, and land use plans developed in general plans and used by the San Diego Association of Governments (SANDAG) in the development of the regional transportation plans and sustainable communities strategy. As such, projects that propose development that is consistent with the growth anticipated by SANDAG's growth projections and/or the general plan would not conflict with the RAQS. The project site is designated Business and International Trade and zoned IBT-1-1 (International Business and Trade) per the Otay Mesa Community Plan. The project would be consistent with the existing land use and zoning designations. Therefore, the project would be consistent with the growth projections and would not conflict with implementation of the RAQS.

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related emissions include fugitive dust from grading activities, equipment exhaust, trips, and power consumption. Construction emissions for the project were modeled assuming that construction would begin in 2021 and last for approximately 17 months. Primary inputs are the numbers of each piece of equipment and the length of each construction stage. Specific construction phasing and equipment parameters are not available at this time. However, CalEEMod can estimate the required construction equipment when project-specific information is unavailable. The estimates are based on surveys, performed by the South Coast Air Quality Management District and the Sacramento Metropolitan Air Quality Management District, of typical construction projects which provide a basis for scaling equipment needs and schedule with a project's size. Air emission estimates in CalEEMod are based on the duration of construction phases; construction equipment type, quantity, and usage; grading area; season; and ambient temperature, among other parameters. Table 2 shows the total projected construction maximum daily emission levels for each criteria pollutant (RECON 2020a).

Construction	Pollutant					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	4	41	22	<1	20	12
Grading	4	46	31	<1	11	5
Building Construction/Architectural Coatings	21	29	28	<1	4	2
Paving	2	11	15	<1	1	1
<b>Maximum Daily Emissions</b>	<b>21</b>	<b>46</b>	<b>31</b>	<b>&lt;1</b>	<b>20</b>	<b>12</b>
<i>Significance Threshold</i>	<i>137</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>67</i>

ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide;  
 SO<sub>x</sub> = oxides of sulfur; PM<sub>10</sub> = particulate matter with an aerodynamic diameter of 10 microns or less;  
 PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter of 2.5 microns or less

Standard dust control measures would be implemented as a part of project construction in accordance with SDAPCD rules and regulations. Fugitive dust emissions were calculated using CalEEMod default values, which did not take into account the required dust control measures. Thus, the emissions shown in Table 2 are conservative. For assessing the significance of the air quality emissions resulting during construction of the project, the construction emissions were compared to the City significance thresholds shown in Table 2. As shown in Table 2, maximum daily construction

emissions associated with the project are projected to be less than the applicable thresholds for all criteria pollutants. Construction related air quality impacts would be less than significant, and project construction would not result in emissions that would exceed the NAAQS or CAAQS, or contribute to existing violations, resulting in a less than significant impact. Also, the project would not result in the generation of 100 pounds per day or more of particulate matter. Standard dust control measures would be implemented as a part of project construction. Therefore, impacts would be less than significant.

Operations emissions generated by the project would come from area and energy sources (consumer products, landscape maintenance, architectural coatings, natural gas use, etc.), as well as a mobile source (vehicle traffic). The project would generate a total of 1,518 average daily trips (ADT; Linscott, Law & Greenspan, Engineers [LLG] 2020). Based on regional data compiled by California Air Resources Board (CARB) as part of the emission factor model, the average regional trip length for all passenger car, light duty trucks, medium duty vehicles, and motorcycles in San Diego County in 2022 is 7.93 miles (CARB 2017). This trip length was used to model emissions associated with trips generated by the office portion of the project. Because the warehouse portion of the project would include trucks that would travel further distances than employees, a longer trip length of 40 miles was modeled. Table 5 provides a summary of the operational emissions generated by the project. CalEEMod output files for project operation are contained in Attachment 1. As shown, project-generated emissions are projected to be less than the City's Significance Determination Thresholds (City of San Diego 2016) for all criteria pollutants. Therefore, project operation would not generate regional emissions that would exceed the NAAQS or CAAQS or contribute to existing violations, and impacts would be less than significant.

**Table 3**  
**Summary of Project Operational Emissions**  
**(pounds per day)**

Source	Pollutant					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Sources	6	<1	<1	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	6	71	90	1	39	11
<b>Total</b>	<b>12</b>	<b>71</b>	<b>90</b>	<b>1</b>	<b>39</b>	<b>11</b>
<i>Significance Threshold</i>	<i>137</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>67</i>

Note: Totals may vary due to independent rounding.  
 ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide  
 SO<sub>x</sub> = oxides of sulfur; PM<sub>10</sub> = particulate matter with an aerodynamic diameter of 10 microns or less; PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter of 2.5 microns or less

Sensitive receptors include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities. The project does not include sensitive receptors. Additionally, no existing sensitive receptors are located within the vicinity of the project site. The project site is in an industrial area surrounded by other industrial developments. Therefore, the project is not anticipated to result in the exposure of sensitive receptors to substantial levels of pollution, and impacts would be less than significant.

The project does not include any uses that are typically associated with odor complaints. The project does not propose any uses or activities that would result in potentially significant operational-source odor impacts. The project proposes the operation of a warehouse and office, which is not included on CARB's list of facilities that are known to be prone to generate odors. During operation of the project, odors could be emitted from trucks maneuvering on-site and idling at the proposed loading docks. However, all trucks would be required to comply with CARB's idling limit of five minutes, and these trucks would not produce a significant amount of odor. Consistent with City requirements, all project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations, thereby precluding substantial generation of odors due to temporary holding of refuse on-site. Further, there are no sensitive receptors in the vicinity of the project site. The project is not expected to generate significant objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Biological Resources**

### ***OMCPU Final PEIR***

Section 5.4 of the OMCPU Final PEIR provides an analysis of biological resource impacts associated with the OMCP. The OMCPU Final PEIR stated that implementation of the OMCP has the potential to impact sensitive plants and animals directly through the loss of habitat or indirectly by placing development adjacent to the MHPA. Potential impacts to federal or state listed species, MSCP covered species, or species with a California Native Plant Society Rare Plant Ranking would be significant. In addition, the OMCPU Final PEIR concluded that future projects would be required to implement project level mitigation measures consistent with its mitigation framework measure BIO-1, which requires site-specific biological surveys to determine the potential for sensitive species, along with the provision for the proposal for site-specific mitigation, if necessary, to reduce impacts to sensitive species or habitats. Specifically, BIO-1 requires future projects to conduct a habitat assessment to determine whether or not protocol surveys are needed. Should burrowing owl (*Athene cunicularia*; BUOW) 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. Measures to avoid and minimize impacts to BUOW shall be included in a conceptual BUOW mitigation plan, which includes take avoidance (pre-construction) surveys, site surveillance, and the use of buffers, screens, or other measures to minimize construction-related impacts. Implementation of the mitigation framework would ensure that impacts to sensitive plants and animals would be less than significant.

The OMCPU Final PEIR concluded that future development, including construction or extension of OMCP 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. Any direct or indirect impacts to migratory wildlife nesting, foraging, and movement was determined to be significant. The OMCPU Final PEIR's mitigation framework includes measure BIO-2, which requires a site-specific biological resource survey for projects that may have a potential to impact to areas

within the MHPA. Implementation of this mitigation measure would ensure impacts would be less than significant.

The OMCPU Final PEIR determined that future projects within the OMCP area 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. Measure BIO-1 would reduce impacts to sensitive habitat to a level less than significant. Additionally, compliance with OMCP polices and established development standards and regulations would reduce impacts to sensitive habitats to a level less than significant.

The OMCPU Final PEIR identified potential impacts to sensitive vegetation communities and species as a result of MHPA boundary adjustments would be less than significant because any adjustments would be required to meet the equivalency criteria for approval. The OMCPU Final PEIR determined that MHPA adjacency impacts would be addressed at the project-level, and projects adjacent to MHPA areas would be required to comply with the MHPA Land Use Adjacency Guidelines (LUAG) and implement mitigation measure LU-2, which would reduce MHPA adjacency impacts to a level less than significant. The OMCPU Final PEIR 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 incorporates policies for adhering to the Management Directives, and no significant impacts relating to MSCP consistency would occur.

In regard to invasive plant impacts, the OMCPU Final PEIR determined that impacts could be potentially significant due to the introduction of invasive plants within the MHPA during future grading and development. The OMCPU Final PEIR determined that the introduction of invasive species into the MHPA would be addressed at the project level and mitigated through implementation of the mitigation framework measure LU-2, thereby reducing impacts to a level less than significant.

The OMCPU Final PEIR 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 U.S. Army Corps of Engineers, California Department of Fish and Wildlife (CDFW), and the City, and would thus require a deviation from the ESL Regulations. The OMCPU Final PEIR determined that future projects implemented in accordance with the OMCP, which cannot demonstrate compliance with CPIOZ-A because impacts to wetlands/jurisdictional resources cannot be avoided would be required to implement mitigation framework measure BIO-4, which would reduce impacts to wetlands to a level less than significant.

The OMCPU Final PEIR determined that there is a potential for temporary noise impacts to wildlife from construction and permanent noise impacts from the introduction of noise generating land uses adjacent to MHPA. Temporary and/or permanent noise impacts to wildlife within the MHPA would be significant. The OMCPU Final PEIR determined that impacts to sensitive wildlife species (including temporary and permanent noise impacts) resulting from future projects implemented in accordance with the OMCP would be mitigated to a level less than significant with implementation of mitigation measures BIO-1 through BIO-4 and LU-2.

**Project**

Consistent with the OMCPU Final PEIR mitigation framework, a site-specific Biological Technical Report was prepared by Alden Environmental, Inc. (Alden; October 2020). Western Burrowing Focused Protocol Surveys were also completed for the project by Alden in order to determine the presence or absence of the species within the project boundaries. These surveys were breeding season surveys and prepared in accordance with CDFW Staff Report 2012. The results of these surveys are included as an attachment to the Biological Technical Report completed for the project (Alden; October 2020). The following is a brief summary of the analysis and conclusions of the surveys.

The project site consists of undeveloped land that appears to have gone into agricultural production around 1989, however was subsequently left fallow in the early 2000s. It also appears that debris piles began to get dumped on the eastern portion of the project site beginning around 2009 (Nationwide Environmental Title Research 2020). No sensitive plant species were observed on the project site. Although Otay tarplant (*Deinandra conjugens*) has low to moderate potential to occur on the project site, this species was not observed during sensitive plant surveys completed in spring and summer 2020. Therefore, impacts to Otay tarplant are not anticipated. No wetlands are located on the project site.

The project site supports two upland vegetation communities (non-native grassland (Tier II-B) and disturbed land (Tier IV) and urban/developed land (No Tier). Table 4 presents the acreages of these vegetation communities and land cover type.

Table 4 Existing Vegetation Communities within the Project Survey Area			
Vegetation Communities (Oberbauer 2008)	Habitat Types (City of San Diego 2012)	City of San Diego Tier	Acreage
<b>Uplands</b>			
Non-Native Grassland	Non-Native Grasslands	III-B	9.4
Disturbed Land	Disturbed Land	IV	3.9
Developed Land	Disturbed Land	No Tier	0.1
<b>TOTAL</b>		-	<b>13.4</b>
Source: Alden 2020.			

The entire 13.4-acre project site would be directly and permanently impacted. Table 5 presents the impact acreages on the project site. According to the City's Biology Guidelines (City of San Diego 2018), lands designated as Tier IV or No Tier are not considered to have significant habitat value. Therefore, impacts to Tier IV disturbed land and No Tier Developed Land would not be considered significant, and no mitigation would be required. According to the City's Biology Guidelines (City of San Diego 2018), lands containing Tier IIIB habitats are considered sensitive and declining. Therefore, the impacts to 9.4 acres of Tier III-B non-native grassland would be considered significant and require mitigation. Implementation of mitigation measure MM-BIO-1 Non-Native Grassland would reduce this impact to a level less than significant. MM-BIO-1 would be consistent with OMCPU Final PEIR mitigation framework measure BIO-1.



Table 5 Impacts to Existing Vegetation Communities within the Survey Area		
Vegetation Communities (Oberbauer 2008)	City Tier	Impact Acreage
<b>Uplands</b>		
Non-Native Grassland	III-B	9.4
Disturbed Land	IV	3.9
Developed Land	No Tier	0.1
<b>TOTAL</b>		<b>13.4</b>
Source: Alden 2020.		

The northern harrier was observed flying over the site. The removal of non-native grassland on site, which is potentially used by the northern harrier (*Circus hudsonius*), would result in a loss of potential northern harrier foraging and nesting habitat. Northern harrier is designated as a State Species of Special Concern that it is experiencing declining population levels, limited ranges, and/or continuing threats have made it vulnerable to extinction. However, it is covered by the MSCP, because 42 percent of its potential nesting habitat and over 85,000 acres of its potential foraging habitat would be conserved. Therefore, the project would not adversely affect this species long-term survival and impacts to its potential habitat would be less than significant.

The San Diego black-tailed jackrabbit (*Lepus californicus*) was observed on the project site during the last BUOW site visit. Impacts to the San Diego black-tailed jackrabbit would occur from habitat removal and potential injury or mortality to very young jackrabbit litters that may be immobile during construction activity. The San Diego black-tailed jackrabbit is a State Species of Special Concern. Therefore, impacts to this species, including habitat loss and potential injury or mortality to very young jackrabbit litters, would be considered significant and require mitigation. Implementation of mitigation measure MM-BIO-1 Non-Native Grassland and MM-BIO-2 Biological Resource Protection During Construction would reduce this impact to a level less than significant. MM-BIO-1 and MM-BIO-2 would be consistent with OMCPU Final PEIR mitigation framework measure BIO-1.

BUOW was not found during the focused survey for the species in 2020 nor was any evidence of BUOW use/occupation of the site found. However, there is potential for the species to occupy the site prior to construction, which could be impacted by injury or mortality to individuals from construction grading, earthmoving, burrow blockage, and heavy equipment compacting/crushing burrow tunnels. Construction would also remove non-native grassland, which is considered suitable BUOW habitat. The BUOW is an MSCP Covered Species and is only considered adequately conserved as part of the MSCP if measures are taken to avoid impacts to the species and its occupied habitat. Therefore, removal of non-native grassland on site, should it be determined to be occupied by the BUOW prior to construction, as would direct impacts to individual owls, would be considered significant and require mitigation. Implementation of mitigation measure MM-BIO-1 Non-Native Grassland, MM-BIO-2 Biological Resource Protection During Construction, and MM-BIO-3 Western Burrowing Owl would reduce this impact to a level less than significant. Mitigation measures MM-BIO-1 through MM-BIO-3 would be consistent with OMCPU Final PEIR mitigation framework measure BIO-1.

Although it is reasonable to assume that wildlife may move locally through the project site, the project site is largely surrounded by existing development, which severely limits, or even precludes,

it from connecting off-site habitat areas. Furthermore, the project currently is not located within, or immediately adjacent to, MHPA identified core biological resource areas and corridors that are targeted for conservation in order to preserve local and regional corridor functions. MHPA lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. MHPA lands are considered by the City to be a sensitive biological resource. The project site is not within or immediately adjacent to the MHPA. The nearest MHPA land occurs as an isolated polygon that lies just east and south of the project site at a distance of approximately 130 feet from the southeastern corner of the parcel and 990 feet from the northeastern corner of the parcel. However, the City is exploring an option to acquire the adjacent property between the parcel and the MHPA polygon for vernal pool conservation. The acquired parcel(s) would be included in the City's MHPA/Vernal Pool Habitat Conservation Plan (VPHCP; City 2017) to be preserved as conserved MHPA land. Therefore, the project would have the potential to land that may be incorporated into the City's MHPA/VPHCP, which would be considered a significant impact. Implementation of mitigation measure MM-BIO-4 (MHPA LUAG) would reduce these impacts to a level less than significant. Mitigation measure MM-BIO-4 would be consistent with OMCPU Final PEIR mitigation framework measure LU-2.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Historical Resources**

### ***OMCPU Final PEIR***

Section 5.5 of the OMCPU Final PEIR provides an analysis of historical resource impacts associated with the OMCP. The OMCPU Final PEIR determined that future development would have the potential to significantly impact all or a portion of the previously identified recorded prehistoric or historic sites within the OMCP area. The OMCPU Final PEIR stated that future discretionary development projects that could result in a potentially significant impact to prehistoric or historic resources and would be required to implement mitigation framework measures HIST-1 and HIST-2.

The OMCPU Final PEIR determined that future development has the potential to significantly impact religious or sacred sites within the OMCP area, which would be considered a significant impact. Although the OMCPU Final PEIR determined that there are no known human remains in the OMCP area, human remains may exist below the ground surface that could be unearthed during future development. Unearthing of unknown human remains would be considered a significant impact. The OMCPU Final PEIR stated that future discretionary projects that would have the potential to impact religious or sacred sites or human remains would be required to implement mitigation framework measure HIST-1.

### ***Project***

Consistent with the OMCPU Final PEIR mitigation framework, a site-specific Historical Resources Survey was prepared by RECON (RECON 2020b). A records search with a one-mile radius buffer around the project site was completed at the South Coastal Information Center at San Diego State University in order

to determine if previously recorded prehistoric or historic cultural resources occur on the project area. Historic aerial photographs were reviewed to determine changes in the survey area over time.

The records search indicated that there have not been any cultural resource investigations that have included the project site. However, 43 cultural resources occur with a one-mile radius of the project, including 37 prehistoric resources (18 of which are isolated artifacts), 4 historic resources, and 2 multi-component resources. The prehistoric resources consist of lithic scatters, lithic scatters and shell scatters, and shell scatters. The historic resources consist of a military runway, a roadway, a church with associated cemetery, and a farmstead. The two multicomponent sites are lithic and shell scatters that also exhibit historic foundations and trash scatters. No previously recorded cultural resources occur on the project property.

P-37-007208, a prehistoric lithic scatter that presently incorporates 725 acres, is located adjacent to the project's western and northern boundaries. The initial recording of P-37-007208 in 1979 covered 80 acres; however, the site has since been updated seven times and has expanded in all cardinal directions. The P-37-007208 artifact assemblage has been consistent across all updates consisting of lithic debitage and tools, with a light to medium scatter density. Portions of P-37-007208 have been tested previously and were determined not to be significant.

A letter was sent to the NAHC on May 8, 2020, requesting them to search their Sacred Lands File to identify spiritually significant and/or sacred sites or traditional use areas in the project vicinity. A response letter from the NAHC was received on May 18, 2020, indicating the results of the Sacred Lands File search for the project site was negative.

The project site was also surveyed on May 6, 2020 by RECON archaeologist Harry Price, who was accompanied by Native American monitor Gabe Kitchen of Red Tail Environmental. No cultural material was discovered during the field survey. However, the majority of the project site was covered in dense vegetation that hindered the possible observance of surface cultural material, and the proximate location of P-37-007208 suggests a high possibility of the presence of surface cultural resources. Therefore, excavation during construction would have the potential to unearth unknown or previously undisturbed archaeological resources, which would be considered a significant impact. The project would implement mitigation measure MM-HIST-1 Archaeological Monitoring, as detailed in the MMRP, to reduce impacts related to archaeological resources to a level less than significant. This mitigation measure would be consistent with OMCPU Final PEIR mitigation framework measure HIST-1.

There are no historic buildings, structures, and objects on the project site. Therefore, OMCPU Final PEIR mitigation framework measure HIST-2 would not apply. No known burial sites or cemeteries exist within the project site, and it is not expected that human remains would be discovered during construction. 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 Public Resources Code (Section 5097.98) and state Health and Safety Code (Section 7050.5) shall be undertaken.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Health and Safety/Hazardous Materials**

### ***OMCPU Final PEIR***

Section 5.6 of the OMCPU Final PEIR provides an analysis of health and safety/hazardous materials impacts associated with the OMCP. The OMCPU Final PEIR identified impacts associated with wildfire hazards that would be potentially significant because new development in the wildland interface areas may expose people and structures to wildland fire hazards, representing a potentially significant impact at the program level. The OMCPU Final PEIR included a mitigation framework with measure HAZ-1, which would reduce potential wildfire hazard impacts to a level less than significant. In addition, the OMCPU Final PEIR determined that impacts associated with aircraft hazards would be potentially significant at the program level, as future projects developed in accordance with the OMCP have the potential to conflict with FAA requirements and result in a significant aircraft hazards impact. The mitigation framework contained in the OMCPU Final PEIR included measure HAZ-2, which would reduce potential aircraft hazard impacts to a level less than significant.

The OMCPU Final PEIR concluded that impacts associated with hazardous substances would be less than significant, as future projects within the OMCP area would be required to comply with policies contained in the General Plan, the OMCP, and regulations imposed by federal, state, and local agencies, including the U.S. Environmental Protection Agency, Resource Conservation and Recovery Act, California Department of Health Services, County of San Diego Department of Environmental Health, and the California Department of Transportation (Caltrans). In addition, the OMCP designated truck routes within the OMCP area along roadway improvements in conjunction with buildout of the circulation network, which would reduce the potential risk of exposure from hazardous materials to residents as a result of transporting hazardous materials. Compliance with existing regulations would ensure impacts associated with health hazards and hazardous substances remain less than significant.

The OMCPU Final PEIR determined that impacts associated with hazardous sites would be potentially significant. The OMCPU Final PEIR identified six sites within the OMCP area as containing hazardous materials, which would present a significant hazard to the public or the environment. In addition, the presence of unknown hazardous sites within the OMCP could result in significant impacts to future development within the OMCP area. The mitigation framework contained in the OMCPU Final PEIR included measure HAZ-3, which would reduce potential hazardous site impacts to a level less than significant.

### ***Project***

The project site is located within a designated Very High Fire Hazard Severity Zone, per the City Official Very High Fire Hazard Severity Zone Map. However, the project has been designed consistent with all brush management and landscaping regulations intended to reduce the risk of wildfires, and the Fire Access Plan has been reviewed and approved by the City. Furthermore, San Diego Fire-Rescue Department Station 43 is located approximately northeast of the project site, which would provide immediate emergency response in the event of a wildfire. Therefore, the project would not expose people to substantial risk associated with wildfires, and impacts would be less than significant.

Review of the Brown Field Municipal Airport ALUCP Exhibit III-2 Safety determined that the project site is located within Zone 6 Traffic Pattern Zone. Distribution and office uses are considered compatible within Zone 6. The project site is located within the Airport Influence Area - Review Areas 1 and 2 for Brown Field Municipal Airport (the boundary separating both review areas crosses the project site), and within the FAA Part 77 Notification Area for Brown Field Municipal Airport. The project buildings' maximum height of 44-feet, six-inches would not exceed applicable height limits for these zones and would not create a hazard related to air navigation. Therefore, the project would not result in a safety hazard for people working within a designated airport influence area, and impacts would be less than significant.

The Southwestern College Higher Education Center is located approximately 0.15 mile north of the project site. Project construction may require the use of small amounts of common solvents and petroleum products. However, these materials would not be acutely hazardous, and use in small quantities would not result in a significant hazard to the public or environment. Operation of the project would consist of warehousing facilities, and would not include uses such as gasoline service stations, automobile repair facilities, dry cleaning facilities, or chemical facilities that would require the routine transport, use or disposal of hazardous materials. The project would implement standard best management practices (BMPs) during cleaning and maintenance activities to ensure that all hazardous materials are handled and disposed of properly. Therefore, the project would not result in hazardous emissions or handle acutely hazardous materials within a quarter-mile of an existing school, and impacts would be less than significant.

City staff review of the State Water Resources Control Board Geotracker and Department of Toxic Substances Control Envirostor databases determined that there are no contaminated sites on or adjacent to the project site. Furthermore, the project site was not identified on the Department of Toxic Substance Control Cortese List. Based on Therefore, the project would not be located on a site listed on a hazardous materials database, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Hydrology and Water Quality**

### ***OMCPU Final PEIR***

Section 5.7 of the OMCPU Final PEIR provides an analysis of hydrology and water quality impacts associated with the OMCP. The OMCPU Final PEIR identified impacts associated with runoff that would result in significant direct and indirect impacts due to an increase in impervious surfaces and associated increases in runoff, and the alterations of on- and off-site drainage patterns. The mitigation framework contained in the OMCPU Final PEIR included measure HYD/WQ-1, which requires regulatory compliance with the Storm Water Standards Manual. Future projects would be required to implement this measure and would reduce impacts associated with runoff to a level less than significant.

The OMCPU Final PEIR determined that impacts to natural drainage systems would be potentially significant, as buildout in accordance with the OMCP has the potential to result in a substantial

change to stream flow velocities and drainage patterns on downstream properties. The OMCPU Final PEIR mitigation framework included measure HYD/WQ-1, which requires regulatory compliance with the Storm Water Standards Manual, would reduce impacts to natural drainage systems to a level less than significant.

The OMCPU Final PEIR concluded that impacts associated with flow alteration would be potentially significant, as future development within the OMCP area would potentially impact the existing course and flow of flood waters due to the presence of floodplains within the OMCP area. The OMCPU Final PEIR mitigation framework included mitigation measure HYD/WQ-1, which requires regulatory compliance with the Storm Water Standards Manual, and would reduce impacts associated with flow alteration to a level less than significant.

The OMCPU Final PEIR determined that impacts to water quality would be potentially significant, as future projects constructed during buildout of the OMCP could result in discharges to surface water or groundwater. Grading and exposed soil could result in sedimentation. Residential development could result in the discharge of sediment, nutrients, trash and debris, oxygen-demanding substances, oil and grease, pesticides, and bacteria and viruses. Commercial development could result in discharge of sediment, nutrients, organic compounds, oxygen-demanding substances, pesticides, and bacteria and viruses. Projects would be required to prepare a Storm Water Pollution Prevention Plan. Development of parks, schools, roads, and other public infrastructure would contribute to any of the identified pollutants noted above. The OMCPU Final PEIR mitigation framework included measure HYD/WQ-2, which would reduce impacts associated with water quality to a level less than significant.

### ***Project***

Consistent with the OMCPU Final PEIR mitigation framework and City regulations, a site-specific Storm Water Quality Management Plan (SWQMP) and Preliminary Drainage Study were completed by K&S Engineering (K&S; 2020a and 2020b).

There are currently no storm drain facilities on the property, and existing on-site drainage consists of sheet flows from west to east. Off-site drainage enters the project site from the west and also are naturally conveyed eastward across the project site. The SWQMP determined that development of the project would convert 11.95 acres (89 percent) of the project site to impervious surfaces (K&S Engineering 2020a). In order to address this increase of impervious surfaces, the project would install a biofiltration basin that would traverse the length of the eastern project boundary for the purpose of hydromodification and peak flow detention. The project would also introduce an underground system of storm drainpipes and inlets to convey runoff from west to east.

The Preliminary Drainage Study determined that the project site has an existing 100-year storm event peak flow of 67.0 cubic feet per second (cfs; K&S Engineering 2020b). Although introduction of impervious surfaces on the project site would increase the 100-year storm event peak flow to 86.8 cfs, the proposed bioretention basin and underground storm drain pipes would reduce 100-year storm event peak flows during the 100-year storm event to 66.3 cfs in the post-project condition. This would be less than existing 100-year storm event peak flow of 67.0 cfs (K&S Engineering 2020b). Furthermore, the project would retain the existing drainage pattern and would not result in off-site erosion or sedimentation. Therefore, the project would not result in a substantial increase in runoff

or substantial alteration of on-site or off-site drainage patterns, and impacts would be less than significant.

According to the City's Storm Water Requirements Applicability Checklist, the project is considered to be a Priority Development Project. Therefore, a SWQMP was prepared to identify and implement required structural BMPs for storm water pollutant control (BMP Design Manual Chapter 5, Part 1 of Storm Water Standards). As described above, the project would install a biofiltration basin that would traverse the length of the eastern project boundary. In addition to hydromodification and peak flow detention, the biofiltration basin would provide for pollutant control consistent with the City's Storm Water Standards. As described in the paragraph above, the project would reduce peak flows during the 100-year storm event compared to the existing condition, and the project would prevent offsite erosion or sedimentation by retaining the existing onsite drainage pattern. Therefore, the project would not result in increases in pollutant discharges, including downstream sedimentation, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Geology/Soils**

### ***OMCPU Final PEIR***

Section 5.8 of the OMCPU Final PEIR provides an analysis of geology and soils impacts associated with the OMCP. The OMCPU Final PEIR determined that the OMCP is within a moderate to high geologic risk area and could therefore result in the exposure of persons or structures to seismic events associated with fault. Faults within the immediate OMCP area are generally considered to comprise the La Nación Fault Zone. Faults in this zone are considered to be potentially active and would subject the OMCP area to moderate to severe ground shaking, resulting in a potentially significant impact. Regarding compressible soils, the OMCPU Final PEIR determined 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 considered compressible. For future projects underlain by compressible soils, removal and replacement by compacted fill would be required. Regarding expansive soils, the OMCP area contains clay mudstone strata within the Very Old Paralic Deposits that exhibit a high to very high expansion potential, which occur over the majority of the OMCP area, resulting in a potentially significant impact. No significant impacts were identified for potential rockfall hazards, and no rock stabilization or blasting would be required for future projects within the OMCP area. The OMCPU Final PEIR mitigation framework included measure GEO-1, which requires preparation of a site-specific geotechnical report recommending project-specific engineering design measures that would reduce potential geologic hazard impacts to a level less than significant.

The OMCPU Final PEIR determined that impacts associated with erosion would be potentially significant, due to the steep nature of many of the hillsides and the generally poorly consolidated nature of the sedimentary materials and soils found throughout the OMCP area, particularly in conjunction with some portions of the San Diego Formation and in drainages and stream valleys. The OMCPU Final PEIR mitigation framework included measure GEO-2, requires preparation of a

site-specific geotechnical report to ensure that projects adhere to the Grading Regulation and National Pollutant Discharge Elimination System permit requirements. Implementation of this measure would reduce impacts associated with erosion to a level less than significant.

### **Project**

Consistent with the OMCPU Final PEIR mitigation framework measure GEO-1 and City regulations, a site-specific Geotechnical Investigation was prepared for the project by GEOCON, Inc. (GEOCON 2020). Review of the City *Seismic Safety Study, Geologic Hazards and Faults*, 2008 Edition, Map Sheet 3 determined that the project site is designated as Hazard Category 53: *Level or Sloping Terrain, unfavorable geologic structure, low to moderate risk*. The Geotechnical Investigation determined that the project site is not underlain by an active fault and is not located within an Earthquake Fault Zone. Therefore, the risk associated with fault rupture is considered low. The project site is relatively flat, with elevations ranging from 477 to 489 feet above mean sea level. Additionally, review of published geologic maps during preparation of the Geotechnical Investigation determined there were no mapped landslide areas on the project site. Therefore, the risk associated with landslides is considered low. The Geotechnical Investigation also determined that risk associated with liquefaction is considered low due to the dense nature of soils underlying the project site and lack of permanent shallow groundwater. Therefore, impacts associated with these geologic hazards would be less than significant.

The Geotechnical Investigation expects that the majority of soils in the upper six to ten feet below existing site grades to possess medium to very high expansion potential. Therefore, the Geotechnical Investigation recommended that grading should include creation of a 5-foot-thick cap of low- to medium-expansive soil. In order to obtain select capping material, the Geotechnical Investigation recommended mining the underlying low- to medium-expansive, granular member of the Terrance Deposit that is suitable for site capping, in combination with burial of the expansive clay member in mined areas. Adherence to this recommendation would ensure that impacts related to expansive soils would be reduced to an acceptable level of risk; therefore, impacts would be less than significant.

Based on the results of the Geotechnical Investigation, the soils and geologic conditions potentially affecting the site have been adequately addressed that construction on the site would be feasible. Additionally, the project would be required to comply with the California Building Code recommendations presented in the Geotechnical Investigation. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential impacts related to geologic hazards would be reduced to an acceptable level of risk, therefore, impacts would be less than significant.

Regarding erosion, a site-specific SWQMP was prepared by K&S Engineering (2020a) documenting that the project would be required to prepare a storm water pollution prevention plan in order to implement construction BMPs in accordance with the performance standards documented in the City's Storm Water Standards Manual. Therefore, impacts related to erosion would be less than significant.



The project site is located approximately 9.6 miles inland from the coast, with elevations ranging from approximately 477 to 489 feet above mean sea level. Therefore, the risk of tsunami is negligible due to the distance from the ocean and elevation. There would be no risk from a seiche, as the site is not located near a large body of water, such as a lake.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Energy Conservation**

### ***OMCPU Final PEIR***

Section 5.9 of the OMCPU Final PEIR provides an analysis of energy conservation impacts associated with the OMCP. Energy use associated with a project typically includes fuel (gasoline and diesel), electricity, and natural gas, and sources include:

- Construction-related vehicle and equipment energy use
- Transportation energy use from people traveling to and from the project area during operation
- Building and facility energy use of the proposed project during operation

San Diego Gas and Electric is the owner and operator of natural gas and electricity transmission and distribution infrastructure in San Diego County. The OMCPU Final PEIR concluded that impacts associated with energy conservation would be less than significant, as 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 under the OMCP. In addition, the OMCPU Final PEIR concluded that implementation of the OMCP would not be anticipated to result in a need for new electrical systems or require substantial alteration of existing utilities (i.e., electricity and natural gas lines), which would create physical impacts. Additionally, future projects would be required to comply with the OMCP Urban Design Element which contains a list of Climate Change and Sustainable Development Policies that focus on designing new development to have a climate, energy efficient, and environmentally oriented site design (Policy 4.9-1), incorporating environmentally conscious building practices and materials (Policy 4.9-2), minimizing building heat gain and appropriately shading windows (Policy 4.9-3), providing on-site landscaping improvements that minimize heat gain and provide attractive and context sensitive landscape environments (Policy 4.9-4), and ensuring development integrates storm water BMPs on-site (Policy 4.9-5). Based on the program-level analysis of the OMCP, state and local mandates for energy conservation, and the energy reduction measures set forth in the OMCP policies outlined above. Impacts associated with energy use would be less than significant.

### ***Project***

Energy used during construction of the project would not be considered significant given the short-term nature of the energy consumption. In regards to long-term operational related energy consumption, the project would be consistent with the land use and zoning designations analyzed in the OMCPU Final PEIR, and development of the project would not result in any new or more severe

impacts related to electrical power or fuel consumption in comparison to what was previously analyzed. Therefore, the project would not result in the use of excessive amounts of fuel or other forms of energy and would not result in a need for new electrical systems or require substantial alteration of existing utilities.

Construction of the project would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic. However, all equipment would be required to meet CARB Tier 3 In-Use Off-Road Diesel Engine Standards. Engines are required to meet certain emission standards, and groups of standards are referred to as Tiers. A Tier 0 engine is unregulated with no emission controls, and each progression of standard level (i.e., Tier 1, Tier 2, Tier 3, etc.) generate lower emissions, use less energy, and are more advanced technologically than the previous tier. CARB's Tier 3 In-Use Off-Road Diesel Engine Standards requires that construction equipment fleets become cleaner and use less energy over time. Section 5.9 of the OMCPU Final PEIR determined that there are no known conditions within the planning area that would require nonstandard equipment or construction practices that would increase fuel-energy consumption above typical fuel consumption rates. Due to the relatively flat topography and undeveloped nature of the project site, construction of the project would be consistent with this conclusion. Therefore, the project would not result in the use of excessive amounts of fuel or other forms of energy (electricity or natural gas) during construction, and impacts would be less than significant.

The project would be required to meet the mandatory energy requirements of CALGreen and the version of the California Energy Code (Title 24, Part 6 of the California Code of Regulations) that is in effect at the time building permits are obtained. The current version of the Energy Code, known as 2019 Title 24, or the 2019 Energy Code, became effective January 1, 2020. The 2019 Energy Code provides mandatory energy efficiency measures as well as voluntary tiers for increased energy efficiency. Each version of the Energy Code is more energy efficiency than previous versions. The project would be required to comply with Policies 4.9-1 through 4.9-5 of the Community Plan Urban Design Element described in the discussion of the OMCPU Final PEIR above, which contains a list of climate change and sustainable development policies that focus on designing new development to have a climate, energy efficient, and environmentally oriented site design.

The project would be required to meet the mandatory energy standards of the California Energy Code, Title 24 Building Energy Standards of the California Code of Regulations, and comply with the policies of the Community Plan Urban Design Element as well as the energy conservation requirements of the Climate Action Plan (CAP) Checklist. Additionally, the project would be served by San Diego Gas & Electric, which currently has an energy mix that includes 43 percent renewable energy and is on track to achieve 50 percent renewable energy content by 2030 as required by the State of California's Renewable Portfolio Standards. Therefore, the project would not result in the use of excessive amounts of energy, create unnecessary energy waste, or conflict with any adopted plan for renewable energy efficiency, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## Noise

### **OMCPU Final PEIR**

Section 5.10 of the OMCPU Final PEIR provides an analysis of noise impacts associated with the OMCP. The OMCPU Final PEIR determined that impacts associated with traffic noise would be significant, as noise sensitive land uses are 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. Exterior and potentially interior traffic noise impacts are anticipated at the majority of locations adjacent to Interstate 805, SR-905, SR-125, Otay Mesa Road, and Airway Road. The OMCPU Final PEIR mitigation framework included measures NOI-1 and NOI-2 that would be required by future projects to demonstrate the exterior and interior noise levels for residential uses would not exceed the compatibility standards of the City's General Plan. These measures required site-specific exterior and interior noise analyses to identify site-specific noise attenuating measures; however, even with implementation of these measures, because the effectiveness of project-level noise reduction measures cannot be known at the program level, the OMCPU Final PEIR determined that traffic noise resulting from implementation of the OMCP would not be compatible with the General Plan standards.

The OMCPU Final PEIR determined that impacts associated with stationary source noise would be significant, as the OMCP has the potential to site noise-sensitive uses (i.e., residential) adjacent to noise-generating commercial and industrial uses. The OMCPU Final PEIR mitigation framework included measure NOI-3, which requires preparation and submittal of a site-specific acoustical analysis to recommend site-specific noise attenuation measures. 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. However, even with implementation of this measure, because the effectiveness of project-level noise reduction measures cannot be known at the program level, the OMCPU Final PEIR determined that impacts would remain significant and unavoidable at the program level.

The OMCPU Final PEIR determined that impacts associated with airport noise would be less than significant, as existing uses within the 60 and 65 CNEL noise contours from Brown Field Municipal Airport would be considered conditionally compatible with these noise levels from operations as Brown Field Municipal Airport located 0.5-mile north of the project site and the General Abelardo L. Rodriguez International Airport located approximately 1.0 mile south of the project site in Tijuana, Mexico.

The OMCPU Final PEIR determined that impacts associated with construction noise would be potentially significant, as construction activities related to implementation of the OMCP would generate short-term noise impacts to noise-sensitive land uses located adjacent to construction sites. In addition, construction-related noise associated with future development projects within the OMCP area could result in short-term, temporary noise impacts affecting coastal California gnatcatchers (*Poliptila californica*), raptors, and other sensitive species within the MHPA. In order to reduce potentially significant impacts associated with construction noise, the OMCPU Final PEIR mitigation framework included measures NOI-4 (and LU-2) requiring the implementation of best

construction management practices, including preparation of a project-specific Construction Noise Management Plan; however, impacts were determined to remain significant and unavoidable.

### ***Project***

The primary noise source in the vicinity of the project site is vehicular traffic on adjacent and nearby roadways from SR-905, Airway Road, and La Media Road. The site is also exposed to aircraft noise levels less than 60 dB(A) CNEL from operations associated with Brown Field Municipal Airport (i.e., outside the 60 CNEL contour). Other existing ambient noise levels at the project site consist of activities and equipment at adjacent industrial properties. Based on the noise level measurements taken as a part of the OMCPU Final PEIR, ambient noise levels in Otay Mesa ranged from 61.5 to 80.9 dB(A)  $L_{eq}$ . Ambient noise levels adjacent to Airway Road in the vicinity of the project were measured to be 72.6 dB(A)  $L_{eq}$ .

OMCPU Final PEIR mitigation framework measures NOI-1 and NOI-2 do not apply to the project because they are related to noise exposure to residential uses and sensitive receptors, and the project does not include any sensitive receptors. Mitigation framework measure NOI-3 applies to noise-generating commercial and industrial uses sited near noise-sensitive uses (i.e., residential). However, this measure does not apply to the project since the project site is not located in, near, or in close proximity to a sensitive receptor. In order to reduce potentially significant impacts associated with construction noise, the OMCPU Final PEIR mitigation framework included measures NOI-4 (and LU-2) requiring the implementation of best construction management practices, including preparation of a project-specific Construction Noise Management Plan.

However, the project is required to comply with the land use compatibility standards in Table NE-3 of the General Plan, and construction and operational noise level limits specified in the Noise Abatement and Control Ordinance.

### Construction Noise

Project 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. Construction noise would potentially result in short-term impacts to surrounding properties. Construction noise is regulated by the City's Noise Abatement and Control Ordinance. Section 59.5.0404 of the City's Noise Abatement and Control Ordinance states that:

- A. It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise. . . .
- B. . . . it shall be unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12-hour period from 7:00 a.m. to 7:00 p.m.

Construction would be restricted to between the hours of 7:00 a.m. and 7:00 p.m., and construction noise levels may not exceed a 12-hour equivalent noise level [dB(A)  $L_{eq(12)}$ ] of 75 dB(A)  $L_{eq(12)}$  as assessed at or beyond the property line of a property zoned residential. There are no residential properties located in the vicinity of the project site. The nearest residential uses are located more than two miles west of the project site. Construction noise levels at this distance would not be audible over the existing ambient noise levels dominated by vehicle traffic. As discussed, ambient noise levels in Otay Mesa ranged from 61.5 to 80.9 dB(A)  $L_{eq}$ , and ambient noise levels adjacent to Airway Road were measured to be 72. dB(A)  $L_{eq}$ . The San Diego Fire-Rescue Department Station 43 is located at the northwest corner of Otay Mesa Road and La Media Road, more than 3,000 feet from the project site. Hourly average noise levels from the grading phase of construction would be 82 dB(A)  $L_{eq}$  at 50 feet from the center of construction activity when assessing the loudest pieces of equipment working simultaneously. This noise level would attenuate to 46 dB(A)  $L_{eq}$  at 3,000 feet. Therefore, construction noise levels would not exceed 75 dB(A)  $L_{eq(12)}$  at the fire station.

#### General Plan Land Use Compatibility

In Table NE-3 of the General Plan, warehouse uses are “compatible” with exterior noise levels up to 65 CNEL, and “conditionally compatible” with exterior noise levels up to 75 CNEL. In “conditionally compatible” areas, feasible noise mitigation techniques should be analyzed and incorporated to make the outdoor activities acceptable and building structures must attenuate exterior noise levels to specified indoor noise levels. The interior noise level standard for office uses is 50 CNEL, and there is no interior noise level standard for warehouse because they are not considered a noise sensitive use. Additionally, based on the City’s CEQA Significance Thresholds, the traffic noise significance threshold at exterior useable space is 75 CNEL for industrial uses. The project does not include any exterior sensitive use areas. Based on the vehicle traffic noise contours calculated in the OMCPU Final PEIR, the proposed building would be located outside the 70 CNEL contours for vehicle traffic on Airway Road. These contours do not take into account shielding that would be provided by the proposed building. Therefore, the project would be compatible with the City’s 75 CNEL standard for industrial/warehouse uses, and impacts would be less than significant.

The proposed offices would be located on the western side of the building. There is no interior noise level standard for warehouse uses and the offices would be an ancillary use to the warehouse. However, as a conservative assessment, noise levels within the offices were compared to the interior noise level standard of 50 CNEL. Assuming light-frame construction, interior noise levels would be reduced by 25 dB(A) from exterior noise levels. Because the building would be located outside the 70 CNEL noise contour, this 25 dB(A) reduction would result in interior noise levels that are less than 50 CNEL. Therefore, interior noise levels in the commercial buildings would be compatible with City’s interior noise standard of 50 CNEL, and impacts would be less than significant.

#### On-Site Generated Noise

In regard to stationary source noise, the main operational noise sources within the project site are anticipated to be those that would be typical of industrial and warehouse uses, and would include trucks accessing the project site, idling, and loading docks, truck unloading and loading activities, and mechanical ventilation equipment. Stationary sources of noise generated on a project site are regulated by the City’s Noise Abatement and Control Ordinance. Section 59.5.0401 of the City’s Noise Abatement and Control Ordinance 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 6.

<b>Table 6 Applicable Noise Level Limits</b>		
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.	50
	7:00 p.m. to 10:00 p.m.	45
	10:00 p.m. to 7:00 a.m.	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.	55
	7:00 p.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
All other Residential	7:00 a.m. to 7:00 p.m.	60
	7:00 p.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Commercial	7:00 a.m. to 7:00 p.m.	65
	7:00 p.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	60
Industrial or Agricultural	Anytime	75
SOURCE: City of San Diego Noise Abatement and Control Ordinance Section 59.5.0401. dB(A) $L_{eq}$ = A-weighted decibels equivalent noise level		

The project proposes an industrial land use and is located adjacent to other industrial land uses. The applicable property line noise level limit between project site and the adjacent industrial uses is 75 dB(A)  $L_{eq}$  at any time.

The project would be similar to the surrounding industrial uses and would generate noise levels similar to the existing surrounding environment. Furthermore, there are no project components that are anticipated to generate noise levels that would exceed 75 dB(A)  $L_{eq}$  at the property line. Therefore, the project would not generate on-site noise that would exceed the noise limits established in the City's Noise Abatement and Control Ordinance, and impacts would be less than significant.

Aircraft Noise

Review of Figure 5.1-4 of the OMCPU Final PEIR determined that the project site is located outside the 60 CNEL contours for the Brown Field Municipal Airport and the General Abelardo L. Rodriguez International Airport. No impact would occur.

## Vibration

Construction operations have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The effects of ground vibration may be imperceptible at the lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and damage to nearby structures at the highest levels. Vibration perception would occur at structures, as people do not perceive vibrations without vibrating structures.

Project construction equipment used during site grading and excavation would have the greatest potential to generate vibrations that would affect nearby uses. Construction equipment would include equipment such as loaded trucks, excavators, dozers, and loaders. Vibration levels from these pieces of equipment would generate vibration levels with a peak particle velocity (PPV) ranging from 0.035 to 0.089 inches per second (in/sec) PPV at 25 feet. Human reaction to vibration is dependent on the environment the receiver is in as well as individual sensitivity. For example, vibration outdoors is rarely noticeable and generally not considered annoying. Typically, humans must be inside a structure for vibrations to become noticeable and/or annoying. Based on several federal studies the threshold of perception is 0.035 in/sec PPV, with 0.24 in/sec PPV being a distinctly perceptible (Caltrans 2013). Neither cosmetic nor structural damage of buildings occurs at levels below 0.1 in/sec PPV. There are no structures within 25 feet of the project site; therefore, vibration levels would be below the distinctly perceptible threshold. Thus, groundborne vibration impacts from construction would be less than significant. Once operational, the project would not be a source of groundborne vibration.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Paleontological Resources**

### ***OMCPU Final PEIR***

Section 5.11 of the OMCPU Final PEIR determined that impacts on paleontological resources would be potentially significant. Buildout of the OMCP would occur within approximately 352 acres designated with high paleontological sensitivity, approximately 1,505 acres designated with moderate paleontological sensitivity, and less than one acre designated with low paleontological sensitivity. The OMCPU Final PEIR mitigation framework included measure PALEO-1, which would require project level analysis and construction monitoring for projects that would exceed the City's Significance Determination Thresholds related to grading quantities and depth of excavation within areas designated as having moderate and high paleontological sensitivity ratings. Implementation of PALEO-1 would reduce impacts on paleontological resources to a level less than significant.

## ***Project***

Review of Figure 5.11-1 of the OMCPU Final PEIR determined that the project site is underlain by Very Old Paralic deposits (Qvop, formally known as the Lindavista Formation), which has been designated as having a moderate sensitivity level for paleontological resources. However, according to the site-specific Geotechnical Investigation prepared by GEOCON, Inc. (GEOCON 2020), the site is underlain by Pleistocene Terrace Deposits, Undocumented Fill and Topsoil, none of which have not been assigned a paleontological sensitivity rating. The project would only require 2,060 cubic yards of cut to a depth of 10 feet, which would not exceed the City's established significance threshold for paleontological resources. Therefore, the project would not have the potential to impact paleontological resources. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Transportation/Circulation**

### ***OMCPU Final PEIR***

Section 5.12 of the OMCPU Final PEIR provides an analysis of transportation/circulation impacts associated with the OMCP. The OMCPU Final PEIR determined that impacts associated with capacity of the circulation system would be significant. Specifically, a total of 24 roadway segments under the Horizon Year Plus CPU condition would be expected to operate at unacceptable level of service, resulting in significant roadway segment impacts. A total of 49 intersections would be expected to operate at unacceptable levels under the Horizon Year Plus CPU condition, resulting in significant intersection impacts, and 39 intersections would remain significant after mitigation. The OMCPU Final PEIR determined that all Interstate 805 freeway segments studied would be expected to operate at an acceptable level of service in the Horizon Year Plus CPU condition, while five SR-905 freeway segments would be expected to operate at unacceptable levels in the Horizon Year Plus CPU condition, resulting in a significant impact at these five SR-906 freeway segments. In regard to freeway ramp metering impacts, the OMCPU Final PEIR determined that five SR-905 metered freeway on-ramps would be expected to experience delays over 15 minutes with downstream freeway operations at unacceptable levels in the Horizon Year Plus CPU condition, resulting in a significant impact.

The OMCPU Final PEIR mitigation framework stated that at the program level, impacts would be reduced through the OMCP proposed classifications of roadways and identification of necessary roadway, intersection, and freeway improvements. Specific mitigation measures or construction of these improvements would be carried out at the project-level via the City's PFFP and/or specific improvement proposals included as part of future development projects. Funding would be through construction by individual development projects, collection of Facilities Benefit Assessment fees, fair-share contributions to be determined at the project-level, and potentially other sources.

The OMCPU Final PEIR identified significant impacts at roadway segments throughout the OMCP area. Even with incorporation of the recommended street classifications identified in Table 5.12-4 of the OMCPU Final PEIR, 24 roadway segments would operate unacceptably in the Horizon Year Plus



CPU condition, resulting in a significant and unmitigated impacts to roadway segments. The OMCPU Final PEIR mitigation framework stated that partial mitigation may be possible in the form of transportation demand management measures that encourage carpooling and other alternate means of transportation. At the time future discretionary subsequent development projects are proposed, project-specific traffic analyses would be required to contain detailed recommendations.

The OMCPU Final PEIR identified significant impacts at 49 intersections throughout the OMCP area. The OMCPU Final PEIR mitigation framework included measure TRF-1, which requires intersection improvements per the lane designations identified in the OMCPU Final PEIR Figures 5.12-4a through 5.12-4g. However, the OMCPU Final PEIR concludes that even with the lane configurations proposed for the intersections analyzed, 39 intersections would continue to be significant and unmitigated.

The OMCPU Final PEIR proposed mitigations for freeway segment impacts include the construction of high-occupancy vehicle lane in each direction on the SR-905. However, because the affected freeway segments are owned and operated by Caltrans, mitigation to these segments cannot be guaranteed by the City. Therefore, Additional mitigation such as Transportation Demand Management measures may be identified in the future at the project-level; however, impacts to the SR-905 mainline segments would remain significant and unmitigated.

At the time future development projects are proposed, project-specific traffic analyses would be required to contain detailed recommendations. All project-specific mitigation for direct impacts shall be implemented prior to the issuance of Certificate of Occupancy in order to provide mitigation at the time of impact; however, at the program level impacts would remain significant and unmitigated.

### ***Project***

Consistent with the OMCPU Final PEIR mitigation framework, a site-specific Access Analysis was completed by LLG (LLG 2020). The following is a brief summary of the analysis and conclusions of the technical study.

### ***Methodology***

Potential traffic impacts were analyzed using the *Highway Capacity Manual 6th Edition (HCM 6)*, with the assistance of the *Synchro 10* computer software and compared to the City Level of Service (LOS) criteria for intersections and roadway segments. The project is consistent with the land uses that were analyzed in the OMCPU Final PEIR. Therefore, the Access Analysis analyzed impacts based on LOS criteria, since that is the CEQA standard that was utilized in the OMCPU Final PEIR.

### ***Project Trip Generation***

The project would develop 235,480 square feet of warehouse and distribution and 12,000 square feet of office space. Based on these proposed land use types, the Access Analysis estimated project trip generation based on rates for "warehousing" and "commercial office" found in the *City's Trip Generation Manual* (City of San Diego 2003). As shown in Table 7, the project would generate approximately 1,518 ADT, with 222 trips (165 inbound/57 outbound) during the AM peak hour and 237 trips (86 inbound/151 outbound) during the PM peak hour.

**Table 7  
Project Trip Generation**

Land Use	Size	Daily Trip Ends (ADTs)		AM Peak Hour					PM Peak Hour				
		Rate <sup>a</sup>	Volume	% of ADT	In:	Volume			% of ADT	In:	Volume		
					Out	Split	In	Out		Total	Split	In	Out
Warehousing	235.48 KSF	5/KSF	1,178	15%	70:30	124	53	177	16%	40:60	76	113	189
Commercial Office	12.00 KSF	Log formula <sup>b</sup>	340	13%	90:10	41	4	45	14%	20:80	10	38	48
<b>Total</b>		—	<b>1,518</b>	—	—	<b>165</b>	<b>57</b>	<b>222</b>	—	—	<b>86</b>	<b>151</b>	<b>237</b>

KSF = 1,000 square feet  
**Footnotes:**  
a. Rate is based on City of San Diego's Trip Generation Manual.  
b.  $Ln(ADT) = 0.756 Ln(KSF) + 3.95$

Impact Analysis

The Access Analysis developed a study area based on the anticipated distribution of project traffic that included the following intersections and street segments:

Intersections:

1. Britannia Boulevard/SR-905 westbound ramps
2. Britannia Boulevard/SR-905 eastbound ramps
3. La Media Road/SR-905 westbound ramps
4. La Media Road/SR-905 eastbound ramps
5. Airway Road/Britannia Boulevard
6. Airway Road/Project Driveway (west) (*Does not Exist*)
7. Airway Road/Centurion Street / Project Driveway (east) (*Does not Exist*)
8. Airway Road/La Media Road

Roadway Segments:

1. *Britannia Boulevard*
  - SR-905 westbound ramps to SR-905 eastbound ramps
  - SR-905 eastbound ramps to Airway Road
2. *La Media Road*
  - SR-905 westbound ramps/St. Andrews Avenue to SR-905 eastbound ramps
  - SR-905 eastbound ramps to Airway Road
3. *Airway Road*
  - Britannia Boulevard to Project Driveway (west)
  - Project Driveway (west) to Centurion Street/Project Driveway (east)
  - Centurion Street/Project Driveway (east) to La Media Road

Due to the changes in travel patterns and lower activity caused by the CoVid-19 pandemic, existing traffic counts were unable to be conducted for the project. Therefore, historical traffic count data was obtained and used in the impact analysis.

#### Existing Plus Project

All intersections in the Existing Plus Project scenario would operate at LOS D or better.

All roadway segments in the Existing Plus Project scenario would operate at LOS D or better with the exception of one roadway segment. The project would result in a significant impact to the following roadway segment:

- La Media Road, from SR-905 eastbound ramps to Airway Road (LOS E)

#### Opening Year 2021 Plus Project

This scenario evaluated potential impacts based on the addition of project traffic in the Opening Year 2021 conditions.

All intersections in the Opening Year 2021 Plus Project scenario would operate at LOS D or better.

All roadway segments in the Opening Year 2021 Plus Project scenario would operate at LOS D or better with the exception of one roadway segment. The project would result in a significant impact to the following roadway segment that was also impacted in the Existing Plus Project scenario:

- La Media Road, from SR-905 eastbound ramps to Airway Road (LOS F)

Consistent with the OMCPU Final PEIR, the project would include mitigation measure MM-TRA-1, as detailed in the MMRP, for impacts under the Existing Plus Project and Opening Year 2021 Plus Project scenarios to La Media Road, from SR-905 eastbound ramps to Airway Road. Implementation of MM-TRA-1 would reduce this impact to a level less than significant. This mitigation measure would be consistent with the OMCPU Final PEIR mitigation framework regarding impacts on roadway segments.

#### Active Transportation

A contiguous sidewalk currently exists along the north side of Airway Road between La Media Road and Britannia Boulevard. However, sidewalks are provided intermittently on the south side. The project would widen Airway Road along the project frontage to provide the ultimate roadway width of 76 feet curb-to-curb to be consistent with the Otoy Mesa Community Mobility Element Plan for a 4-lane major roadway. The widened roadway would include a 22-foot parkway consisting of a 7-foot non-contiguous sidewalk and a 15-foot parkway. Therefore, the project would improve pedestrian circulation.

There are currently no bicycle facilities provided along Airway Road. However, the widened segment of Airway Road to its full width 76 feet curb-to-curb would occur within a 98-foot right-of-way that would provide buffered bike lanes on both sides of the roadway. Therefore, the project would improve bicycle circulation.

The following three bus stops are located within 0.5-mile of the project site:

- A bus stop for San Diego Metropolitan Transit System (MTS) Route 909 is located on Gigante Street in front of Southwestern Higher Education Center Otay Mesa. Route 909 provides service between Southwestern Higher Education Center Otay Mesa and the Otay Mesa Transit Center. Weekday service begins at 5:05 a.m. with one-hour headways and ends at 7:46 p.m.
- A bus stop for MTS Route 909 is located just west of the intersection of Airway Road and Excellante Street. Route 909 provides service between the Southwestern Higher Education Center Otay Mesa and the Otay Mesa Transit Center. Weekday service begins at 5:05 a.m. with one-hour headways and ends at 7:46 p.m.
- A bus stop for MTS Route 905 is also located on west side of La Media Road at the SR-905 Eastbound ramps intersection. Route 905 provides service between the Iris Avenue Transit Center and Otay Mesa Transit Center. Weekday service begins at 4:10 a.m. with 30-minute headways and ends at 10:00 p.m.

The project would not physically impact any of these bus stops and would improve access through construction of the 22-foot parkway as part of the project frontage improvements. Therefore, the project would improve access to transit.

#### Parking

Per Table 142.05E in the *San Diego Municipal Code, Chapter 14: General Regulation, Article 2: General Development Regulation, Division 5: Parking Regulations*, a minimum of 3.3 parking spaces per 1,000 square feet is required for office uses and one parking space per 1,000 square feet is required for warehouse use. Based on the above minimum parking requirements, the project would be required to provide 276 spaces (40 parking spaces for the office use and 236 spaces for the warehouse use). According to SDM-117 of the City's Standard Drawings, projects that are required to provide 300 parking spaces or less must include seven accessible parking spaces within their parking total. The project would provide a total of 276 parking spaces, which would include seven accessible parking spaces within this total. Therefore, the project would meet the City's overall minimum parking and accessible parking requirements.

The City requires that projects provide motorcycle parking at a ratio of 2 percent of the total automobile parking requirement, or two spaces, whichever is greater. Based on the City's parking requirement, the project would be required to provide a minimum of six motorcycle parking spaces. The project will provide a total of six motorcycle parking spaces consistent with the City's minimum parking requirement.

The project would provide a total of ten short-term bicycle parking spaces by installing one, five-space rack adjacent to the north end of the building, and one, five-space rack adjacent to the south of the building. The City requires that projects provide long-term bicycle parking spaces based on a minimum of 5 percent of the total minimum automobile parking spaces. Based on this requirement, a minimum of 14 bicycle parking spaces would be required. The project will provide a total of 15 long-term bicycle parking spaces consistent with the City's minimum parking requirement and the requirements of the CAP Consistency Checklist.

The City requires that projects with more than 201 automobile parking spaces provide carpool and zero emission vehicle parking at a ratio of 8 percent of the total automobile parking requirement. Based on the City's parking requirements, the project would be required to provide a minimum of 23 carpool and zero emission vehicle parking spaces. The project would provide a total of 28 carpool and zero emission parking spaces, which would exceed the City's minimum parking requirements. Additionally, the project would provide 17 parking spaces which are capable of electric vehicle charging, 9 of which would provide active electric vehicle charging stations ready for use.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Public Services**

### ***OMCPU Final PEIR***

Section 5.13 of the OMCPU Final PEIR provides an analysis of public service impacts associated with the OMCP. The OMCP would increase demand for fire protection services and would contribute to the need for new or altered facilities. The OMCP anticipated construction of a planned 10,500 sf fire station (Fire Station No. 49) in addition to a 10,500 sf fire station to be collocated with the police facilities near Britannia Boulevard and Airway Road to ensure the department meets established response times, within the OMCP area. The construction of new facilities would take place within the development footprint of the OMCP and would be subject to separate environmental review at the time design plans are available. Therefore, at the program-level of analysis conducted for the OMCPU Final PEIR, impacts related to the construction of fire protection facilities were determined to be less than significant.

The OMCPU Final PEIR stated that buildout of the OMCP would result in additional demand for police service in Beat 713. As stated in the OMCPU Final PEIR, the average response times for Beat 713 exceed both the citywide average and police department goals for Emergency, Priority One, and Priority Two calls. Police response times would continue to increase with the buildout of CPU and the increase of traffic generated by new growth, requiring construction of new facilities. A 10,000 sf collocated police/fire-rescue facility is contemplated by the PFFP for the OMCP. The construction of this facility would be within the development footprint of the OMCP and would be subject to separate environmental review at the time design plans are available. Therefore, it was determined that, at the program level analysis, impacts related to the construction of new police protection facilities would be less than significant.

The OMCP Final PEIR stated that buildout would place additional demands on school services and additional school facilities would be required to meet the needs of the OMCP buildout. As discussed in the OMCPU Final PEIR, the construction of these facilities would take place within the development footprint of the plan area and be subject to separate environmental review at the time design plans are available. The OMCPU Final PEIR determined that payment of the statutory fee, pursuant to Senate Bill 50, by future projects consistent with OMCP would mitigate the impact associated with increased demand for schools because of the provision that the statutory fees constitute full and complete mitigation. Impacts were determined to be less than significant.

The OMCPU Final PEIR identified that new parks would be required in the OMCP area in order to meet the increased demand associated with buildout of the proposed CPU. Under the OMCP, approximately 2,909 acres would be designated for parks and open space. Of this, 161 acres were designated for population-based parks. The remaining 2,748 acres would consist of open space. The construction of additional park facilities is specifically indicated in the PFFP for the OMCP; and the OMCPU Final PEIR stated that it is reasonable to assume that these facilities would be constructed in the future. The construction of these facilities would take place within the development footprint of the OMCP and would be subject to separate environmental review at the time design plans are available. Therefore, at this program-level of analysis, the OMCPU Final PEIR determined that impacts related to the construction of new park and recreation facilities within the OMCP area would be less than significant.

The OMCPU Final PEIR stated that there would be a need for an additional library facility to serve the OMCP area upon buildout. The OMCPU Final PEIR stated that the construction of a new facility was specifically contemplated by the current PFFP for the OMCP, and that it is reasonable to assume that this facility would be constructed in the future. The construction of this facility would take place within the development footprint of the OMCP and would be subject to separate environmental review at the time design plans are available. Therefore, the OMCPU Final PEIR determined that at the program level of analysis, impacts related to the construction of a new library within the OMCP area would be less than significant.

### ***Project***

The project would develop an industrial use consistent with the land use and zoning designations identified in the OMCP. Consequently, the project would be consistent with growth projections that were utilized to forecast demand for future fire protection that was analyzed in the OMCPU Final PEIR. Therefore, the project would not result in development beyond that anticipated under the OMCP and would not increase the demand for fire protection within the service area. Furthermore, the project would pay Development Impact Fees prior to building permit issuance, which would be used to maintain and fund future fire protection facilities. The project would not require any new or expanded fire protection facilities, and impacts would be less than significant.

The project would develop an industrial use consistent with the land use and zoning designations identified in the OMCP. Consequently, the project would be consistent with growth projections that were utilized to forecast future police protection demand that was analyzed in the OMCPU Final PEIR. Therefore, the project would not result in development beyond that anticipated under the OMCP and would not increase the demand for police protection within the service area. Although the project could result in increases in service calls, no new facilities or improvements to existing facilities would be required as a result of the project due to its consistency with future development projections for the OMCP. Moreover, ongoing funding for police services is provided by the City General Fund, and the project would pay Development Impact Fees prior to building permit issuance, which would be used to maintain and fund future police protection facilities. Therefore, the project would not require any new or expanded police protection facilities, and impacts would be less than significant.

The project is limited to development of an industrial use with ancillary office space and would not construct any housing that could result in an increase in population beyond what was anticipated by the OMCP. The project would be consistent with the land use and zoning designations identified in the OMCP. Consequently, the project would be consistent with growth projections that were utilized to forecast demand for future school services, park and recreation facilities, libraries, and other public services that were analyzed in the OMCPU Final PEIR. Therefore, the project would not require construction of additional infrastructure beyond what was anticipated in the OMCP that could induce growth. Therefore, the project would not result in population growth that could increase demand for school services, park and recreation facilities, libraries, or other public services. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Public Utilities**

### ***OMCPU Final PEIR***

Section 5.14 of the OMCPU Final PEIR evaluated potential impacts on utility services that may occur through development of the OMCP.

The OMCPU Final PEIR concluded that impacts associated with water and reclaimed water utility systems would be less than significant, as improvements to these systems had been previously identified in master planning documents, including Otay Water District's (OWD) 2008 WRMP and 2010 WRMP Update and the City's Public Utilities Department (PUD) Otay Mesa Master Plan Optimization Baseline Report, and would be required regardless of whether the OMCP was implemented. The OMCPU Final PEIR determined that impacts associated with wastewater would be less than significant, as the 2004 Otay Mesa Trunk Sewer Master Plan and 2009 Refinement Report previously identified sewer system improvements as required in future phases to accommodate buildout wastewater generation from the area. The three additional improvements identified within the OMCP would occur within existing utility line easements and facilities and would not result in significant impacts to the environment.

Impacts associated with storm water infrastructure were concluded to be less than significant, as no storm drains, or other community-wide drainage facilities are proposed for construction in conjunction with adoption of the OMCP. All such facilities would be constructed in conjunction with future development projects implemented in accordance with the OMCP, designed to the satisfaction of the City Engineer. At the project-level, adherence to existing storm water regulations, conformance with General Plan and OMCP policies, and review under CEQA would assure that impacts associated with the requirements for and/or construction of storm water infrastructure would be less than significant at the program-level.

Communication systems impacts were identified as less than significant, as cable and telephone services would be available through private utility companies that have capacity to serve the OMCP area. In addition, the OMCPU Final PEIR determined 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 right-of-way.

### **Project**

The project would connect to an existing 10-inch PVC sewer main and a 16-inch water pipe the currently traverse Airway Road, which would be adequate to serve the needs of the project. The connections to these sewer and water facilities would be located within the project footprint. Therefore, potential impacts associated with construction of these sewer and water facilities have been evaluated throughout this EIR Addendum. The project would develop an industrial use consistent with the land use and zoning designations identified in the OMCP. Consequently, the project would be consistent with growth projections that were utilized to forecast demand for sewer and water service that was analyzed in the OMCPU Final PEIR. Therefore, the project would not increase demand for sewer and water service within the service area that would necessitate construction of new off-site facilities, and impacts would be less than significant.

Consistent with the OMCPU Final PEIR mitigation framework measure UTIL-1, a site-specific Waste Management Plan (WMP) was prepared for the project by RECON (RECON 2020c). The project site is currently undeveloped and would not require demolition requiring disposal. The project would require a net import of 78,540 cubic yards of soil, and all green waste would be recycled for 100 percent diversion during grading. The WMP estimated that approximately 537.0 tons waste of waste would be generated during construction, approximately 447.5 tons of which would be diverted. This would result in the diversion and reuse of approximately 83.3 percent of construction waste, which would meet the City's current waste diversion goal of 75 percent. The WMP determined that operation of the project would generate approximately 1,386.2 tons of waste per year. The project would include two 480-square-foot refuse storage and recycling areas, and the applicant (or applicant's successor in interest) would implement the ongoing waste reduction measures documented in the WMP to ensure that project operation would comply with applicable City recycling ordinances and that waste would be minimized. Implementation of the Waste Reduction Measures documented in the WMP would reduce operational impacts related to solid waste to a level less than significant.

As discussed under the hydrology and water quality section above, the project would maintain the overall existing condition on-site drainage patterns and would install a biofiltration basin for water quality, hydromodification, and peak flow detention that would traverse the length of the eastern project boundary. The project would also introduce an underground system of storm drainpipes and inlets to convey runoff from west to east. These storm water facilities would be located within the project footprint. Therefore, potential impacts associated with construction of these storm water facilities have been evaluated throughout this EIR Addendum. The Preliminary Drainage Study determined that the project site has an existing 100-year storm event peak flow of 67.0 cfs (K&S Engineering 2020b). Although introduction of impervious surfaces on the project site would increase the 100-year storm event peak flow to 86.8 cfs, the proposed bioretention basin and underground storm drain pipes would reduce 100-year storm event peak flows during the 100-year storm event to 66.3 cfs in the post-project condition. This would be less than existing 100-year storm event peak flow of 67.0 cfs (K&S 2020b). Therefore, the project would not require the construction of new off-site stormwater facilities, and impacts would be less than significant.



Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Water Supply**

### ***OMCPU Final PEIR***

Section 5.15 of the OMCPU Final PEIR determined that impacts on water supply associated with buildout of the OMCP would be less than significant. The City PUD prepared a Water Supply Assessment (WSA) for the OMCPU Final PEIR that determined sufficient water supply would be available to serve existing demands, project demands of the OMCP, and future water demands within the City PUD and OWD service area in normal and dry year forecasts during a 20-year projection.

Buildout under the OMCP would result in the placement of new landscaping requiring water use for irrigation purposes. However, future development would be required to adhere to Landscape Standards found in the City's Land Development Manual, as well as General Plan and OMCP policies regarding the use of drought-tolerant plantings for project landscape plans. The OMCPU Final PEIR concluded that adherence to these requirements would prevent excessive water usage for irrigation and other purposes, and impacts would be less than significant.

### ***Project***

The project did not meet the City's CEQA threshold that would require preparation of a WSA. However, the WSA completed for the OMCPU Final PEIR considered development of the project site based on the existing land use and zoning designations. The WSA completed for the OMCPU Final PEIR determined that future water supply within the City PUD and the OWD's service area would be sufficient to meet the projected water demands under buildout of the OMCP, as well as existing and other reasonably foreseeable planned development projects within the OWD for a 20-year planning horizon, in normal and in single and multiple dry years. As discussed in the OMCPU Final PEIR, the projected water demand of the OMCP with the City's PUD service area was estimated at 5,563 acre-feet per year (AFY). Per the City's 2010 Urban Water Management Plan, the planned water demand for the adopted Otay Mesa Community Plan was 5,393 AFY. The remaining portion of the estimated 170 AFY was accounted for through the Accelerated Forecast Growth demand increment of the San Diego County Water Authority 2010 Urban Water Management Plan. The project would develop an industrial consistent with the land use and zoning designations identified in the OMCP. Therefore, the project would not result in development beyond that anticipated under the OMCP or increase demand for water supply, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Population and Housing**

### ***OMCPU Final PEIR***

Section 5.16 of the OMCPU Final PEIR provides an analysis of population and housing impacts associated with the OMCP. The OMCPU Final PEIR determined that impacts associated with population growth would be less than significant, as the OMCP would implement SANDAG's Regional Comprehensive Plan and Regional Housing Element and the City's General Plan and Housing Element by providing a mix of housing types within mixed-use centers linked to public transportation, increase the City's and region's supply of needed housing consistent with SANDAG's regional growth forecast, and focus increased housing supply within compact villages conducive to supporting frequent transit service in accordance with the Regional Comprehensive Plan and General Plan goals and policies. The OMCP provides comprehensive planning for the management of population growth and necessary economic expansion to support economic development efforts where none currently exist, resulting in a less than significant impact.

The OMCPU Final PEIR determined that impacts associated with affordable housing would be less than significant, as the land use designations and design guidelines contained in the OMCP are intended to foster the development of housing for all income levels. As such, the OMCP would provide affordable housing units consistent with federal and state regulations and the City's objective of increasing the stock of affordable housing impacts to affordable housing, resulting in a less than significant impact.

### ***Project***

The project is limited to development of an industrial use with ancillary office space and would not construct any housing that could result in an increase population beyond that anticipated in the OMCP. The project would be consistent with the land use and zoning designations identified in the OMCP and would not require construction of additional infrastructure beyond what was anticipated in the OMCP that could induce growth. Therefore, the project would not result in substantial population growth or growth inducement. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## **Agricultural and Mineral Resources**

### ***OMCPU Final PEIR***

Section 5.17 of the OMCPU Final PEIR provides an analysis of agricultural and mineral resource impacts associated with the OMCP. The OMCPU Final PEIR determined that impacts associated with the conversion of agricultural land would be less than significant. It was determined that although the OMCP would convert additional Important Farmland to non-agricultural uses, these areas are fragmented and are surrounded by urban land uses and MHPA lands, and agricultural viability within the OMCP area has been significantly reduced due to rising land values, water costs, increasing taxes, habitat management planning, and other land use conflicts. Agricultural land in the

OMCP area is intended as an interim, rather than permanent use. The OMCP allows agriculture as an interim use pending development and would rezone the Central Village to an agricultural "holding" zone to accommodate continued agricultural operations until such time that a Specific Plan is implemented.

The OMCPU Final PEIR determined that impacts associated with City and regional consequences of agricultural land conversion would be less than significant, as the viability of this area for agricultural use is limited, and the amount of existing farmland is minimal relative to the regional total.

The OMCPU Final PEIR determined that impacts to mineral resources would be less than significant, as portions of the OMCP area where Mineral Resource Zone MRZ-2 (MRZ-2) "regionally significant" aggregate resource areas exist are currently developed or where entitlements have already been approved for future development. These existing and planned developments restrict access to these aggregate areas and preclude the ability to extract those resources. Further, the majority of the acreage designated as MRZ-2 contains existing residential uses, which would be incompatible with extraction operations even under the adopted community plan. MRZ-3 mineral resources are not considered a significant mineral resource. As such, the ability to extract mineral resources would not be impacted with the adoption of the OMCP.

### ***Project***

The land use designation is Business and International Trade and zoned IBT-1-1 (International Business and Trade) per the Otay Mesa Community Plan. Review of Figure 5.17-1 of the OMCPU Final PEIR determined that the project site is designated as Farmland of Local Importance. However, the project site is not in active agricultural use, and is surrounded by industrial uses. Although vacant land to the north and east are also designated as Farmland of Local Importance, these parcels are not currently in active agricultural use. Furthermore, the project site is not designated or zoned for agricultural production. Therefore, the project does not propose the conversion of agricultural land to non-agricultural uses, and impacts would be less than significant.

Review of Figure 5.17-3 of the OMCPU Final PEIR determined that the project site is designated as MRZ-3. Land designated as MRZ-3 is not considered a significant mineral resource pursuant to the City's Significance Determination Thresholds. Therefore, the project would not result in the loss of availability or prevention of future extraction of sand or gravel, and/or mineral resources, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

### **Greenhouse Gas Emissions**

#### ***OMCPU Final PEIR***

The OMCPU Final PEIR determined that impacts associated with GHG emissions and consistency with adopted plans, policies, and regulations would be significant and unmitigated at the program level as if future projects could potentially not meet the necessary reduction goals even with

implementation of Mitigation Framework GHG-1. The CPU contains policies that would reduce GHG emissions from transportation and operational building uses and 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 CPU would be required to implement GHG-reducing features beyond those mandated under existing codes and regulations.

Section 5.18 of the OMCPU Final PEIR evaluated whether implementation of the OMCP would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of GHGs, or would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The OMCPU Final PEIR determined that impacts associated with GHG emissions would be significant and unmitigated at the program level. Mitigation framework measure GHG-1 required that future projects implemented in accordance with the OMCP to incorporate GHG reducing features or mitigation measures in order to show a 28.3 percent reduction in GHG emissions, relative to business as usual (BAU), to meet Assembly Bill year 2020 target levels. However, since future projects could potentially not meet the necessary reduction goals even with implementation of mitigation framework measure GHG-1, it was concluded that impacts would remain significant and unmitigated. The OMCP contains policies that would reduce GHG emissions from transportation and operational building uses and 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 GHG-reducing features beyond those mandated under existing codes and regulations.

The OMCPU Final PEIR identified mitigation framework measure GHG-2, requiring future projects to demonstrate their avoidance of significant impacts related to long-term operational emissions. However, even with implementation of mitigation, impacts would remain significant and unmitigated as the analysis determined that the 9.1 to 11.4 percent reductions relative to BAU would fall short of meeting the City's goal of a minimum 28.3 percent reduction in GHG emissions relative to BAU. While the Mobility, Urban Design, and Conservation elements of the OMCP included specific policies that work to minimize GHG emissions, such as requiring dense and compact development, encouraging efficient energy and water conservation design, and increasing transit accessibility, among others, the OMCP's projected emissions would fall short of meeting the 28.3 percent reduction goal.

### ***Project***

Following certification of the OMCPU Final PEIR, the City adopted a Climate Action Plan (CAP) in December 2015 that outlines the actions the City will undertake to achieve its proportional share of State GHG emission reductions. The City has identified the following CAP strategies to reduce GHG: energy- and water-efficient buildings; clean and renewable energy; bicycling, walking, transit, and land use; zero waste (gas and waste management); and climate resiliency. In order to ensure that future developments comply with the CAP, the City adopted a CAP Consistency Checklist, adopted July 12, 2016, and revised June 2017, which is the primary document utilized by the City to ensure a project-by-project consistency with the underlying assumptions in the CAP to ensure that the specified emission reduction targets identified in the CAP are achieved.

The OMCPU Final PEIR Identified various policies and recommendations aimed to reduce GHG emissions which support the City's reduction goals outlined in the CAP, which include reducing GHG emissions by 15 percent from the year 2010 baseline by year 2020, and reducing GHG emissions by 50 percent from the year 2010 baseline by year 2035. Therefore, in keeping with the policies in the OMCPs, the project would be required to comply with the CAP Consistency Checklist. By implementing the measures outlined in the CAP Consistency Checklist, the project would meet the goals and strategies of the CAP.

**CAP Consistency Checklist.** The project (RECON 2020d). The CAP Consistency Checklist includes a three-step process to determine if a project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's consistency with applicable strategies and actions of the CAP. Step 3 is to determine whether a project with a land use and/or zone designation change within a Transit Priority Area would be consistent with the assumptions of the CAP. Step 3 would only apply if Step 1 is answered in the affirmative under Option B, which applies to projects that are not consistent with the existing land use plan and zoning designations, and would result in an increased density within a Transit Priority Area. The project completed the CAP Consistency Checklist (RECON 2020d) and its consistency is presented below.

Completion of Step 1: Land Use Consistency of the CAP Consistency Checklist determined that the project would be consistent with the existing General Plan and Community Plan land use designation of Business and International Trade, as well as the existing zoning designation of IBT-1-1 (International Business and Trade). Therefore, the project would be consistent with the growth projections utilized in the development of the CAP per Step 1(A).

Completion of Step 2: CAP Strategies Consistency of the CAP Consistency Checklist determined that the project would be consistent with applicable strategies and action for reducing GHG emissions. This includes project features consistent with the energy and water efficient buildings strategy, as well as bicycling, walking, transit, and land use strategies. These project features would be assured as a condition of project approval. Therefore, the project would be consistent with the CAP.

Step 3: Project CAP Conformance Evaluation would only apply if Step 1 is answered in the affirmative under Option B. As previously disclosed above, the project is consistent with the General Plan and community plan and therefore answered in the affirmative to 1A. Thus, Step 3 does not apply to the project.

Based on the project's consistency with the City's CAP Consistency Checklist, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, or generate GHG emissions that may adversely affect the environment, and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the PEIR occur.

## VI. ISSUES NOT ANALYZED IN THE PREVIOUS EIR

CEQA Guidelines, Section 15128, allows environmental issues for which there is no likelihood of a significant impact to not be discussed in detail or analyzed further in the EIR. The certified PEIR provided a similar level of analysis, even for those issue areas considered to result in impacts found not to be significant.

Revisions to the project components evaluated under the PEIR are proposed with the current project. Through the environmental analysis conducted, the City has determined that the current project, subject of and evaluated under this Addendum would not have the potential to cause significant impacts to those issue areas beyond those analyzed. While these issues were not analyzed in detail, as outlined in CEQA Section 15128, there is no new information available that would indicate that these issues would result in new significant impacts.

## VII. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The project shall be required to comply with the applicable mitigation measures outlined within the Mitigation Monitoring and Reporting Program (MMRP) of the previously certified PEIR (No. 30330/304032/SCH No. 2004651076) and those identified with the project-specific subsequent technical studies. The following MMRP identifies measures that specifically apply to this project.

### A. GENERAL REQUIREMENTS: PART I – Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) 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 (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED 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.shtml>
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 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. **PRECONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) 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:

***Qualified Biologist, Qualified Archaeologist, and Native American 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. 665589 and/or Environmental Document No. 665589, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., 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 RE and MMC BEFORE the work is performed.**

2. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE 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:  
Not Applicable
4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 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.**

4. **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:
- 5.

**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	Consultant Qualification Letters	Prior to Preconstruction Meeting
Biology	Biology Reports	Biology/Habitat Restoration Inspection
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Traffic	Traffic Reports	Traffic Features Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**Biological Resources**

**MM-BIO-1: Non-native Grassland**

Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Owner/Permittee shall make payment to the City Habitat Acquisition Fund (HAF) to mitigate for the loss of 9.4 acres of non-native grasslands (Tier IIIB). This fee is based on mitigation ratios, per the City of San Diego Biology Guidelines, of 0.5:1 ratio if mitigation would occur inside of the MHPA and a 1:1 ratio should mitigation occur outside of the MHPA. The project proposes to mitigate for impacts to 9.4 acres of non-native grassland through monetary compensation to the City’s Habitat Acquisition Fund at 0.5:1 ratio requiring mitigation equal to 4.7 acres.



## **MM-BIO-2: Biological Resource Protection During Construction**

### **I. Prior to Construction**

- A. Biologist Verification:** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2018), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. Preconstruction Meeting:** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. Biological Documents:** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. BCME:** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E. Avian Protection Requirements:** To avoid any direct impacts to the northern harrier and the western burrowing owl, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). 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 birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 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 City DSD MMC and MSCP for review and approval prior to initiating any construction activities. If nesting northern harriers or western

burrowing owl, are detected, a letter report or mitigation plan 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 or mitigation plan 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 or mitigation plan are in place prior to and/or during construction.

- F. Resource Delineation: Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G. Education: Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

## II. During Construction

- A. Monitoring: All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1<sup>st</sup> day of monitoring, the 1<sup>st</sup> week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. Subsequent Resource Identification: The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests of the northern harrier or western burrowing owl or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state, and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

**MM-BIO-3: Western Burrowing Owl**

Impacts to the BUOW, should it be present prior to construction, shall be mitigated, as follows:

Preconstruction Survey Element

Prior to Permit or Notice to Proceed Issuance

1. As this project has been determined to be BUOW occupied or to have BUOW occupation potential, the Applicant Department or Permit Holder shall submit evidence to the ADD of Entitlements and Multiple Species Conservation Program (MSCP) staff verifying that a Biologist possessing qualifications pursuant "Staff Report on Burrowing Owl Mitigation, State of California Natural Resources Agency Department of Fish and Game. March 7, 2012 (hereafter referred as CDFG 2012, Staff Report), has been retained to implement a burrowing owl construction impact avoidance program.
2. The qualified BUOW biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's BUOW 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 project site; regardless of the time of the year. "Site" means the project site and the area within a radius of 450 feet of the project site. The report shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or BUOW eviction(s) and shall include maps of the project site and BUOW 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 BUOW are present in areas not previously

identified, immediate notification to the City and WA's shall be provided prior to ground disturbing activities.

#### During Construction

1. Best Management Practices shall be employed as BUOWs are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are BUOW occupied and have followed all protocol in this mitigation section, or sites within 450 feet of occupied BUOW areas, should undertake measures to discourage BUOWs 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. On-going BUOW Detection - If BUOWs or active burrows are not detected during the pre-construction surveys, Section "A" below shall be followed. If BUOWs 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 BUOWs TO BE INJURED OR KILLED OUTSIDE OR WITHIN THE MHPA; in addition, IMPACTS TO BUOWs WITHIN THE MHPA MUST BE AVOIDED.
  - A. Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are Not Detected During the Initial Pre-Construction Survey - Monitoring the site for new burrows is required using CDFW 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 BUOWs 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 BUOWs 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 BUOW 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 Appendix D CDFG 2012, Staff Report 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 BUOWs within the MHPA SHALL be avoided.
- 2) If one or more BUOWs 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 enlist appropriate City biologist for on-going coordination with the Wildlife Agencies and the qualified consulting BUOW biologist. 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 BUOW is using a burrow on site outside the breeding season (i.e. September 1 – January 31), the BUOW may be evicted after the qualified BUOW 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 CDFW Staff Report 2012, 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 BUOW is using a burrow on-site during the breeding season (Feb 1-Aug 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 BUOWs can be evicted. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFW Staff Report 2012, 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

1. Details of the all surveys and actions undertaken on-site with respect to BUOWs (i.e. occupation, eviction, locations etc.) shall be reported to the City's MMC Section and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries off all previous reports for the site; and maps of the project site and BUOW locations on aerial photos.

### **MM-BIO-4: Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines (LUAG)**

Prior to issuance of any construction permit or notice to proceed, MSCP staff shall verify the Owner/Permittee has accurately represented the project's design in or on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines.

- A. Grading/Land Development/MHPA Boundaries: MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- B. Drainage: All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- C. Toxics/Project Staging Areas/Equipment Storage: Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall incorporate into leases on publicly-owned property when applications for renewal occur. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
- D. Lighting: Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.
- E. Barriers: New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot high, vinyl-coated chain link or

equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.

- F. Invasives: No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
  
- G. Brush Management: New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of an HOA or other private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1-August 15 except where the City ADD/MMC has documented the thinning would be consist with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.

### **Historical Resources**

#### **MM-HIST-1: Archaeological Monitoring**

##### **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 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 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 Hazardous Waste Operations and Emergency Response 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 (1/4 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 (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 Construction Manager 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 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 CSVR's 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 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 following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (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.

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 Most Likely Descendent (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, and, if:
    - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site; OR;
    - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with 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 surface 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 items associated 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 8AM 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 8AM 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.

### **Transportation/Circulation**

#### **MM-TRA-1: La Media Road Between SR-905 Eastbound Ramps and Airway Road**

Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the widening and improvement of La Media Road on the east side for construction of a second northbound through lane from Airway Road to approximately 600 feet north of Airway Road, satisfactory to the City Engineer. All improvements shall be constructed and operational prior to the issuance of occupancy permit.

### **VIII. SIGNIFICANT UNMITIGATED IMPACTS**

The OMCPU Final PEIR indicated that significant impacts to the following issue areas would be substantially lessened or avoided if all the proposed mitigation measures recommended in the Final PEIR were implemented: land use; biological resources; historical resources; human health/public safety/hazardous materials; hydrology/water quality; geology/soils; and paleontological resources. The Final PEIR further concluded that significant impacts related to air quality, noise, utilities, and GHG emissions would not be fully mitigated to below a level of significance. With regard to cumulative impacts, implementation of the OMCPU Final PEIR would result in significant impacts related to air quality, noise, traffic/circulation (horizon year), utilities (solid waste), agriculture resources, and GHG emissions, which would remain significant and unmitigated. As there were significant unmitigated impacts associated with the original project approval, the decision maker

was required to make specific and substantiated "CEQA Findings" which stated: (a) specific economic, social, or other considerations which make infeasible the mitigation measures or project alternatives identified in the OMCPU Final PEIR, and (b) the impacts have been found acceptable because of specific overriding considerations. Given that there are no new or more severe significant impacts that were not already addressed in the previous certified Final PEIR, new CEQA Findings and/or Statement of Overriding Considerations are not required.

The project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified Final PEIR.

## **IX. CERTIFICATION**

Copies of the addendum, the certified PEIR, the MMRP, and associated project-specific technical appendices, if any, may be accessed on the City's CEQA webpage at <https://www.sandiego.gov/ceqa/final>.



E. Shearer Nguyen,  
Senior Planner  
Development Services Department

November 24, 2020

Date of Final Report

### Attachments:

- Figure 1: Regional Location
- Figure 2: Project Location on Aerial Photograph
- Figure 3: Site Plan

## REFERENCES

- California Department of Transportation (Caltrans)  
2013 Technical Noise Supplement. November.
- Alden Environmental, Inc. (Alden)  
2020 Biological Technical Report for the Airway Logistics Center. October 6.
- California Department of Fish and Game  
2012 Staff Report on Burrowing Owl Mitigation. March 7.
- GEOCON, Inc. (GECON)  
2020 Geotechnical Investigation, Airway Road Industrial Building. May 18.
- K&S Engineering  
2020a Priority Development Project Storm Water Quality Management Plan, Airway Logistics Center. October 6.  
  
2020b Preliminary Drainage Study for Airway Logistics Center. October 6.
- Linscott, Law & Greenspan, Engineers (LLG)  
2020 Access Analysis, Badiee Airway Industrial Project. October 23.
- RECON Environmental, Inc. (RECON)  
2020a Air Quality CalEEMod Emission Calculation Output. September 10.  
  
2020b Results of Historical Resources Survey for the Airway Road Industrial Project. July 10.  
  
2020c Waste Management Plan for the Airway Road Industrial Project. May 15.  
  
2020d Climate Action Plan Consistency Checklist. October 28.
- San Diego, City of  
2016 California Environmental Quality Act Significance Determination Thresholds. July 2016.  
  
2018 Land Development Code Biology Guidelines. Adopted September 1999. Last amended February 1, 2018 by Resolution No. R-311507. Available at [https://www.sandiego.gov/sites/default/files/amendment\\_to\\_the\\_land\\_development\\_manual\\_biology\\_guidelines\\_february\\_2018\\_-\\_clean.pdf](https://www.sandiego.gov/sites/default/files/amendment_to_the_land_development_manual_biology_guidelines_february_2018_-_clean.pdf)  
  
2019 2019 Annual Report, Climate Action Plan. Available at [https://www.sandiego.gov/sites/default/files/2019\\_cap\\_digital\\_version.pdf](https://www.sandiego.gov/sites/default/files/2019_cap_digital_version.pdf).





 Project Boundary

0 feet 300



## Project Location on Aerial Photograph

Airway Logistics Center/Project No. 665589  
City of San Diego – Development Services Department

**FIGURE  
No. 2**

