



THE CITY OF SAN DIEGO

ADDENDUM

Project No. 615398
Addendum to EIR No. 30330/304032
SCH No. 2004651076

SUBJECT: CBX OTN PARKING LOT: CONDITIONAL USE PERMIT (CUP), SITE DEVELOPMENT PERMIT (SDP), and PLANNED DEVELOPMENT PERMIT (PDP) to allow for the construction of a surface parking lot to provide 1,918 parking stalls, including 31 Americans with Disabilities Act (ADA) parking stalls (including 6 ADA van parking stalls). The parking lot would operate with the adjacent existing Cross Border Xpress (CBX) facility and also allow general parking. The project would include improvements to Siempre Viva Road (widening for access and a landscaped median) and the conversion of an existing manufactured drainage channel from the CBX facility into an underground culvert. The 28.9-acre project site is located south of Siempre Viva Road and east of Las Californias Drive. The land use designation is International Business and Trade and zoned IBT-1-1 within the Otay Mesa Community Plan. Additionally, the project site is located within the Community Plan Implementation Overlay Zone Type "A", Airport Land Use Compatibility Overlay Zone (Brown Field), Airport Influence Area (Brown Field Review Area 2), Federal Aviation Administration (FAA) Part 77 Noticing Area (Brown Field); and Very High Fire Hazard Severity Zone. (LEGAL DESCRIPTION: A portion of Lot 2 of Fractional Section 3, Township 19 South, Range 1 West, San Bernardino Meridian in the County of San Diego, State of California.) Applicant: Otay-Tijuana Venture, LLC.

I. SUMMARY OF ORIGINAL PROJECT

Otay Mesa Community Plan Update

The project site is within the plan boundaries of Otay Mesa Community Plan (OMCP). The Otay Mesa Community Plan Update (OMCPU) Final Program Environmental Impact Report (Project No. 30330/304032; SCH No. 2004651076) (hereinafter referred to as the CPU 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 Community Plan Implementation Overlay Zones (CPIOZ), 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 CPU PEIR examined the environmental impacts of the OMCP.

The OMCP provides for a long-range, comprehensive policy framework for growth and development in the Otay Mesa community over a 20- to 30-year timeframe. The OMCP designated new land uses 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 includes 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 CPU 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 CPU 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.

The site is currently undeveloped land and is designated International Business and Trade per the OMCP and zoned IBT-1-1 (See Figure 1, *Location Map* and Figure 2, *Aerial Photograph*).

II. SUMMARY OF PROPOSED PROJECT

The project is requesting a SITE DEVELOPMENT PERMIT (SDP) due to environmentally sensitive lands that occur on the project site, a CONDITIONAL USE PERMIT (CUP) for development of a permanent parking facility as a primary use in the IBT-1-1 zone, and a PLANNED DEVELOPMENT PERMIT (PDP) for providing shared parking with the adjacent CBX facility. The project proposes construction of a surface parking lot, providing 1,918 standard parking spaces, including 31 ADA spaces and six ADA van spaces. The parking lot would operate with the adjacent existing CBX facility and also allow general parking. Vehicular ingress/egress to the parking lot would occur from Siempre Viva Road. Pedestrian access would be available via sidewalks adjacent to Siempre Viva Road and Las Californias Drive, as well as an existing walkway across CBX lot #12.

Project grading would be balanced on-site resulting in 19,500 cubic yards of cut and 19,500 cubic yards of fill. A retaining wall is proposed along the southeast property line and along the eastern perimeter of the southern limits of development in that area. The wall would be two to three feet in height. Figure 3, *Site Plan*, shows the proposed site plan.

The Landscape Plan includes a mix of low-water use and climate appropriate plants that are well-adapted to the climate of San Diego. Landscaped islands would occur throughout the parking lot, planted with shade trees, low-growing shrubs, and groundcover. Portions of the landscape islands would function as bioswales and would include shade trees, grasses, and groundcover that can

tolerate seasonally wet conditions and provide biological and mechanical functions to filter storm water. The proposed streetscape includes shaded tree-lined sidewalks and landscaped parkways. Evergreen shrubs would screen the parking area from motorists on and pedestrians along Siempre Viva Road.

Of the approximately 29-acre total site area, 19.16 acres would be developed with the parking lot. The remaining 9.72 acres located in the southeast portion of the project site would not be impacted by the project and would be preserved as open space through a Covenant of Easement (COE), which would be designated as a Conservation Area to protect sensitive wetland and upland habitats. Identification of permissible activities and other permit conditions for the project would be incorporated into the COE. The COE would be recorded against the title of the property and would run with the land. (On-site biological resources are further described in Section V, Impact Analysis, below.)

III. ENVIRONMENTAL SETTING

The undeveloped 28.9-acre project site is located in the Otay Mesa Community Plan area of the City of San Diego. The project site is situated south of Siempre Viva Road, east of Las Californias Drive, and just north of the Mexico/United States border (see Figure 1, *Location Map*). The topography of the site is relatively flat with elevations varying from approximately 480 feet above mean sea level (AMSL) in the northeastern corner to approximately 454 feet AMSL at the existing drainage easement located along the west portion of the project site. Vegetation on-site consists of vernal pools, southern willow scrub, freshwater marsh, disturbed wetland, and non-native grassland, disturbed land and undeveloped land. A natural drainage channel winds through the southern half of the site, and a manufactured slope and constructed stormwater drainage channel enters the site from the CBX facility to the west and travels south where it flows into the natural drainage channel. The project is mapped within the adopted Vernal Pool Habitat Conservation Plan (VPHCP) boundary which expanded and added to the City's existing Multi-Habitat Planning Area (MHPA). Access to the project site is currently available from an existing traffic signal location on Siempre Viva Road.

The project site is designated International Business and Trade and zoned IBT-1-1 per the Otay Mesa Community Plan. Additionally, the project is located in CPIOZ Type A, Airport Influence Area (AIA) (Brown Field – Review Area 2), Airport Land Use Compatibility Overlay Zone (Brown Field), FAA Part 77 Noticing Area (Brown Field), and Very High Fire Hazard Severity Zone.

The project site is located in an area currently served by existing public services and utilities. Surrounding land uses include a mix of commercial, industrial, and business park uses to the west and north; undeveloped land to the east; and development within Tijuana, Mexico to the south (see Figure 1, *Location Map*). The nearest sensitive receptor is a single-family residence located adjacent to and east of the project site.

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and certified the CPU EIR 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, the City has determined the following:

- 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, that 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 CPU PEIR has been incorporated by reference pursuant to CEQA Guidelines Section 15150. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

This Addendum includes the environmental issues analyzed in detail in the previously certified CPU PEIR, as well as the project-specific environmental analysis pursuant to the CEQA. The analysis in this document evaluates the adequacy of the CPU 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 CPU PEIR identified significant unmitigated 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 CPU PEIR would result in significant traffic/circulation, air quality, noise, utilities (solid waste), and GHG emissions, which would remain significant and unmitigated. The CPU PEIR identified direct significant impacts that would be substantially lessened or avoided with implementation of the mitigation framework included in the CPU 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.

This Addendum includes the subsequent impact analysis to demonstrate that environmental impacts associated with the proposed project are consistent with or not greater than the impacts disclosed in the previously certified CPU PEIR. This Addendum includes the environmental issues analyzed in detail in the previously certified CPU PEIR as well as the subsequent project-specific environmental analysis pursuant to the CEQA. The analysis in this document evaluates the adequacy of the CPU 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 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 CPU PEIR. A comparison of the project's impacts related to those of the certified CPU PEIR is provided below in Table 1, Impact Assessment Table.

Table 1, Impact Assessment Table

Issue Area	Otay Mesa CPU PEIR	Otay Mesa CPU Mitigation	Project	Project Level New Mitigation?	Project Resultant Impacts
<i>Land Use</i>	Significant but Mitigated	Yes	No New Impacts	No	Less than Significant
<i>Visual Effects and Neighborhood Character</i>	Less than Significant	No	No New Impacts	No	Less than Significant
<i>Air Quality/Odor</i>	Significant, Unmitigated	Yes	No New Impacts	No	Less than Significant
<i>Biological Resources</i>	Significant but Mitigated	Yes	No New Impacts	Yes	Significant but Mitigated
<i>Historical Resources</i>	Significant but Mitigated	Yes	No New Impacts	Yes	Significant but Mitigated
<i>Human Health/Public Safety/Hazardous Materials</i>	Significant but Mitigated	Yes	No New Impacts	No	Less than Significant
<i>Hydrology/Water Quality</i>	Significant but Mitigated	Yes	No New Impacts	No	Less than Significant
<i>Geology/Soils</i>	Significant but Mitigated	Yes	No New Impacts	No	Less than Significant
<i>Energy Conservation</i>	Less than Significant	No	No New Impacts	No	Less than Significant

Table 1, Impact Assessment Table

Issue Area	Otay Mesa CPU PEIR	Otay Mesa CPU Mitigation	Project	Project Level New Mitigation?	Project Resultant Impacts
Noise	Significant, Unmitigated	Yes	No New Impacts	No	Less than Significant
Paleontological Resources	Significant but Mitigated	Yes	No New Impacts	No	Less than Significant
Traffic/Circulation	Significant, Unmitigated	Yes	No New Impacts	Yes	Significant but Mitigated
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

CPU PEIR

The CPU PEIR found that the goals, policies, and programs of the Community Plan were consistent with existing applicable local land use plans, policies and regulations. No inconsistencies were identified, and land use impacts were determined to be less than significant.

The Community Plan land use plan designates two community villages close to transit, employment, and other significant urban uses, which is consistent with the General Plan and the City of Villages strategy. The Community Plan concentrates industrial and non-residential uses in the eastern portion of the Community Plan area to ensure that residential uses are buffered from the existing and potential future industrial uses that have existed and are planned to continue within Otay Mesa. The policies developed for the Community Plan were drafted in a manner that is consistent with the General Plan, and support diversity of development within the community, provision of infrastructure concurrent with need, and maintain an emphasis on the protection of existing natural resources and landforms and sensitive habitat within the Community Plan area. As such, impacts were determined to be less than significant with adoption of the Community Plan and associated actions.

Additionally, the Community Plan was found to be consistent with the adopted Airport Land Use Compatibility Plan (ALUCP) for Brown Field. Both the General Plan and the Municipal Code provide policies for land use compatibility with ALUCPs that would be implemented for future development. The Community Plan requires all future development proposals to demonstrate consistency with the adopted ALUCP.

The Community Plan incorporates the multi-modal strategy of both the Regional Comprehensive Plan (RCP) and Regional Transportation Plan (RTP) through the designation of two high-density mixed-use villages along a South Bay bus rapid transit (BRT) corridor: a Neighborhood Village, located in the western portion of the community; and a Community Village, located in the central portion of the community south of State Route (SR) -905. Airway Road, which runs east to west through the community, serves as the principal transportation and activity corridor for the community and functions as a transit route connecting the villages, employment centers, and Southwest College. Additionally, a north-south BRT route is planned on SR-125 and SR-905 from the Otay Mesa Point of Entry north. In addition, the Community Plan includes policies related to land use, mobility, and circulation/transportation that promote the RCP's smart growth strategies.

In areas where residential and industrial uses are in proximity to one another, potential impacts associated with the collocation or interface of incompatible land uses would occur. The Community Plan contains policies and performance standards to avoid and/or reduce potential impacts associated with collocation of diverse land uses, such as residential and industrial uses. Three locations within the Community Plan are identified as areas that would include the interface of industrial and residential uses. The first location, a small area of medium density residential (within the Northwest District), would be adjacent to a larger tract of light industrial designated land (within the Airport District). The second area is between the Central District and the South District, where the Central Village Specific Plan Area would be located west of land designated for industrial uses (business park) and separated by Cactus Road. The third area includes development within the Business Park-Residential permitted land use category, which would be placed into a CPIOZ to ensure appropriate interface treatments in this location. Future development projects would be required to comply with the collocation policies of the General Plan and Community Plan. Through implementation of the measures identified in Section 5.6 (Human Health/Public Safety/Hazardous Materials) of the CPU PEIR, the potential environmental impacts resulting from change in land use designations in accordance with the Community Plan was found to be less than significant.

The Land Use Section of the CPU PEIR also addresses the City's policies included in the Community Plan's Conservation Element directed at implementing Environmentally Sensitive Lands (ESL) regulations, the Multiple Species Conservation Program (MSCP), and the Biology Guidelines. The development footprint of the Community Plan encroaches into sensitive ESL areas. Future public and private development proposals would be required to comply with the ESL regulations through a Site Development Permit. Additionally, all subsequent projects in the Community Plan area would be subject to review in accordance with CEQA, at which time appropriate site-specific mitigation in accordance with the CPU's PEIR Mitigation Framework measures BIO-1 through BIO-4 would be identified for impacts to sensitive biological resources covered under ESL. For other resource areas covered under the ESL regulations, such as steep hillsides and floodplains, future projects would be designed to ensure compliance with the supplemental regulations and any other regulatory requirements to ensure that no impacts would occur. Therefore, at the program-level, the CPU PEIR determined that the Community Plan would not be in conflict with the purpose and intent of the ESL regulations and potential impacts would be below a level of significance.

The CPU PEIR found that implementation of the OMCPU would not conflict with the intent and purpose of the Brush Management regulations of the LDC; however, the CPU PEIR found that the OMCPU would have the potential to conflict with the intent and purpose of the ESL regulations and

the Historical Resources regulations. The CPU PEIR concluded that with implementation of Mitigation Frameworks LU-1a and LU-1b, generally requiring development proposals to be consistent with the OMCPU, base zone regulations, and CPIOZ Type A supplemental regulations, and requiring future implementing developments to demonstrate that there are no biological or archeological resources present on the Project site, the CPU PEIR concluded that potentially significant impacts due to conflicts with the ESL and Historical Resources regulations would be reduced to below a level of significance.

The CPU PEIR included an analysis of potential impacts due to a conflict with the City's MSCP Subarea Plan in CPU PEIR Subsection 5.1, Land Use. As stated in the CPU PEIR, future development in the Community Plan area would be evaluated at the project-level for consistency with the MHPA Land Use Adjacency Guidelines. The CPU PEIR found that, although implementation of the Community Plan would introduce land uses adjacent to MHPA which would potentially result in a significant impact, compliance with established development standards and other applicable regulations contained in the Community Plan as well as the MSCP Subarea Plan's Land Use Adjacency Guidelines, MSCP Management Policies and Directives, and Area Specific Management Directives were found to reduce impacts to below a level of significance.

Additionally, impacts due to a conflict with the MHPA Land Use Adjacency Guidelines were determined to be less than significant with implementation of Mitigation Framework LU-2. Mitigation Framework LU-2 requires that all subsequent development projects implemented in accordance with the CPU adjacent to designated MHPA areas shall comply with the Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. Projects adjacent to designated MHPA would be evaluated and specific mitigation measures would be identified to reduce impacts to below a level of significance.

Project

The project proposes a parking lot located directly north of the Mexico/United States border and immediately adjacent to the CBX facility (See Figure 1, *Location Map*). The project would be consistent with the General Plan and would develop in accordance with the Otay Mesa Community Plan land use designation (International Business and Trade) and current zoning (IBT-1-1), as described below.

The project site is located in the Otay Mesa South District of the Otay Mesa Community of the City of San Diego. Per the Community Plan, the project site's land use designation is International Business and Trade (IBT). The Community Plan IBT land use designation does not specifically address the development of a stand-alone commercial parking facility although a commercial parking facility is a use allowed by the IBT zone upon approval of a CUP. Stand-alone parking lots can also be more easily redeveloped with other uses and therefore can be considered less of a particular land use commitment over time. The project would be consistent with the Community Plan and would be consistent with the Community Plan's specific policies and recommendations for the IBT land use designation, such as potentially supporting industrial uses that could intensify over time as well as directly supporting the adjacent CBX facility which is also specifically supported by Community Plan policy: "[t]he Cross-Border Facility and ancillary uses such as lodging, car rental, commercial parking, and passenger supported commercial uses are encouraged uses consistent with the Community Plan."

The project site is zoned IBT-1-1. The purpose of the IBT zone is to provide for a wide variety of base sector industrial and office uses. This zone is intended to apply in portions of communities adjacent to the international border, other ports of entry, and areas in transition to higher intensity industries. Commercial parking facilities are allowed within the IBT-1-1 zone with approval of a CUP. Thus, the project would be consistent with the underlying zone.

The project site is identified as Prime Industrial Land (PIL) by the General Plan, which is intended to protect valuable employment land for base sector industries important to the region's economy. The General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and Community Plan land use designation, provided a site is not critical to base sector employment. A permanent parking facility is a "commercial services" use and would not be considered base sector employment. However, the project includes a 10-year time limit on the CUP so that General Plan PIL policy can be reevaluated in the future. Therefore, permitting a surface parking lot on this site would not adversely affect General Plan policies related to PIL.

The project site is approximately two miles south of the Brown Field Municipal Airport and is located within Review Area 1 of the Brown Field Airport Influence Area (AIA) and FAA Part 77 Noticing Area. The project would not include elevated features that could interfere with navigable airspace. Implementation of the proposed project would not result in a safety hazard for people working in the project area. Therefore, no land use inconsistency relative to the ALUCP for Brown Field would result from implementation of the project.

Relative to the City's ESL regulations pertaining to biological resources, the project would impact sensitive biological resources. Due to the project's proximity to the MHPA/VPHCP boundary, the MHPA Land Use Adjacency Guidelines would apply. Specifically, the southern portion of the site that is within the 100 percent conservation area of the VPHCP is to be treated as MHPA land. These guidelines address the issues of drainage, toxics, lighting, noise, barriers, invasive species, brush management, and grading/development.

These measures, which would become conditions of project approval, are as follows:

Drainage

During construction, the project would employ the use, as applicable, of structural and nonstructural Best Management Practices, Best Available Technology, and sediment catchment devices downstream of paving activities to reduce potential drainage impacts associated with construction. Additionally, the project design complies with the Standard Urban Stormwater Management Plan and Municipal Stormwater Permit criteria of the State Water Resources Control Board and City. Hardscape associated with the built project would result in runoff, which can significantly impact water quality in the Conservation Area. These potential drainage impacts would be minimized through the construction of numerous biofiltration basins throughout the project that would collect and treat all water before it is discharged through an outfall with an energy dissipator into the natural drainage on site in the Conservation Area.

Toxics

No trash, oil, parking, or other construction/development related material/activities would be located outside approved project impact limits. No staging/storage areas for equipment and materials would be located within or adjacent to the Conservation Area. All construction related debris would be removed off site to an approved disposal facility. A note would be provided in/on the construction documents 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 Conservation Area."*

Lighting

Lighting adjacent to the Conservation Area would be directed away/shielded and would be consistent with City Outdoor Lighting Regulations per LDC Section 142.0740. In addition, the adjacent preserve area would be shielded from lighting that could enter the preserve from automobile headlights using the parking lot at night. This shielding will be incorporated into the fencing described in Section 6.1.5.

Noise

The BURROWING OWL is known to occur to the south of the project, within the larger VPHCP conservation area. The owls in this area are already subject to noise from the adjacent parking facility and the Tijuana International Airport. Given the existing noise, along with the fact that the project is a low-noise producing parking lot, the BURROWING OWL is not anticipated to be affected by project noise. Additionally, no other noise-sensitive, sensitive species were observed in the Conservation Area, and one such species, the least Bell's vireo, has low potential to occur there. Therefore, noise impacts are not anticipated to occur, and no noise minimization measures would need to be implemented.

Barriers

The project would install fencing with appropriate signage between the parking lot and the Conservation Area as a condition of project approval. This fencing would consist of 6-foot-tall, heavy gauge steel chain link. In addition, slats (or similar) would be woven into the fencing to provide a light barrier for the adjacent preserve area. Permanent three strand barbless fencing also would be installed around the remainder of the preserve area. This fence is intended to allow animals to freely enter and leave the site while creating a clear barrier for people.

Invasives

During construction, invasive, non-native plants transported to the site on construction equipment or vehicles (e.g., seeds on undercarriages) could colonize areas disturbed by construction activities, and those species could potentially spread into the Conservation Area. Additionally, invasive plant species already present on site in the project impact area could spread into the Conservation Area during grubbing and grading activities. However, it should be noted that the entire project site is already colonized by a number of non-native, invasive plant species (Appendix A), so this impact is not anticipated. Vehicles and equipment brought to the site would be washed at an appropriate off-site location/facility prior to entering the site, and no construction activities would be located outside approved construction limits. Furthermore, all construction related debris would be removed off site to an approved disposal facility.

The project would follow San Diego Municipal Code (SDMC) Landscape Standards (Section 1.3) and not use invasive species, which would prevent their introduction to areas adjacent to the Conservation Area. The proposed landscape construction documents have been reviewed and found that the proposed plant palette adjacent to the MHPA/VPHP boundary would be appropriate for introduction into the contiguous habitat.

Brush Management

Brush management is required for structures. Since the project does not propose any structures, no brush management is required.

Grading/Land Development

The project includes all slopes within the impact footprint. There are no grading activities proposed immediately adjacent to vernal pools, and no vernal pools would be impacted. The project would employ a City-approved, qualified biological monitor that would be on site during project construction activities to ensure compliance with all of the Land Use Adjacency Guidelines (LUAG).

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU 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 CPU PEIR result.

Visual Effects and Neighborhood Character

CPU PEIR

Impacts relative to Visual Effects and Neighborhood Character are addressed in Section 5.2 of the CPU PEIR. Based on the analysis in the CPU PEIR, the Community Plan has been designed to include designated view corridors and gateways in order to prevent impacts to views of public resources. Also, the Community Plan includes policies and project design features that are to be implemented at the project level to protect identified view corridors and gateways. The CPU PEIR determined that, with the inclusion of specific policies and required project design features, impacts would be less than significant. While the Community Plan will result in a change in character for the community – transitioning from areas of undeveloped mesas and non-native grasslands to urban uses – the intensification of uses was not considered a significant change to the visual character.

The land use and development design guidelines and policies included in the Community Plan are intended to ensure that development within the Community Plan 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 Community Plan. 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 of the Otay Mesa Community Plan would be subject to review in accordance with a CPIOZ Type A. Development proposals that do not comply with the CPIOZ Type A supplemental regulations would be subject to discretionary review in accordance with CPIOZ Type

B, and that review can ensure that land use and development guidelines are considered and incorporated, as applicable. Therefore, impacts associated with Visual Effects and Neighborhood Character were found to be less than significant.

Project

The project site is currently undeveloped and is located in the South District, which is primarily developed with industrial and commercial uses. The project would develop a parking lot providing 1,918 parking stalls.

The project includes a Landscape Plan that follows guidelines and design recommendations of the Otay Mesa Community Plan. The Landscape Plan includes low-water and climate-appropriate plants throughout the project site, rows of accent trees along the entrance, and landscaped islands with shrubs, shade trees, and groundcover. Groundcover and grasses are proposed to provide a blend of color and texture, and proposed evergreen shrubs would screen the parking area from motorists on and pedestrians along Siempre Viva Road. The project would not result in a negative effect on the visual quality of the area. The project is not located in a view corridor and would not negatively impact any view corridors or gateways in the area. As such, no impacts would occur. In addition, the project does not propose construction of any buildings or structures, and thus would not contrast the bulk and scale or architectural features of surrounding development.

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

Air Quality

CPU PEIR

Air Quality impacts are evaluated in Section 5.3 of the CPU PEIR. The CPU PEIR concludes that the changes in the land uses under the Community Plan and the traffic generated by future development in the Community Plan would result in fewer emissions than the previously adopted Community Plan upon which the then-current Regional Air Quality Strategy (RAQS) was based. Thus, the CPU PEIR concluded that the Community Plan would not obstruct or conflict with the implementation of the San Diego RAQS or applicable portions of the State Implementation Plan (SIP), and impacts would be less than significant. Additionally, a general analysis of air emissions conducted as part of the CPU PEIR determined that emissions due to construction would not exceed applicable thresholds. However, the CPU PEIR states that, if several future projects were to occur simultaneously, there is a potential for the combination of multiple projects to exceed significance thresholds. While it is not anticipated that construction activities under the Community Plan would result in significant air quality impacts, air emissions from future developments within the Community Plan area could not be adequately quantified at the time of the Community Plan; therefore, impacts were concluded to be significant and unmitigated. Similarly, as air emissions from the future developments with respect to operational impacts could not be adequately quantified at the time of the Community Plan, operational air quality impacts associated with future projects were determined to be significant and unmitigated.

Relative to the potential for harmful concentrations of carbon monoxide (CO) to occur in areas of congested intersections, the CPU PEIR concludes that increases of CO due to the Community Plan would be below Federal and State standards. Therefore, there would be no harmful concentrations of CO; localized air quality emission would not exceed applicable standards and would not result in a significant impact to sensitive receptors.

Based on the analysis and modeled results conducted for the Community Plan with regard to future health risks associated with toxic air emissions (primarily from traffic-generated diesel exhaust emissions) and buildout of the Community Plan, the CPU PEIR concludes that development of future land uses within the Community Plan area would not expose future residents or workers to significant cancer risk from traffic generated diesel exhaust emissions.

The CPU PEIR concludes that industrial uses could generate air pollutants. Without appropriate controls, air emissions associated with planned industrial uses would represent a significant adverse air quality impact. Any new facility proposed that would have the potential to emit toxic air contaminants would be required to evaluate toxic air problems resulting from the facility's emissions. If the facility poses a potentially significant public health risk, the facility would submit a risk reduction audit and plan to demonstrate how the facility would reduce health risks. Specific project-level design information would be needed to determine stationary source emission impacts. Therefore, at the program-level, impacts would be potentially significant.

The CPU PEIR requires mitigation measures (AQ-1 through AQ-4) for impacts to air quality. Mitigation Measure AQ-1 applies to projects that exceed daily construction emissions thresholds established by the City of San Diego. Mitigation Measure AQ-2 would apply to projects that significantly impact air quality. Mitigation Measure AQ-3 applies to projects that have the potential to emit toxic air emissions. Mitigation Measure AQ-4 pertains to projects that contain certain facilities identified in Table 5.3-7 of the CPU PEIR, which, if located proximate to residential and other sensitive uses, could expose sensitive receptors to toxic air emissions.

The Community Plan would place residential, commercial, and industrial uses in proximity to one another, which has the potential for air quality impacts associated with the collocation of incompatible land uses. The Community Plan contains policies and performance standards to avoid and/or reduce potential impacts associated with collocation of diverse land uses. Future development projects would be required to comply with the collocation policies of the General Plan and Community Plan, which are necessary to reduce or avoid potential air quality impacts. While compliance with the Community Plan and General Plan policies, along with local, State, and Federal regulations, would reduce potential impacts, the CPU PEIR concludes that future projects may result in sensitive uses (residential uses, schools, and parks) being located in areas where toxic air emissions may occur. Therefore, there would be a potential that sensitive receptors would be exposed to toxic air emissions and impacts were found to be potentially significant. The CPU PEIR includes a Mitigation Framework to reduce the potential impacts associated with exposure to air toxics but concludes that it could not be determined whether the proposed mitigation would reduce all impacts to below a level of significance. Therefore, impacts related to exposure to air toxics would be significant and unavoidable.

Project

An *Air Quality Study* was prepared by Birdseye Planning Group (November 2021) for the project in accordance with the CPU Mitigation Framework and is included as Appendix A.

Regional Air Quality Standards Consistency

The RAQS relies on information from the California Air Resources Board (CARB) and San Diego Association of Governments (SANDAG), including projected growth in the County; and mobile, area, and all other source emissions to project future emissions and determine from that the strategies necessary for the reduction of stationary source emissions through regulatory controls. Projects that propose development that is consistent with the growth anticipated by the General Plan are consistent with the RAQS SIP and AQMP. The proposed project involves the construction of a 1,918-space commercial parking lot.

The site is zoned IBT-1-1. The proposed project is allowed in the IBT-1-1 zone with the approval of a Conditional Use Permit. The project would not result in the construction of housing or otherwise increase the local population or induce growth. Furthermore, it would generate less average daily traffic (ADT) than what was previously proposed for the project site. Thus, the project would be consistent with the SIP, AQMP and RAQS. Impacts would be less than significant.

Construction Impacts

Construction for the project would generally consist of vegetation removal, site preparation, grading, installation of lighting and stormwater infrastructure, paving/stripping the parking lot, and paving and striping of Siempre Viva Road. Project construction would create temporary air pollutant emissions associated with fugitive dust [(particulate matter of 10 microns in diameter or smaller (PM₁₀), and particulate matter less than 2.5 microns in diameter (PM_{2.5}))] from soil disturbance and exhaust emissions [oxides of nitrogen (NO_x) and CO] generated by heavy construction vehicles. For the purpose of estimating emissions, it was assumed that the entire site would be disturbed daily during overall construction. The actual disturbance area would vary from day-to-day depending on construction requirements; however, assuming the entire site would be disturbed provides a conservative estimate of construction emissions during site preparation and grading emissions.

The site preparation and grading phases would involve the greatest concentration of heavy equipment use and the highest potential for fugitive dust emissions. On-site grading would be required to comply with San Diego Air Pollution Control District (SDAPCD) Rules 52 and 54 that identify measures to reduce fugitive dust and is required to be implemented at all construction sites located within the San Diego Air Basin (SDAB). These fugitive dust reduction measures were included in CalEEMod for site preparation and grading phases of construction. Construction is assumed to begin in mid-2022 and be completed by late 2022. In addition to SDAPCD Rules 52 and 54 requirements, emissions modeling also accounts for the use of low-VOC paint (100 g/L for primers, sealers and undercoaters) as required by SDAPCD Rule 67. Construction activities would be required to comply with the City's Best Management Practices (BMPs) which are enforceable under SDMC Section 142.0710. Table 2, *Estimated Maximum Daily Construction Emissions*, summarizes the estimated maximum daily emissions of pollutants occurring during the construction period.

Table 2, Estimated Maximum Daily Construction Emissions

Maximum Daily Emissions (Maximum lbs/day)						
Construction Phase	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2019 Maximum lbs/day	27.5	38.8	29.5	0.06	21.4	11.6
City of San Diego Screening Thresholds	137	250	550	250	100	67
Threshold Exceeded 2019	No	No	No	No	No	No

Note: Summer emissions shown.

As shown in Table 2, unmitigated emissions associated with construction of the proposed project would not exceed the SDAPCD regional construction emission thresholds for daily emissions. Thus, project construction would not conflict with the SIP, RAQS, or Air Quality Management Plan (AQMP), violate an air quality standard or contribute to an existing or projected violation, result in a cumulatively considerable increase in ozone or particulate matter emissions, or expose receptors to substantial pollutant concentrations. Air quality impacts from construction would be less than significant.

Operational Impacts

Operational emissions include emissions from electricity consumption (energy sources), vehicle trips (mobile sources), landscape equipment, and evaporative emissions as the lot is resurfaced and restriped over the life of the project. The majority of operational emissions are associated with vehicle trips to and from the project site.

Based on the *Addendum Traffic Analysis* prepared by LSA (November 18, 2021), the project is assumed generate 0.41 trips per space daily. For modeling purposes, all trips were assumed to be primary trips. The fleet mix was modified to remove all heavy-duty vehicles, which increased the percentage of light duty automobiles, light trucks, medium duty vehicles and motorcycles. This approach more accurately reflects the types of vehicles that would access the facility relative to those included in the default fleet mix.

Table 3, *Estimated Operational Emissions*, summarizes the maximum daily emissions of pollutants occurring as a result of project operational effects.

Table 3, Estimated Operational Emissions

Estimated Emissions (lbs/day)						
Category	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	0.4	0.01	0.2	0.01	0.01	0.01
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Mobile	1.8	1.5	21.4	0.05	45.8	1.5
Maximum lbs/day	2.3	1.5	21.6	0.05	5.8	1.5
SDAPCD Thresholds	137	250	550	250	100	67
Threshold Exceeded?	No	No	No	No	No	No

As shown in Table 3, *Estimated Operational Emissions*, the daily operational emissions would not exceed the SDAPCD daily thresholds for reactive organic gases (ROG), oxides of nitrogen (NO_x), CO, oxides of sulfur (SO_x), particulate matter of 10 microns in diameter or smaller (PM₁₀), or particulate matter less than 2.5 microns in diameter (PM_{2.5}). Therefore, the project's regional air quality impacts

(including impacts related to criteria pollutants, sensitive receptors, and violations of air quality standards) would be less than significant.

CO Hot Spots

CO is a colorless, odorless, poisonous gas that may be found in high concentrations near areas of high traffic volumes. CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. The San Diego Air Basin (SDAB) is in attainment of State and Federal CO standards. At the monitoring station located at San Diego – 1110 Beardsley Street in San Diego County, the station closest to project site that provides CO data, the maximum 8-hour average CO level recorded in 2012 was 1.81 parts per million (ppm), which is well below the 9 ppm State and Federal 8-hour standard.

Although CO is not a regional air quality concern in the SDAB, elevated CO levels could occur at or near intersections that experience severe traffic congestion. An air quality impact is considered significant if the additional CO emissions resulting from the project create a “hot spot” where the State 1-hour standard of 20.0 ppm or the Federal 8-hour standard of 9 ppm is exceeded. Screening for possible elevated CO levels is recommended for severely congested intersections experiencing levels of service (LOS) E or F with project traffic where a significant project traffic impact may occur. Specifically, project-related traffic that would worsen the LOS at intersections operating at LOS E or F, would be subject to a detailed evaluation. If not, no further review would be necessary.

The CBX project was the subject of a Traffic Impact Study (TIS) prepared by LSA, Inc., (LSA) in 2011. The study provided a comprehensive evaluation of baseline and projected traffic volumes on the road network surrounding the CBX facility, including Siempre Viva Road. As part of the study, mitigation measures were developed to address traffic impacts associated with operation of the CBX facility. Because baseline volumes and those associated with the initial operation of the CBX facility did not warrant the implementation of project-specific mitigation, the mitigation was deferred subject to the condition that periodic traffic counts would be performed. The traffic counts are intended to determine whether volumes trigger implementation of mitigation measures to address traffic impacts associated with operation of the CBX facility. Counts were performed January 31 through February 2, 2017, May 1 through 3, 2019 and most recently on November 2, 2021. Based on the 2018 volumes within the road network studied, LSA concluded that the volumes remained below those projected in the 2011 TIS and recommended continued mitigation deferral. The findings were updated in November 2021 based on current traffic counts. LSA again determined that the proposed CBX parking lot would not result in any new circulation deficiencies/impacts or require additional mitigation.

Based on the operation of the current road network within the project area under baseline and with project conditions, the proposed parking lot would not cause traffic conditions that would contribute to CO hotspots or the exposure of receptors to substantial pollutant concentrations. Based on these findings, receptors would not be exposed to substantial pollutant concentrations related to CO hotspots. No further evaluation with respect to CO hotspots is required.

Sensitive Receptors

The nearest sensitive receptor is a single-family residence located adjacent to and east of the project site. Nearby facilities where people would be working are the surrounding industrial buildings northwest of the project site. Operational emissions, as detailed in Table 3, above, are below

SDAPCD thresholds. Therefore, sensitive receptors would not be exposed to Toxic Air Contaminants (TAC) emissions that would substantially impact human health and no significant impacts would result.

Odors

The proposed project would involve the use of diesel-powered construction equipment. Diesel exhaust may be noticeable temporarily at adjacent properties; however, construction activities would be temporary. The project would provide commercial parking services and would not include industrial or agricultural uses that are typically associated with objectionable odors. Therefore, impacts associated with objectionable odors would be less than significant.

The proposed parking lot would not cause traffic conditions that would contribute to CO hotspots. Receptors would not be exposed to substantial pollutant concentrations related to CO hotspots; therefore, no impacts related to CO hotspots would result.

The project does not exceed daily construction emissions thresholds, would not significantly impact air quality, does not propose construction of a facility that would emit toxic air contaminants or inappropriately locate an air quality-sensitive receptor, the mitigation measures presented in the Community Plan would not apply.

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

Biological Resources

CPU PEIR

Impacts to Biological Resources are addressed in Section 5.4 of the CPU PEIR. The CPU PEIR found that implementation of the Community Plan has the potential to impact sensitive plants and animals directly through the loss of habitat or indirectly by placing development adjacent to the MHPA. Specifically, impacts to Tier I, II, IIIA, and IIIB habitats were found to be significant. These sensitive habitats include maritime succulent scrub, native grassland, Diegan coastal sage scrub, non- native grassland, riparian scrub, vernal pools, and basins with fairy shrimp. Impacts to wetlands, vernal pools, and other jurisdictional water resources would also be significant.

Additionally, future development, including construction or extension of Community Plan Mobility Element roadways, utility lines, and/or temporary construction activities within the MHPA, has the potential to interfere with nesting, reduce foraging habitat, and obstruct wildlife movement as a result of noise, construction activities, habitat loss and/or fragmentation. The CPU PEIR concluded that any direct or indirect impacts to migratory wildlife nesting, foraging, and movement would be significant.

The CPU PEIR requires the following mitigation measures for impacts to biological resources, which would be applicable to the proposed project. Specifically, Mitigation Framework Mitigation Measures BIO-1 and BIO-3 requires that all subsequent projects implemented in accordance with the

Community Plan shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines. The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any listed or rare wildlife species shall be recorded and presented in a biological resources report. Based on available habitat within Community Plan area, focused presence/absence surveys shall be conducted in accordance with the biology guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the future projects on these species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the Federal Endangered Species Act (FESA), Migratory Bird Treaty Act (MBTA), Bald and Golden Eagle Protection Act, California Endangered Species Act (CESA), MSCP Subarea Plan, and ESL Regulations.

In addition to the requirements detailed above, specific measures shall be implemented when the biological survey results in the identification of burrowing owls on the project site. Future projects shall be required to conduct a habitat assessment to determine whether or not protocol surveys are needed. Should burrowing owl habitat or sign be encountered on or within 150 meters of the project site, breeding season surveys shall be conducted. If occupancy is determined, site-specific avoidance and mitigation measures shall be developed in accordance with the protocol established in the Staff Report on Burrowing Owl Mitigation (CDFW 2012). Measures to avoid and minimize impacts to burrowing owl shall be included in a Conceptual Burrowing Owl 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

Mitigation for Impacts to Sensitive Upland Habitats Future projects implemented in accordance with the Community Plan resulting in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with the City's Biology Guidelines and MSCP Subarea Plan. Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not limited to riparian habitats, wetlands, oak woodlands, coastal sage scrub, consistent with Federal, State, and City guidelines. Any required mitigation for impacts to sensitive biological resources shall be mitigated in accordance with the City Biology Guidelines (2018).

Mitigation for impacts to sensitive vegetation communities shall be implemented when future development projects are proposed. Project-level analysis shall determine whether the impacts are inside or outside of the MHPA.

Mitigation for Short-term Impacts to Sensitive Species from Project Construction – Specific measures necessary for reducing potential construction-related noise impacts to the coastal California gnatcatcher, least Bell's vireo burrowing owl, and the cactus wren were further detailed in BIO-2. Specifically, BIO-2 requires that mitigation for future projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the Community Plan area, be identified in site-specific biological resources surveys prepared in accordance with City of San Diego Biology Guidelines, as detailed in BIO-1. The Biology Report shall include results of protocol surveys and recommendations for additional measures to be implemented during construction-related activities and shall identify the limits of any identified

local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities (e.g., non-native grassland to riparian or agricultural to developed land) to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor.

Measures that shall be incorporated into project-level construction documents to minimize direct impacts on wildlife movement and nesting or foraging activities shall be addressed in the Biology report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons and construction noise monitoring and implementation of any species specific mitigation plans (such as a Burrowing Owl Mitigation Plan) in order to comply with the FESA, MBTA, Bald and Golden Eagle Protection Act, State Fish and Game Code and/or the ESL Regulations.

Mitigation Framework BIO-4 requires compliance with Federal wetland permitting requirements, site-specific biological resources surveys to be conducted in association with implementing development projects in accordance with the City's Biology Guidelines, and mitigation for impacts to wetlands to be implemented in accordance with MSCP mitigation ratios specified in the City's Biology Guidelines. The CPU PEIR concluded that compliance with Community Plan policies, established development standards, ESL Regulations, MSCP Subarea Plan, the City's Biology Guidelines, and implementation of Mitigation Framework BIO-4, impacts would reduce impacts to wetlands, vernal pools, and other jurisdictional water resources to a level below significance at the program level.

The Community Plan was found to be consistent with the vision for the Otay Mesa MHPA, as the open space network would remain intact, and the Community Plan incorporates policies for adhering to the Management Directives. No significant impacts relating to MSCP consistency would occur. MHPA adjacency impacts would be addressed at the project-level. Projects adjacent to the MHPA would incorporate features into the project and/or permit conditions that would demonstrate compliance with the MHPA Land Use Adjacency Guidelines. To ensure avoidance or reduction of the potential MHPA impacts resulting from new development adjacent to the MHPA, future projects would be required to comply with Mitigation Framework measure LU-2 included in Section 5.1 (Land Use) of the CPU PEIR. Potential impacts associated with the introduction of invasive species into the MHPA would also be evaluated at the project-level. Mitigation Measure LU-2 requires that landscape plans processed in concert with future project not contain any exotic plant/invasive species and would include an appropriate mix of native species which would be used adjacent to the MHPA. With the requirement that Mitigation Measure LU-2 be implemented at the project level, as applicable, the CPU PEIR found that potential impacts at the Community Plan level would be reduced to below a level of significance.

Project

A site-specific Biological Technical Report and a Habitat Management Plan was prepared by Alden Environmental, Inc. (Alden) (August 26, 2021) in accordance with the CPU Mitigation Framework and is included as Appendix B. Furthermore, a portion of the site is mapped Multi-Habitat Planning Area (MHPA)/ Vernal Pool Habitat Conservation Plan (VPHCP).

The project site was surveyed in January 2018 to map existing vegetation communities and potential jurisdictional areas on the project site, conducted focused surveys for sensitive plant species on the project site on April 25 and July 26, 2018; made three site visits in January and February 2018 to conduct a site assessment for the Quino checkerspot butterfly; and conducted burrowing owl surveys in February, April, May, and June 2018. Prior to conducting field investigations, review of the California Natural Diversity Database (CNDDB) and U.S. Fish and Wildlife Service (USFWS) database for special status species reported on or within one mile of the project site was reviewed. Subsequent to unauthorized grading of the site, a forensic burrow excavation survey was also conducted by Alden on January 15, 2020, with City and CDFW staff.

Six vegetation communities and one land cover type occur on the project site, five of which are considered sensitive vegetation communities: vernal pools, southern willow scrub, freshwater marsh, disturbed wetland, and non-native grassland, as shown in Table 4. Direct impacts would be mitigated via on site preservation.

Table 4
EXISTING VEGETATION COMMUNITIES/LANDCOVER
TYPES ON SITE

Vegetation Community/ Land Cover Type	Acres
Wetland/Riparian Vegetation	
Vernal Pool	0.01
Southern willow scrub	0.50
Freshwater marsh	0.14
Disturbed wetland	0.63
Upland Vegetation¹	
Non-native grassland (Tier IIIB)	18.57
Other Upland Vegetation	
Disturbed land (Tier IV)	8.38
Land Cover	
Developed (NA)	0.65
TOTAL	28.88

¹Tier IIIB = common upland, Tier IV = other upland.

Approximately 8.1 acres of non-native grassland were cleared along the northern portion of the site without authorization in November 2019. The clearing activity was within the project footprint and outside of the VPHCP area. The City called for an immediate stop to the work and installation of erosion/sedimentation control measures. As a result, the clearing activity was immediately halted, and erosion control measures were implemented. Currently, that part of the site is comprised of disturbed land.

An active burrow was destroyed during the unauthorized grading activity. A follow up site visit was conducted on January 15, 2020, with City and CDFW personnel present. The burrow was excavated to search for Burrowing Owl (BUOW) (*Athene cunicularia*) remains. Material was inspected by City and CDFW personnel on site as it was removed from the hole. No BUOW remains (feathers, bones, body parts, etc.) were found in the soil excavated material. As such, there was no indication that the unauthorized clearing had taken a BUOW at this known occupied location. Prior to, and after the soil excavation, the project biologist walked the western portion of the site, outside of the cleared area where there still are extant burrows with a history of BUOW occupation. A single BUOW was observed utilizing the burrows in this area.

The BUOW pair was observed on site during the May 23, 2018, survey site visit and a single BUOW was also observed on November 13, 2019, utilizing a burrow along the northern border of the site. The project would directly impact several burrows and the location where an individual was observed but would not directly impact the BUOW observed in the conservation area.

Seventy-six plant species were observed on site. A list of these plant species is presented in Appendix A of the BTR. One sensitive plant species, Otay tarplant (*Deinandra conjugens*) was observed on site and entirely within the VPHCP 100 percent Conservation Area. Impacts to these species are not anticipated. Mitigation would not be required.

Forty animal species were observed or detected on-site during all surveys to-date. A list these animal species is presented in Appendix B of the BTR. Three sensitive animal species were observed on-site. These include California horned lark (*Eremophila alpestris actia*) was observed in non-native grassland in the Conservation Area; A burrowing owl (*Athene cunicularia*) pair was observed on site during the May 23, 2018, survey site visit and a single burrowing owl was also observed on November 13, 2019, utilizing a burrow along the northern border of the site; and a San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) was observed in non-native grassland in the Conservation Area. Sensitive animal species that were not observed on-site but that may have the potential to occur are presented in the BTR. None of these species has a high potential to occur. Due to the amount of habitat loss for the California horned lark, loggerhead shrike, and the northern harrier, the potential impact would be significant, and mitigation would be required.

As identified in Table 4, above, five sensitive wetland/riparian vegetation communities exist on site including vernal pools, southern willow scrub, freshwater marsh, disturbed wetland.

The natural drainage channel on-site, which is potential Waters of the US, Waters of the State, and City Wetlands, would not be directly impacted by project development. The project would directly impact the existing constructed stormwater drainage channel by replacing the channel with a box culvert over which parking is proposed. The channel is not considered a Waters of the US or Waters of the State.

Currently, there is a minimum 135-foot buffer between the on-site wetlands and development that occurs off site to the west at the property line. The project would provide a minimum 9- to 23- foot buffer at the southwest corner of the proposed development (for a linear distance of approximately 35 feet) and a maximum 313-foot buffer (an average of 155 feet) between wetlands and the remainder of the proposed development. The buffer is adequate to protect the functions and values of the wetlands on site.

The project would avoid direct impacts to the wetlands; provide an adequate wetland buffer; employ non-structural BMPs, Best Available Technology and sediment catchment devices during construction; and would be designed to comply with Standard Urban Stormwater Management Plan and Municipal Stormwater Permit criteria of the State Water Resources Control Board and City. Potential impacts to wetlands would be less than significant. No mitigation would be required.

Wildlife corridors can be local or regional in scale; their functions may vary temporally and spatially based on conditions and species presence. Wildlife corridors represent areas where wildlife movement is concentrated due to natural or anthropogenic constraints. Local corridors provide access to resources such as food, water, and shelter. Animals use these corridors, which are often hillsides or tributary drainages, to move between different habitats areas. Regional corridors provide these functions and link two or more large habitat areas. Regional corridors provide avenues for wildlife dispersal, migration, and contact between otherwise distinct populations.

The MHPA includes core biological resource areas and corridors targeted for conservation that preserve local and regional corridor functions. The VPHCP 100% Conservation Area in the southern portion of the site (considered MHPA with adoption of the VPHCP) was designed to be a part of a larger, contiguous habitat area that stretches from the project site eastward and generally follows the existing creek until it connects with other MHPA area along La Media Road. Given that the project would fully avoid the 100% Conservation Area/MHPA, it would contribute to this planned wildlife corridor.

Due to the project's proximity to the MHPA/VPHCP boundary, the MHPA Land Use Adjacency Guidelines would apply. Specifically, the southern portion of the site that is within the 100 percent conservation area of the VPHCP is to be treated as MHPA land. These guidelines address the issues of drainage, toxics, lighting, noise, barriers, invasive species, brush management, and grading/development and are previously discussed in the Land Use section.

Under the VPHCP, each vernal pool site within a vernal pool complex is assigned a conservation level (75 percent or 100 percent) depending on the extent of vernal pools within the property. Specifically, the southern portion of the site that is within the 100 percent conservation area of the VPHCP is to be treated as MHPA land.

The VPHCP provides coverage for threatened and endangered vernal pool species, including San Diego fairy shrimp, which do not currently have federal coverage under the City's MSCP Subarea Plan. Per Section 5.2.1 of the VPHCP, implementation of the general Avoidance and Minimization Measures would be required to prevent indirect impacts to vernal pools and associated species. These measures, which would become conditions of project approval, are as follows:

1. Any development adjacent to the MHPA shall be constructed to slope away from the extant pools to be avoided, to ensure that runoff from the project does not flow into the pools.
2. Covered projects shall require temporary fencing (with silt barriers) of the limits of project impacts (including construction staging areas and access routes) to prevent additional vernal pool impacts and prevent the spread of silt from the construction zone into adjacent vernal pools. Fencing shall be installed in a manner that does not impact habitats to be avoided.

Final construction plans shall include photographs that show the fenced limits of impact and all areas of vernal pools to be impacted or avoided. If work inadvertently occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the City. Temporary construction fencing shall be removed upon project completion.

3. Impacts from fugitive dust that may occur during construction grading shall be avoided and minimized through watering and other appropriate measures.
4. A qualified monitoring biologist that has been approved by the City shall be on-site during project construction activities to ensure compliance with all mitigation measures identified in the CEQA environmental document. The biologist shall be knowledgeable of vernal pool species biology and ecology. The biologist shall perform the following duties:
 - a. Oversee installation of and inspect the fencing and erosion control measures within or upslope of vernal pool restoration and/or preservation areas a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control measures are repaired immediately.
 - b. Periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust.
 - c. Train all contractors and construction personnel on the biological resources associated with this project and ensure that training is implemented by construction personnel. At a minimum, training shall include (1) the purpose for resource protection; (2) a description of the vernal pool species and their habitat(s); (3) the conservation measures that must be implemented during project construction to conserve the vernal pool species, including strictly limiting activities, and vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); (4) environmentally responsible construction practices as outlined in measures 5, 6 and 7; (5) the protocol to resolve conflicts that may arise at any time during the construction process; and (6) the general provisions of the project's mitigation monitoring and reporting program (MMRP), the need to adhere to the provisions of FESA, and the penalties associated with violating FESA.
 - d. Halt work, if necessary, and confer with the City to ensure the proper implementation of species and habitat protection measures. The biologist shall report any violation to the City within 24 hours of its occurrence.
 - e. Submit regular (e.g., weekly) letter reports to the City during project construction and a final report following completion of construction. The final report shall include asbuilt construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conservation measures was achieved.
5. The following conditions shall be implemented during project construction:
 - a. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint.
 - b. The project site shall be kept as clean of debris as possible. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.

- c. Disposal or temporary placement of excess fill, brush, or other debris shall be limited to areas within the fenced project footprint.
- 6. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering the vernal pools or their watersheds and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from the vernal pools or their watersheds. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. A spill kit for each piece of construction equipment shall be onsite and must be used in the event of a spill. "No-fueling zones" shall be designated on construction plans.
- 7. Grading activities immediately adjacent to vernal pools shall be timed to avoid wet weather to minimize potential impacts (e.g., siltation) to the vernal pools unless the area to be graded is at an elevation below the pools. To achieve this goal, grading adjacent to avoided pools shall comply with the following:
 - a. Grading shall occur only when the soil is dry to the touch both at the surface and 1 inch below. A visual check for color differences (i.e., darker soil indicating moisture) in the soil between the surface and 1 inch below indicates whether the soil is dry.
 - b. After a rain of greater than 0.2-inch, grading shall occur only after the soil surface has dried sufficiently as described above, and no sooner than 2 days (48 hours) after the rain event ends.
 - c. To prevent erosion and siltation from storm water runoff due to unexpected rains, best management practices (i.e., silt fences) shall be implemented as needed during grading.
 - d. If rain occurs during grading, work shall stop and resume only after soils are dry, as described above.
 - e. Grading shall be done in a manner to prevent runoff from entering preserved vernal pools.
 - f. If necessary, water spraying shall be conducted at a level sufficient to control fugitive dust but not to cause runoff into vernal pools.
 - g. If mechanized grading is necessary, grading shall be performed in a manner to minimize soil compaction (i.e., use the smallest type of equipment needed to feasibly accomplish the work).
- 8. Prior to project construction, topsoil shall be salvaged from the impacted vernal pools or road ruts with fairy shrimp on-site consistent with the requirements of the approved restoration plan (e.g., free of versatile fairy shrimp [*Branchinecta lindahli*]). Vernal pool soil (inoculum) shall be collected when dry to avoid damaging or destroying fairy shrimp cysts and plant seeds. Hand tools (i.e., shovels and trowels) shall be used to remove the first 2 inches of soil from the pools. Whenever possible, the trowel shall be used to pry up intact chunks of soil, rather than loosening the soil by raking and shoveling, which can damage the cysts. The soil from each pool shall be stored individually in labeled boxes that are adequately ventilated and kept out of direct sunlight in order to prevent the occurrence of fungus or excessive heating of the soil, and stored off-site at an appropriate facility for

vernal pool inoculum. Inoculum from different source pools shall not be mixed for seeding any restored pools, unless otherwise approved by the City and Wildlife Agencies. The collected soils shall be spread out and raked into the bottoms of the restored pools. Topsoil and plant materials salvaged from the upland habitat areas to be impacted shall be transplanted to, and/or used as a seed/cutting source for, the upland habitat restoration/creation areas to the maximum extent practicable as approved by the City.

9. Permanent protective fencing along any interface with developed areas and/or use other measures approved by the City to deter human and pet entrance into on- or off-site habitat shall be installed. Fencing shall be shown on the development plans and should have no gates (except to allow access for maintenance and monitoring of the biological conservation easement areas) and be designed to prevent intrusion by pets. Signage for the biological conservation easement area shall be posted and maintained at conspicuous locations. The requirement for fencing and/or other preventative measures shall be included in the project's mitigation program.

The project would impact a total of 19.12 acres. According to the City's Biology Guidelines (City of San Diego 2018), impacts to Tier IIIB non-native grassland would be significant and require mitigation. Therefore, impacts to 15.30 acres would be mitigated within the MHPA/VPHP area at a 0.5:1 ratio for a total of 7.65 acres. According to the City's Biology Guidelines (City of San Diego 2018), impacts to Tier IV disturbed land, as well as No Tier developed land would not be considered significant, and no mitigation would be required.

Table 5 DIRECT IMPACTS TO VEGETATION COMMUNITIES/LAND COVER TYPES AND REQUIRED MITIGATION					
Vegetation Community/ Land Cover Type	Existing Acres	Impacted Acres	Mitigation Ratio	Mitigation Required	Conserved within the VPHP On Site
Wetland/Riparian Vegetation					
Vernal Pool	0.01	0.0	2:1 to 4:1	0.0	0.01
Southern willow scrub	0.50	0.0	3:1	0.0	0.50
Freshwater marsh	0.14	0.0	3:1	0.0	0.14
Disturbed wetland	0.63	0.0	3:1	0.0	0.63
Upland Vegetation					
Non-native grassland (Tier IIIB)	18.57	15.30 ²	0.5:1	7.65	3.27 ²
Other Upland Vegetation					
Disturbed land (Tier IV)	8.38	3.23	NA	NA	5.16 ²
Land Cover					

<p>Table 5</p> <p>DIRECT IMPACTS TO VEGETATION COMMUNITIES/LAND COVER TYPES AND REQUIRED MITIGATION</p>					
Vegetation Community/ Land Cover Type	Existing Acres	Impacted Acres	Mitigation Ratio	Mitigation Required	Conserved within the VPHCP On Site
Developed (NA)	0.65	0.63	NA	NA	0.01
TOTAL	28.88	19.16	NA	NA	9.72

¹Mitigation through on-site preservation/enhancement within the MHPA/VPHCP boundary.

²The land is occupied by the BUOW.

The project would impact 15.30 acres of non-native grassland which provides habitat for the California horned lark, which is on the State Watch List; the loggerhead shrike, which is a federal Bird of Conservation Concern and a State Species of Special concern; and the northern harrier, which is a State Species of Special Concern and MSCP Covered Species. Due to the amount of habitat loss, this impact would be considered significant, and mitigation would be required. Habitat based mitigation would reduce impacts to below a level of significance.

The project would impact 15.30 acres of non-native grassland habitat and 3.20 acres of disturbed land habitat used by the BUOW on site. The BUOW is a federal Bird of Conservation Concern, a State Species of Special Concern, and is an MSCP Covered Species. Direct impacts to this species would be significant and mitigation would be required. In addition, City Biology Guidelines require an impact avoidance area of 300 feet from any occupied burrowing owl burrow that occurs in the MHPA (Conservation Area).

The San Diego black-tailed jackrabbit (*Lepus californicus*) is a State Species of Special Concern. 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. It is anticipated that potential impacts to the San Diego black-tailed jackrabbit, would be limited and, therefore, less than significant. Mitigation would not be required.

Indirect impacts consist of secondary effects of a project that can occur during construction or from a project once built. Indirect impacts could occur from fugitive dust or in the form of avian nesting disturbance.

Fugitive dust produced by construction can disperse onto adjacent vegetation outside and inside the Conservation Area. A continual cover of dust may reduce the overall vigor of individual plants by reducing their photosynthetic capabilities and increasing their susceptibility to pests or disease. This, in turn, could affect animals dependent on these plants. Fugitive dust also may make plants unsuitable as habitat for insects and birds. Furthermore, fugitive dust can settle in vernal pools and alter water temperatures required by habitat, adversely affecting their ability to mature and reproduce.

Construction of the project would adhere to applicable dust control measures prescribed by the City. These measures include, for example, reduced driving speeds on unpaved roads and regular watering of dirt surfaces. Potential impacts from fugitive dust would be less than significant and, therefore, would not require mitigation.

Indirect impacts to nesting northern harriers could occur if any construction occurs in or near the Conservation Area within the raptor breeding season (generally February 1 to September 15). If any construction would occur during the raptor breeding season, there is potential that impacts to the northern harrier would be significant. Mitigation would be required. MSCP Area Specific Management Directives for the northern harrier must include an impact avoidance area (900 foot or maximum possible within the preserve) around active nests. Mitigation would be required to provide a 900-foot (or maximum possible) impact avoidance area around active northern harrier nests in the Conservation Area during construction, should they occur.

The MSCP is designed to address the cumulative loss of biological resources throughout the San Diego region. Projects that conform to the MSCP as specified by the City's Subarea Plan and implementing ordinances, (i.e., Biology Guidelines and ESL Regulations) are not expected to result in a significant cumulative impact for those biological resources adequately covered by the MSCP. These resources include the vegetation communities identified as Tier I through Tier IV and MSCP Covered Species. The project would comply with the City's Subarea Plan by mitigating for significant impacts in accordance with ESL Regulations and the City's Biology Guidelines (see Mitigation Measures listed below). Other projects in the City would also be required to comply with the City's Subarea Plan. Therefore, the project would not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City, and no mitigation for cumulative impacts would be required.

Overall, the project would result in impacts to biological resources, therefore, a Mitigation Monitoring Reporting Program, as detailed within Section VIII of the Addendum, would be implemented. With implementation of the biological resources monitoring program, potential impacts on biological resources would be reduced to below a level of significance.

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

Historical Resources

CPU PEIR

The CPU PEIR evaluated impacts to historical resources in Section 5.5. The CPU PEIR found that due to the number and density of prehistoric and historical resources in the Community Plan area, future development has the potential to result in the loss of resources, which would be a significant impact at the program level. Impacts from future development on the built environment would occur at the project level. Any alteration, relocation, or demolition associated with future development that would affect historic buildings, structures, objects, landscapes, and sites would represent a significant impact to historical resources.

Given the presence of historical resources distributed throughout the Community Plan area, the CPU PEIR found that implementation of the Community Plan has the potential to result in significant impacts to historical resources. The Community Plan includes several policies aimed to reduce impacts to historical resources within the Community Plan area, as well as development regulations required for projects within areas covered by CPIOZ Type A that address archaeological resources. Additionally, implementation of the Mitigation Framework for Historical Archaeological Resources (Mitigation Measure HIST-1) and Historic Building, Structures, and Object (Mitigation Measure HIST-2) detailed in the CPU PEIR would reduce impacts associated with future development projects to below a level of significance. Mitigation Measure HIST-1 required that, prior to issuance of any permit for a future development project implemented in accordance with the Community Plan area that could directly affect an archaeological resource, steps shall be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources that may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities. Mitigation Measures HIST-2 requires that the City determine historical significance of any future development that would directly or indirectly impact a building/structure in excess of 45 years. The evaluation of historical architectural resources shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity.

Project

An *Archaeological Survey Report* was prepared by ASM Affiliates, Inc., in July 2019 and revised March 2020 for the proposed project in accordance with the CPU Mitigation Framework and is included as Appendix C.

Based on a records search and archaeological survey conducted in 2018, there are 13 previously recorded cultural resources within a one-mile radius of the project site. The results of the records search yielded information indicating that approximately 460 square meters (m²) of the previously recorded site CA-SDI-7208 intersects the northwest corner of the project site. During the archaeological survey, no artifacts were identified in the portion of CA-SDI-7208 that intersects the project site. However, a shell scatter approximately 320 m² in size and consisting of between 30 to 40 shells and shell fragments was recorded six meters south of the boundary of CA-SDI-7208. The shell scatter lies on the western boundary of the project site with approximately 100 m² of the shell scatter within the project site. Additionally, eight isolate artifacts were also recorded within the project site.

CA-SDI-7208 is considered to be associated with the "Otay Mesa Smear" of lithic material. This smear can be thought of as a natural pavement of volcanic cobbles that attracted prehistoric flintknappers searching for suitable materials for tool manufacture over thousands of years. Since its initial recordation measuring 80 acres, the site's boundaries of CA-SDI-7208 have been extended in all directions by subsequent discoveries, so that the site currently measures approximately 725 acres. It is noted that the overall site is characterized by a low-density artifact scatter with occasional artifact concentrations and some shell. Various testing projects throughout portions of this site have all determined the site as not significant for the California Register of Historic Resources (CRHR). Given

that SDI-7208 has previously been evaluated and identified as not significant, archaeological testing of the shell scatter just outside of the previous boundary of SDI-7208 is not recommended. The isolates, also by definition, are not significant.

Portions of CA-SDI-7208 outside the current project site were previously evaluated and determined to be not significant. There are no indications that the portion of CA-SDI-7208 that falls inside the project site differs from those prior documentations of not significant. Additionally, the project site was found to be highly disturbed due to previous heavy machine activity, and years of plowing and other agricultural activities within the project area have resulted in a large number of mechanically spalled and broken cobblestones scattered across the site in addition to the prehistorically modified stone that was the focus of the present survey. Based on the findings of prior ground and agricultural disturbance, prior evaluation studies immediately outside the project area that determined the site is not significant, and that the site is part of the Otay Mesa Smear, this portion of CA-SDI-7208 is also determined to not be significant. Archaeological monitoring for ground-disturbing construction activities to verify subsurface deposits are not present within the project area would be required as a mitigation measure for the project.

Subsequent to the 2018 survey, unpermitted ground disturbance occurred within the project site, and an assessment survey was conducted on the March 12, 2020 to determine whether any other cultural resources were impacted. Aside from a single flake, no other artifacts were observed during this survey; no additional actions are recommended as a result of this disturbance.

A Mitigation, Monitoring, and Reporting Program as detailed in Section VIII of the Addendum would be required. With implementation of the monitoring program, potential impacts on Historical Resources (Archaeology) would be reduced to below a level of significance.

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

Human Health/Public Safety/Hazardous Materials

CPU PEIR

The CPU PEIR evaluated human health relative to public safety and hazardous materials impacts in Section 5.6. Section 5.3, Air Quality of the CPU PEIR discussed health risk associated with toxic air contaminants. (See discussion above in this Addendum under Air Quality). The CPU PEIR found that the Community Plan would have significant impacts associated with wildfires, aircraft hazards, and hazardous sites and presented a Mitigation Framework, requiring Mitigation Measures HAZ-1, HAZ-2, and HAZ-3 to be implemented at the project level in order to reduce impacts to below a level of significance.

Wildfire Hazards

The CPU PEIR found that future development projects that would implement the Community Plan would have the potential to result in significant impacts related to wildland fires requiring implementation of Mitigation Framework HAZ-1 to reduce impacts related to wild land fires to below

a level of significance. Future projects are required to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan and CPU policies intended to reduce the risk of wildfires. In addition, all future projects shall be reviewed for compliance with the 2010 California Fire Code, Section 145.0701 through 145.0711 of the LDC, and Chapter 7 of the California Building Code.

Aircraft Hazards

The CPU PEIR found that future development projects associated with the Community Plan would have the potential to result in significant impacts related to airport operations at the Abelardo L. Rodriguez International Airport and Brown Field Municipal Airport and identified Mitigation Framework HAZ-2 to reduce impacts. HAZ-2 requires that the City shall inform project applicants for future development concerning the existence of the Part 77 imaginary surfaces and Terminal Instrument Procedures and FAA requirements. The City shall also inform project applicants when proposed projects meet the Part 77 criteria for notification to the FAA as identified in City of San Diego Development Services Department Information Bulletin 520. The City shall not approve ministerial projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation" for the project. Also, the City shall not recommend approval of subsequent development projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation" for the project until the project can fulfill state and ALUC requirements.

Hazardous Sites

The CPU PEIR found that Community Plan area contained hazardous material sites pursuant to Government Code Section 65962.5 and that these sites, along with any unknown hazardous sites within the Community Plan area, would have potentially significant impacts on future development and land uses within the Community Plan area. The CPU PEIR identified Mitigation Framework HAZ-3 to reduce impacts, which requires the preparation of a Phase I Site Assessment prior to the approval of implementing development and to require that all on-site contamination be avoided or remediated in compliance with local, state, and federal regulations. The CPU PEIR concluded that with compliance to General Plan and Otay Mesa Community Plan policies and local, state, and federal regulations, and implementation of Mitigation Framework HAZ-3, potential impacts associated with hazardous sites would be reduced to below a level of significance. HAZ-3 requires that a Phase I Site Assessment shall be completed in accordance with federal, state, and local regulations for any property identified on a list compiled pursuant to Government Code Section 65962.5. The report shall include an existing condition survey, detailed project description, and specific measures proposed to preclude upset conditions (accidents) from occurring. If hazardous materials are identified, a Phase II risk assessment and remediation effort shall be conducted in conformance with federal, state, and local regulations.

Project

Wildfire Hazards

As discussed in the CPU PEIR and presented in Mitigation Measure HAZ-1 all future projects implemented in accordance with the Community Plan shall be required to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan and Community Plan policies

intended to reduce the risk of wildfires. The project site borders an urbanized developed area to the north, west, and south.

The project proposes a parking lot and no Brush Management would be required. The project would not expose people or structures to a significant risk of loss, injury, or death from wildland fires to less than significant. Impacts would be less than significant. No mitigation measures would be required.

Aircraft Hazards

As discussed in Section 5.6.3 of the CPU PEIR, future projects developed in accordance with the Community Plan have the potential to conflict with FAA requirements and result in a significant aircraft hazards impact. The project is located within AIA Review Area 1 and the FAA Part 77 Notification Area for Brown Field. The project would not include elevated features that could interfere with navigable airspace. Therefore, implementation of the proposed project would not result in a safety hazard for people working in the project area. Impacts would be less than significant. No mitigation measures would be required.

Hazardous Sites

Implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would involve the transport, use, and disposal of hazardous materials such as fuel, solvents, chemicals, and oils associated with operating construction equipment. Such transport, use, and disposal would be compliant with all applicable regulations and requirements. Although small amounts of fuel, solvents, chemicals, and oils would be transported, used, and disposed of during the construction phase, these materials are typically used in construction projects and would not represent the transport, use, and disposal of actively hazardous materials. In addition, the transport of the aforementioned materials would comply with all regulations and would not create a significant hazard to public health.

Additionally, the project site does not contain hazardous material sites pursuant to Government Code Section 65962.5; therefore, a Phase I Site Assessment was not required. Impacts associated with hazardous materials would be less than significant.

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

Hydrology/Water Quality

CPU PEIR

The CPU PEIR analyzed potential impacts to Hydrology and Water Quality in Section 5.7. Hydrology/Water Quality. The CPU PEIR found that buildout in accordance with the Community Plan would result in an increase in impervious surfaces and associated increased runoff, and result in alterations to on- and off-site drainage. Therefore, implementation of the Community Plan has the potential to result in significant direct and indirect impacts associated with runoff and alterations

to on- and off-site drainage patterns. Buildout in accordance with the Community Plan also has the potential to result in a substantial change to stream flow velocities and drainage patterns on downstream properties and could result in significant direct and indirect impacts to the natural drainage system. Future development within the Community Plan area could potentially impact the existing course and flow of flood waters, resulting in potentially significant impacts. Adherence to Federal, State, and local regulations, would serve to reduce significant impacts to a degree, but cannot guarantee that all future project-level impacts would be avoided or mitigated to below a level of significance. Therefore, impacts associated with water quality would be significant at the program-level. The CPU PEIR includes a Mitigation Framework that requires adherence to specific Mitigation Measures (HYD/WQ-1 and HYD/WQ-2) which, when implemented, would reduce impacts associated with Hydrology and Water Quality to below a level of significance.

Mitigation Measure HYD/WQ-1 requires that project applicants demonstrate that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and Regional Water Quality Control Board (RWQCB) regulations identified below. Future design of projects shall incorporate all practicable measures in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC), and the LDC, and shall be based on the recommendations of a detailed hydraulic analysis.

Mitigation Measure HYD/WQ-2 requires that future projects be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall ensure that any impacts on receiving waters shall be precluded and, if necessary, mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Storm Water Standards Manual.

Project

The project is identified as a "priority" project therefore, a *Storm Water Quality Management Plan* (SWQMP) was prepared by Latitude 33 Planning and Engineering, dated December 9, 2020, as well as a *Drainage Report* (December 2, 2020) accordance with the CPU Mitigation Framework. These reports can be found as Appendix D and Appendix E, respectively.

Hydrology

The project site is undeveloped although it has been disturbed in the past as a result of development to the west. An existing drainage channel traverses the project site as a result of the adjacent development. An existing drainage easement has been recorded for the channel. This project proposes to channelize the existing earth channel into underground box culverts. The proposed site is 81.8 percent impermeable consisting of an asphalt parking lot, sidewalk and landscaped areas. No structures are proposed on site.

An onsite private storm drain system will convey treated runoff through the site and discharge in a similar manner of the existing conditions. The Drainage Report presented hydrologic calculations for both the existing and proposed conditions that evaluate the 2, 5, 10, 50, and 100-year storm events. A comparison of existing and developed peak flow rates is shown in Table 6, *Existing and Proposed Hydrological Conditions*, below.

Table 6, Existing and Proposed Hydrological Conditions

	Existing Peak Flow Rate Runoff (Q)	Proposed Peak Flow Rate Runoff (Q)
2-Year Storm (Q2)	8.71 cfs	41.64 cfs
5-year Storm (Q5)	8.71 cfs	41.64 cfs
10- Year Storm (Q10)	10.32 cfs	47.90 cfs
50-Year Storm (Q50)	13.09 cfs	60.02 cfs
100-Year Storm (Q100)	14.08 cfs	62.07 cfs

cfs = cubic feet per second

Q -Peak flow rate in cubic feet per second

As shown in Table 6, the addition of impermeable areas by the project would increase the peak flow rate of runoff from the site. The "1987 NOTICE from Engineering and Development Department," which addresses drainage requirements for development in Otay Mesa, requires that all property in Otay Mesa that is within the water shed that drains into Mexico provide storm water detention facilities so that there will be no increase in the rate of runoff due to development of the property. The increase in peak runoff will be attenuated by constructing underground storage vaults totaling 55,000 cubic feet. The proposed storage vaults would be designed so that the rate of runoff from the property would not be greater after development than it was before development for a 5-year, 10-year, 50-year, and 100-year storm. As shown in Table 7, the project development would not increase runoff from the pre-project conditions.

The project site is not located within an identified flood hazards area or within a 100-year flood hazard area and is not subject to flooding. Runoff generated from development of the project site would flow into a detention basin on-site for treatment and hydromodification storage. The project proposed six surface level biofiltration basin areas, two modular wetland units and the proposed storage vaults for treatment and hydromodification purposes. Using a storm drain system, the runoff would then be conveyed to meet up with the project site's on-site stream at approximately the same location where the stream meets the natural drainage channel at the southern portion of the project site. The discharge location is south of the project site at an existing headwall that conveys runoff into a storm drain system which outlets into the Tijuana River and ultimately the Pacific Ocean.

Water Quality

The SWQMP identifies the following as expected pollutants from the project site: nutrients, oxygen demanding substances, and pesticides. The proposed project would implement biofiltration BMPs, and public streets and mass graded pads would drain to a biofiltration basin for treatment. Many of the proposed BMPs exceed the calculated size requirements. BMPs A, B, D, E are biofiltration basins and all are sized over the minimum requirements. BMP A provides a treatment area of 2,300 sq. feet where 2,259 was required, BMP B provides a treatment area of 1,840 sq. feet where 1,761 sq. feet was required. BMP D provides 1,580 sq. feet where 1,433 was required. BMP E provide a treatment area of 5,600 sq. feet where 4,533 was required. BMPs F and G are Modular Wetland Systems that

have a treatment flow rates over the required minimum. BMP F has a treatment flow rate of 0.346 cfs where 0.340 cfs was required. BMP G has a treatment flow rate of 0.462 cfs where 0.460 cfs was required.

The project would result in approximately 49 percent impervious surfaces with landscaped slopes, parkway landscaped areas, and the preserved open space. Graded and disturbed areas would be re-vegetated and landscaped to minimize erosion. The post construction site would have minimal risks of erosion occurring given proper plant establishment, and transport of sediments downstream would be significantly reduced by means of pretreatment and proposed on-site detention basins with no off-site discharge location. Adherence with the standards would preclude a cumulatively considerable contribution to erosion of siltation on- or off-site.

Development of the project site would result in an increase of peak discharge runoff, however storage vaults would be constructed that would reduce the peak runoff rates to below existing rates. Table 7, *Points of Confluence Flow Rate* shows the reduction in peak discharge runoff to below existing with utilization of the storage vaults. Due to the lack of infiltration onsite, biofiltration basins located at the center of the southern perimeter of the project site are proposed as the primary treatment to manage peak flows by storing storm water runoff and controlling release of flow. Certain portions of the site would utilize proprietary biofiltration devices to achieve compliance with the storm water standards.

Table 7, Points of Confluence Flow Rate

Points of Confluence Flowrates					
POC #	Q ₂ (cfs)	Q ₅ (cfs)	Q ₁₀ (cfs)	Q ₅₀ (cfs)	Q ₁₀₀ (cfs)
1 - Existing	5.66	6.97	8.27	10.52	11.34
1 - Proposed (unmitigated)	23.32	28.67	33.07	41.41	43.76
1 - Proposed (mitigated)	0.82	0.98	1.13	10.59	10.67
2 - Existing	1.48	1.87	2.19	2.84	2.97
2 - Proposed (unmitigated)	8.46	10.30	11.78	15.09	15.82
2 - Proposed (mitigated)	0.053	0.058	0.062	2.610	2.620

Values provided are from Rational Method calculations and from orifice/weir calculations provided in Summary Table

In accordance with the SDMC, the property owner would be required to enter into a Storm Water Management and Discharge Control Maintenance Agreement (Maintenance Agreement) for the installation and maintenance of permanent storm water BMPs prior to issuance of construction permits. The Maintenance Agreement is intended to ensure the establishment and maintenance of permanent storm water BMPs on-site and described in the SWQMP and shown on the Vesting Tentative Map. Additionally, the proposed project would be required to adhere to all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

The physical alteration of water bodies, including wetlands and streams, are regulated by Federal and State statutes under Section 401 (Certification) and Section 404 (Permits) of the Federal Clean Water Act. This project does not propose any discharge of dredged and/or fill material within any Waters of the U.S. and therefore, is not subject to the Clean Water Act Sections 404 Permit and 401 Certification.

The depth to perched groundwater at the project site was estimated to be over 20 feet. Groundwater was not encountered in any explorations of the project site. Although the static groundwater is located at considerable depth, perched layers may exist or develop on top of impervious clay soil layers, particularly in close proximity to the drainage channels. Groundwater may be encountered during construction activities, but due to the lack of permanent near-surface groundwater, the project would not deplete groundwater supplies or interfere with groundwater recharge. Impacts would be less than significant. No mitigation measures would be required.

In accordance with Mitigation Measure HYD/WQ-1 of the CPU PEIR, the project has been designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with City and RWQCB regulations, and based off project-specific hydraulic analyses (refer to Appendices D and E of this Addendum). Similarly, in accordance with Mitigation Measure HYD/WQ-2 of the CPU PEIR, the project has been designed to minimize impacts on receiving waters, specifically the discharge of identified pollutants to an already impaired water body. In addition, the project was designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Storm Water Standards Manual.

The project would not significantly alter the drainage pattern of the project site or area. There would be no changes to the existing drainage patterns or outlet locations. Runoff would be routed to onsite treatment BMPs to comply with San Diego Storm Water standards. Many of the BMPs proposed by the project exceed the minimum size requirements. The project would not result in substantial erosion or siltation. Impacts would be less than significant. While the project would increase storm water run-off from the site, it would not significantly alter the overall drainage pattern of the site or area in a manner that would result in a substantial increase in the rate or amount of surface runoff. No impact would occur and no mitigation measures would be required. Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts nor would a substantial increase in the severity of impacts from that described in the CPU PEIR.

Geology/Soils

CPU PEIR

Impacts to geology and from geologic hazards were analyzed in Section 5.8 of the CPU PEIR. The Community Plan area is located in a seismically active region of California; therefore, the potential exists for geologic hazards, such as earthquakes and ground failure. The CPU PEIR states that the Community Plan area is underlain by three surficial soils deposits and three geologic formations. The surficial soils include artificial fill (unmapped), topsoil/colluvium (unmapped), and alluvium. The

geologic formations include Pleistocene Very Old Paralic Deposits (formerly the Lindavista Formation), Upper Pliocene San Diego Formation, and Pliocene Otay Formation.

The clay mudstone strata within the Very Old Paralic Deposits exhibits high to very high expansion potential. Unstable conditions relating to compressible soils, landslides, seismicity (faults), and expansive soils were found to be a potentially significant impact for future development. The CPU PEIR also found that, based on the steep nature of many of the hillsides and the generally poorly consolidated nature of the sedimentary materials and soils found throughout the Community Plan area, erosion would represent a potentially significant impact, particularly in conjunction with some portions of the San Diego Formation and in drainages and stream valleys.

In order to ensure that impacts associated with Geology and Soils are reduced to below a level of significance, the CPU PEIR required implementation of Mitigation Measures GEO-1 and GEO-2. GEO-1 requires future development in accordance with the Community Plan to comply with the recommendations included in a geotechnical report prepared in accordance with City Geotechnical Report Guidelines, the California Building Code (CBC), and the SDMC, and be designed satisfactory to the City Engineer. GEO-2 states that as a part of the future development permitting process, the City shall require individual project to adhere to the Grading Regulation and National Pollutant Discharge Elimination System (NPDES) permit requirements, as well as the California Building Code, to avoid or reduce geologic hazards.

Project

A *Geotechnical Investigation Report* was prepared by Kleinfelder (April 16, 2019) for the proposed project in accordance with the CPU Mitigation Framework and is included as Appendix F.

According to the site-specific geotechnical investigation, the site is not underlain by active or potentially active faults, nor does the site lie within an Alquist-Priolo Earthquake Fault Zone. The Silver Strand Fault is the closest mapped active fault and is located approximately 14 miles northwest of the site. Based on this information, the potential for ground rupture due to faulting at the site is considered low. However, the project would be required to comply with seismic requirement of the California Building Code, utilize proper engineering design and standard construction practices, to be verified at the building permit stage, in order to ensure that would reduce impacts to people or structures to an acceptable level of risk

The site is located in Geologic Hazard Category 53 on the San Diego Seismic Safety Maps. Category 53 is described as level or sloping terrain, unfavorable geologic structure, and variable slope stability. However, due to the relatively flat-lying topography on and nearby the subject site, the potential for landsliding is considered low. Due to the relatively high density of the underlying soils and the lack of permanent near-surface groundwater, the risk associated with liquefaction hazard at the site is low.

Highly expansive soils were observed within the borings and test pits preformed for the investigation which would require lime treatment stabilization. General guidelines to stabilize the on-site clay soils with lime treatment are included as Appendix C to the Geotechnical Investigation. Impacts would be less than significant.

The project would be required to comply with seismic requirement of the California Building Code, utilize proper engineering design and standard construction practices, to be verified at the building permit stage, in order to ensure that would reduce impacts to people or structures to an acceptable level of risk. No mitigation measures would be required.

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

Energy Conservation

CPU PEIR

The CPU PEIR analyzed energy conservation in Section 5.9 of the CPU PEIR. The CPU PEIR found that the Community Plan would not result in the use of excessive amounts of fuel or other forms of energy use during the construction of future projects under the Community Plan, and construction impacts would be less than significant. Implementation of the Community Plan was not anticipated to result in a need for new electrical systems or require substantial alteration of existing utilities, which would create physical impacts. Based on the program-level analysis of the Community Plan, State and local mandates for energy conservation and the energy reduction measures set forth in the Community Plan policies, impacts associated with energy use would be less than significant. No mitigation measures were required.

Project

Construction of the project would temporarily 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 and generate lower emissions, use less energy, and are more advanced technologically. 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 CPU 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 is limited to construction of a surface parking lot. The project would not construct any housing or places of employment, and the widened segment of these roadway segments would serve future growth that is already anticipated in the OMCPU. Therefore, operation of the project would not result in energy consumption beyond what was anticipated in the CPU PEIR. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts or a substantial increase in the severity of impacts from those described in the CPU PEIR.

Noise

CPU PEIR

The CPU PEIR evaluated potential impacts from noise in Section 5.10. The CPU PEIR found that traffic-generated noise impacts based on future traffic volumes would result in potentially significant cumulative impacts due to the proximity of noise sensitive land uses in areas where exterior noise levels would exceed noise and land use compatibility standards established in the City's General Plan Noise Element. Stationary noise from commercial and industrial uses located in proximity to noise sensitive uses were determined to be a potentially cumulative significant impact. While it was not anticipated that projects implemented under the Community Plan would result in significant noise impacts, noise generation of future developments within the Community Plan area could not be adequately quantified at the time the CPU PEIR was prepared. Therefore, future projects that would exceed the City's noise thresholds would be required to adhere to the Mitigation Framework included in the CPU PEIR, including Mitigation Measures NOI-1, NOI-2, and NOI-3 that require site-specific noise analyses be conducted for future development projects.

The CPU PEIR also evaluated the potential for noise impacts associated with existing residential uses located within the 60 and 65 community noise equivalent level (CNEL) contours for Brown Field and existing and future industrial uses located within the General Abelardo L. Rodriguez International Airport 70 CNEL contour. Residential and industrial land uses would be considered conditionally compatible their respective noise levels, as long as the uses meet the interior noise level standards. No new residential land uses are proposed within the Brown Field contours, thus no new impact on future residential uses are anticipated with buildout of the Community Plan. Additionally, noise levels would not exceed 70 CNEL at any nearby industrial uses. Based on the standard attenuation associated with commercial and industrial, exterior noise levels of 70 CNEL would be reduced to 40-45 CNEL within structures located within this zone. Therefore, impacts to future land uses would be less than significant.

As discussed above, noise-sensitive uses (i.e., residential) could be located adjacent to noise-generating commercial and industrial uses. The EIR determined that the juxtaposition of these land uses would result in potentially significant noise impacts. While the framework of Federal, State, and local regulations and policies would reduce direct and indirect impacts associated with the generation of noise levels in excess of standards established in the General Plan or Noise Abatement and Control Ordinance, no project-level site plans or implementation programs were considered as part of this EIR. Without detailed operational data, the EIR stated that compliance with existing regulations would reduce all impacts to below a level of significance and concluded that the program-level of analysis conducted for the Community Plan, noise from stationary sources would be significant. As part of the Mitigation Framework, Mitigation Measure NOI-3 would be required for future development in order to reduce noise impacts to below a level of significance. Mitigation Measure NOI-3 requires that, prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical

equipment, and trucks, be prepared which identifies all noise- generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness are to be determined by a site-specific noise analysis.

In addition, the CPU PEIR determined that any new construction in the Community Plan area would potentially generate short-term noise impacts to noise-sensitive land uses located adjacent to construction sites. Temporary noise impacts could have potentially significant impacts since some construction activities have the potential to generate noise in excess of 75 A-weighted decibel (dBA) equivalent continuous sound level (Leq). Therefore, the CPU PEIR includes that Mitigation Measure NOI-4 be implemented for construction activities. Mitigation Measure NOI-4 requires projects that exceed daily construction noise thresholds established by the City of San Diego to include best construction management practices to reduce construction noise levels to comply with standards established by the Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control; and that project applicants prepare and implement a Construction Noise Management Plan. Appropriate management practices shall be determined on a project-by-project basis and are to be specific to the location.

The MHPA Land Use Adjacency Guidelines in the MSCP Subarea Plan address noise impacts associated with industrial, commercial, mixed-use, or recreation uses that generate stationary noise adjacent to MHPA areas and are specifically detailed in Mitigation Framework LU-2 in Section 5.1 (Land Use) of the CPU PEIR. Additional construction-related noise measures are identified in Section 5.4, Biological Resources of the EIR. (See discussion above under Land Use and Biological Resources.)

Project

The most common source of noise in the project site vicinity is traffic on surrounding roads. Motor vehicle noise, primarily from cars and trucks, is of concern because it is characterized by a high number of individual events, which often create sustained noise levels. Ambient noise levels would be expected to be highest during the daytime and rush hour unless congestion slows speeds substantially. The nearest sensitive receptor is a single-family residence located adjacent to and east of the project site.

The project site is located in the South District of the Otay Mesa Community Plan. The project site is also within the inner approach/departure zone (Safety Zone 2) of Brown Field Municipal Airport, which permits office, commercial, service, transportation, communication, utilities, industrial, manufacturing, and warehouse land uses (San Diego County, 2010). Based on the *Noise Technical Report* completed for the Otay Mesa Community Plan (2013), the project site is outside of the 60 dBA CNEL noise contour for Brown Field Municipal Airport.

CPU PEIR mitigation framework measures NOI-1 and NOI-2 would not apply to the project as they are for residential development and sensitive receptors. Mitigation Measures NOI-3 and NOI-4 of the CPU PEIR do not apply to the project, because the project does not exceed the City's noise

thresholds. The project proposes construction of a parking lot and does not include the construction of any buildings or any other uses associated with sensitive receptors.

Construction Noise

Construction of the project would generate a temporary increase in noise in the project area. Project construction would include site excavation and grading, paving, and landscaping of a parking lot. There are no noise sensitive uses in the vicinity of the project site. Existing uses in the vicinity of the project site are light to heavy commercial and light to heavy industrial uses.

The project would be required to comply with the construction hour restrictions of Chapter 5, Section 59.5.0404 of the City of San Diego Municipal Code, which prohibits construction outside the hours of 7:00 morning (AM) and 7:00 afternoon (PM). The project would not result in significant noise impacts associated with construction. No mitigation measures would be required.

Operational Noise Impacts

Land uses surrounding the project site include light industrial buildings on the north and west, a single-family residence surrounded by undeveloped land to the east, and development within Tijuana, Mexico to the south. On-site operation noise would be significant only if exterior noise levels exceeded City's CEQA thresholds standards of 70 dBA CNEL for commercial and industrial uses. Operational noise sources associated with a parking lot consists primarily of traffic, which is most active during daytime peak hours. Project-related hourly noise would not result in noise levels exceeding 70 dBA CNEL. The project would not exceed the City's CEQA thresholds at adjacent uses. Therefore, on-site operational noise impacts would be less than significant.

Land Use Compatibility

The proposed project does not include any noise-sensitive land uses on the project site. Exterior noise would be dominated by vehicular traffic along area roadways. Exterior noise compatibility thresholds are up to 60 dBA CNEL for office uses and 70 dBA CNEL for commercial and industrial uses, provided that interior noise levels can be attenuated to 50 dBA or less. The project does not include outdoor activity areas; therefore, the project would not expose outdoor activity areas to noise levels in excess of the exterior noise compatibility thresholds. The project does not propose construction of any new buildings or any interior spaces. Therefore, the project would not be exposed to interior noise levels in excess of 50 dBA CNEL. Impacts would be less than significant. No mitigation measures would be required.

Traffic Noise Impacts

Primary noise sources in the vicinity of the project site originate from motor vehicle activities and traffic. According to the City's CEQA threshold for traffic noise, if a project is currently at or exceeds the significance thresholds and noise levels would result in less than a 3 dBA CNEL increase, then the impact is not considered significant.

There is one sensitive receptor in the vicinity of the project site. However, operational noise levels from the project would be comparable to existing conditions, as the project would provide parking for vehicles already traveling on adjacent roads. Therefore, the project would not result in an increase of greater than 3 dBA CNEL on Siempre Viva Road and would not expose residents or

nearby sensitive to noise levels in excess of City standards. Noise generated by the project would not substantially increase noise levels in the area. The proposed project would not result in significant noise impacts. No mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant noise impacts or a substantial increase in the severity of impacts from those described in the CPU PEIR.

Paleontological Resources

CPU PEIR

Paleontological resources were analyzed in Section 5.11 of the CPU PEIR. The CPU PEIR found that the Community Plan area contains geologic formations considered to be of high (San Diego Formation, Otay Formation) and moderate (Very Old Paralic Deposits) sensitivity for fossils. Because human understanding of history is obtained, in part, through the discovery and analysis of paleontological resources, the excavation or grading of geologic formations, which could contain fossil remains, would result in a potentially significant impact.

Although grading information for future development within the Community Plan area could not be determined at the time of the analysis for the CPU PEIR, a "worst case" scenario was approximated. The "worst case" condition includes permanent disturbance (development and/or grading) of the entire Community Plan area with the exception of Community Plan open space preserve acreage.

Implementation of the Community Plan has the potential to result in significant impacts to paleontological resources. Specifically, future projects implemented in accordance with the Community Plan that would involve substantial grading within the San Diego and Otay formations and Very Old Paralic Deposits would result in the potential loss of significant fossil remains. Accordingly, as part of the Mitigation Framework contained in the CPU PEIR, implementation of Mitigation Measure PALEO-1 is required for future projects in order to reduce impacts associated with paleontological resources to below a level of significance for future development projects. Mitigation Measure PALEO-1 requires that the potential for impacts to paleontological resources be based on review of the project applications and whether the project is underlain by geologic formations where important paleontological resources could be encountered as a result of project grading. If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required.

Project

A *Paleontological Resource Assessment* was prepared by the San Diego Natural History Museum (SDNHM) Department of PaleoServices (May 13, 2019) for the proposed project. In this assessment, a review was conducted of relevant published geologic maps, published geological and paleontological reports, and other relevant literature. In addition, a paleontological records search was conducted at SDNHM. This report can be found as Appendix G.

The project site is underlain by the Pleistocene-age Lindavista Formation. The records search indicates that there are no known fossil localities within a one-mile radius of the project site. The paleontological field survey confirmed the presence of probable Pleistocene-age nearshore marine to fluvial deposits on site. These deposits are tentatively assigned to the Lindavista Formation. No fossils were observed in exposed sedimentary deposits during the paleontological field survey. The Lindavista Formation is assigned a moderate paleontological sensitivity according to City of San Diego guidelines.

The project's earthwork would involve shallow grading of the site and deeper trenching for associated storm drain infrastructure and excavation of two biofiltration basins. As a general rule, earthwork extending less than five feet below existing surface grade in this area of San Diego is considered to be unlikely to significantly impact paleontological resources, primarily due to the small volume of impacted strata and the likely occurrence of surficial artificial fill. However, should earthwork extend more than five feet below existing surface grade, they would likely impact previously undisturbed and unweathered deposits of the Lindavista Formation. In the event that this occurs, a paleontological mitigation program would be required to reduce these impacts to below significant levels.

The project would result in 19,500 cubic yards of cut at a maximum depth of five feet and 19,500 cubic yards of fill at a maximum depth of four feet. However deep utility trenching and biofiltration grading could extend over the five-foot thresholds for moderate sensitivity ratings. Therefore paleontological monitoring would be required to reduce impacts to less than significant.

A Mitigation, Monitoring, and Reporting Program as detailed in Section VIII of the Addendum would be required. With implementation of the monitoring program, potential impacts on Paleontological Resources would be reduced to below a level of significance.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts or is there a substantial increase in the severity of impacts from that described in the CPU PEIR.

Transportation/Circulation

CPU PEIR

The CPU PEIR analyzed transportation/circulation impacts in Section 5.12. The CPU PEIR presented that a total of 24 roadway segments under the Horizon Year Plus Community Plan condition would be expected to operate at unacceptable LOS. Therefore, the Community Plan would have a significant impact at all of these 24 roadway segment locations. Additionally, a total of 49 intersections would be expected to operate at unacceptable levels under the Horizon Year Plus Community Plan condition. Therefore, the Community Plan would have a significant impact at all 49 of these intersections. Relative to freeway segments, with the planned and funded I-805 improvements, all I-805 freeway segments would be expected to operate at an acceptable LOS in the Horizon Year Plus Community Plan condition and, therefore, impacts would be less than significant. Five State Route-905 freeway segments would be expected to operate at unacceptable levels in the Horizon Year Plus Community Plan condition. Thus, the Community Plan impact at

these five State Route-905 freeway segments would be significant. Five State Route-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 Community Plan condition. The Community Plan impact at these five freeway metered on-ramps would be significant.

The Community Plan Traffic Impact Analysis (TIA) identified additional potential improvement measures for roadway segments that would be significantly affected due to buildout under the Community Plan; however, those improvements were not recommended as part of the Community Plan and, therefore, were not included in the Community Plan. The reasons for not recommending the improvements include various factors such as adjacency to environmentally sensitive land and/or steep hillsides, existing development conflicts, and/or multi-modal and urban design context. Thus, impacts to the roadway segments are considered significant and unmitigated. At the project-level, 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 subsequent development projects are proposed, project-specific traffic analyses would contain detailed recommendations.

Similarly, even with future improvement to intersections that would be significantly affected with buildout of the Community Plan, some intersections would continue to be significantly impacted. The Community Plan TIA identified further potential improvement measures such as additional intersection turning movement lanes that were not recommended as part of the Community Plan. The reasons for not recommending the improvements include considerations such as adjacency to environmentally sensitive land, steep hillsides, routes to schools, and multi-modal and urban design context, as detailed in the Findings and Statement of Overriding Considerations adopted with certification of the CPU PEIR. At the time future discretionary subsequent development projects are proposed, project-specific traffic analyses would 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. Nonetheless, to reduce impacts of the Community Plan relative to Transportation and Circulation, the CPU PEIR requires that Mitigation Framework measure TRF-1 be implemented. Mitigation Measure TRF-1 requires that intersections be improved per the intersection lane designations identified in Figures 5.12-4a-g of the CPU PEIR

Project

The project proposes a 1,918-space parking lot to operate with the adjacent existing CBX facility and also allow general parking. Traffic entering and exiting the proposed parking lot would consist primarily of drivers and passengers who would be parking at the site while they use the CBX facility to take a flight from the Tijuana International airport. LSA Associates, Inc. (LSA) prepared a Traffic Analysis Memorandum (November 18, 2021), to identify trip generation of the proposed parking lot and identify potential circulation impacts resulting from the new parking lot.

Project Trip Generation

The traffic analysis found that the proposed project providing 1,918 parking spaces would generate approximately 786 ADT (based on 0.41 ADT per parking space, which was estimated by using data collected by LAZ Parking from the CBX parking at Lots 9 and 10. See Footnote 1 of Table 7, Project Trip Generation). Based on the previously approved Traffic Impact Study (TIS) (LSA 2011) for the CBX facility, the morning (a.m.) peak-hour trip generation of the CBX facility is 3.85 percent of the daily trip generation with a 58/42 inbound/outbound split. In addition, the afternoon (p.m.) peak-hour trip generation of the CBX facility is 3.90 percent of the daily trip generation with a 49/51 inbound/out split.

Applying the a.m. and p.m. peak-hour trip percentages (and inbound/outbound splits) of the CBX facility to the 786 ADT, the proposed project would generate approximately 30 trips (17 inbound and 13 outbound) in the a.m. peak hour and 31 trips (15 inbound and 16 outbound) in the p.m. peak hour as shown in Table 7, *Project Trip Generation* below. Based on the approved TIS for the CBX facility, 100 percent of the project trips are destined to and from the north along Britannia Boulevard.

Table 7, Project Trip Generation

Use	Size	Unit	ADT ¹	AM Peak Hour ²			PM Peak Hour ²		
				In	Out	Total	In	Out	Total
OTN Parking Lot	1,918	Spaces	786	17	13	30	15	16	31

¹ ADT is based on CBX parking transaction data at Lot 9 (755-space supply) and Lot 10 (496-space supply) from January 2017 to October 2018. Each transaction (exit) was multiplied by 2 to estimate the ADT (inbound and outbound) generated by the 1,251 total spaces at these two parking lots. Based on the 22 months of LAZ data, Lots 9 and 10 generated approximately 517 ADT, which is equivalent to 0.41 ADT per parking space

² AM Peak Hour and PM Peak Hour trips are based on the Traffic Impact Study prepared by LSA (dated June 2011) for the CBX facility (PTS# 169653). The a.m. peak-hour trips of the CBX facility parking facilities were estimated as 3.85 percent of the daily trips with a 58/42 inbound/outbound split. In addition, the p.m. peak-hour trips of the CBX facility parking facilities were estimated as 3.90 percent of the daily trips with a 49/51 inbound/outbound split.

Near-Term Opening Day Year 2022 Peak-Hour Volumes and LOS

LSA prepared a Near-Term Opening Day Year 2022 (Baseline and Plus Project) analysis to determine the LOS of the intersections providing access to the proposed project. An analysis of Near-Term Opening Day Year 2022 (Baseline and Plus Project) conditions is more conservative than an evaluation of Existing (Baseline and Plus Project) conditions because of higher traffic volumes due to reasonably foreseeable cumulative projects in the project vicinity.

The study area included the following four intersections.

1. Britannia Boulevard/Siempre Viva Road
2. Otay Pacific Drive (and future Otay Truck Park driveway)/Siempre Viva Road
3. Las Californias Drive/Siempre Viva Road
4. Border Pacific Drive (and proposed OTN parking lot driveway)/Siempre Viva Road

The proposed project will construct a new driveway (with two inbound and two outbound lanes) as the fourth (south) leg of the currently three-legged signalized intersection of Border Pacific Drive/Siempre Viva Road. As previously stated, the proposed project would generate approximately

30 trips (17 inbound and 13 outbound) in the a.m. peak hour and 31 trips (15 inbound and 16 outbound) in the p.m. peak hour along Siempre Viva Road.

Table 8, *Near Term Opening Day Year 2022 Intersection LOS Summary*, presents a summary of the intersection LOS for the Opening Day (Baseline and Plus Project) conditions. As shown in Table 8, all study area intersections are forecast to operate at satisfactory LOS (LOS D or better) in the Near-Term Opening Day Year 2022 Baseline condition. With the addition of the proposed CBX parking lot in the Near-Term Opening Day Year 2022 Plus Project condition, all study area intersections would continue to operate at satisfactory LOS (LOS D or better). Therefore, the proposed CBX parking lot would not result in significant intersection impacts.

Table 8, Near-Term Opening Day Year 2022 Intersection LOS Summary

Intersection		Stop Control	Near-Term Opening Day Year Baseline 2022				Near-Term Opening Day Year 2022 Plus Project			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS	Delay (seconds)	LOS	Delay (seconds)	LOS
1	Britania Boulevard / Siempre Viva Road	Signal	39.6	D	35.8	D	47.5	D	41.8	D
2	Otay Pacific Drive-Otay Truck Park Driveway/Siempre Viva Road	Signal	16.4	B	16.9	B	16.4	B	17.9	B
3	Las Californias Drive/Siempre Viva Road	TWSC	9.4	A	9.5	A	9.6	A	9.8	A
4	Border Pacific Drive/Siempre Viva Road	Signal	20.3	C	16.3	B	15.8	B	14.5	B

¹ Near Term Opening Day Year 2022 LOS improvement from Baseline to Plus Project conditions is due to the addition of the south leg of the intersection (i.e., the northbound approach), which has an approach LOS of A. Intersection control delay is the weighted average of the control delay of all lane groups, which are based on the volumes in each lane group.
LOS = level of service
TWSC= two-way stop control

The proposed parking lot would not result in any new circulation deficiencies/impacts or require additional mitigation than identified in the adopted OMCPU. The project would result in no impacts to transportation or circulation. Therefore, CPU PEIR mitigation Framework TRF-1 does not apply to the project.

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

Public Services

CPU PEIR

The CPU PEIR analyzed impacts to public services in Section 5.13. Public services are those functions that serve residents on a communitywide basis. The CPU PEIR found that buildout of the Community Plan would increase demand for all public services—including fire and police protection, schools, parks and recreation, and libraries—which would in turn result in the need for new public facilities. The construction and operation of these facilities would occur within the footprint of the Community Plan area (although a future library site has not yet been identified). These facilities would be subject to numerous development regulations within the City, including policies within the General Plan and Community Plan and subject to environmental review as design plans are available. The individual school districts are responsible for planning, siting, building, and operating schools in their responsible districts within the Community Plan area. Impacts to public service would be less than significant. No mitigation measures were required.

Project

The project proposes no habitable structures. Thus, the project would not adversely affect existing levels of fire or police protection services to the area and would not require the construction of new or expanded governmental facilities. The project does not involve the provision of housing or an increase in student or general population. The project, therefore, would not result in the need for new or expanded school or park facilities. The project site is located in an urbanized area where City services are already provided. The project would not adversely affect existing levels of facilities to the area, and would not require the construction of new or expanded governmental facilities. Impacts would be less than significant. No mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts or a substantial increase in the severity of impacts from that described in the CPU PEIR.

Utilities

CPU PEIR

The CPU PEIR evaluated impacts to utilities in Section 5.14. Utility services that were addressed include water, wastewater, reclaimed water, solid waste, storm water drainage, and communication systems.

Water, Sewer, and Reclaimed Water

Improvement to water and recycled water systems were previously identified in master planning documents and would be required whether or not the Community Plan were to be implemented. However, additional wastewater system improvements beyond what was identified in master planning documents would be necessitated by Community Plan implementation. These improvements include an increase in emergency storage at sewer pump station 23T to 0.50 million gallons, upsize 20-inch to 24-inch gravity main along Otay Mesa Road from force main to existing 42-inch gravity main, and upsize 24-inch to 30-inch gravity main from existing 42-inch gravity main to

existing 24-inch San Ysidro Trunk Sewer. The need for these improvements would not result in significant impacts, because the 2004 Otay Mesa Trunk Sewer Master Plan and 2009 Refinement Report previously identified these improvements as required in future phases to accommodate buildout wastewater generation from the area. The three additional improvements identified in the Community Plan would occur within existing utility line easements and facilities and would not result in significant impacts to the environment. Therefore, impacts associated with water, reclaimed water, and wastewater systems were considered less than significant at the program-level.

Solid Waste

The Community Plan was found to not result in the direct need for a new landfill. Compliance with the Storage, Recycling, and Construction & Demolition ordinances and the requirement to prepare a project specific Waste Management Plan (WMP) for projects exceeding solid waste thresholds would contribute to the Community Plan meeting the State-mandated 75 percent diversion rate. However, because all future projects within the Community Plan area may not be required to prepare a WMP or may not reduce project-level waste management impacts to below a level of significance, the Community Plan cannot be guaranteed, at the program-level, to meet the 75 percent diversion requirement. Cumulative impacts associated with solid waste were found to be significant at the program-level. Mitigation measure UTL-1, would require any subsequent project that would generate 60 tons or more of solid waste to prepare a WMP, to reduce impacts to below a level of significance.

Storm Water Infrastructure

No storm drains, or other community-wide drainage facilities were proposed for construction in conjunction with adoption of the Community Plan. As such, future projects implemented in accordance with the Community Plan would be sited and designed to minimize impacts on receiving waters; in particular, the discharge of identified pollutants to an already impaired water body. This would be accomplished through compliance with existing regulatory requirements contained in the City's Storm Water Runoff and Drainage Regulations of the SDMC. At the project-level, adherence to existing storm water regulation, conformance with General Plan and Community Plan policies, and review under CEQA was found to assure that impacts associated with the requirement for and/or construction of storm water infrastructure would be less than significant at the program-level. No mitigation measures were required.

Communications Systems

The Community Plan did not require new communication systems to be built; however, there would be the need to extend the existing systems to individual project sites. No significant impacts were anticipated as a result of undergrounding these utility lines. No mitigation measures were required.

Project

Water

The proposed project is not anticipated to have a substantial impact on existing water supply. The project site is served by existing water service from the City, and adequate services are available to serve the project. The project proposes a parking lot use that would not require the need for water

supply in excess of existing regulations. The current water supply system is able to serve the proposed project. The proposed project would not require expanded or new facilities to be constructed, and therefore, no impacts would result from project implementation. No mitigation measures would be required.

Reclaimed Water

The project is not proposing use of reclaimed water as reclaimed water is not available through the waster provider (Otay Water District). The project proposes a parking lot use that would not require the need for water supply in excess of existing regulations. The project would not require expanded or new facilities to be constructed, and therefore, no impacts would result from project implementation. No mitigation measures would be required.

Solid Waste

Per the requirements of the CPU PEIR, a WMP is not required for the project as it is not estimated to generate over 60 tons of solid waste. Therefore, Mitigation Measure UTL-1 would not apply. However, the project would be required to adhere to City ordinances, including the *Construction and Demolition Debris Diversion Deposit Program*, the *City's Recycling Ordinance*, and the *Refuse and Recyclable Materials Storages Regulations*. These ordinances ensure that the waste generated by the project would be properly managed and that solid waste services would not be impacted. The project would also implement standard measures to avoid cumulative impacts on solid waste. Impacts would be less than significant.

Storm Water Infrastructure

The project would not exceed the capacity of the existing storm water drainage system. Bioretention and underground detention structures are proposed to meet current storm water requirements. Refer to Hydrology/Water Quality section of this Addendum.

To comply with current storm water regulations, BMPs would be implemented. These include prevention of illicit discharges into the MS4, storm drain stenciling or signage, protection of outdoor materials storage areas, materials stored outdoors, and trash storage area from rainfall, run-on, runoff and wind dispersal, and on-site storm drain inlets. Project review by qualified City staff determined that the project would not exceed the capacity of the existing system. Impacts would be less than significant. No mitigation measures would be required.

Communications Systems

The project site is located in an urbanized area of the City where communication services are already provided. The project would not adversely affect existing levels of communication system facilities to the area and would not require the construction of new or expanded governmental facilities. Impacts to communication systems would be less than significant. No mitigation measures would be required.

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

Water Supply

CPU PEIR

The CPU PEIR evaluated impacts to water supply in Section 5.15. The Community Plan area is serviced by two providers: the City's Public Utilities Department and the Otay Water District. The CPU PEIR found that there is sufficient water supply to serve the projected demands of the Community Plan and future water demands within the service areas of both providers in normal and dry year forecasts during 20-year projection. Impacts would be less than significant. No mitigation measures were required.

The CPU PEIR also identified all future development must conform with existing regulations, as well as the General Plan and Community Plan policies, which would ensure the use of predominantly drought-resistant landscaping and water conservation for landscape maintenance. Impacts would therefore be less than significant. No mitigation measures were required.

Project

The project did not meet the City's CEQA threshold that would require preparation of a Water Supply Assessment (WSA). The WSA completed for the CPU PEIR determined that future water supply within the City PUD and the Otay Water District's (OWD) service area would be sufficient to meet the projected water demands under build out of the OMCPU, 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. The project would not affect the ability of the water-serving agencies to provide water. The project proposes a parking lot use that would not require the need for water supply in excess of existing regulations. The current water supply system is able to serve the proposed project. The proposed project is consistent with the findings of the CPU PEIR. The proposed project would confirm with existing regulations, as well as the General Plan and Community Plan. Impacts would be less than significant. No mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts or a substantial increase in the severity of impacts from that described in the CPU PEIR.

Population and Housing

CPU PEIR

The CPU PEIR evaluated population and housing impacts in Section 5.16. The CPU PEIR found that the projected population growth from implementation of the Community Plan, as estimated by SANDAG, would primarily be multi-family dwelling units rather than single-family housing, thus substantially increasing the intensity of residential development within the Community Plan area. While this growth is considered substantial, the Community Plan would:

- Implement SANDAG's RCP 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.
- Focus increased housing supply within compact villages conducive to supporting frequent transit service in accordance with the RCP and General Plan goals and policies.

As such, the Community Plan provides comprehensive planning for the management of population growth and necessary economic expansion to support economic development efforts where none currently exist; therefore, impacts would be less than significant. No mitigation measures were required.

Project

The project proposes the construction of a parking lot consistent with the land use designation of International and Business Trade and current zoning of IBT-1-1. No housing would be constructed as a result of the project. As such, impacts would not be considered substantially growth-inducing either directly or indirectly, and impacts would be less than significant. No mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts to or a substantial increase in the severity of impacts from that described in the CPU PEIR.

Agriculture and Mineral Resources

CPU PEIR

The CPU PEIR evaluated impacts to agriculture and mineral resources in Section 5.17. The CPU PEIR found that buildout of the Community Plan would eventually eliminate all agricultural activity that occurs within the Community Plan area. This includes the 306 acres of active farmland located in the area between Spring Canyon and La Media Road. Although the Community Plan would convert additional Important Farmland to non-agricultural uses, these areas are fragmented and are surrounded by urban land uses and MHPA lands. Rising land values, water costs, increasing taxes, habitat management planning, and other land use conflicts have contributed to a significant reduction in future agricultural viability within the Community Plan area. The Community Plan allows agriculture as an interim use pending development and rezoned the Central Village to an agricultural "holding" zone to accommodate continued agricultural operations until such time that a Specific Plan is implemented. Therefore, impacts associated with the conversion of agricultural land to non-agricultural uses would be less than significant. No mitigation measures were required.

The entire Community Plan area is classified as either Mineral Resource Zone (MRZ)-2 lands of "identified mineral resource significance" or MRZ-3 "containing mineral deposits that have not been adequately tested to determine the significance of the materials present". Portions of the Community Plan area where Mineral MRZ-2 aggregate resource areas exist are currently developed

are 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 mineral 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. No mining activities are currently present within the Community Plan area and development would not have any indirect impacts to extraction operations in the vicinity. 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 Community Plan. No mitigation measures are required.

Project

The project site does not contain prime farmland, unique farmland, or farmland of Statewide Importance as designated by the California Department of Conservation. Agricultural land is not present on the project site or in the general vicinity. No Williamson Act Contracts or properties exist on or within the vicinity of the project site. In addition, the project site is currently not zoned for agricultural use and would not affect any properties zoned for agricultural use or affected by a Williamson Act Contract, as there are none within the project vicinity. No impacts would result. No mitigation measures would be required.

The project site lies in a Mineral Resource Zone (MRZ-3) that has been found to contain minerals that are not considered significant mineral resources. The project site is not currently being utilized for mineral extraction and does not contain any known mineral resources that would be of value to the region. Impacts would be less than significant. No mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the CPU PEIR. The project would not result in any new significant impacts to or a substantial increase in the severity of impacts from that described in the CPU PEIR.

Greenhouse Gas Emissions

CPU PEIR

The CPU 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 CPU PEIR evaluated whether implementation of the CPU 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 CPU 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 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 CPU 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 OMCPU 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

Subsequent to the Community Plan adoption in December 2015, the City adopted a Climate Action Plan (CAP) that outlines the actions that the City will undertake to achieve its proportional share of State GHG emission reductions. The CAP is a plan for the reduction of GHG emissions in accordance with CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of the CAP. In July 2016, the City adopted the CAP Consistency Checklist (Checklist) to provide a streamlined review process for the analysis of potential GHG impacts from proposed new development. Compliance with the checklist supersedes the CPU PEIR GHG mitigation measures.

A CAP Consistency Checklist was prepared for the proposed project by the applicant and can be found as Appendix H.

Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and Otay Mesa Community Plan land use designations and zoning on the site. Therefore, the project is consistent with the growth projections and land use assumptions utilized in the CAP. Furthermore, as outlined in footnote 5, Step 2 of the CAP Consistency Checklist, the project would not result in the expansion or enlargement of a building and would not result in any new occupancy buildings, therefore Step 2 would not be applicable. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or rezone.

The project would not result in cumulatively considerable impacts; therefore, impacts would be less than significant. No mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Otay Mesa CPU PEIR. The project would not result in any new significant impacts or a substantial increase in the severity of impacts from those described in the CPU PEIR would result.

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 CPU 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 CPU 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. SIGNIFICANT UNMITIGATED IMPACTS

The CPU 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 CPU PEIR were implemented: land use; biological resources; historical resources; human health/public safety/hazardous materials; hydrology/water quality; geology/soils; and paleontological resources. The CPU 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 CPU 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 CPU 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 CPU 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 CPU PEIR.

VIII. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE 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: <https://www.sandiego.gov/development-services/forms-publications/design-guidelines-templates>
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, Qualified Paleontological Monitor*

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division, 858-627-3200.**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360.**

- 2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 615398 and/or Environmental Document No. 615398, 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.

- 3. **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.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

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 (MSCP)	Land Use Adjacency Issues CVSRs	Land Use Adjacency Issue Site Observations
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
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

BIO-1 BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION

I. Prior to Construction

- A. Biologist Verification:** The owner/permittee shall provide a letter to the City's MMC Section stating that Project Biologist (Qualified Biologist), as defined in the City of San Diego's Biological Guidelines (2012), 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. Pre-construction Meeting:** The Qualified Biologist shall attend a pre- construction 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 Mitigation Monitoring Coordination 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, MSCP,

ESL Ordinance, project permit conditions; CEQA; endangered species acts; and/or other local, State or Federal requirements.

- D. Biological Construction Mitigation/Monitoring Exhibit:** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit which includes the biological documents in C, above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements, 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 Assistant Deputy Director/MMC. The Biological Construction Mitigation/Monitoring Exhibit shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The Biological Construction Mitigation/Monitoring Exhibit shall be approved by MMC and referenced in the construction documents.
- E. Avian Protection Requirements:** To avoid any direct impacts to the California horned lark, loggerhead shrike or northern harrier, 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 nesting California horned lark, loggerhead shrike or northern harrier, sensitive are detected, removal of habitat in the proposed area of disturbance must occur (based on construction timing) 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 Development Services Department for review and approval prior to initiating any construction activities. If the California horned lark, loggerhead shrike or northern harrier are detected, a letter report in conformance with the City's Biology Guidelines and applicable State and Federal law (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. A 900-foot impact avoidance area shall be maintained for any active northern harrier nest. The report shall be submitted to the City Development Services Department for review and approval and implemented to the satisfaction of the City. The City's MMC Section or Resident Engineer, and Qualified Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction. If nesting birds are not detected during the pre-construction survey, no further mitigation is required.
- F. Resource Delineation:** Prior to construction activities, the Qualified Biologist shall supervise the placement of silt and orange construction fencing or equivalent along the limits of disturbance and verify compliance with any other project conditions as shown on the Biological Construction Mitigation/Monitoring Exhibit. This phase shall include, as applicable, flagging plant specimens and delimiting buffers to protect

sensitive biological resources (e.g., habitats/flora and 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 buffers 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 Biological Construction Mitigation/Monitoring Exhibit. 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. The Consultant Site Visit Record shall be e-mailed to Mitigation Monitoring Coordination on the 1st day of monitoring, the 1st 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 on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests 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

- A.** In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL Ordinance and MSCP, CEQA, and other applicable local, State and Federal laws. The Qualified Biologist shall submit a final Biological Construction Mitigation/Monitoring Exhibit /report to the satisfaction of the City Assistant Deputy Director /MMC within 30 days of construction completion.

BIO-2 BIOLOGICAL RESOURCES (UPLAND VEGETATION)

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 Permit Holder/Ownershall mitigate Impacts to 15.30-acres of burrowing owl-occupied non-native grassland in accordance with

the ratios set forth in the Biology Guidelines (Biology 2018). The project impacts would be mitigated at a 0.5:1 ratio through preservation of 3.27 acres of burrowing owl-occupied non-native grassland and 5.16 acres of burrowing owl-occupied disturbed land for a combined total of 8.43 acres within the MHPA/VPHCP boundary within the project site, which is congruent with the VPHCP conservation area. Furthermore, the disturbed land would be enhanced to improve its quality for ground squirrels and the burrowing owl.

BIO-3 BIOLOGICAL RESOURCES – SENSITIVE ANIMAL SPECIES (CALIFORNIA HORNED LARK, LOGGERHEAD SHRIKE, AND NORTHERN HARRIER)

Direct impacts to California horned lark, Loggerhead shrike, and northern harrier non-native grassland habitat shall be mitigated with implementation of Mitigation for Biological Resources (Upland Vegetation). The project would mitigate for impacts to 15.30-acres of non-native grassland at a 0.5:1 ratio through preservation of 3.27 acres of burrowing owl-occupied non-native grassland and 5.16 acres of burrowing owl-occupied disturbed land for a combined total of 8.43 acres within the MHPA/VPHCP boundary within the project site, which is congruent with the VPHCP conservation area.

BIO-4 BIOLOGICAL RESOURCES – SENSITIVE ANIMAL SPECIES (BURROWING OWL)

Prior to issuance of the grading permit and start of construction, the applicant must obtain confirmation from the City MMC, MSCP, and/or DSD staff that the initial tasks as identified in Habitat Management Plan (HMP) prepared by Alden Environmental, Inc. (March 12, 2020) HMP tasks (I-1 through I-7) have been successfully completed. These tasks include site preparation, trash/debris removal, fencing, and installation of berms and refugia. Remaining tasks identified in the HMP shall be implemented in perpetuity.

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 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 of all previous reports for the site; and maps of the project site and BUOW locations on aerial photos.

Historical Resources

HIST-1 ARCHAEOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (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 Construction Manager 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 OSHA 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 (CSV). The CSV'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 (ADRP) 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 subsurface disturbance, THEN
 - c. 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; or
- (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.

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.
3. 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 CSV 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.

C. 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.

Paleontological Resources

PALEO-1: PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain 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 has been completed. Verification includes but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution 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.

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, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the 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

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known 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 conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the 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 OSHA safety requirements may necessitate modification of the PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR'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 Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery 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.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - 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. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) 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.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. 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 CSV and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on 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 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.

V. 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 Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum 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 Fossil Remains

- 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area;

that faunal material is identified as to species; and that specialty studies are completed, as appropriate

C. Curation of fossil remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
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.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report 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 until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

IX. CERTIFICATION

Copies of the addendum, the certified CPU PEIR, the Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be accessed on the City's CEQA webpage at www.sandiego.gov/ceqa/final.



E. Shearer Nguyen,
Senior Planner
Development Services Department

November 22, 2021

Date of Final Report

Attachments:

List of Acronyms and Abbreviations
References
Figure 1: Location Map
Figure 2: Aerial Photograph
Figure 3: Site Plan

Appendices:

Appendix A: Air Quality Report
Appendix B: Biological Technical Report
Appendix C: Archaeological Survey Report
Appendix D: Storm Water Quality Management Plan

Appendix E: Drainage Report
Appendix F: Updated Geotechnical Investigation
Appendix G: Paleontological Resource Assessment
Appendix H: CAP Consistency Checklist
Appendix I: Environmental Impact Report No. 30330/304032 SCH No. 93041010

LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ADA	Americans with Disabilities Act
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
AM/am	morning
AMSL	above mean sea level
AQMP	Air Quality Management Plan
BAU	Business as Usual
BMP(s)	Best Management Practice(s)
BRT	bus rapid transit
BTR	Biological Technical Report
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CBX	Cross Border Xpress
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
COE	Covenant of Easement
CPIOZ	Community Plan Implementation Overlay Zone
CPNO	Civil Penalty Notice and Order
CPU	Community Plan Update
CRHR	California Register of Historic Resources
CUP	Conditional Use Permit
dBA	A-weighted decibel
ESL	Environmentally Sensitive Lands
FAA	Federal Aviation Administration
FESA	Federal Endangered Species Act
GHG	greenhouse gas
HMP	Habitat Management Plan
IBT	International Business and Trade
LDC	Land Development Code
Leq	equivalent continuous sound level
LOS	level of service

LUAG	Land Use Adjacency Guidelines
m ²	square meters
MBTA	Migratory Bird Treaty Act
MHPA	Multi Habitat Planning Area
MMRP	Mitigation Monitoring Reporting Program
MRZ	Mineral Resources Zone
MSCP	Multiple Species Conservation Program
NAHC	Native American Heritage Commission
NPDES	National Pollutant Discharge Elimination System
NO _x	oxides of nitrogen
OMCP	Otay Mesa Community Plan
OMCPU	Otay Mesa Community Plan Update
OWD	Otay Water District
PEIR	Program Environmental Impact Report
PFFP	Public Facilities Financing Plan
PDP	Planned Development Permit
APIL	Prime Industrial Land
PM/pm	afternoon
PM _{2.5}	particulate matter less than 2.5 microns in diameter
PM ₁₀	particulate matter of 10 microns in diameter or smaller
ppm	parts per million
RAQS	Regional Air Quality Strategy
RCP	Regional Comprehensive Plan
ROG	Reactive Organic Gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDMC	San Diego Municipal Code
SDNHM	San Diego Natural History Museum
SDP	Site Development Permit
SIP	State Implementation Plan
SR	State Route
SO _x	oxides of sulfur
SWPPP	Storm Water Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
TAC(s)	Toxic Air Contaminant(s)
TIA	Traffic Impact Analysis
USFWS	U.S. Fish and Wildlife Service

VPHCP Vernal Pool Habitat Conservation Plan

WMP Waste Management Plan

WSA Water Supply Assessment

REFERENCES

Alden Environmental, Inc. *Biological Technical Report for the Cross Border Xpress OTN Parcel Project*. (September 20, 2021).

ASM Affiliates, Inc. *Archaeological Survey Report for the OTN Parking Lot Project*. (July 2019, Updated March 2020).

Birdseye Planning Group. *Air Quality Study*. (November 2021).

Latitude 33 Planning and Engineering. *Drainage Report*. (December 2, 2020).

Latitude 33 Planning and Engineering. *Storm Water Quality Management Plan (SWQMP)*. (August 8, 2018).

LSA. *Traffic Impact Study*. (November 18, 2021)

Kleinfelder. *Geotechnical Investigation Report*. (April 16, 2019, updated March 9, 2020).

San Diego Association of Governments. 2050 Regional Transportation Plan/Sustainable Communities Strategy (October 2011).

San Diego, City of. *Otay Mesa Community Plan Final Program Environmental Impact Report* (2013)

San Diego, City of. *Climate Action Plan*. (2015)

San Diego, City of. *Development Services Department, California Environmental Quality Act, Significance Determination Thresholds*. (July 2016)

San Diego, City of. *Environmental Impact Report Guidelines* (1992; Revised 2005)

San Diego, City of. *General Plan* (March 2008)

San Diego, City of. *Land Development Code* (2014)

San Diego, City of. *Otay Mesa Community Plan*. (March 11, 2014).

San Diego County Regional Airport Authority. *Airport Land Use Compatibility Plan for Brown Field*. (December 20, 2010).

San Diego Natural History Museum, Department of PaleoServices. *Paleontological Resource Assessment*. (May 13, 2019).

Thomas Story. *CAP Consistency Checklist*.

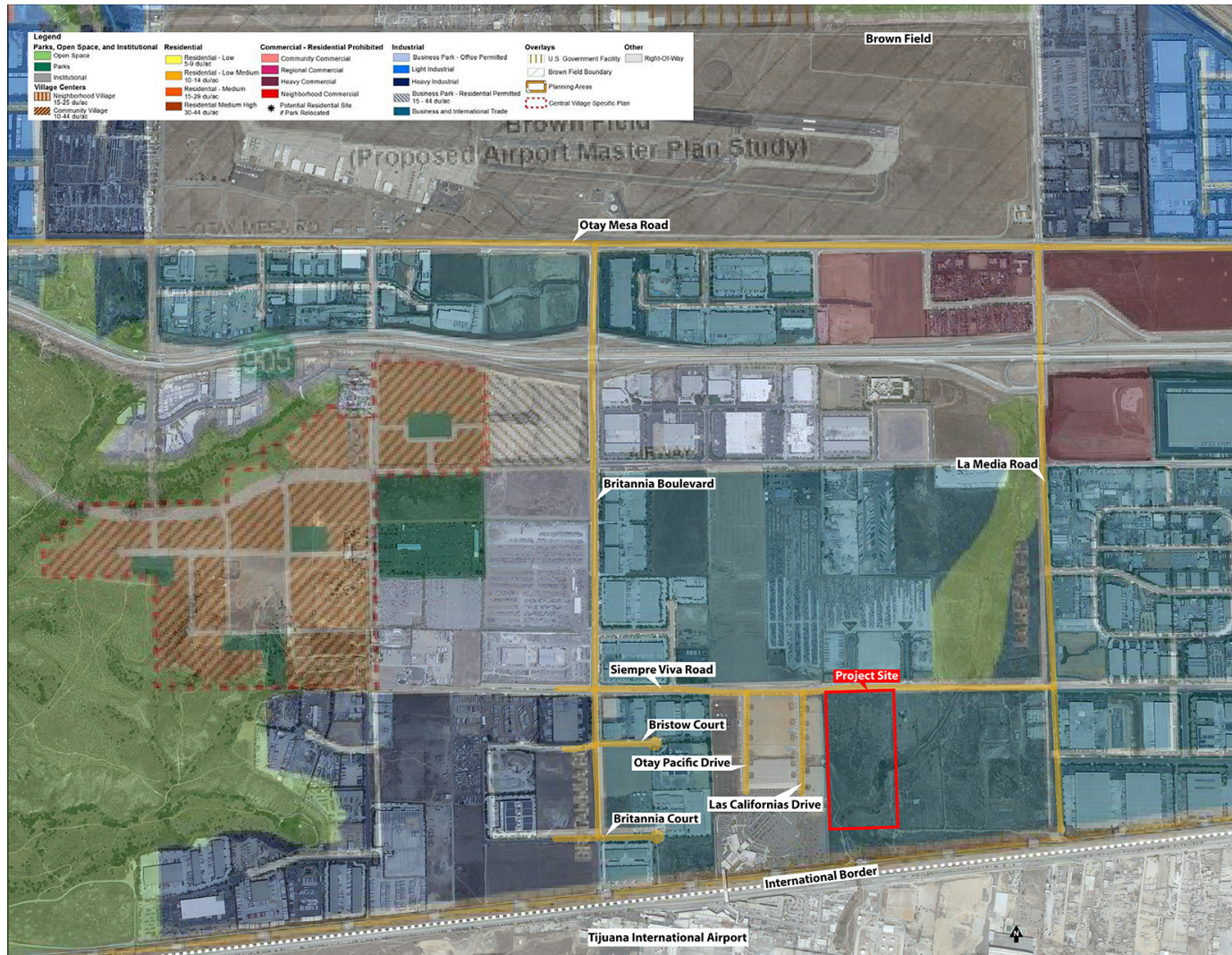


Figure 1. Location Map



Figure 2. Aerial Photograph

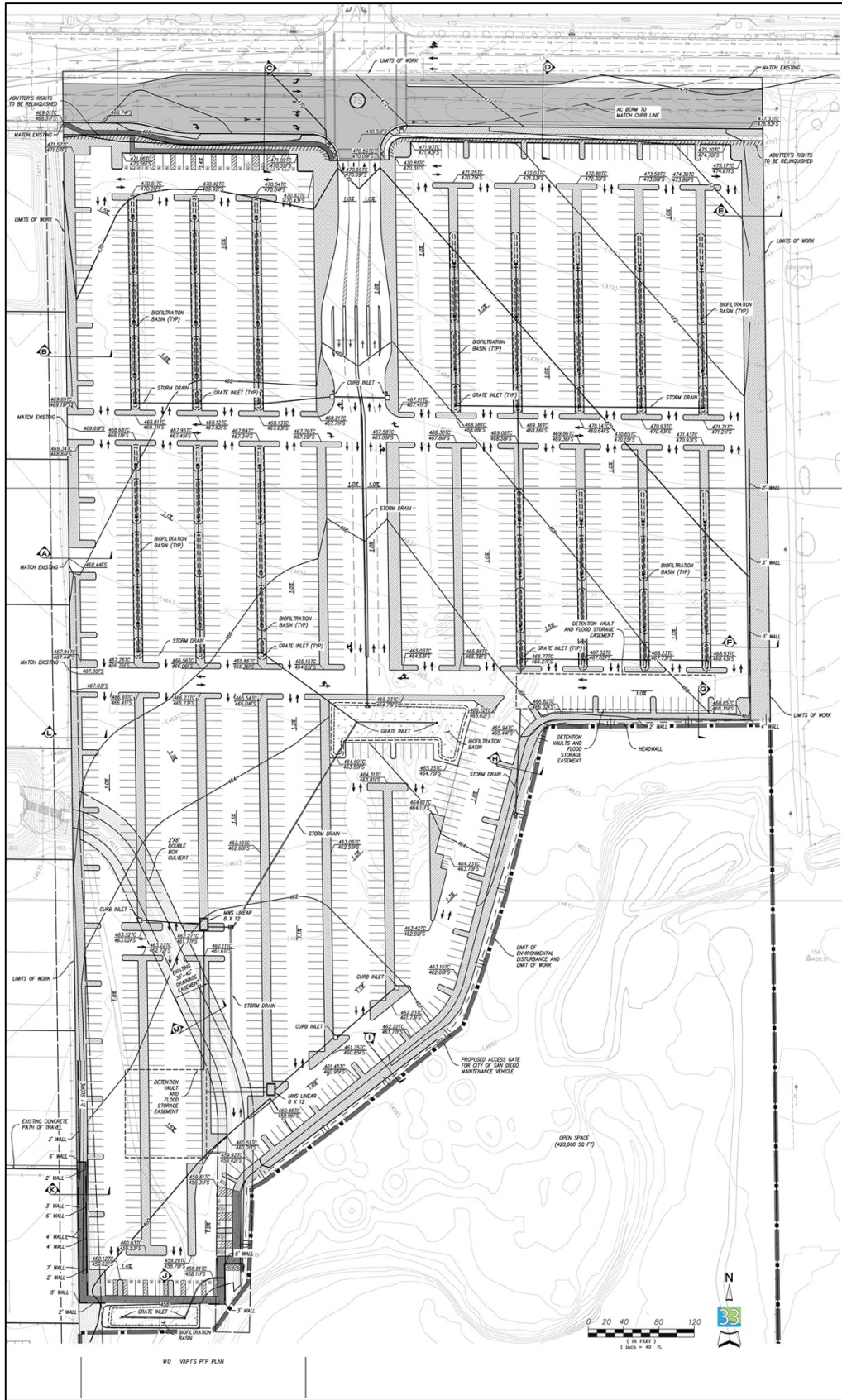


Figure 3. Site Plan