

Part I of II

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**FINAL**  
**SECOND ADDENDUM**  
**TO THE**  
**CHULA VISTA BAYFRONT MASTER PLAN**  
**FINAL ENVIRONMENTAL IMPACT REPORT**  
  
**COASTAL COMMISSION ADOPTED POLICIES TO THE**  
**CHULA VISTA BAYFRONT MASTER PLAN PORT MASTER**  
**PLAN AMENDMENT**  
**-AND-**  
**RV PARK PROJECT**

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### ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
af	Acre-feet
BCDC	Bayfront Cultural and Design Committee
BEPP	Business Emergency Plan
BMP	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CAC	Community Advisory Committee
Cal-IPC	California Invasive Plant Council
Caltrans	California Department of Transportation
CCC	California Coastal Commission
CEQA	California Environmental Quality Act
City	City of Chula Vista
CSS	coastal sage scrub
CVB	Chula Vista Bayfront
CVBMP	Chula Vista Bayfront Master Plan
dB	decibel
dB(A)	decibel A-weighted
DEH	Department of Environmental Health
DR	Demand reduction
District	San Diego Unified Port District
DTSC	Department of Toxic Substance Control
EDU	Equivalent Dwelling Units
EIR	Final Environmental Impact Report
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FEIR	Final Environmental Impact Report
GHG	Greenhouse gas
HHRA	Human Health Risk Assessment
IPM	Integrated Pest Management
LCP	Local Coastal Plan
LEED	Leadership in Energy and Environmental Design
LEDs	light emitting diodes
LID	Low Impact Development
MLD	Most Likely Descendants
MM	Mitigation measure
MSCP	Multiple Species Conservation Plan
MSS	Maritime succulent scrub
NAAQS	National Ambient Air Quality Standards
NPDES	National Pollutant Discharge Elimination System
NRMP	Natural Resources Management Plan
NWR	National Wildlife Refuge

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Acronym/Abbreviation	Definition
PAP	Public Access Plan
PFDIF	Public Facilities Development Impact Fee
Port	San Diego Unified Port District
PMP	Port Master Plan
PMPA	Port Master Plan Amendment
PWC	Personal water craft
RAQS	Regional Air Quality Strategy
RCC	Resort Conference Center
RDA	City of Chula Vista Redevelopment Agency
ROW	Right-of-Way
RV	Recreational vehicle
RWQCB	Regional Water Quality Control Board
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
Services Agreement	Agreement for Police, Fire, and Emergency Medical Services between the City of Chula Vista and the San Diego Unified Port District
SO <sub>2</sub>	Sulfur dioxide
SWMP	Soil and Water Management Plan
SWPPP	Stormwater Pollution Prevention Plan
SWUHSD	Sweetwater Union High School District
TCM	Transportation Control Measures

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### 1 INTRODUCTION

In May 2010, the Board of Port Commissioners, the City of Chula Vista (City or Chula Vista) City Council and the City Redevelopment Agency (RDA) certified the Chula Vista Bayfront Master Plan (CVBMP) Final Environmental Impact Report (FEIR) (SCH No. 2005081077; San Diego Unified Port District (District) Clerk Document No. 56562) and each agency unanimously approved its respective amendments to the District's Port Master Plan (PMP) and the City's Local Coastal Program (LCP), which includes the Land Use Plan and Bayfront Specific Plan; and the City's Multiple Species Conservation Program (MSCP) Chula Vista Subarea Plan. The FEIR was prepared as a combined program and project EIR and the District was the California Environmental Quality Act lead agency. The Final EIR analyzed amendments to the PMP and the City's General Plan and LCP, and a mapping change to the Multiple Species Conservation Plan (MSCP) Chula Vista Subarea Plan, which provide for future development and redevelopment of the project area, as well as certain site-specific development projects (collectively, Project).

The California Coastal Commission (CCC) certified the San Diego Unified Port District Port Master Plan Amendment (PMPA, Appendix A) No. 6-PSD-MAJ-41-11 on August 9, 2012. Upon the District's request, its application to the CCC for the PMPA was amended to revise the uses on the S-1 parcel for only low-scale, low-intensity uses consisting of a recreational vehicle (RV) park and/or campground with retail, restaurant, or meeting space associated with these uses (RV Park Component). Specifically, the following changes were made:

Parcel area S-1 was originally proposed to be developed with a 100-foot high resort hotel with approximately 500 to 750 rooms and associated meeting space, restaurants, and retail shops, but is now proposed to be developed with low-scale, low-intensity uses including a campground and recreational vehicle park, with some associated retail, restaurant and meeting space, and a new parking lot and access road for the Chula Vista Nature Center. The existing 236-space RV Park which is being removed from the Harbor District may be replaced on Parcel area S-1 [collectively, Land Use Revisions]. [(CCC Staff Report.)]

The District's amended application for the PMPA also includes added Development Policies (included as Appendix B of this Addendum) and a Public Access Plan (PAP; included as Appendix C of this Addendum), both of which were incorporated by reference into the PMPA. The Development Policies consist of detailed and specific planning and development objectives and policies for the PMP Chula Vista planning district covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor serving requirements. The PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and

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parking requirements. The RV Park Component and the Development Policies and PAP are herein collectively referred to as the “Proposed Revised Project” in this Addendum.

With the Proposed Revised Project, CCC found that the PMPA was consistent the California Coastal Act. The CCC also recognized that with certification of the PMPA, as amended, including the Proposed Revised Project, some mitigation measures (MM, mitigation measures or Mitigation Measures) identified in the FEIR would no longer be applicable to the S-1 site due to the use revision from hotel (originally designated as a Phase IV development, meaning 4-10 years after PMPA certification) to campground/recreational vehicle park (revised to a Phase I development, meaning 1-7 years after PMPA certification).

As part of its certification, the CCC reviewed and evaluated the PMPA, as amended by the District with the Proposed Revised Project and found that with the amendment and other applicable MMs, all significant impacts had been fully mitigated. The CCC found that the PMPA did not have the potential to result in significant individual or cumulative impacts to sensitive resources, recreation, or the visual quality of the environment of the Coastal Zone. The CCC found that there were no feasible alternatives or feasible MMs available that would have substantially lessened any significant adverse effects that the PMPA may have had on the environment. The CCC concluded that the benefits of the PMPA included improvements to public access, recreation, visitor-serving amenities, and that these outweighed any remaining impacts. The CCC found that the PMPA, as revised and including the Proposed Revised Project, were consistent with CEQA).

CEQA Guidelines Sections 15162 through 15164 (see Section 1.1) set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified EIR covering the project for which a subsequent discretionary action is required. Approval shall occur if the District finds that the changes and additions associated with the certified PMPA, including the Proposed Revised Project are minor and not substantial. There are no new significant impacts resulting from the certified PMPA, including the RV Park Component, and there would not be a substantial increase in the severity of previously identified environmental impacts in the FEIR. In addition, certain MMs, specifically Traffic MM 4.2-25 through 4.2-30, are no longer needed with the Land Use Revisions, as well as the Development Policies and the PAP. The exclusion of these MM would not result in new or more severe environmental impacts or require new MMs. Therefore, in accordance with CEQA Guidelines Section 15164(e), no additional environmental review is deemed necessary pursuant to CEQA and adequate documentation may be provided through an addendum to the FEIR pursuant to these sections of the CEQA Guidelines.

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### 1.1 Regulatory Requirements

#### CEQA Guidelines, Section 15162: Subsequent EIR

Under CEQA, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to the EIR but none of the conditions described in State CEQA Guidelines section 15162 calling for preparation of a subsequent EIR have occurred (14 CCR 15164(a)).

CEQA Guidelines, Section 15162, provides that when an EIR has been certified for a project, a subsequent EIR shall be prepared for that project if the lead agency determines one or more of the following have occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) 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 EIR was certified as complete ... shows any of the following:
  - (a) The project will have one or more significant effects not discussed in the previous EIR;
  - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (c) MMs 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) MMs or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As explained in Section 3, there is no substantial evidence, in light of the whole record, that the Revised Proposed Project, which revised the certified PMPA, and exclusion of unnecessary MM because of those revisions would result in any new significant environmental effects, or result in a substantial increase in the severity of previously identified significant effects, MMs or alternatives. Nor are there any new MMs or Project alternatives that were considered feasible

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now feasible could substantially reduce one or more significant impacts. Finally, there is no new information not previously known that shows new significant environmental effects or that result in an increase in the severity of previously identified significant effects. Therefore, preparation of an addendum is appropriate under these circumstances.

### **CEQA Guidelines, Section 15164: Addendum to an EIR**

- A. The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- B. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- C. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- D. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- E. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This addendum complies with the provisions of CEQA Guidelines Section 15164, which governs the preparation and adoption of an addendum to an EIR. Section 15164 requires the preparation of an addendum to an EIR where some changes or additions to the EIR are necessary but none of the conditions calling for preparation of a subsequent EIR exist. No additional significant impacts or increase in severity in existing significant impacts would occur as a result of the revised PMPA, which includes the Proposed Revised Project or the elimination of the unnecessary MM due to the Land Use Revision, Development Policies and PAP. Therefore, the analysis of the Proposed Revised Project and MM found no longer applicable to Parcel S-1 are appropriately addressed in an addendum to the Final FEIR.

### **CEQA Guidelines, Section 21094(a)(2): Later Projects; Tiered Environmental Impact Reports; Initial Study; Use of Prior Reports**

This section indicates that the lead agency incorporate into the later project all the applicable mitigation measures identified by the prior EIR.

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## 2 PROJECT DESCRIPTION

This section of the addendum summarizes the Project's location and setting, which has not changed from what was identified in the previously certified EIR. It also describes the specific characteristics of the revised Project through incorporation of the Proposed Revised Project.

### 2.1 Location and Setting

The Chula Vista Bayfront (CVB) is located on the southeastern edge of San Diego Bay in the City of Chula Vista, which is located in southwestern San Diego County. The Sweetwater District consists of approximately 130 acres located in the northern portion of the CVBMP project area, adjacent to the Sweetwater Marsh National Wildlife Refuge (NWR). The Project site is located east of the San Diego Bay NWR, and west of Bayshore Bikeway and the I-5 freeway. Project site access would be provided by the E Street extension, as certified in the FEIR.

- Primary: E Street extension from the east at the southern corner of the Project site
- Secondary: Gunpowder Point Drive from the west via relocated Gunpowder Point Drive.

The Sweetwater District is relatively flat with slight decline elevation from east to west. The Project site is undeveloped and is currently composed primarily of fallow fields. The majority of vegetation is generally ruderal with small areas of disturbed native habitats, including California coastal sage scrub. The site is surrounded by undeveloped parcels, with exception to the Chula Vista Nature Center parking lot to the east of the Project site. Further east, past the parking lot, is the Bayshore Bikeway and I-5 freeway.

### 2.2 Project Background

In 2002, the San Diego Unified Port District (Port) and the City of Chula Vista (City) joined together to create a master plan for the approximately 556-acre Bayfront and reconfigure its 497 acres of land and 59 acres of water uses, connecting them in a way that would promote public access to and engagement with the water while enhancing the quality and protection of key habitat areas, with the ultimate goal of creating a world-class bayfront through strong planning and design, economic feasibility, and community outreach (San Diego Unified Port District 2010). In May 2010, the Board of Port Commissioners, the Chula Vista City Council and the City RDA certified the CVBMP FEIR and each agency unanimously approved its respective amendments to the District's PMP and the City's LCP. The FEIR was prepared as a combined program and project EIR. The Final EIR consists of amendments to the Port's PMP and the City's General Plan and LCP, and a mapping change to the MSCP Chula Vista Subarea Plan, which provide for future development and redevelopment of the Project area, as well as certain site-specific development projects.

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The FEIR analyzed the proposed different land uses and development of the Sweetwater District by parcel and phase. The environmental impacts of the RV Park Component was originally analyzed in the FEIR as a resort hotel, on parcels S-1, SP-1 and SP-3, under Phase IV of the CVBMP. The resort hotel was planned to provide 500-750 rooms with a maximum height of 40-100 feet, over approximately 19 acres. The resort hotel would also include 750 on-site parking spaces. This parcel was also planned to be a part of the land exchange that would transfer land use jurisdictional authority from City to the District, and the PMP land use designation would be “Industrial Business Park.” However, the District amended its application with the CCC for the PMPA to reflect the Revised Proposed Project prior to the CCC’s certification. Accordingly, in order to develop the RV Park Component on parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4, the parcels in the PMPA were designated as Commercial Recreation as part of the certified PMPA and build-out was revised to Phase I of the CVBMP.

### CVBMP Program-level Analysis

The FEIR included a programmatic analysis of the environmental impacts associated with the CVBMP, which includes land uses such as: Commercial Recreation, Recreational Boat Berthing, Marine Sales/Services, Industrial Business Park, Public Facilities, and Public Recreation. The FEIR had identified the proposed RV park site as parcels O-3A and O-3B. The proposed resort hotel on parcel S-1, with 500-750 rooms at a maximum height of 40-100 feet, and 750 on-site parking spaces.

Feasible MMs were identified in the FEIR that would reduce impacts to a level below significance. With the prescribed MM, the CVBMP was found to have a “less than significant” impact on parking, cultural resources, and population and housing. A number of these MM are applicable to the proposed development on parcels S-1 S-2, S-3, SP-1, SP-2, SP-3, and SP-4 and are included within this addendum under each applicable environmental analysis topic. These MM include: MM 4.2-8, MM 4.5-1, MM 4.5-2, MM 4.5-3, MM 4.6-1, MM 4.7-6, MM 4.7-8, MM 4.7-9, MM 4.8-1, MM 4.8-2, MM 4.8-3, MM 4.8-6, MM 4.8-7, MM 4.10, MM 4.11-1, MM 4.12-1, MM 4.12-2, MM 4.12-4, MM 4.12-5, MM 4.12-6, MM 4.12-7, MM 4.12-8, MM 4.11-1, MM 4.14.2-5, MM 4.15-1, MM-4.15-2, MM 6.8-1, MM 6.8-2, MM 6.8-3, MM 6.15.2-1, and MM 6.15.6-1. With implementation of these previously adopted MM and the Development Policies, the proposed development of parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4, with the Land Use Revision and RV Park Component would not result in any adverse environmental effects.

The FEIR indicates that the CVBMP has the potential to create significant adverse impacts on: land/water use compatibility, traffic and circulation, aesthetics/visual quality, hydrology/water quality, air quality, energy, noise, terrestrial biological resources, marine biological resources, paleontological resources, hazards and hazardous materials/public safety, public services, public

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utilities, and seismic/geologic hazards. The FEIR includes MMs to reduce potentially significant impacts to less than significant levels. The following impacts were identified in the FEIR to remain significant even after implementation of all feasible MM: traffic impacts on local freeway segments; visual impacts from the height and mass of buildings to be constructed in the Harbor District; and air quality impacts from emissions of nitrogen oxides, carbon monoxide, reactive organic gas, and particulate matter.

### CVBMP Project-level Analysis

The FEIR included a project-level analysis of the Phase I projects, including residential and ancillary retail on parcels H-13 and H-14, the Bayfront Fire Station on parcel H-17, and wetlands and buffer on parcel HP-5.

### Development Policies

The Development Policies (District Clerk Document No. 59407) are compiled from MM in the FEIR and adopted Mitigation Monitoring and Reporting Program (MMRP), CVBMP Settlement Agreement (District Clerk Document No. 56523), and revisions of the CVBMP PMPA. The Development Policies were certified as part of the PMPA in August 2012, by the CCC and all development projects within CVBMP must comply with the Development Policies. The relevant Development Policies are presented under their respective environmental topic below. Those MMs included in the Development Policies that are no longer applicable to the CVBMP are identified under the *Mitigation Measures That Are No Longer Applicable* sections under their respective topic of this addendum.

### Public Access Program

The CVBMP Public Access Program (PAP) (District Clerk Document No. 59408) defines and implements an extensive multi-modal pedestrian, bicyclist, mass-transit, and automobile-based system to provide a variety of free and low-cost Chula Vista waterfront and public recreational opportunities for the residents and visitors of the region. The PAP was certified as part of the PMPA by the CCC. Implementation of the PAP must occur as redevelopment takes place. Relevance to the PAP is described under each respective environmental topic provided below.

## 2.3 RV Park Component Description

The RV Park Component is located within the Sweetwater District of Planning District 7 of the PMP on the north side of E Street and west of the Interstate 5 freeway. The RV Park Component involves the construction of an RV or mobile unit park consisting of approximately 255 sites, and the extension of E Street. Some of the 255 sites – an estimated 116 spaces – are proposed for park model units, which are similar to RVs in that they are built on the same chassis with wheels

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and are mobile, and can be moved at any time. Once parked, park model units are typically treated with architectural enhancements and skirting around the wheels to make the units aesthetically pleasing. The RV Park Component site consists of the parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4, and the proposed extension of E Street. Parcels SP-1 and SP-3 would be developed for bio-retention purposes, and the realignment of Gunpowder Point Drive.

Implementation of the RV Park Component would require grading and utilities installations to facilitate the proposed buildings. A welcome center (4,519 square feet) is proposed onsite containing, Costa Vista Resort offices, marketplace, restrooms, shower and laundry facilities. A protected dog area is proposed adjacent to the welcome center. A paseo would link the welcome center to the pool area amenities. The aquatic features of the RV Park include a children's play pool, family pool and spa. The aquatic amenities building would house the men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment rooms, sauna, work-out gym, and a guest laundry facilities. The activity building (6,252 square feet) is located on the north side of the aquatic facilities and would house the grill/restaurant, entertainment arcade, game room, business center and restrooms. The activity building would also contain a multi-purpose room for educational and large guest gathering. The center of the RV Park would house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits. The RV Park restroom (1,071 square feet) would also be located in this area. Refer to Figure 1, RV Park Component Map for RV Park Component layout.

The facilities within the RV Park would provide light-emitting diode (LED) lighting to ensure safety of the guest. Low-level pathway lights would be utilized within the RV Park to assist in wayfinding for the guest. A 6-foot tall, black tubular metal fence with spacing of approximately four inches would be installed along the perimeter to control wildlife movement and protect the adjacent sensitive habitats as required to conform to the various regulatory documents, which include the Development Policies as part of the PMPA. Security gates and controlled entry points would also be provided. An additional landscape buffer would be provided along E street to enhance the entrance into the Chula Vista Bayfront.

The entire RV Park would be graded to accommodate adequate sewer fall across the site eliminating the need for a sewer pump station along the southwest corner of the resort at the round-about on E street. A 12-inch waterline would be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch water line and an 8 inch sewer line would be installed in F Street north of E Street. The sewer line would connect to and existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street. All utility lines including gas, electric, water, and communication lines would be undergrounded.

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As demonstrated on Table 2.3-1, the RV Park Component would be reduced in height, density, and grading quantities compared to what was proposed and analyzed in the FEIR for parcel S-1.

**Table 2.3-1**  
**RV Park Component Description Comparison of Changes**

Category	RV Park Component	FEIR Project for S-1
Design Elements	<ul style="list-style-type: none"><li>• 255 stalls (139 RV &amp; 116 Park Model Units)</li><li>• Maximum height of 25 feet</li><li>• Low-scale, low-intensity</li><li>• Associated retail, restaurant, meeting space permitted</li><li>• 50-foot wide setbacks from E Street</li><li>• 0.5 EDU of sewage per RV space</li></ul>	<ul style="list-style-type: none"><li>• 750 on-site parking spaces</li><li>• Hotel building height of 2 to 8 stories (40 to 100 feet in height)</li><li>• 500 to 750 hotel rooms</li><li>• 50,000 to 75,000 square feet of conference space</li><li>• 40,000 square feet of retail/restaurant space</li><li>• 0.33 EDU of sewage per room</li></ul>
Grading Quantities	<ul style="list-style-type: none"><li>• 40,000 cubic yards of cut</li><li>• 205,000 cubic yards of fill</li><li>• 155,000 cubic yards of import</li></ul>	<ul style="list-style-type: none"><li>• 203,000 cubic yards of cut</li><li>• 115,000 cubic yards of fill</li><li>• 88,000 cubic yards of export</li></ul>

The RV Park Component shall comply with the certified PMPA and all the Development Policies. The relevant Development Policies would guide develop of the RV Park Component with policies regarding environmental management, wetlands, climate change, landscaping, lighting and illumination, noise, pathway design, predator management, storm water and urban runoff quality, energy, hazardous materials, public engagement, and circulation. Compliance with these Development Policies is analyzed under each respective environmental topic, as well as inclusion of the relevant policies.

A Coastal Development Permit (CDP) was issued on January 25, 2017 with the District, for the *Site Preparation at Chula Vista Bayfront Project* (Clerk Document No. 66187). This CDP allows for the demolition of existing pavement and foundations, as well as clearing and compaction of 11 sites throughout the Chula Vista Bayfront to accommodate the import and placement of approximately 681,000 cubic yards (CY) of soil. The imported soil shall be used to increase existing sites' elevations that would provide more desirable building pads, improve drainage, and create more resilient redevelopment sites to accommodate potential future sea level rise. District staff determined that the CDP is in conformance with the certified FEIR, Findings of Fact, Mitigation Monitoring and Reporting Program. Compliance with all applicable mitigation measures in the certified FEIR and Mitigation Monitoring and Reporting Program are included as conditions of the CDP.

The 155,000 CY of import proposed for the RV Park Component, would account for approximately 23% of the 681,000 CY approved in the CDP for the *Site Preparation at Chula*

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*Vista Bayfront Project.* The import of soil would therefore be accounted for and is in conformance with the certified FEIR for the CVBMP.

To ensure the public's right of access to the shoreline, the PAP includes goals and considerations for proposed development within the CVBMP. These goals and considerations relate to public access, circulation and roadway improvements, integration of the Bayshore Bikeway, and parking allocations. Compliance with the PAP is analyzed under each respective environmental topic, as well as inclusion of the relevant goals and considerations.

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### 3 ENVIRONMENTAL ANALYSIS

The FEIR analyzed the CVBMP at the program-level and project-level. Project-level analysis was conducted for projects in the Sweetwater District and Harbor District. This addendum covers the project-level analysis for the revised project components, including the RV Park Component, for the Sweetwater District component, and the inclusion of the CCC-certified Development Policies and PAP. In summary, the addendum analyzes the Revised Proposed Project and supports a finding that no supplemental or subsequent CEQA analysis is warranted.

The FEIR identified potentially significant impacts related to the CVBMP in its entirety to land/water use compatibility, traffic and circulation, aesthetics/visual quality, hydrology/water quality, air quality, energy, noise, terrestrial biological resources, marine biological resources, paleontological resources, hazards and hazardous materials/public safety, public services, public utilities, and seismic/geologic hazards. These impacts would require implementation of feasible MM to reduce or avoid significant impacts.

This addendum addresses the potential environmental impacts that would occur from the Revised Proposed Project. The existing conditions and significance criteria outlined in the FEIR are applicable to the Revised Proposed Project. In accordance with CEQA Guidelines Section 15150, existing conditions and significance criteria are incorporated in this addendum by reference. The incorporated FEIR (Clerk Document No. 56562), including addenda, is available for viewing at the Port District, Office of the District Clerk, 3165 Pacific Highway, San Diego 92101. Note that the analysis looks at the proposed changes from the CVBMP that occurred during the PMPA process; and whether the Revised Proposed Project would result in new significant impacts, increase the severity of significant impacts already identified, require new MMs or include MMs that were infeasible but now are feasible. The analysis for the CVBMP in the FEIR remains the same unless otherwise noted. Additionally, this addendum analyzes the elimination of certain MM that are no longer needed due to the Revised Proposed Project and the exclusion of certain Project features.

#### 3.1 Aesthetics

##### Development Policies

Implementation of the Development Policies would not create any adverse effects on scenic vistas, scenic resources, or visual character. The Development Policies were developed to protect sensitive resources including major public viewpoints and scenic vistas. The CVBMP identified several scenic view corridors throughout the CVBMP area. By implementation of the Development Policies, impacts to view corridors would be further reduced in combination with

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applicable MMs. As such, the Development Policies would not result in any new impacts to scenic vistas and corridors.

The FEIR concludes that the CVBMP would not result in a significant impact to existing visual quality. Implementation of the Development Policies would improve the visual character and quality of the development within the CVBMP, as the Development Policies would provide setback, landscaping, and signage requirements. As such, the Development Policies would not result in any new impacts to existing visual quality.

The FEIR concludes that the CVBMP would result in a less than significant impact with mitigation incorporated related to light and glare. The Development Policies would ensure the CVBMP would avoid or to reduce the potential impacts on wildlife from exterior lighting and reflection. Therefore, implementation of the Development Policies would not result in any new impacts related to lighting and glare. As such, implementation of the development policies would not create any new impact or exacerbate an existing impact related to aesthetics.

### **Public Access Program**

The PAP states that the CVBMP enhances pedestrian visual and physical access within its developed and open space areas, and enhances pedestrian visual and physical access to the waterfront, through its pedestrian circulation plan. Implementation of the PAP would further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The pedestrian pathways included in the PAP would provide significant physical and visual corridors for pedestrians as well as facilitate for improved access to scenic vistas and resources. As such, the PAP would not result in any new impacts to scenic vistas and corridors.

The FEIR concludes that the CVBMP would not result in a significant impact to existing visual quality. Implementation of the PAP would implement an extensive multi-modal pedestrian, bicyclist, mass-transit and automobile-based system that provides public waterfront recreational opportunities. The PAP navigation channels would include pathways like waterfront promenades, and pedestrian trails along transmission corridors, providing public pathways and trails would allow overall improve visual character by providing access to visually pleasing sites. As such, the PAP would not result in any new impacts to existing visual quality.

Implementation of the PAP would include the installation of public pathways, trail, and bicycle paths throughout the CVBMP area. Construction of the PAP navigation channels would not incorporate materials or structures that would create a substantial source of light or glare. As such, the PAP would not create any new sources of substantial light of glare. Therefore, the PAP would not create any new impact or exacerbate an existing impact related to aesthetics.

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### Proposed RV Park Component

*Would the Proposed Project have a significant impact if it has a substantially adverse effect on a scenic vista, public view, or scenic resource (such as a symbol or landmark)?*

As stated in the FEIR, views to the Bay across the Sweetwater District would be enhanced at current viewing locations along E and F Streets, and the freeway flyover from SR-54 and I-5. Additionally, Parcel S-1 was identified as part of a view corridor under the FEIR. While under the previously plan for parcel S-1, views across Parcel S-1 would remain open and unobstructed. Any minor changes and additions associated with the RV Park Component would not be substantial, with respect to scenic vistas and scenic resources. Facing east, existing public views of the project site consist of low vegetation, and beyond that trees, utility poles and power lines, and existing development along Bay Boulevard. Facing north and west, beyond the RV Park Component, existing public views contain utility poles and power lines, and views of the Sweetwater Marsh and bay in the background. Facing south, public views beyond the project site are of the existing commercial and industrial uses south of Lagoon Drive. In comparison to the FEIR, the development of the RV Park on S-1 would be a reduction in bulk and scale, as indicated in Table 2.3-1. This reduction in bulk and height, would further improve any adverse impact the original project may have had on scenic vistas and resources. As such, the RV Park Component would not result in any new impacts to scenic vistas and corridors.

The RV Park Component would also include utility installations, an extension of E Street, and bio-retention areas. The bio-retention area would be installed on Parcel SP-1 and would include pedestrian pathways. Development on Parcel SP-1 would not interfere with existing scenic vistas and resources. Parcel SP-3 would include a fully-enclosed dog park with synthetic turf, realigned Gunpowder Point Drive with a loop for buses providing access to the Living Coast Discovery Center, and a bio-retention basin to capture runoff from Parcel S-1. The extension of E Street would extend southwest, south of Parcel SP-3. The E Street extension would provide access to scenic vistas that occur west of the Project site. Therefore, the E Street extension would not create new or worsened impacts related to scenic vistas and scenic resources.

*Would the Proposed Project have a significant impact if it substantially degradesthe existing visual character or quality of the site and its surroundings?*

The existing visual character of the project site is comprised of undeveloped, vegetated generally flat land. As stated in the FEIR, visitors to the Sweetwater Marsh National Wildlife Refuge (NWR)/Chula Vista Nature Center have the highest sensitivity because they expect the visual environment within the refuge to be “natural.” When viewing the project site from this area, the built environment currently forms the background of the viewing scene. The focal point of

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development near the water's edge is the existing industrial South Bay Boatyard/storage lot, which is generally low in scale but clearly visible.

The architectural plans of the originally proposed hotel for parcel S-1 were not provided or analyzed in the FEIR, however the proposed RV Park on parcel S-1 would retain the natural character of the site, without compromising any views of the surrounding natural features. Considering the RV Park Component would be developed with reduced bulk and a maximum building height of 25 feet, compared to the 100-foot maximum height of the originally planned hotel, the RV Park Component would have less of an effect on the existing views of the site. As such, the RV Park Component would not result in any new impacts to existing visual character or quality.

***Would the Proposed Project have a significant impact if it creates a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

The previous plan for parcel S-1 had a 100-foot maximum building height. Assuming the buildout of parcel would have constructed up to its maximum building height, the previous plan for parcel S-1 would incorporate substantially more interior and exterior lighting, as well as exterior windows, which would result in greater light and glare. As such, the RV Park Component would generate substantially less light and glare compared to the original project. Additionally, implementation of MM-4.4-2, from the FEIR, would further reduce effects related to light and glare. The Development Policies would ensure the RV Park Component would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. As such, the RV Park Component would not create any new impact or exacerbate an existing impact related to light or glare.

### **Applicable FEIR Aesthetics Mitigation Measures**

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM-4.4-2:** Port/City: Prior to design review approval, lighting design plans with specifications for outdoor lighting locations and other intensely lighted areas shall be submitted to the Port and City for review and approval. The specifications shall identify the lighting intensity needs and design light fixtures to direct light toward intended uses. Outdoor and parking lot lighting shall be shielded and directed away from adjacent properties, wherever feasible and consistent with public safety. Consideration shall be given to the use of low-pressure sodium lighting or the equivalent. The lighting plan shall illustrate the location of the proposed lighting standards and type of shielding measures.

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The lighting plan shall incorporate specific design features including, but not limited to, the following:

- Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 seconds between flashes) white strobes shall be used.
- All event lighting shall be directed downward and shielded, unless directed downward or shielded to minimize light spill beyond the area for which illumination is required.
- Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and navigation, including signage for building identification and orientation.
- Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.
- Office space, residential units, and hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.
- Office space, residential units, and hotel rooms shall be equipped with blinds, drapes, or other window coverings that may be closed to minimize the effects of interior night lighting.

### Applicable Development Policies

The following Development Policies would apply to and be implemented by the RV Park Component.

**Policy 4.1.4:** Use of reflective coatings on any glass surface is prohibited.

**Policy 7.2:** Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project.

**Policy 7.3:** All street and walkway lighting should be shielded to minimize sky glow.

**Policy 7.4:** To the maximum extent feasible, all external lighting will be designed to minimize any impact on Wildlife Habitat Areas, and operations and maintenance will be devised to ensure appropriate long-term education and control of light impacts. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.

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**Policy 7.8:** In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used to minimize ecological disruption. No night lighting for active sports facilities will be allowed.

**Policy 23.1:** Public views to the beach, lagoons, and along the shoreline as well as to other scenic resources from major public viewpoints, as identified by the "vista" icon on the Precise Plan for Planning District 7 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.

**Policy 23.2:** The impacts of proposed development on existing public views of scenic resources shall be assessed by the District or City prior to approval of proposed development or redevelopment.

**Policy 23.3:** Buildings and structures shall be sited to provide unobstructed view corridors from the nearest view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

**Policy 23.4:** Public views of the Bay and access along the waterfront shall be provided via a proposed "Baywalk" promenade. This pedestrian path will also connect to the Signature Park, and the pathway system within the Sweetwater District, ultimately linking the two districts and "enabling viewers to experience visual contact at close range with the Bay and marshlands."

**Policy 23.5:** Existing views to the water from the following view corridor roads shall be protected and enhanced: E Street, F Street, Bay Boulevard between E and F Streets, Marina Parkway, and G and L Streets (in the City of Chula Vista); as shall the new views of the Bay created from the H Street corridor. These protected views shall be denoted by the "vista" icons on the Precise Plan for Planning District 7.

**Policy 23.6:** Building setbacks and coordinated signage shall be provided along Marina Parkway.

**Policy 23.7:** Prior to approval of development in the Otay District, views of the Bayfront from Bay Boulevard shall be identified and preserved.

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**Policy 23.8:** View corridors to the Bay shall be established on Marina Parkway between H and J Streets approximately every 500 feet as denoted by the "vista" icon on the Precise Plan for Planning District 7.

**Policy 23.9:** Landscaping shall be planted along Marina Parkway to frame and enhance this scenic corridor, as well as on E Street and Bay Boulevard, adjacent to the project site.

**Policy 23.10:** Bayfront Gateway Objective/Policies: Certain points of access to the Bayfront will, by use, become major entrances to the different parts of the area. A significant portion of the visitors' and users' visual impressions are influenced by conditions at these locations. Hence, special consideration should be given to roadway design, including signage and lighting, landscaping, the protection of public views towards the Bay, and the siting and design of adjoining structures. Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of certificates of occupancy for any projects within the District's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the District and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street. All Gateway plans must conform with the setback policies and height limits in the PMP.

**Policy 23.11:** The landscape designs and standards shall include a coordinated street furniture palette including waste containers and benches, to be implemented throughout the Bayfront at appropriate locations.

**Policy 23.12:** As a condition for issuance of coastal development permits, buildings fronting H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100- foot ROW width (curb-curb, building setbacks, and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Placement of trees should take into account potential view blockage at maturity, and, trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should be pruned to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach into view corridors, and to address the scale and massing impact, buildings shall step back at appropriate intervals or be angled to open up a broader view corridor at the ground plane to the extent feasible. All plans shall be subject to review and approval by the District. All future development proposals shall conform to District design guidelines and standards.

**Policy 23.13:** Prior to issuance of coastal development permits for projects within the District's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as

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articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles, and to avoid the appearance or effect of "walling off" the Bayfront.

**Policy 23.15:** Sweetwater District Lodging (S-1): Sweetwater District Lodging (S-1): Development of the Sweetwater District Lodging (S-1) shall consist of low-scale, low profile, lower-cost overnight accommodations such as a campground and/or RV park. A mix of camping facilities is encouraged. Limited meeting rooms, retail stores, and food service associated with the development shall be permitted. No structures over 1 story within a maximum height of 25 feet shall be permitted. Proposed development shall take into account potential sea level rise when site plans are prepared. The development shall incorporate a setback from the E Street view corridor as shown in Exhibit 5, where no structures shall be permitted.

**Policy 23.16:** Sweetwater District Mixed-Use Commercial Recreation/Marine Related Office Development (S-3). Development of the Sweetwater District Mixed Use development (S-3) shall incorporate setbacks of 50 feet from E Street in order to reduce visual and shading impacts of building massing and to widen view corridors towards the Bay. Building heights are limited to 45 feet and shall be located in the northeastern portion of the parcel in order to ensure views from the Bay Boulevard to the Bay are preserved to the extent feasible. The development shall incorporate a setback from the F Street view corridor as shown in Exhibit 5, where no structures shall be permitted.

**Policy 23.17:** All building height limits listed herein are measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

### 3.2 Agriculture and Forestry Resources

#### Development Policies

The Development Policies were developed to protect sensitive environmental resources within and around the CVBMP area, and to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies do not pertain to the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land because none of these resources are located on the Project site. Nor would the Development Policies conflict with existing zoning for agricultural use, a Williamson Act contract, forest land, timberland, or timberland zoned Timberland Production. Again, because none of the resources

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are located on the Project site. As such, the Development Policies would not result in any new impacts to agricultural or forestry resources.

### **Public Access Program**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. No Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land is located on the Project site. As such, the PAP would not impact any or cause the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land. Additionally, the PAP would not conflict with existing zoning for agricultural use, a Williamson Act contract, forest land, timberland, or timberland zoned Timberland Production. Accordingly, the PAP would not result in any new impacts to agricultural or forestry resources.

### **Proposed RV Park Component**

As determined in the FEIR, the Project site does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. It also concluded that the Project site does not have a land designation for agricultural use and that there is not a Williamson Act contract for the site. It concluded that no forestland or timberland land exists on the Project site, nor has any land been designated as forestland or timberland within the boundaries of the Project site. As a result, the Project with the RV Park Component would not result in the loss of forestland or timberland, nor would it result in the conversion of farmland to a non-agricultural use or the conversion of forestland to a non-forest use. None of these conditions change as the result of the RV Park Component. Therefore, no impact on Agriculture and Forestry Resources would occur.

### **Applicable FEIR Agricultural and Forestry Resources Mitigation Measures**

There are no MMs related to agriculture and forestry resources within the FEIR.

### **Applicable Development Policies**

There are no Development Policies related to agriculture and forestry resources.

## **3.3 Air Quality**

### **Development Policies**

The applicable Development Policies listed below would facilitate a reduction in air quality impacts as that would occur with the implementation of the CVBMP. Additionally, the Development Policies would not conflict with the applicable Regional Air Quality Strategy (RAQS) and Transportation Control Measures (TCM) plan; violate or contribute substantially

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to an existing or projected air quality standard; result in a cumulatively considerable net increase of any criteria pollutant, expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors. As such, the Development Policies would not result in any new or more severe significant air quality impacts from those previously identified in the FEIR prepared and certified for the CVBMP.

### **Public Access Program**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. As such, the PAP does not directly pertain to air quality. However, the PAP is intended to improve and reduce vehicular circulation within the CVBMP. Therefore, with implementation of the PAP, vehicle miles traveled would be reduced, reducing vehicle emissions and any criteria pollutant or odors associated with vehicle emissions. Consequently, implementation of the PAP would not exacerbate or contribute a considerable increase in any criteria pollutant; expose sensitive receptors to pollutant concentrations, or create objectionable odors affecting a substantial number of people.

### **Proposed RV Park Component**

*Would the Proposed Project conflict with or obstruct implementation of the applicable air quality plan (e.g., RAQS)?*

As stated in the FEIR, while the CVBMP would meet several of the criteria set by the TCM plan, it does not conform to the planning assumptions that were used to generate the forecast of the region's ability to achieve the National Ambient Air Quality Standards (NAAQS). However, the CVBMP would not be inconsistent with either the City's General Plan or the District's PMP that served as the basis of the RAQS or with the growth assumptions in the RAQS and, therefore, would not result in a significant impact.

The RV Park Component includes the construction of an RV Park and associated retail and service facilities over a 19-acre parcel. The RV Park Component would also include utility installations, an extension of E Street, and bio-retention areas. As demonstrated on Table 2.3-1, the proposed RV Park Component would be reduced in height, density, and surface cut quantities compared to the FEIR plan for parcel S-1. Construction activities would occur over a shorter period with less construction equipment, compared to the originally proposed project. Construction of the RV Park Component, including the construction of the E Street extension, would include the use of heavy equipment and worker vehicle trips. However, with implementation of the applicable MMs and Development Policies described below, impacts related to conflicts with the NAAQS would be reduced to less than significant. Therefore, the RV Park Component would not conflict with applicable the RAQS and corresponding TCM; no

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new impacts would occur, the severity of the significant impacts would not increase and no new MMs would be required.

***Would the Proposed Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

As stated in the FEIR, the CVBMP does not include uses that would represent a major source of air pollution. However, Phase IV, in which parcel S-1 was analyzed under in the FEIR was determined to exceed the standard for each criteria pollutant except sulfur dioxide (SO<sub>2</sub>), thus requiring feasible MM. The reason for the exceedance of thresholds is because the construction of Phase IV would occur at the same time as operational emissions for Phases I through III. The RV Park Component on parcel S-1 would be implemented during Phase I of the CVBMP, therefore would not occur in conjunction with Phases II, III, and IV of the CVBMP. As such, the RV Park Component would not exacerbate or result in any new impact related to the violation of air quality standards.

***Would the Proposed Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? (In the SDAB, the project region is in non-attainment for the federal or state standards for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.)?***

Under the FEIR, projected emissions were anticipated to exceed the standard for each criteria pollutant except SO<sub>2</sub>. Sensitive receptors would be exposed to pollutant concentrations in excess of the California Ambient Air Quality Standards (CAAQS) and NAAQS due to regional air pollutant concentrations, to which the Project would contribute. Construction emissions would exceed the significance thresholds for ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>; impacts to sensitive receptors would be significant but temporary. Construction of the RV Park Component facilities and facility operations would have the potential to contribute criteria pollutants. However, construction of the Proposed RV Park Component MMs approved within the FEIR (MM-4.6-1). Thus, the RV Park Component would result in a reduced amount of pollutant concentrations.

***Would the Proposed Project expose sensitive receptors to substantial pollutant concentrations?***

As discussed in the FEIR, the Project region is in attainment for all federal criteria pollutants except for the 8-hour ozone standard. As previously stated, Phase IV of the CVBMP was determined to exceed the standard for each criteria pollutant except SO<sub>2</sub>, thus requiring implementation of feasible MM. The reason for the exceedance of thresholds is because the construction of Phase IV would occur at the same time as operational emissions for Phases I through III. The RV Park Component on parcel S-1 would be implemented during Phase I of the CVBMP, therefore would not occur in conjunction with Phase II, III, and IV of the CVBMP. The

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RV Park Component would develop parcel S-1 at a smaller bulk and scale, as previously analyzed. Therefore, the quantity of construction emissions is anticipated to be much lower than the previous plan for parcel S-1. The RV Park Component would develop an RV park on parcel S-1, which would include occupants that would be considered sensitive receptors. Considering the RV Park Component would result in fewer pollutant concentrations as the previous plan for parcel S-1, the RV Park Component would not result in an exacerbated or new impact related to exposure to criteria pollutants. Applicable MMs and Development Policies described below would further reduce significant impacts as a result of the RV Park Component.

***Would the Proposed Project locate housing within 1,000 feet of a plant or any other toxic air emitting facility, for which a significant health risk assessment has not been conducted?***

As stated in the FEIR, there are one major sources of pollution within the CVBMP area, the Rohr Industries/Goodrich. The South Bay Power Plant was decommissioned in 2010, and demolition in summer of 2012. The RV Park Component is not within 1,000 feet of either of these present and past pollution sources. Therefore, no new or exacerbated impact would occur.

***Would the Proposed Project create objectionable odors affecting substantial number of people?***

As stated in the FEIR, odors are possible from construction emissions, but they would be temporary and would dissipate quickly and, therefore, would not affect substantial numbers of people. Impacts would not be significant. Similarly, the RV Park Component has the potential to produce odors during construction, however, there would not be a substantial number of people in the vicinity to be impacts, and odors would be temporary. Therefore, no new or exacerbated impact would occur related to odors.

***Conflict with or obstruct goals of CA Global Warming Solutions Act?***

As discussed in the FEIR, Phase I of the CVBMP would not result in a significant global climate change impact because it would not conflict with or obstruct the State of California's ability to achieve the goals and strategies of AB 32 or related Executive Orders. Additionally, the CVBMP would not experience a substantial increase in risk from potential adverse effects of global warming beyond those addressed in the other sections of the FEIR.

The RV Park Component would occur during Phase I of the CVBMP. The addition of the RV Park Component during Phase I would not contribute substantial global climate change impacts. Therefore, the RV Park Component would not result in new impacts or worsen impacts related to the obstruction of the CA Global Warming Solutions Act.

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### Applicable FEIR Air Quality Mitigation Measures

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM-4.6-1: Port/City:** Prior to the commencement of any grading activities, the following measures shall be placed as notes on all grading plans and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (These measures were derived, in part, from Table 11-4 of Appendix 11 of the SCAQMD CEQA Air Quality Handbook, and from SCAQMD Rule 403):

#### Best Available Control Measures for Specific Construction Activities

- a. Backfilling activities:
  - i. Stabilize backfill material when not actively handling
  - ii. Stabilize backfill material during handling
  - iii. Stabilize soil at completion of backfilling activity.
- b. Clearing and grubbing activities:
  - i. Maintain stability of soil through pre-watering of site prior to clearing and grubbing
  - ii. Stabilize soil during clearing and grubbing activities
  - iii. Stabilize soil immediately after clearing and grubbing activities.
- c. Clearing forms:
  - i. Use water spray to clear forms
  - ii. Use sweeping and water spray to clear forms
  - iii. Use vacuum system to clear forms.
- d. Crushing activities:
  - i. Stabilize surface soils prior to operation of support equipment
  - ii. Stabilize material after crushing.
- e. Cut and fill activities:
  - i. Pre-water soils prior to cut and fill activities

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- ii. Stabilize soil during and after cut and fill activities.
- f. Demolition activities – mechanical/manual:
  - i. Stabilize wind erodible surfaces to reduce dust
  - ii. Stabilize surface soil where support equipment and vehicles will operate
  - iii. Stabilize loose soil and demolition debris.
- g. Disturbed soil:
  - i. Stabilize disturbed soil throughout the construction site
  - ii. Stabilize disturbed soil between structures.
- h. Earth-moving activities:
  - i. Pre-apply water to depth of proposed cuts
  - ii. Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction
  - iii. Stabilize soils once earth-moving activities are complete.
- i. Importing/exporting of bulk materials:
  - i. Stabilize material while loading to reduce fugitive dust emissions
  - ii. Stabilize material while transporting to reduce fugitive dust emissions
  - iii. Stabilize material while unloading to reduce fugitive dust emissions
  - iv. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling
  - v. Comply with Vehicle Code Section 23114.
- j. Landscaping activities:
  - i. Stabilize soils, materials, slopes
- k. Road shoulder maintenance:
  - i. Apply water to unpaved shoulders prior to clearing
  - ii. Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.
- l. Screening activities:
  - i. Pre-water material prior to screening
  - ii. Limit fugitive dust emissions to opacity and plume length standards

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- iii. Stabilize material immediately after screening.
- m. Staging areas:
  - i. Stabilize staging areas during use
  - ii. Stabilize staging area soils at project completion.
- n. Stockpiles/bulk material handling:
  - i. Stabilize stockpiled materials by covering/watering
  - ii. Stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.
- o. Traffic areas for construction activities:
  - i. Stabilize all off-road traffic and parking areas
  - ii. Stabilize all haul routes
  - iii. Direct construction traffic over established haul routes.
- p. Trenching activities:
  - i. Stabilize surface soils where trencher or excavator and support equipment will operate
  - ii. Stabilize soils at the completion of trenching activities.
- q. Truck loading activities:
  - i. Pre-water material prior to loading
  - ii. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- r. Turf overseeding activities:
  - i. Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards
  - ii. Cover haul vehicles prior to exiting the site.
- s. Unpaved roads/parking lots:
  - i. Stabilize soils to meet the applicable performance standards
  - ii. Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.

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- t. Vacant land:
  - i. In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures.

### Other General Best Available Control Measures:

- u. Minimize idling time
- v. Maintain properly tuned equipment
- w. Regular maintenance—keep equipment well maintained
- x. Where practicable, use low pollutant-emitting equipment
- y. Use of ultra-low-sulfur diesel fuel
- z. Use construction equipment that is CARB-certified or that meets Tier 3 emissions or better, if available
- aa. Use alternative diesel formulations (e.g., aqueous diesel), if available
- bb. Where practicable, use catalytic reduction for gasoline-powered equipment
- cc. Use injection timing retard for diesel-powered equipment
- dd. Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry
- ee. Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads
- ff. Remove any visible track-out into traveled public streets within 30 minutes of occurrence
- gg. Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred
- hh. Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads
- ii. Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour
- jj. Enforce a 15 mile-per-hour speed limit on unpaved surfaces

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- kk. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce re-suspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- ll. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation.
- mm. Electrical construction equipment shall be used to the extent feasible.
- nn. Low-VOC coatings will be used during application of architectural coatings. Coatings must meet the VOC content limitations set forth in APCD Rule 67.0.

### Applicable Development Policies

**Policy 24.7:** In order to reduce transportation-related air quality impacts, the following items should be encouraged at the project-level planning phase:

- a) Limit idling time for commercial vehicles, including delivery and construction vehicles.
- b) Use low- or zero-emission vehicles, including construction vehicles.
- c) Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- d) Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- e) Provide public transit incentives, such as free or low-cost monthly transit passes.
- f) For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.
- g) Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- h) Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

### 3.4 Biological Resources

#### Development Policies

The Development Policies listed below would help minimize effects to sensitive environmental resources, including biological resources, within and around the CVBMP. The Development Policies would greatly reduce any potential impacts to fish and wildlife species, and plant communities. As such, the Development Policies would not result in any new or more severe significant biological impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Public Access Program

As stated in the PAP, the CVBMP shall enhance pedestrian within its developed and open space areas, and enhance pedestrian visual and physical access to the waterfront, through a comprehensive, continuous pedestrian circulation plan. Pedestrian access will be limited or prohibited in proximity to sensitive resource, including biological resources. Additionally, a significant objective of the CVBMP is to rectify this lack of public access while still preserving sensitive habitat. Implementation of the PAP would not result in direct or indirect impacts to riparian habitat or jurisdictional wetlands. The PAP may however, result in the loss of sensitive habitat from the construction of the pedestrian circulation plan. However, because the PAP is included in the CVBMP, MMs that apply to the CVBMP would also apply to the PAP, which would reduce impacts to habitat, sensitive natural communities, or protected wetlands. These MMs are included below under Applicable FEIR Biological Resources Mitigation Measures. Implementation of the MMs would reduce significant impacts to below a level of significance related to biological resources.

#### Proposed RV Park Component

*Would the Proposed Project would have a significant impact if it has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFG or USFWS?*

As stated in the FEIR, there is the potential for impacts to nesting raptors, including the western burrowing owl, as well as impacts to sensitive vegetation like disturbed coastal sage scrub, non-native grassland, disturbed riparian, and southern coastal salt marsh. Previously established MMs from the FEIR would be applied to the RV Park Component to avoid direct and indirect impacts to riparian and natural vegetation communities (e.g., disturbed coastal sage scrub, mulefat/riparian scrub) and sensitive bird species (e.g., light-footed clapper rail, western burrowing owl, raptors) in accordance with the Multiple Species Conservation Plan (MSCP)

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Subarea Plan. All new development must adhere to the guidelines provided in the MSCP Subarea Plan, which address six issues associated with potential indirect impacts on the Sweetwater Marsh NWR and the San Diego Bay NWR from lighting, noise, drainage, use of invasive habitat species, toxic substances, and public access. MMs 4.8-1 and 4.8-2 would be applied to the RV Park Component Area, and would require pre-construction surveys and establishment of avoidance buffers around active nests until the young are independent of the nest. MMs 4.8-6 and 4.8-23 would ensure implementation of the MSCP adjacency guidelines and Wetlands Protection Program.

A “Biological Resources Survey Report” was conducted for the RV Park Component in March 2015, pursuant to Sections 1600–1603 of the California Fish and Game Code; under the jurisdiction of the ACOE, pursuant to Section 404 of the federal Clean Water Act; under jurisdiction of Regional Water Quality Control Board (RWQCB), pursuant to Clean Water Act Section 401 and the Porter-Cologne Water Quality Control Act; and under the jurisdiction of the CCC under the CCA (included as Appendix D (Dudek 2015)). Results of the Biological Resources Survey Report indicated that, construction of the proposed extension of E Street would potentially impact the inlet of the F and G Street Marsh, which contains foraging habitat for the light-footed clapper rail. As a result of the Biological Resources Survey Report, the RV Park Component was designed to avoid the adjacent mulefat scrub/riparian scrub. Specifically, the E Street road improvements would avoid direct impacts to Coastal salt marsh (jurisdictional wetland) located within parcel S-1 adjacent to the roadway at Bay Boulevard and E Street.

The Biological Resources Survey Report includes additional avoidance and minimization measures to be applied to the Proposed RV Park, in conjunction with the applicable MMs from the FEIR. The avoidance and minimization measures described below would apply to all elements of the RV Park Component, including utility installations on Parcel S-1; bio-retention areas and pedestrian trails on Parcel SP-1; and a fully-enclosed dog park, and realigned Gunpowder Point Drive with a for bus loop providing access to the Living Coast Discovery Center.

### Avoidance and Minimization Measures

- In order to reduce indirect impacts associated with development adjacent to the Sweetwater Marsh NWR and San Diego Bay NWR areas, avoidance and minimization were established in both the Port’s and City’s jurisdictions through the following design measures: (1) ecological buffers in the Sweetwater District were expanded to incorporate several of the larger wetlands (e.g., coastal salt marsh and disturbed riparian), (2) some of the circulation roadways were redesigned to avoid wetland resources, and (3) several bridges have been incorporated into the project design to avoid direct impacts to resources. Fencing in parcel SP-1 would also be installed prior to occupancy of the first buildings constructed in Phase I to prevent unauthorized access. Additionally, as

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discussed, above, new development must adhere to the guidelines provided in the MSCP Subarea Plan.

- A 400-foot-wide ecological buffer would be established within the Sweetwater District. A series of staggered berms within the Sweetwater District would serve as a barrier between the human users of recreation facilities and the sensitive wildlife in the nearby marsh habitat. The berms within the ecological buffers would also serve to reduce the amount of noise that may be disruptive to the sensitive species within the marshes. The first 200 feet of buffer areas adjacent to sensitive habitats, or full width in the case of reduced buffer areas, will be maintained as a “no touch” buffer and will not contain any trails or overlooks. This No Use Zone would be off limits to pedestrians, with signs posted stating that access into the sensitive habitat areas is prohibited and trespassing laws will be strictly enforced. Fencing, consisting of a 6-foot-high vinyl-coated chain link fence will be installed within the buffer area to prevent unauthorized access. Fencing in parcel SP-1 will be installed prior to occupancy of the first buildings constructed in Phase I. To protect the wetlands and resources within the Refuge, the SP-1 buffer would be established in Phase I. District enforcement personnel will patrol these areas and be trained in the importance of preventing human and domestic animal encroachment in these areas. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas. In order to discourage human and domestic animals from crossing over the berms into the native habitat and preserve areas, permanent fencing would be strategically placed in areas around at parcel SP-1. In addition, appropriate signage would prohibit access into the sensitive habitat and would direct public access to appropriate locations and ensure that native habitat and restoration areas are not disturbed. These components were analyzed in the FEIR and would remain as part of the Proposed Project.

Within the 400-foot buffer, planting and irrigation would be landscaped with a native species plant palette. With implementation of these avoidance and minimization measures, MMs described below, and the Development Policies, impacts to candidate, sensitive, or special-status species would be reduced to less than significant levels. No new impacts would occur, nor would any impacts be exacerbated and no new MMs are required.

***Would the Proposed Project would have a significant impact if it has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFG or USFWS?***

As previously stated in the above response, a Biological Resources Survey Report was conducted for the Proposed RV Park Component. The Survey Report provided guidance for project design, resulting in the RV Park Component avoiding the adjacent mulefat scrub/riparian scrub.

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Specifically, the E Street road improvements would avoid direct impacts to Coastal salt marsh (jurisdictional wetland) located within parcel S-1 adjacent to the roadway at Bay Boulevard and E Street. In order to avoid any indirect or adjacency impacts to adjacent sensitive natural communities, avoidance and minimization measures, in conjunction with the applicable MMs identified below would be applied to the RV Park Component. As such, no new impacts would occur, nor would any impacts be exacerbated and no new MMs are required.

***Would the Proposed Project would have a significant impact if it has a substantial adverse effect on federally or state protected wetlands as defined by Sections 401 and 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.), and Section 1600 of the CDFG Code through direct removal, filling, hydrologic interruption, or other means?***

As previously stated, a Biological Resources Survey Report, which included a wetland delineation, has been conducted pursuant to Sections 1600–1603 of the California Fish and Game Code; under the jurisdiction of the ACOE, pursuant to Section 404 of the federal Clean Water Act; and under jurisdiction of Regional Water Quality Control Board (RWQCB), pursuant to Clean Water Act Section 401. The Biological Resources Survey Report provided guidance for project design, resulting in the RV Park Component avoiding the adjacent mulefat scrub/riparian scrub, sensitive bird species (e.g., light-footed clapper rail, western burrowing owl, raptors), and Coastal salt marsh (jurisdictional wetland).. Specifically, the E Street road improvements would avoid direct impacts to Coastal salt marsh (jurisdictional wetland) located within parcel S-1 adjacent to the roadway at Bay Boulevard and E Street. In order to avoid any indirect or adjacency impacts to adjacent sensitive natural communities, avoidance and minimization measures, in conjunction with the applicable MMs identified below would be applied to the RV Park Component. Permits will be obtained from the agencies and copies provided to the City prior to grading in order to address this finding. Appropriate MMs, consistent with the MSCP, will be implemented for the Proposed RV Park Component and are provided herein. Therefore, implementation of the RV Park Component would not result in new or more severe significant impacts and does not require new MMs related to protected wetlands.

***Movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors,***

As stated in the FEIR, no significant direct impacts would occur to wildlife movement corridors for use by terrestrial wildlife, such as small mammal species, as the site does not function as a movement corridor for terrestrial species, due to the developed nature of the site. Parcel S-1 is adjacent to the Sweetwater Marsh NWR, an area that provides habitat for a number of special-status bird species. Due to the proximity to open water as a bird attractant, the location within a migration corridor, adjacency to native vegetation, and building heights that may extend into the altitude of migrating

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birds, the original plan for parcel S-1, prior to the Land Use Revisions, may result in significant impacts to migrating or special-status bird species due to an increase in bird strikes.

Under the RV Park Component, the bulk and scale of the buildings to be constructed would be reduced, as shown in Table 2.3-1. With building heights up to 25 feet, compared to the previously approved 100 feet, the RV Park Component would result in potentially fewer bird strikes, thus a lesser impact on migratory birds. Therefore, the RV Park Component would have a reduced impact to native resident or migratory fish or wildlife species.

### **Applicable FEIR Biological Resources Mitigation Measures**

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM 4.8-1:** shall be implemented to reduce the direct impact to nesting raptors to a level of less than significant.

**Port/City:** Prior to construction in any areas with suitable nesting locations for raptors (such as trees, utility poles, or other suitable structures) and, if grading or construction occurs during the breeding season for nesting raptors (January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction shall retain a qualified, Port- or City-approved biologist, as appropriate, who shall conduct a pre-construction survey for active raptor nests. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active nest is found, an appropriate setback distance will be determined in consultation with the applicant, Port or City, USFWS, and CDFG. The construction setback shall be implemented until the young are completely independent of the nest or the nest is relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.

**MM 4.8-2:** Mitigation Measure 4.8-2 would be required to reduce the direct impacts to the western burrowing owl (see Significant Impact 4.8-2) to a level of less than significant:

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**Port/City:** Prior to construction in any areas with suitable nesting habitat for burrowing owl and, if grading or construction occurs during the breeding season for the burrowing owl (April January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction, as appropriate, shall retain a qualified biologist, who shall be approved by the Port or City, respectively, to conduct a pre-construction survey within all suitable habitat prior to any grading activities. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active burrow is detected during the breeding season of April January 15 to July 31, construction setbacks of 300 feet from occupied burrows shall be implemented until the young are completely independent of the nest. If an active burrow is found outside of the breeding season, or after an active nest is determined to no longer be active by a qualified biologist, the burrowing owl would be passively relocated according to the guidelines provided by CDFG (1995) and in coordination with CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.

**MM 4.8-3:** shall be implemented to reduce the direct impact to nesting migratory birds to a level of less than significant:

**Port/City:** If grading or construction occurs during the breeding season for migratory birds (January 15 through July August 31), the project developer(s) shall retain a qualified biologist, approved by the Port/City (depending on the jurisdiction), to conduct a preconstruction survey for nesting migratory birds. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If active nests are present, the Port will consult with USFWS and CDFG to determine the appropriate construction setback distance. Construction setbacks shall be implemented until the young are completely independent of the nest or relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are

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minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.

**MM-4.8-4:** Port/City: Prior to construction or grading in any areas of suitable nesting or foraging habitat for light-footed clapper rail and, regardless of the time of year, the project developer(s) shall retain a qualified biologist who shall be approved by the Port or City, as appropriate, and shall be present during removal of southern coastal salt marsh vegetation within the inlet to the F & G Street Marsh to ensure that there are no direct impacts to foraging lightfooted clapper rails. If a light-footed clapper rail is encountered, construction will be temporarily halted until the bird leaves the area of construction. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint. The project developer(s) shall consult with the U.S. Fish and Wildlife Service prior to impacting any areas of suitable nesting or foraging habitat for light-footed clapper rail so as not to prevent any unauthorized take of the lightfooted clapper rail. Any take must be authorized by U.S. Fish and Wildlife Service.

**MM-4.8-6:**

**Port/City:**

- A. Construction-related noise. Construction-related noise shall be limited adjacent to the Sweetwater Marsh and South San Diego Bay Units of the San Diego Bay National Wildlife Refuge, F & G Street Marsh, the mudflats west of the Sweetwater District, and the J Street Marsh during the general avian breeding season of January 15 to August 31. During the avian breeding season, noise levels from construction activities must not exceed 60 dB(A) Leq., or ambient noise levels if higher than 60 dB(A). The project developer(s) shall prepare and submit to the Port/City for review and approval an acoustical analysis and nesting bird survey to demonstrate that the 60 dB(A) Leq. noise level is maintained at the location of any active nest within the marsh. If noise attenuation measures or modifications to construction activities are unable to reduce the noise level

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below 60 dB(A), either the developer(s) must immediately consult with the Service to develop a noise attenuation plan or construction in the affected areas must cease until the end of the breeding season. Because potential construction noise levels above 60 dB(A) Leq have been identified at the F & G Street Marsh, specific noise attenuation measures have been identified and are addressed in Section 4.7 of the FEIR.

- B. Perching of raptors. To reduce the potential for raptors to perch within the landscaping and hunt sensitive bird species from those perches, the following design criteria shall be identified in the CVBMP master landscape plan and incorporated into all building and landscape plans with a line of site to the City's MSCP Preserve, buffer zones, and on-site open space:
- Light posts shall have anti-perching spike strips along any portions that would be accessible to raptors.
  - The top edge of buildings shall be rounded with sufficient radius to reduce the amount of suitable perching building edges.
  - If building tops are hard corners, spike strips shall be used to discourage raptors from perching and building nests.
  - Decorative eaves, ledges, or other protrusions shall be designed to discourage perching by raptors.
  - To the extent practicable, buildings on Parcels S-1 and S-4 will be oriented to reduce raptor perches within the line of sight to adjacent sensitive habitats.
- C. Raptor management and monitoring. Prior to the issuance of a Coastal Development Permit, the project developer shall prepare a raptor nest management plan to be implemented once the project is built. A biologist retained by the project developer and approved by the Port and/or City shall be responsible for monitoring the buildings and associated landscaping to determine whether raptor nests have been established on Port or City lands within 500 feet of the Preserves. If a nest is discovered, the nest would be removed in consultation with USFWS, CDFG, and the Port/City, outside of the raptor breeding season of January 15 to July 31.
- D. Lighting. The following mitigation measure is required during all phases of development to ensure that outdoor lighting throughout the project area is minimized upon any of the habitat buffers, Preserve areas, habitats, or open water.

Prior to issuance of a building permit, each applicant within the Port's or City's jurisdiction shall prepare a lighting design plan, including a photometric analysis, to be reviewed by the Port or City, as appropriate. Each plan shall include the following features, as appropriate to the specific locations:

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- All exterior lighting shall be directed away from the habitat buffers, Preserve Areas, habitats, or open water, wherever feasible and consistent with public safety. Where necessary, lighting of all developed areas adjacent to the habitat buffers, Preserve Areas, habitats, or open water shall provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the habitat buffers, Preserve Areas, habitats, or open water and sensitive species from night lighting. The light structures themselves shall have shielding (and incorporate anti-raptor perching criteria); but the placement of the light structures shall also provide shielding from wildlife habitats and shall be placed in such a way as to minimize the amount of light reaching adjacent habitat buffers, Preserve Areas, habitats, or open water. This includes street lights, pedestrian and bicycle path lighting, and any recreational lighting.
- All exterior lighting immediately adjacent to habitat buffers, Preserve Areas, habitats, or open water shall be low-pressure sodium lighting or other approved equivalent.
- No sports field lights shall be planned on the recreation fields near the J Street Marsh or the Sweetwater Marsh.
- All roadways will be designed, and where necessary edges bermed, to ensure automobile light penetration in the Wildlife Habitat Areas, will be minimized, subject to applicable City and Port roadway design standards.
- Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project. All street and walkway lighting should be shielded to minimize sky glow.
- To the maximum extent feasible, all external lighting will be designed to minimize any impact to Wildlife Habitat Areas, and operations and maintenance conditions and procedures will be devised to ensure appropriate long-term education and control. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.
- In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement requirements. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used since yellow

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monochromatic light is not perceived as natural light by wildlife and minimized ecodisruptions. No night lighting for active sports facilities will be allowed.

- Sweetwater and Otay District parks will open and close in accordance with Port park regulations.
- Laser light shows will be prohibited.
- Construction lighting will be controlled to minimize Wildlife Habitat Area impacts.

- E. Noise. Construction Noise: MM 4.8-6 and the measures outlined in Section 4.7 Noise of the FEIR, shall be implemented in order to reduce potential indirect construction-noise impacts to sensitive species within the F & G Street Marsh and the J Street Marsh. In order to further reduce construction noise, equipment staging areas shall be centered away from the edges of the project, and construction equipment shall be maintained regularly and muffled appropriately. In addition, construction noise must be controlled to minimize impacts to Wildlife Habitat Areas.

**Operational Noise:** noise levels from loading and unloading areas; rooftop heating, ventilation, and air conditioning facilities; and other noise-generating operational equipment shall not exceed 60 dB(A) Leq. at the boundaries of the F & G Street Marsh and the J Street Marsh during the typical breeding season of January 15 to August 31.

**Fireworks.** A maximum of three (3) fireworks events can be held per year, all outside of Least Tern nesting season except 4th of July, which may be allowed if in full regulatory compliance and if the nesting colonies are monitored during the event and any impacts reported to the Wildlife Advisory Committee so they can be addressed. All shows must comply with all applicable water quality and species protection regulations. All shows must be consistent with policies, goals, and objectives in the Natural Resource Management Plan (NRMP), described in **MM-4.8-7**.

- F. Invasives. All exterior landscaping plans shall be submitted to the Port or City, as appropriate, for review and approval to ensure that no plants listed on the California Invasive Plant Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of this FEIR), the California Invasive Plant Inventory Database, Appendix N of the City's MSCP Subarea Plan, or any related updates shall be used in the Proposed Project area. Any such invasive plant species that establishes itself within the Proposed Project area will be removed immediately to the maximum extent feasible and in a manner adequate to prevent further distribution into Wildlife Habitat Areas.

The following landscape guidelines will apply to the Proposed Project area:

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- Only designated native plants will be used in No Touch Buffer Areas, habitat restoration areas, or in the limited and transitional zones of Parcel SP-1 adjacent to Wildlife Habitat Areas.
- Non-native plants will be prohibited adjacent to Wildlife Habitat Areas and will be strongly discouraged and minimized elsewhere where they will provide breeding of undesired scavengers.
- Landscaping plans for development projects adjacent to ecological buffers and/or the MSCP Preserve shall include native plants that are compatible with native vegetation located within the ecological buffers and/or MSCP Preserve.
- No trees will be planted in the No Touch Buffer Areas or directly adjacent to a National Wildlife Refuge, J Street Marsh, or SP-2 areas where there is no Buffer Area.

G. Toxic Substances and Drainage. Implementation of general water quality measures identified in Section 4.5 of the FEIR, Hydrology/Water Quality, would reduce impacts associated with the release of toxins, chemicals, petroleum products, and other elements that might degrade or harm the natural environment to below a level that is significant, and would provide benefits to wetland habitats. As a reference, these MMs are repeated below and apply to the Port and City:

- If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which include obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. The project developer(s) shall demonstrate satisfaction of all permit requirements prior to issuance of a grading permit.
- Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pre-treatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.
- Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. The plan shall:
  - Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the Proposed Project shall be handled, stored, used, and disposed

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of in accordance with NPDES permitting requirements and applicable federal, state, and local policies

- Include material safety data sheets
- Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration
- Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time
- Provide secured storage areas for compatible materials, with adequate spill containment
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City
- Prior to issuance of a permit by USACE for dredge and/or fill operations in the Bay or Chula Vista Harbor, the applicant shall conduct a focused sediment investigation and submit it to USACE, EPA, and RWQCB for review and approval. The applicant shall then determine the amount of bay sediment that requires remediation and develop a specific work plan to remediate bay sediments in accordance with permitting requirements of the RWQCB. The work plan shall include but not be limited to dredging the sediment, analyzing the nature and extent of any contamination, and allowing it to drain. Pending the outcome of the analytical results, the RWQCB and the Port shall prescribe the appropriate method for disposal of any contaminated sediment.

In addition, the following measures will apply:

- Vegetation-based storm water treatment facilities, such as natural berms, swales, and detention areas are appropriate uses for Buffer Areas so long as they are designed using native plant species and serve dual functions as habitat areas. Provisions for access for non-destructive maintenance and removal of litter and excess sediment will be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, mulefat, willow, and the like are permissible.
- Storm water and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of any erosion or type conversion will be developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment

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accumulation, shoreline erosion and stream bed widening, loss of aquatic species, and decreased base flow.

- The use of persistent pesticides or fertilizers in landscaping that drains into Wildlife Habitat Areas is prohibited. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas.
- Fine trash filters (as approved by the agency having jurisdiction over the storm drain) are required for all storm drain pipes that discharge toward Wildlife Habitat Areas.

H. Public Access. In addition to site-specific measures designed to prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals, the following would prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals.

Buffers. All buffers shall be established and maintained by the Port/City. Appropriate signage will be provided at the boundary and within the buffer area to restrict public access. Within the western 200-foot width of Parcel SP-1, a portion of the buffer areas would be re-contoured and restored to provide habitat consistent with the native vegetation communities in the adjacent open space preserve areas and to provide mitigation opportunities for project impacts. The proposed restoration includes creating and restoring coastal salt marsh and creating riparian scrub vegetation communities. In addition, the coastal brackish marsh, disturbed riparian habitat, and wetland would be enhanced.

The first 200 feet of buffer areas adjacent to sensitive habitats, or full width in the case of reduced buffer areas, will be maintained as a “no touch” buffer and will not contain any trails or overlooks. Fencing, consisting of a 6-foot-high vinyl-coated chain link fence will be installed within the buffer area to prevent unauthorized access. Fencing in Parcel SP-1 will be installed prior to occupancy of the first buildings constructed in Phase I. District enforcement personnel will patrol these areas and be trained in the importance of preventing human and domestic animal encroachment in these areas. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas.

Impacts to disturbed coastal sage scrub would be mitigated by the restoration of a coastal sage scrub/native grassland habitat also within this buffer. There is the potential to provide a maximum of 20.71 acres of mitigation credit for impacts to wetland habitats and 22.21 acres for impacts to upland habitats. This would exceed the required mitigation needed for impacts within the Port’s and City’s jurisdiction.

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A detailed coastal sage scrub (CSS) and maritime succulent scrub (MSS) restoration plan that describes the vegetation to be planted shall be prepared by a Port- or City-approved biologist and approved by the Port or City, as appropriate. The City or Port shall develop guidelines for restoration in consultation with USFWS and CDFG.

The restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish success criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions are expected. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months from the date the report is submitted.

The project developer(s) shall be responsible for implementing the proposed MMs and ensuring that the success criteria are met and approved by the City or Port, as appropriate, and other regulatory agencies, as may be required.

### **Strategic Fencing**

**Temporary Fencing.** Prior to issuance of any clearing and grubbing or grading permits, temporary orange fencing shall be installed around sensitive biological resources on the project site that will not be impacted by the Proposed Project. Silt fencing shall also be installed along the edge of the SDBNWR during grading within the western portion of the ecological buffer. In addition, the applicant must retain a qualified biologist to monitor the installation and ongoing maintenance of this temporary fencing adjacent to all sensitive habitat. This fencing shall be shown on both grading and landscape plans, and installation and maintenance of the fencing shall be verified by the Port's or City's Mitigation Monitor, as appropriate.

**Permanent Fencing.** Prior to approval of landscape plans, a conceptual site plan or fencing plan shall be submitted to the Port or City, as appropriate, for review and approval to ensure areas designated as sensitive habitat are not impacted. Fencing shall be provided within the buffer area only, and not in sensitive habitat areas.

**Domestic Animals.** In all areas of the Chula Vista Bayfront, especially on the foot path adjacent to the marsh on the Sweetwater District property, mandatory leash laws shall be

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enforced. Appropriate signage shall be posted indicating human and domestic animal access is prohibited within the designated Preserve areas.

Trash. Illegal dumping and littering shall be prohibited within the Preserve areas. Throughout the Proposed Project site, easily accessible trash cans and recycling bins shall be placed along all walking and bike paths, and shop walkways. These trash cans shall be “animal-proof” and have self-closing lids that close, to discourage scavenger animals from foraging in the cans. The trash cans shall be emptied daily or more often if required during high use periods. Buildings and stores shall have large dumpsters in a courtyard or carport that is bermed and enclosed. This ensures that, if stray trash falls to the ground during collection, it does not blow into the Bay or marshes.

Training. Pursuant to permitting requirements of the Resource Agencies, preconstruction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area.

I. Boating Impacts. All boating, human and pet intrusion must be kept away from F & G Street channel mouth and marsh.

- Water areas must be managed with enforceable boating restrictions. The Port will exercise diligent and good faith efforts to enter into a cooperative agreement with the Resource Agencies and Coast Guard to ensure monitoring and enforcement of no-boating zones and speed limit restrictions to prevent wildlife disturbances.
- No boating will be allowed in vicinity of the J Street Marsh or east of the navigation channel in the Sweetwater District during the fall and spring migration and during the winter season when flocks of bird are present.
- All rentals of jet-skis and other motorized personal watercraft (PWCs), as defined in Harbors and Navigations Code Section 651(s), will be prohibited in the Proposed Project area.
- Use of PWCs will be prohibited in Wildlife Habitat Areas, subject to applicable law.
- A five (5) mile per hour speed limit will be enforced in areas other than the navigation channels.
- Nothing in this mitigation measure shall preclude bona fide research, law enforcement, or emergency activities.

**MM 4.8-7** Mitigation Measure 4.8-7 is intended to provide additional measures to reduce further the indirect impacts to biological resources already addressed in and reduced to below a level of significance by Mitigation Measure 4.8-6. This additional mitigation provides for the

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creation, implementation, funding, and enforcement of a Natural Resources Management Plan (“NRMP”), good faith efforts to enter into a cooperative management agreement with the USFWS or other appropriate agency or organization, restoration priorities, the creation of a South Bay Wildlife Advisory Group, and education, as follows:

A. Natural Resources Management Plan: In recognition of the sensitivity of the natural resources and the importance of protection, restoration, management and enforcement in protecting those resources, the Port, City and RDA will cause an NRMP to be prepared in accordance with this mitigation measure. The NRMP will be designed to achieve the Management Objectives (defined below) for the Wildlife Habitat Areas (defined below). The NRMP will be an adaptive management plan, reviewed and amended as necessary by the Port and City in compliance with the process described in Section 4.8-7D of this measure.

a. “Wildlife Habitat Areas” are defined as:

- i. All National Wildlife refuge lands, currently designated and designated in the future, in the South San Diego Bay and Sweetwater Marsh National Wildlife Refuge Units. National Wildlife Refuge lands are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.
- ii. All Port designated lands and open water areas in the Conservation Land Use Designations of Wetlands, Estuary, and Habitat Replacement as depicted in the Draft Precise Plan for Planning District 7.
- iii. Parcels 1g and 2a from the City’s Bayfront Specific Plan.
- iv. The Wildlife Habitat Areas are depicted on Exhibit 1 to the MMRP.
- v. No Touch Buffer areas are as depicted on Exhibit 2 to the MMRP.

b. NRMP Management Objectives for Wildlife Habitat Areas: Taking into consideration the potential changes in functionality of Wildlife Habitat Areas due to rising sea levels, the NRMP will promote, at a minimum, the following objectives (“Management Objectives”) for the Wildlife Habitat Areas:

- i. Long term protection, conservation, monitoring, and enhancement of:
  1. Wetland habitat, with regard to gross acreage as well as ecosystem structure, function and value.
  2. Coastal sage and coastal strand vegetation.

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3. Upland natural resources for their inherent ecological values, as well as their roles as buffers to more sensitive adjacent wetlands. Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide, taking into account future sea level rise.
- ii. Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.
- iii. Protection of nesting, foraging, and rafting wildlife from disturbance.
- iv. Avoidance of actions within the Proposed Project area that would adversely impact or degrade water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.
- v. Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.
- c. Implementation of NRMP Management Objectives: NRMP will include a plan for achieving Management Objectives as they related to the Buffer Areas and Wildlife Habitat Areas and the Proposed Project area, which will:
  - i. Ensure the Port, City and RDA are not required to expend funds for NRMP implementation until project-related revenues are identified and impacts initiated.
  - ii. Require coordination with the Resource Agencies of the Port's City's and Resource Agencies' respective obligations with respect to the Buffer Areas and Wildlife Habitat Areas.
  - iii. Designate "No Touch" Buffer Areas as that term is defined and described in this FEIR. Such areas will contain contiguous fencing designed specifically to limit the movement of domesticated, feral, and nuisance predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, "Predators"]) and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be at a minimum 6-foot high, black vinyl chain link fence or other suitable barrier (built to the specifications described in this FEIR). Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence. The installation of such fencing in the Sweetwater and Harbor Districts must be completed prior to the issuance of Certificates of Occupancy for development projects on either Parcel H-3 or H-23 and in conjunction with the development or road improvements in the Sweetwater District, with the exception of Parcel S-4 which will retain the existing

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fencing until that parcel is redeveloped and the fencing of the No Touch Buffer installed.

- iv. Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas, Limited Use Buffer Areas, and Transition Buffer Areas as that term is defined and described in this FEIR, with the exception of existing or necessary access points for required maintenance.
  - v. Result in the fencing of No Touch Buffer Areas including, without limitation, fencing necessary to protect the Sweetwater Marsh and the Sweetwater parcel tidal flats, the J Street Marsh next to the San Diego Bay Refuge and the north side of Parcel H-3.
  - vi. Include additional controls and strategies restricting movement of humans and Predators into sensitive areas beyond the boundaries of the designated Buffer Areas, as necessary.
  - vii. Require the Recreational Vehicle Park to install fencing or other barriers sufficient to prevent passage of Predators and humans into sensitive adjacent habitat.
  - viii. Require all dogs to be leashed in all areas of the Proposed Project at all times except in any designated and controlled off-leash areas.
  - ix. Impose and enforce restrictions on all residential development to keep cats and dogs indoors or on leashes at all times. Residential developments will be required to provide education to owners and/or renters regarding the rules and restrictions regarding the keeping of pets.
- d. Walkway and Path Design: Detail conditions and controls applicable to the walkways, paths, and overlooks near Wildlife Habitat Areas and outside of the No Touch Buffer Areas in accordance with the following:
- i. Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.
  - ii. Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.
  - iii. Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Proposed Project.
  - iv. Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.

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- v. Walkways and overlooks that approach sensitive areas will must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.
- e. Predator Management: The NRMP will include provisions designed to manage Predator impacts on Wildlife Habitat Areas which will include and comply with the following:
  - i. Year-round Predator management will be implemented for the life of the Proposed Project with clearly delineated roles and responsibilities for the Port, City and Resources Agencies. The primary objective of such provisions will be to adequately protect terns, rails, plovers, shorebirds, over-wintering species, and other species of high management priority as determined by the Resource Agencies.
  - ii. Predator management will include regular foot patrols and utilize tracking techniques to find and remove domestic or feral animals.
  - iii. Address Predator attraction and trash management for all areas of the Proposed Project by identifying clear management measures and restrictions. Examples of the foregoing include design of trash containers, including those in park areas and commercial dumpsters, to be covered and self-closing at all times, design of containment systems to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons, and similar animals and adequate and frequent servicing of trash receptacles.
  - iv. All buildings, signage, walkways, overlooks, light standards, roofs, balconies, ledges, and other structures that could provide line of sight views of Wildlife Habitat Areas will be designed in a manner to discourage their use as raptor perches or nests.
- f. Miscellaneous Additional Requirements of the NRMP: In addition to the standards described above, the NRMP will include:
  - i. All elements which address natural resource protection in the MMRP including but not limited to those which assign responsibility and timing for implementing MMs consistent with the City's MSCP Subarea Plan;
  - ii. Pertinent sections of the MSCP Subarea Plan;
  - iii. References to existing Port policies and practices, such as Predator management programs and daily trash collections with public areas and increase service during special events.

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- iv. Establishment of design guidelines to address adjacency impacts, such as storm water, landscape design, light and noise and objectives as discussed below;
  - v. Establishment of baseline conditions and management objectives; and
  - vi. Habitat enhancement objectives and priorities.
- g. Creation, Periodic Review, and Amendment of the NRMP: The NRMP will be a natural resource adaptive management and monitoring plan initially prepared in consultation with the Wildlife Advisory Group, and reviewed and amended in further consultation with the Wildlife Advisory Group one year following adoption of the NRMP and annually thereafter for the first five (5) years after adoption, after which it will be reviewed and amended as necessary every other year for the first 6 years, then once every 5 years thereafter. If the RCC is not pursued in the first five (5) years after certification of the FEIR, this schedule will be amended to ensure that NRMP is evaluated every year for five years after the development of the RCC. The periodic review of the NRMP described in the preceding sentences is hereinafter called "Periodic Review." A material revision of the NRMP is hereinafter called an "NRMP Amendment". However, nothing in this schedule will be interpreted to preclude a speedy response or revision to the NRMP if necessary to abate an emergency condition or to accommodate relevant new information or necessary management practices consistent with the NRMP management objectives. Preparation of the NRMP will begin within six months of the filing of the Notice of Determination for the FEIR by the Port and will be completed prior to the earlier of: (a) Development Commencement; (b) issuance of a Certificate of Occupancy for the residential development; or (c) three years. The adaptive management components of the NRMP Periodic Review will address, among other things, monitoring of impacts of development as it occurs and monitoring the efficacy of water quality improvement projects (if applicable) and management and restoration actions needed for resource protection, resource threats, and management (i.e., sea-level rise, trash, window bird strikes, lighting impacts, bird flushing, water quality, fireworks, human-wildlife interface, education and interpretation programs, public access, involvement, and use plan, management of the human-wildlife interface, wildlife issues related to facilities, trails, roads, overlooks planning, and watershed coordination), and other issues affecting achievement of NRMP Management Objectives.
- i. The Port and City will cause the preparation, consideration negotiation and approval of the NRMP including, staff and administrative oversight and engagement of such consultants as are reasonable and necessary for their completion, approval and amendment in accordance with this mitigation measure.

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- ii. The Port and City will each provide a written notice of adoption to the Wildlife Advisory Group upon their respective approval of the NRMP.
- h. DISPUTE RESOLUTION FOR PLAN CREATION AND AMENDMENT. The NRMP and any material amendments to the NRMP will require submission, review, and approval by the CCC after final adoption by the Port and City. Nonetheless, the participants would benefit if the NRMP is developed through a meaningful stakeholder process providing for the resolution of as many disagreements as possible prior to NRMP submission to the CCC. This section provides a process by which the Coalition can participate in the creation and amendment of the NRMP.
- i. PLAN CREATION AND AMENDMENT. Where this mitigation measure contemplates the creation of the NRMP following the Effective Date or an NRMP Amendment, this section will provide a non-exclusive mechanism for resolution of disputes concerning the content of the NRMP and such NRMP Amendments. The standard of review and burden of proof for any disputes arising hereunder shall be the same as those under the California Environmental Quality Act.
  - 1. PLAN CREATION AND AMENDMENT INFORMAL NEGOTIATIONS. Any dispute that arises with respect to the creation or amendment of the NRMP will in the first instance be the subject of informal negotiations between the parties to the dispute. A dispute will be considered to have arisen when one (1) party (the “Disputing Party”) sends the other party a written Notice of Dispute. During the informal negotiations, the Disputing Party will identify in writing and with specificity the issue, standard, or proposed requirement which is the subject of the dispute (the “Notice of Dispute”). The period for informal negotiations will not exceed thirty (30) days from the date the Notice of Dispute is received.
  - 2. PLAN CREATION AND AMENDMENT FORMAL DISPUTE RESOLUTION, PHASE I. In the event the Parties cannot resolve a dispute by informal negotiations, the Disputing Party may invoke formal dispute resolution procedures by providing the other parties a written statement of position on the matter in dispute, including, but not limited to, any facts, data, analysis or opinion supporting that position and any supporting documentation relied upon by the Disputing Party (the “Position Statement”). The Position Statement must be transmitted (via electronic mail or verifiable post) within thirty (30) days of the end of informal negotiations, and will be provided to the other parties and to each member of the Wildlife Advisory Group. If informal negotiations are unsuccessful, and the Disputing Party does not

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invoke formal dispute resolution within thirty (30) days, the position held by the Port, City or Agency (the respective public agency involved in such dispute is hereinafter called “Managing Agency”) will be binding on the Disputing Party, subject to submission, review, and approval by the CCC.

- a. The other parties will submit their position statements (“Opposition Statements”), including facts, data, analysis or opinion in support thereof, to the Disputing Party and the Wildlife Advisory Group members within thirty (30) days of transmission of the Position Statement.
  - b. Within twenty-one (21) days after transmission of the Opposition Statement(s), the Wildlife Advisory Group will convene, consider and, within a reasonable period of time thereafter, render its proposed resolution of the dispute. The Wildlife Advisory Group’s decision will not be binding upon the Disputing Party, but rather, will be considered purely advisory in nature. The proposed resolution of the Wildlife Advisory Group will be that comprehensive recommendation supported by a majority of Wildlife Advisory Group members after vote, with each member entitled to one vote. The Wildlife Advisory Group’s proposal will be transmitted to all parties by an appointed Wildlife Advisory Group member via electronic mail.
3. PLAN CREATION AND AMENDMENT FORMAL DISPUTE RESOLUTION, PHASE II. If any party does not accept the advisory decision of the Wildlife Advisory Group, it must invoke the second phase of formal dispute resolution by presenting the dispute to the governing board (“Governing Board”) of the Managing Agency (i.e., Board of Port Commissioners or City Council). This phase of the dispute resolution process is initiated by such party providing written notice to the other parties within thirty (30) days of receipt of the Wildlife Advisory Group proposal (“MA Notice”). The MA Notice will include the Position Statement, Opposition Statement, the Wildlife Advisory Group proposal, and any other information such party desires to include. Any supplement to the Opposition Statement will be filed with the Managing Agency within fourteen (14) days. The Governing Board of the Managing Agency will review the transmitted information and within sixty (60) days from receipt of the MA Notice will schedule a public hearing to consider the dispute and within ten (10) days of such public hearing, render a decision. The decision of the Governing Board of the Managing Agency will be final and binding on the Managing Agency but will not bind the members of the Coalition. If the members of the Coalition accept the decision of the Governing Board of the Managing

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Agency, the decision will dictate the manner in which the dispute is resolved in the NRMP or amendment to the NRMP. Nothing herein will preclude such party from publicly opposing or supporting the Governing Board's decision before the CCC.

- i. **DISPUTE RESOLUTION REGARDING NRMP IMPLEMENTATION AND ENFORCEMENT.** Once the CCC approves the NRMP or any NRMP Amendment, the Governing Board will issue a Notice of Adoption with respect to the NRMP or NRMP amendment. Once a Notice of Adoption is issued with respect to the NRMP or NRMP Amendment, this section will be the exclusive mechanism for the parties to resolve disputes arising under, or with respect to implementation or enforcement of, the NRMP including when the NRMP is reviewed during an Adaptive Management Review or Periodic Review and such review does not require an NRMP Amendment. This provision will not be used to challenge the adequacy of the NRMP or an NRMP Amendment after the issuance of a Notice of Adoption with respect thereto. The standard of review and burden of proof for any disputes arising hereunder shall be the same as those under CEQA.
- i. **PLAN ENFORCEMENT INFORMAL NEGOTIATIONS.** Any dispute that arises with respect to implementation or enforcement of the NRMP will in the first instance be the subject of informal negotiations between the parties to the dispute. A dispute will be considered to have arisen when one Disputing Party sends the other party a written Notice of Dispute. During the informal negotiations, the Disputing Party will send a written Notice of Dispute to the other parties specifying the aspect of the NRMP it believes is not being implemented properly and the way in which the Disputing Party believes the NRMP should be implemented according to its terms (the "Notice of Dispute"). The period for informal negotiations will not exceed forty-five (45) days from the date such Notice of Dispute is received.
- ii. **PLAN ENFORCEMENT FORMAL DISPUTE RESOLUTION, PHASE I.** In the event the Parties cannot resolve a dispute by informal negotiations under the preceding section, the Disputing Party may invoke a formal dispute resolution procedure by presenting the dispute to the Governing Board of the Managing Agency by providing the other parties a written statement of position on the matter in dispute, including, but not limited to, any facts, data, analysis or opinion supporting that position and any supporting documentation relied upon by the Disputing Party (the "Position Statement"). The Position Statement must be transmitted (via electronic mail or verifiable post) within thirty (30) days of the end of informal negotiations, and will be provided to the other parties, to each member of the Wildlife Advisory Group. If informal

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negotiations are unsuccessful, and the Disputing Party does not invoke formal dispute resolution within thirty (30) days, the Managing Agency's position will be binding on the Disputing Party subject to any periodic review and/or approval by the CCC, if required by law.

1. The other parties will submit their position statements ("Opposition Statements"), including facts, data, analysis, or opinion in support thereof, to the Disputing Party, the Wildlife Advisory Group members, and the Governing Board within thirty (30) days of transmission of the Position Statement.
2. Within forty-five (45) days after transmission of the Opposition Statement(s), the Disputing Party will provide a written notice ("MA II Notice") to the other parties, the Wildlife Advisory Group and the Governing Board. The MA II Notice will include the Position Statement, Opposition Statement, the Wildlife Advisory Group proposal, and any other information the Disputing Party desires to include. Any supplement to the Opposition Statement will be filed with the Managing Agency within fourteen (14) days following receipt of the MA II Notice.

The Governing Board will review the transmitted information and within sixty (60) days from receipt of the MA II Notice will schedule a public hearing to consider the dispute and within ten (10) days of such public hearing, render a decision. The decision of the Governing Board will be final and binding on the Managing Agency but will not bind the members of Coalition. If the members of the Coalition accept the decision of the Governing Board of the Managing Agency, the decision will dictate the manner in which the dispute is resolved in the NRMP. If any member of the Coalition disagrees with the decision of the Governing Board, it shall have the right to seek a petition for writ of mandate from the Superior Court of California, San Diego Division.

- iii. WAIVER OF DEFENSE. To the extent permitted by law, the Port, City and RDA agree that lack of funds shall not be a defense to any claim of failure to adequately fund implementation and enforcement of the adopted NRMP.

B. Additional Habitat Management and Protection:

- a. The Port will exercise diligent and good faith efforts to enter into the following cooperative agreements with the USFWS or other appropriate agency or organization:
  - i. An agreement providing for the long-term protection and management of the sensitive biological habitat running north from the South Bay Boatyard to the Sweetwater River Channel (known as the Sweetwater Tidal Flats) and

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addressing educational signage, long-term maintenance, and additional protection measures such as increased monitoring and enforcement, shared jurisdiction and enforcement by District personnel with legal authority to enforce applicable rules and regulations (“District Enforcement Personnel”), shared jurisdiction and enforcement by District Enforcement Personnel and other appropriate Resource Agencies of resource regulations, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement of any projects subject to Port’s jurisdiction within the Sweetwater or Harbor Districts.

- ii. An agreement for the long-term protection and management of the J Street Marsh and addressing additional protective measures such as educational signage, long-term maintenance, and monitoring and enforcement by District Enforcement Personnel, shared jurisdiction and enforcement of resource regulations by District Enforcement Personnel and other Resource Agencies, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement within the Otay District.
  - iii. If either of the cooperative agreements contemplated above are not achievable within three (3) years after FEIR certification, the Port will develop and pursue another mechanism that provides long-term additional protection and natural resource management for these areas.
- b. The Port will include an analysis of the appropriate level and method for wetland and marine life habitat restoration of the intake/discharge channels associated with the South Bay Power Plant in the environmental review document for the demolition of the South Bay Power Plant.
  - c. As a future and separate project, the Port will investigate, in consultation with the USFWS, the feasibility of restoring an ecologically meaningful tidal connection between the F & G Street Marsh and the upland marsh on parcel SP-2 consistent with USFWS restoration concepts for the area.

At a minimum, the investigation will assess the biological value of tidal influence, the presence of hazardous materials, necessary physical improvements to achieve desired results, permitting requirements, and funding opportunities for establishing the tidal connection. This investigation will be completed prior to the initiation of any physical alteration of SP-2, F Street, and/or the F & G Street Marsh. In addition, once emergency access to the Proposed Project area has been adequately established such that F Street is no longer needed for public right-of-

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way for vehicular use, but may reserve it for pedestrian and bicycle use if ecologically appropriate.

- C. Restoration Priorities: The following will supplement the description of the conceptual mitigation opportunities in the FEIR (including Appendix 4.8-8 Mitigation Opportunities). The following restoration priorities will not be included in the NRMP but rather will be applicable (i) if and only to the extent that Port or City are required to restore degraded habitat in accordance with the terms of the MMRP or (ii) to establish priorities for Port's pursuit of grant funding.
- a. Restoration priorities for the Proposed Project are those mitigation opportunities in the FEIR as depicted in the conceptual mitigation opportunities (Figures 4.8-23 and 4.8-26 of the FEIR) and the projects located in the South Bay in the Port's Adopted Restoration and Enhancement Plan.
  - b. With the exception of the restoration described in Section (d) below, shoreline/marsh interface restorations in the Sweetwater and Otay Districts should be natural and gradually sloped and planted with salt marsh and upland transition plants in a manner that will stabilize the bank without the need for additional riprap areas. Upland slopes should be contoured to provide a very gentle grade so as to maximize tidal elevation of mudflats, salt marsh habitat and upland transition areas. This area should be wide enough to encourage or allow wildlife to move between the Sweetwater Marsh and the F & G Marsh and between the J Street and the South San Diego Bay Unit of the NWR. The shoreline should be improved and restored to facilitate a more effective upland refuge area for species during high tides and to accommodate the impacts from global sea rise.
  - c. The Telegraph Creek should be improved to be a more natural channel as part of the redevelopment of the Otay District. Efforts to naturalize and revegetate the creek will be maximized as is consistent with its function as a storm water conveyance.
  - d. The Port will perform an analysis of the appropriate level and method for environmental restoration of the intake/discharge channels associated with the South Bay Power Plan in the environmental review document for the demolition of the power plant.
- D. South Bay Wildlife Advisory Group: A South Bay Wildlife Advisory Group ("Wildlife Advisory Group") will be formed to advise the Port and City in the creation of the NRMP, cooperative management agreements, Adaptive Management Review (defined below) and any related wildlife management and restoration plans or prioritizations. The Wildlife Advisory Group will also address management issues and options for resolution. The Wildlife Advisory Group will initiate and support

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funding requests to the Port and City, identify priorities for use of these funds and engage in partnering, education, and volunteerism to support the development of the Proposed Project in a manner that effectively protects and enhances the fish, wildlife, and habitats of the area and educates and engages the public.

- a. Port and City will provide such administrative and staff support to the Wildlife Advisory Group as is necessary to perform the functions and achieve the goals described herein.
- b. The Wildlife Advisory Group will be comprised of the following: one (1) representative from each the Environmental Health Coalition, San Diego Audubon Society, San Diego Coastkeeper, Coastal Environmental Rights Foundation, Southwest Wetlands Interpretative Association, Surfrider Foundation (San Diego Chapter), and Empower San Diego; two (2) representatives from the Chula Vista Natural Center (one from educational programs and one from programs/operations); up to three (3) representatives from major developers or tenants with projects in the CVBMP (including one from Pacifica Companies, which on completion, may be succeeded by a representative of its homeowner association); one (1) representative from the City's Resource Conservation Commission; one (1) from either Harborside or Mueller elementary school or the School District; Western and Eastern Chula Vista residents selected by the City (one from Northwest one from the Southwest and one from east of I-805); one (1) representative from eco-tourism based business; two (2) individuals appointed by Port; and 6 representatives from Resources Agencies (two from the USFWS, one from Refuges and one from Endangered Species and one (1) each from California Department of Fish and Game, National Marine Fisheries Service, Regional Water Quality Control Board and CCC).
- c. The Wildlife Advisory Group will meet as needed, but at a minimum of every six months for the first ten (10) years and annually thereafter. The Wildlife Advisory Group will be formed within six months of the filing of the Notice of Determination for the FEIR by the Port.
- d. The Wildlife Advisory Group will meet at the intervals described above to review the NRMP to: (i) determine the effectiveness of the NRMP in achieving the Management Objectives; (ii) identify any changes or adjustments to the NRMP required to better achieve the Management Objectives; (iii) identify any changes or adjustments to the NRMP required to respond to changes in the man-made and natural environments that are affecting or, with the passage of time may affect, the effectiveness of the NRMP in achieving the Management Objectives; and (iv) review priorities relative to available funding. At its periodic meetings, the

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Wildlife Advisory Group may also consider and make recommendations regarding (x) implementation of the NRMP as needed, (y) Adaptive Management Review and (z) NRMP Amendments.

- e. The Wildlife Advisory Group will advise the joint powers authority (JPA) on the expenditure of the Community Benefits Fund, subject to the applicable law.
- E. Education: An environmental education program will be developed and implemented and will include the following:
  - a. The program will continue for the duration of the Proposed Project and will target both residential and commercial uses as well as park visitors.
  - b. The program's primary objective will be to educate Bayfront residents, visitors, tenants and workers about the natural condition of the Bay, the ecological importance of the Proposed Project area and the public's role in the restoration and protection of wildlife resources of the Bay.
  - c. The program will include educational signage, regular seminars and interpretive walks on the natural history and resources of the area, regular stewardship events for volunteers (shoreline and beach cleanups, exotic plant removal, etc.).
  - d. Adequate annual funding for personnel or contractor/consultant and overhead to ensure implementation of the following functions and activities in collaboration with the Chula Vista Nature Center or USFWS:
    - i. Coordination of Volunteer programs and events;
    - ii. Coordination of Interpretive and educational programs;
    - iii. Coordination of Tenant, resident and visitor educational programs;
    - iv. Docent educational; and
    - v. Enhancements and restoration.
- F. Personnel and Funding: Funding for the implementation of the NRMP will be provided by the Port, City and RDA. To meet these obligations, the Port, City and RDA will commit revenues or otherwise provide funding to a JPA formed pursuant to the California Marks-Roos Act, Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code. Port, City and RDA will ensure the JPA is specifically charged to treat the financial requirements of this Agreement as priority expenditures that must be assured as project-related revenues are identified and impacts initiated. The Port, City and RDA expressly acknowledge the funding commitments contemplated herein will include, but not be limited to, funding for personnel and

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overhead or contractor(s)/consultant(s) to implement and ensure the following functions and activities:

- a. On-site management and enforcement for parks and Wildlife Habitat Areas as necessary to enforce restrictions on human and Predator access regarding Wildlife Habitat Areas;
- b. Enforcement of MMs including, but not limited to, trash collection, noise restrictions, removal of invasive plants, habitat restoration, and park use restrictions;
- c. Coordination, development, implementation and evaluation of effectiveness of education and mitigation programs, including implementation of NRMP.
- d. Evaluation of effectiveness of bird strike mitigation and design measures;
- e. Water quality protections; and,
- f. Coordination of injured animal rehabilitation activities.

### Applicable Development Policies

Due to the high volume of applicable Development Policies, please see Appendix B, Development Policies for the full description of each applicable Development Policy. The Applicable Development Policies are: Policy 1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 4.1, 4.1.6, 4.2, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 6.1, 7.1, 7.2, 7.4, 7.5, 7.7, 8.1, 10.1, 10.2, 10.3, 10.4, 11.1, 12.1, 13.1, 13.4, 13.5, 13.6, 13.7, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 16.1, 17.1, 19.1, 23.2, 25.2, and 25.3.

## 3.5 Cultural Resources

### Development Policies

With implementation of the Development Policies, no new or more severe significant impacts would occur to historical, archaeological, paleontological, or tribal resources. The Development Policies would actually reduce ground-breaking activities, thus reducing the potential to encounter historical, archaeological, paleontological, or tribal resources. Additionally, no new or more severe significant impacts to human remains would occur with implementation of the Development Policies. As such, the Development Policies would not result in any new or more severe significant cultural resource impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP is not anticipated to result in direct impacts to cultural resources in the Project area. Accordingly, no MMs would be required. Additionally, the MMs included below under “Applicable FEIR Cultural Resources Mitigation Measure” would apply to the implementation of the PAP, and no new impacts would occur related to cultural resources.

### Proposed RV Park Component

*Would the Proposed Project would have a significant impact if it causes a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5, including resources that are eligible for the CRHR and the National Register of Historic Places and resources that are locally designated as historically significant, or the City of Chula Vista finds the resource historically significant based on substantial evidence?*

As discussed in the FEIR, implementation of the CVBMP is not anticipated to result in direct impacts to cultural resources in the project area. However, ground-disturbing activities would have the potential to encounter historical and archaeological resources, as such MMs identified in the FEIR would be applied to construction of the RV Park Component (MM 4.10 and MM 4.11-1) to reduce potential impacts to levels less than significant. Additionally, the MMs included below under Applicable FEIR Cultural Resources Mitigation Measure would apply to the implementation of the RV Park Component where necessary, and no new impacts would occur related to historical or archaeological resources.

*Would the Proposed Project would have a significant impact if it disturbs any human remains, including those interred outside of formal cemeteries?*

There are no cemeteries on the project site and no known or expected human remains within the project boundary. The possibility of encountering human remains on the project site is low because the Sweetwater District was extensively plowed and graded in the past years of agricultural production. However, in the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and

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research data within the context shall be completed and submitted to the satisfaction of the Director of Development Services.

The RV Park Component would include ground disturbance on Parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4. However, similar to the previously analyzed FEIR, the RV Park Component would not be expected to result in any new or additional impacts to cultural and paleontological resources. The RV Park Component would require less surface cut as shown in Table 2.3-1. Additionally, grading would require a shallower depth of cut, which would further reduce potential impacts to such resources. The changes involved with the updated project would be of equal or less intensity and would therefore not increase any impacts to cultural resources previously analyzed in the FEIR. As such, the RV Park Component is not expected to result in any new or additional impacts to cultural resources.

### **Applicable FEIR Cultural Resources Mitigation Measures**

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM 4.10:** The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Development Services. Elements of the program will include that only certified archaeologists and Native American monitors are accepted.

The project archaeologist shall monitor all areas identified for excavation, including offsite improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.

In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Development Services.

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- \* This measure is not associated with a significant impact related to cultural resources; however, it has been incorporated to ensure appropriate implementation and enforcement.

**MM 4.11-1:** Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.

The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.

The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.

If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.

Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

All work shall be completed to the satisfaction of the Port or the City of Chula Vista, as appropriate.

### Applicable Development Policies

There are no Development Policies related to cultural resources.

### 3.6 Geology and Soils

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. There are no active faults that have been mapped or observed within the CVBMP area, nor is the CVBMP located within a State of California Earthquake Fault Zone. The Development Policies would not rupture a known earthquake fault or result in seismic-related ground shaking or failure. The geologic study for the CVBMP area indicated that no landslides or indications of deep-seated slope instability were observed underlying the CVBMP area. Also, no development is proposed on Bay deposits or alluvium within the CVBMP area, therefore, expansive soil is not expected to pose a geologic hazard within the CVBMP area. Lastly, the CVBMP area is protected from the open ocean by intervening land features (Coronado and Silver Strand) which would provide some protection from direct wave action in the event of a tsunami. Historically, the instances of damage from tsunamis in this area of Southern California are rare; therefore, impacts associated with tsunamis are not significant for all phases of development.

Considering these geologic and soil conditions, and that the Development Policies would help minimize land disturbance activities, implementation of the Development Policies would not exacerbate any impacts related to soil instability, or geologic hazards.

#### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. As previously indicated, the geologic conditions of the CVBMP site would not pose any seismic, soil, or geologic hazards to the site. Implementation of the PAP is not anticipated to result in a rupture of a known earthquake fault, seismic-related ground shaking or failure, soil instability, or create a substantial risk to life or property through expansive soils or tsunami. Mitigation approved for the FEIR would also be applied to the PAP, where necessary. As such, implementation of the PAP would not result in any new or more severe significant impacts related to geology and soils.

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### Proposed RV Park Component

*Would the Proposed Project would have a significant impact if there were a rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or strong seismic ground shaking?*

As stated in Section 4.15 of the FEIR, a geologic evaluation for the CVBMP area was completed. The geologic study also determined that implementation of the CVBMP would not cause a geological unit or soil to become unstable and exacerbate the potential of onsite or offsite lateral spreading, subsidence, or collapse. Earthquakes on the Rose Canyon Fault having a maximum magnitude of 7.2 are considered to be representative of the potential for seismic ground shaking within the property. However, the CVBMP area does not possess any greater seismic risk than that of the surrounding development. MM (4.15-1) would be required to reduce impacts associated with strong motion and surface rupture. These MMs would be applied to all phases of the CVBMP, and therefore would be applied to the RV Park Component where necessary. Impacts would therefore be similar to the originally proposed hotel. No new mitigation would be required.

*Would the Proposed Project have a significant impact if the site experienced seismic-related ground failure, including liquefaction, or it is located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

The geotechnical evaluation for the CVBMP area determined that no landslides or indications of deep-seated slope instability were observed underlying the project site. In addition, the site is relatively flat. Based on this, the project site is generally not susceptible to landslides or collapse hazards. There is no potential for impacts associated with liquefaction and induced settlement within the RV Park Component site. Implementation of the RV Park Component would not exacerbate the potential for seismic ground failure to occur. As such, implementation of the RV Park Component would not create new impacts or worsen impacts related to seismic-related ground failure.

*Would the Proposed Project would have a significant impact if it is located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating a substantial risk to life or property?*

As stated in the FEIR, no development is proposed on Bay deposits or alluvium within the Project area. The deposits beneath the Proposed Project site are comprised of Huerhuero loam, which possesses expansive potential (County of San Diego 2007). The relevant MM (MM 4.15-1) would reduce impacts associated with strong motion and surface rupture, settlement,

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and expansive soils during all phases to a less than significant level. With implementation of approved MMs within the FEIR, impacts related to expansive soils would be reduced to less than significant. Impacts would be similar to the originally proposed hotel. No new mitigation would be required.

### ***Would the Proposed Project would have a significant impact if there is the potential for tsunamis?***

As discussed in the FEIR, the site is protected from the open ocean by intervening land features (Coronado and Silver Strand) which would provide some protection from direct wave action in the event of a tsunami. Historically, the instances of damage from tsunamis in this area of Southern California are rare; therefore, impacts associated with tsunamis are not significant for all phases of development. As such, the RV Park Component would not exacerbate or create any new impacts related to tsunamis.

### **Applicable FEIR Geology and Soil Mitigation Measures**

#### **MM 4.15-1:**

**Port/City:** Prior to the grading of parcels for specific developments, the applicant shall provide a comprehensive site-specific geotechnical evaluation, including subsurface exploration and laboratory testing showing that individual parcels are suitable for proposed development work and that on-site fill materials and soils can support proposed structures. The applicant shall submit a geotechnical design report to the Port or City, depending on jurisdiction, for approval showing site-specific measures to be employed. As applicable, these measures shall include:

- Conformance to the California Building Code Seismic Zone 4 Design Parameters, as detailed in Table 1 of the geotechnical study (see Appendix 4.15-1)
- Design capable of withstanding strong seismic accelerations
- Earthwork procedures, including removal, moisture conditioning, and recompaction of existing fills on the site
- Selective grading, densification of the subsurface soils, and/or deep foundations
- Removal, moisture conditioning, and compaction of bay deposits/alluvial soils. Deep foundations shall be used for structural support in areas of relatively thick bay deposits/alluvium
- Removal or deep burial of expansive soils during grading, moisture conditioning, or specially designed foundations and slabs

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- Removal, moisture conditioning, and compaction of the topsoil on site.

### **Applicable Development Policies**

There are no applicable Development Policies related to geology and soils.

## **3.7 Greenhouse Gas Emissions**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to greenhouse gas (GHG) emissions. Implementation of the Development Policies would result in no new or more severe significant GHG emission outcomes that would conflict with an applicable plan, policy or regulation. As such, the Development Policies would not result in any new or more severe significant GHG emission impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Therefore, the PAP would facilitate more pedestrian and bicycle usage, thus reducing transportation-related GHG emissions. As such, implementation of the Development Policies would result in no new or more severe significant GHG outcomes that would conflict with an applicable plan, policy or regulation. As such, the Development Policies would not result in any new or more severe significant GHG emission impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### **Proposed RV Park Component**

As discussed in FEIR, the program-level components would need to comply with the 20 percent below business as usual and while recognizing that changes in state GHG reduction strategies—substantially greater reductions—may be required. The CVBMP would result in approximately 120,780 metric tons of GHG emissions a year. The CVBMP provides a variety of land uses, locating increased housing density, employment, and pedestrian connections near transit options, including the H Street and E Street stations, San Diego Trolley system, and freeway access. The CVBMP would not be considered to contribute substantially to a cumulatively significant global climate change impact, because it would not contribute to a conflict with or the obstruction of the goals or strategies of AB 32 or related Executive Orders. With implementation of GHG emission

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reduction measures and MMs, the CVBMP will achieve a 20 percent reduction in water use and exceed Title 24 energy efficiency standards by 15 percent.

The RV Park Component included the construction of an RV Park and associated retail and service facilities, a parking lot containing 100 spaces, and a segment of E Street. As demonstrated on Table 2.3-1, the RV Park Component would be reduced in height, density, and surface cut quantities compared to the FEIR plan for parcel S-1. The proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the *Site Preparation at Chula Vista Bayfront Project* CDP indicates that the imported soil, and the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP.

The RV Park Component would not site new sensitive receptors within 500 feet of the I-5 freeway. Construction activities would occur over a shorter period with less construction equipment, compared to the originally proposed project. Thus, the RV Park Component would result in a reduced amount of GHGs. Therefore, GHG emissions associated with construction of the updated Project would not create new significant environmental impacts or increase the severity of construction-related greenhouse gas emissions that were identified in the previously certified FEIR. In terms of ongoing operations, the updated Project would involve operation of the onsite retail and service facilities, as well as electrical hook-up capabilities for 255 RV stalls. A portion of the proposed RV sites would be long-term sites, in which less vehicle trips would be associated with those. As shown in Table 2.3-1, the RV Park Component would result in reduced bulk, and scale, and on-site visitors. Additionally, as discussed in Appendix E, a Traffic Memo was prepared for the RV Park Component by Rick Engineering, which established that the RV Park Component would generate 2,175 daily trips, which is much lower than the originally planned hotel which would generate 6,000 daily trips (FEIR p. 4.2-50). As such, the RV Park Component would not result in any new or exacerbate any operational GHG emissions, in comparison to the FEIR.

### **Applicable FEIR Greenhouse Gas Emissions Mitigation Measures**

**MM-4.6-6:** The following mitigation measure is required to mitigate potential conflict with the goals or strategies of AB 32 or related Executive Orders:

**Port/City:** Development of Program-level components of the Chula Vista Bayfront Master Plan (Phases I through IV) shall implement measures to reduce GHG emissions. Specific measures may include, but are not limited to the following:

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### **Energy Efficiency**

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.
- Limit the hours of operation for outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

### **Renewable Energy**

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

### **Water Conservation and Efficiency**

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water efficient. Install water-efficient fixtures and appliances.
- Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing gray water to be used for landscape irrigation.

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- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

### Applicable Development Policies

**Policy 15.1:** The following energy standards shall be applied to development of all parcels within the Chula Vista Bayfront area except Parcels HP-5, H-13, H-14 and H-15. These parcels are addressed on separate standards provided below. The term "Development" will mean the development of an individual parcel within the Chula Vista Bayfront area.

- a) To help reduce the need for fossil-fueled power generation, reduce greenhouse gas emissions, and support the California Energy Commission's Loading Order for Electricity Resources, all Developments will achieve a minimum of a fifty (50) percent reduction in annual energy use in accordance with these policies.
- b) Each building in each Development will perform at least fifteen (15) percent better than Title 24, Part 6 of the California Building Energy Efficiency Standards ("Title 24") in effect on the date of the execution of the Chula Vista Bayfront Master Plan Settlement Agreement (May 2010). The minimum energy efficiency performance standard adopted by the City is hereinafter described as its "Energy Efficiency Requirement" or "EER". Should revised Title 24 standards be adopted by the State of California, the City's EER at the time a building permit application is submitted for such Development shall apply.
- c) The balance of the fifty (50) percent reduction in annual energy use will be achieved through the use of any combination of the energy reduction measures described in these policies. To achieve compliance with this policy, sponsors of Developments may select one of two paths. The first path is based on Title 24 ("Title 24 Path") and the second is described in Energy and Atmosphere, Credit 1 "Optimize Energy Performance" (Credit EA-/c1) in the US Green Building Council's Leadership in Energy and Environmental Design (LEED) v3 system ("LEED Path"). The definition of the term "Baseline" against

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which energy reduction will be measured will vary depending on the path selected and is further described in Exhibit 3. Choosing the LEED Path does not require a Development to achieve LEED Certification, but simply uses the methodology of EA-/c1.

- d) Renewable Energy generated within the boundaries of the Development will be credited toward the minimum of a fifty (50) percent reduction in annual energy use in accordance energy reduction requirement. The term "Renewable Energy" will mean energy derived from the sources described in California Public Resources Code section 25741 (b) 1.
- e) Renewable Energy generated on one or more sites ("Renewable Energy Sites") within the boundaries of the Chula Vista Bayfront by the District, City or other third party and fed to the electrical grid or to the Development will be credited toward the minimum of a fifty (50) percent energy reduction requirement. Aggregate energy generated on Renewable Energy Sites may be allocated to an individual Development up to the amount necessary to achieve such Development's compliance with the minimum of a fifty (50) percent energy reduction requirement. Once allocated to a Development, the amount of energy generated by Renewable Energy Sites so allocated may not be further allocated to another Development.
- f) Participation in a City of Chula Vista sponsored energy efficiency program provided that the resulting energy reduction may be calculated and verified. The methodology for calculating the amount of the credit toward the minimum of a fifty (50) percent energy reduction requirement under the Title 24 Path and the LEED Path is described in Exhibit 3.
- g) Each Development will develop, implement, and for the life of each Development, maintain a measurement and verification plan ("M&V Plan"). Such participation has been shown to increase the persistence of energy efficiency ("EE") and also to provide a way of recognizing and encouraging the ongoing conservation efforts of occupants and facility managers and will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement. The District will include in all leases the requirement to perform an energy audit every three (3) years for the convention centers and hotel Developments over 300 rooms and five (5) years for all other Developments to ensure that all energy systems are performing as planned or corrective action will be taken if failing to meet EE commitments.
- h) Participation in one of SDG&E's Voluntary Demand Reduction (DR) utility rates will be awarded a waiver for three (3) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement.
- i) Participation in one of SDG&E's Mandatory Demand Reduction (DR) utility rates will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement.

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- j) Incorporation of natural ventilation into design such that at least 75% of the conditioned area is naturally ventilated according to the guidelines set forth in Exhibit 3, and if this benefit was not included in the energy efficiency calculations, the project will be awarded either: a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement; or, a waiver for ten (10) percent credit will be awarded if the natural ventilation system is coupled with an energy or cooling system that does not draw from the grid if and when natural ventilation is not used. This may be prorated if less than seventy-five (75) percent of the conditioned area is naturally ventilated.
- k) The parties understand and acknowledge that the energy reduction measures described above for a Development or component of a Development may be phased in over time to achieve compliance with the minimum of a fifty (50) percent energy reduction requirement provided such energy reduction measures are completed no later than thirty-six (36) months following issuance of a Certificate of Occupancy for such Development or such component thereof.
- l) To further incentivize responsible and sustainable development practices within the boundaries of the Chula Vista Bayfront, District and City will consider voluntary commitments to levels of energy reduction in excess of the requirements of above, commitment to achievement of a LEED Certification, and/or a "Living Building Challenge" in connection with the selection of respondents in Request for Proposals/Request for Qualifications (RFP/RFQ) processes for Developments within the Chula Vista Bayfront area.

**Policy 15.2:** Within one year following the California Coastal Commission's (CCC) approval of a Port Master Plan amendment substantially consistent with the Chula Vista Bayfront project, the District will in good faith consider adoption of an ordinance in a public hearing process that, if approved by the Board of Port Commissioners, will require the following:

- a) Within six (6) months following adoption of the ordinance and every three (3) years thereafter, the District will conduct an energy efficiency and renewable energy analysis that will:
  - (i) Assess the feasibility and cost-effectiveness of programs and options to reduce demand on the electric grid from all lands under District's jurisdiction; and,
  - (ii) Include, but not be limited to, an assessment of the potential for reduction in energy use on all land under District's jurisdiction through increases in energy efficiency, demand response, clean renewable and distributed energy generation and other methods and technologies.

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- b) Upon the completion of each analysis, the District will consider good faith implementation of cost-effective programs and options as part of its commitment to greenhouse gas reductions and global climate change prevention activities consistent with Assembly Bill 32.
- c) The results of each analysis will be published on the District's website and received by the District's Board of Port Commissioners in a public forum.

### 3.8 Hazards and Hazardous Materials

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce any new information of substantial importance, or result in any substantial changes related to hazards and hazardous materials. Implementation of the Development Policies would not result in the routine transport, use or disposal of hazardous materials, anticipated release of hazardous materials, or interference with an emergency response plan would occur with implementation of the Development Policies. Nor would the Development Policies result in a safety hazard in the vicinity of a school, airport, or wildlands. As such, the Development Policies would not result in any new or more severe significant hazards or hazardous materials impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not introduce any new information of substantial importance, or result in any substantial changes related to hazards and hazardous materials. Implementation of the PAP would not result in the routine transport, use or disposal of hazardous materials, anticipated release of hazardous materials, or interference with an emergency response plan would occur with implementation of the PAP. Nor would the PAP result in a safety hazard in the vicinity of a school, airport, or wildlands. As such, the PAP would not result in any new or more severe significant hazards or hazardous materials impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Proposed RV Park Component

*Would the Proposed Project would have a significant impact if it creates a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

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Similar to the originally proposed hotel, excavation, demolition, and construction activities would temporarily involve the transportation, use, and/or disposal of hazardous materials. Relatively small amounts of hazardous substances such as gasoline, diesel fuel, lubricating oil, grease, solvents, caulking, paint, and welding gases would be used on site for construction activities. Storage and use of such substances would be short term and would be subject to federal, state, and local health and safety requirements. The RV Park Component would include the proper removal and disposal of all construction debris as mandated by applicable regulations. Consequently, the RV Park Component would not have a significant hazardous materials impact associated with the transportation, use, and/or disposal of hazardous substances during excavation, demolition, and construction activities. Although not expected to occur, a spill or unintentional discharge of fuel, lubricants, or hydraulic fluid from the transportation of construction materials and/or the equipment used during construction, including dredge and fill activities, could occur. Previously approved MMs that would be applied to the originally proposed hotel would be applied to the RV Park Component where necessary to reduce impacts related to the routine transport, use, or disposal of hazardous material to levels below significance. These MMs include measures 4.12-1, 4.12-2, MM 4.12-4, 4.12-5, 4.12-6, 4.12-7, 4.12-8, and 4.12-9.

***Would the Proposed Project would have a significant impact if it creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Section 4.12 of the FEIR for the original project determined that construction and grading activities associated with the Project site could potentially result in a release of hazardous materials and create a potentially significant hazard to workers, the public and the environment. Although the Sweetwater District does not appear on a list of hazardous materials sites despite its historical agricultural uses, the FEIR states that all of the Sweetwater District has potential residual concentrations of pesticides and herbicides present in the soil. Historically, the entire District was used extensively for agricultural purposes from at least as early as 1953 (possibly pre-dating the 1920s) until the 1980s. Most pesticides tend to persist in the upper one to two feet of topsoil; such contamination will be redistributed over the site during grading activities. As such, applicable MMs identified in the FEIR would also be applied to the RV Park Component (See MMs below).

***The Proposed Project would have a significant impact if it emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

The RV Park Component would include the construction and operation of an RV park with recreational amenities, associated utilities and infrastructure, and segment of E Street. The RV

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Park Component is located approximately 1,640 feet west, or 0.30 mile, of Mae L Feaster Elementary School. This is the nearest existing school to the RV Park Component site, and there are no proposed schools within a quarter mile. As such, the RV Park Component is not located within one-quarter mile of an existing or proposed school.

***Would the Proposed Project would have a significant impact if it is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, a significant hazard to the public or the environment would be created?***

The RV Park Component would include the construction and operation of an RV park with recreational amenities, associated utilities and infrastructure, and segment of E Street. Excavation, demolition, and construction activities would temporarily involve the transportation, use, and/or disposal of hazardous materials. Storage and use of such substances would be short term and would be subject to federal, state, and local health and safety requirements. The RV Park Component would include the proper removal and disposal of all construction debris as mandated by applicable regulations. Applicable MMs identified in the FEIR would also be applied to the RV Park Component, reducing potential impacts to less than significant levels.

Based on the evaluation of the RV Park Component, the construction and operation of the RV Park Component would not create new significant environmental impacts or increase the severity of impacts identified in the previously certified FEIR, and no new MMs are to be adopted. MMs from the FEIR that are applicable to the RV Park Component would be required for in order to reduce impacts associated with hazards and hazardous materials. The applicable MMs that would be applied to the RV Park Component are provided below.

### **Applicable FEIR Hazards and Hazardous Materials Mitigation Measures**

#### **MM 4.12-1**

**Port/City:** Prior to the issuance of any permit for excavation, demolition, grading, or construction activities in the area described in the relevant permit based on the planned future use, the following shall occur:

- A. The applicant shall contact the lead regulatory agency (RWQCB/DEH/DTSC) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have

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been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).

- B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.
- C. A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options. If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.

In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.

Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.

- D. In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste

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shall be characterized and disposed of in accordance with CCR Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material. The applicant must have an Industrial Hygienist registered in the State of California on site while working in areas where contamination is encountered. The responsibility of this professional would be to monitor the work site for contamination and to implement MMs as needed to prevent exposure to the workers or public. These measures may include signage and dust control.

Dewatering activities during construction shall be limited to the extent practicable and water generated by dewatering shall be tested to determine treatment and disposal options in accordance with all applicable laws and regulations.

**MM 4.12-2:** Implementation of the following mitigation measure reduces impacts associated with accidental spills during construction to below a level of significance.

**Port/City:** Prior to construction, all contractor and subcontractor project personnel shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including, without limitation, hazardous materials spill prevention and response measures. Hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials.

The Port of San Diego shall require that a Business Emergency Plan (BEPP) is prepared for the construction of the Proposed Project, if not covered under their approved SWPPP. The plan shall identify all hazardous materials (e.g., fuels, solvents) that would be present on any portion of the construction area and project site. Contingency analysis and planning shall be presented to identify potential spill or accident situations, how to minimize their occurrence, and how to respond should they occur. The plan shall also identify spill response materials (e.g., absorbent pads, shovels) to be kept at the construction site and their locations.

Hazardous materials spill kits shall be maintained on site for small spills.

**MM 4.12-4:** Implementation of the following mitigation measure reduces impacts associated with contaminated soils associated with USTs.

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**Port/City:** In event of removal of underground storage tanks (USTs), the soil and groundwater within the vicinity of the USTs shall be adequately characterized and remediated, if necessary, to a standard that would be protective of water quality and human health, based on future site use. In areas to be redeveloped, a geophysical survey shall be conducted by the applicant to evaluate if there are any previously unidentified USTs or piping still existing in areas to be redeveloped.

In the event that USTs are not identified in the HMTS or undocumented areas of contamination are encountered during grading activities (as indicated by odors, discolored soil, etc.), all work shall cease until appropriate health and safety procedures are implemented pursuant to the applicant's contingency plan. The applicant shall prepare a contingency plan to address contractor procedures for such an event, to minimize the potential for construction delays. In addition, the lead regulatory agency (DEH or RWQCB, depending on the nature of the contamination) shall be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The applicant shall conduct contamination remediation and removal activities in accordance with pertinent local, state, and federal regulatory guidelines, under the oversight of the appropriate regulatory agency. Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.

**MM 4.12-5:** Implementation of the following mitigation measure reduces impacts associated with exposure to ACMs, LBPs, and hazards during demolition.

**Port/City:** Prior to the issuance of a demolition permit for buildings scheduled for demolition that have not been surveyed to date for ACMs and LBPs, the applicant shall conduct a survey to determine the locations and amounts of ACMs and LBPs present, as well as other miscellaneous hazardous materials, such as potential mercury-containing thermostats and switches, light ballasts and switches that might contain PCBs, fluorescent light tubes that might contain mercury vapor, exit signs that might contain a radioactive source, air conditioning systems, lead-acid batteries and batteries associated with emergency lighting systems, and Freon™-containing refrigeration systems. Should ACMs, LBPs, or other miscellaneous hazardous building materials be encountered in the site structures, the applicant shall obtain a licensed abatement contractor to remove the hazardous materials in accordance with all applicable federal, state, and local laws, regulations, and permitting requirements prior to initiation of demolition activities.

Prior to any proposed demolition activities, the applicant shall conduct a thorough inspection of the facilities that have permits to store hazardous materials to confirm whether a release of hazardous materials at these facilities has impacted the underlying soil and/or groundwater. The facilities that currently store hazardous materials are located at 596 Sandpiper Way, 997 G Street, and 979 G Street. If indications of contamination are encountered during

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demolition, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result and provide recommendations for further action.

**MM 4.12-6:** Implementation of the following mitigation measure reduces impacts associated with exposure of contaminated soils, soil gas, and/or groundwater to construction workers to a level less than significant.

**Port/City:** Prior to construction, remediation activities for known contamination shall be performed to be protective of construction workers on the project site, as required by MM 4.12-1.

**MM 4.12-7:** Implementation of the following mitigation measure reduces impacts potential for contamination from hazardous runoff associated with park maintenance to a level less than significant.

**Port/City:** Management of the parks throughout the project site must be required to comply with the Port and City's Integrated Pest Management Policies (IPM). IPM shall be used on all landscaped areas. In addition, fertilizers must be minimized and only non-toxic products used. Runoff from irrigation sprinklers into surface waters must be minimized and use of mulching and drip irrigation, where needed, maximized.

Measures shall be employed to ensure that landscape chemicals and wastes do not get into surface waters or habitat areas.

**MM 4.12-8:** Implementation of the following mitigation measure reduces impacts associated with risk of exposure to residents and/or users in the Sweetwater District of elevated concentrations of residual pesticides and herbicides to below a level of significance.

**Port/City:** For development in the Sweetwater District that would result in exposure of any soil containing pesticides/herbicides, excavation and disposal of the contaminated soils at an appropriately licensed facility shall be conducted as required by applicable law, to reduce potential for future site occupants' exposure. Otherwise, soil capping shall be implemented. Capping could be performed by placement of a clean soil fill layer over the impacted soil, which in turn could be overlain by other surface covers (i.e., turf and other vegetative cover and pavement).

### Applicable Development Policies

**Policy 14.5:** As a future and separate project, the District will investigate, in consultation with the USFWS, the feasibility of restoring an ecologically meaningful tidal connection between the

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F & G Street Marsh and the upland marsh on parcel SP-2 consistent with USFWS restoration concepts for the area. At a minimum, the investigation will assess the biological value of tidal influence, the presence of hazardous materials, necessary physical improvements to achieve desired results, permitting requirements, and funding opportunities for establishing the tidal connection. This investigation will be completed prior to the initiation of any physical alteration of SP-2, F Street, and/or the F & G Street Marsh. In addition, once emergency access to the Chula Vista Bayfront area has been adequately established such that F Street is no longer needed for public right-of-way, the District and City will abandon/vacate the F Street right-of-way for vehicular use, but may reserve it for pedestrian and bicycle use if ecologically appropriate.

**Policy 16.1:** Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.

### 3.9 Hydrology and Water Quality

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce any new information of substantial importance, or result in any substantial changes related to hydrology and water quality. Implementation of the Development Policies would not result in any new violations of water quality standards or discharge requirements, or depletion of groundwater supplies. In fact, implementation of the Development Policies may increase groundwater recharge, as channelization or other substantial alterations of streams shall be prohibited. Additionally, the Development Policies would not result in any new alterations of the existing drainage pattern, or result in any additional runoff water than previously analyzed. An objective of the Development Policies is to minimize the land disturbance activities of construction (e.g., clearing, grading, and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas, and erosive soils). This would further reduce any impacts related to erosion and runoff water quality.

As discussed in the FEIR, the CVBMP would not expose people or structures to a significant risk of loss, injury, or death involving flooding. Degradation of water quality, flooding, sieche, tsunami, or mudflow hazards would not be exacerbated as a result of implanting the Development Policies. As such, the Development Policies would not result in any new or more severe significant hydrology and water quality impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP is not anticipated to result in any new impacts to hydrology and water quality, nor would it worsen any previously identified impacts. Implementation of the PAP would involve construction of pedestrian and bicycle trails and pathways which would involve construction and potential grading. The increased pedestrian activity on the waterfront would increase the potential for wind-blown litter entering the Bay. In addition to pollutants carried in runoff, wind-blown litter has the potential to result in a significant impact on Bay water quality. As such, mitigation previously approved for the FEIR would be applied to the PAP, where necessary (MM 4.5-1). Implementation of the PAP would not result in any new or more severe significant impacts related to hydrology and water quality.

### Proposed RV Park Component

*Would the Proposed Project would have a significant impact if it substantially depletes groundwater or interferes substantially with groundwater recharge?*

As discussed in the FEIR, the CVBMP would not include the direct use of groundwater during any phase of development, and permanent dewatering would be prohibited by on-site operations. As such, the Proposed Project would not deplete groundwater, similar to the previously approved plan. The RV Park Component would implement the applicable Development Policies which would minimize impervious surfaces in new development, especially directly connected impervious areas, and, where feasible, increase the area of pervious surfaces in redevelopment. Although the RV Park Component plan would develop over a similar gross acreage, thus resulting in similar impervious acreages, the RV Park Component would generate less on-site visitors and a reduced demand on water resources. As such, the RV Park Component would have a reduced effect on groundwater depletion, compared to the previously approved project. No new mitigation would be required.

*Would the Proposed Project would have a significant impact if it alters an existing 100- year floodplain or would place structures within a 100-year flood hazard area which would impede or redirect flood flows?*

According to the FEIR, the 100-year flood plain occurs on parcel SP-1. However, similar to the previously approved plan for parcel SP-1, no buildings are proposed at this location. Accordingly, the RV Park Component would not have a significant impact with respect to an existing 100-year floodplain or flood hazard area, and impacts would be similar to those of the FEIR. No new mitigation would be required.

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***Would the Proposed Project would have a significant impact if it exposes people or structures to a significant risk of loss, injury, or death involving flooding and/or exposes people or structures to inundation by seiche, tsunami, or mudflow?***

As discussed in the FEIR, the primary areas of potential flood hazards in the project vicinity are the low-lying portions and tributary areas of the Sweetwater and Otay river valleys, located just north and south of the project site. Due to the elevation of the site and distance to the bodies of water, the potential impacts to the site from tsunamis is very low. As indicated in the FEIR, impacts would be less than significant with regards to flooding and tsunami. Parcel SP-1 was identified as within the 100-year flood plain. However, no buildings would be developed on that parcel. As such, the RV Park Component would result in similar impacts as those identified in the FEIR.

***The Proposed Project would have a significant impact if it substantially alters the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?***

Runoff from the RV Park Component would be collected and conveyed by existing and proposed storm drain systems. A portion of the existing storm drain system would capture runoff from off-site upstream areas which is discharged to a bio-retention basin. This will provide treatment of runoff from upstream commercial areas that currently discharge directly into the Seasonal Wetlands. As stated in the FEIR, no streams or rivers would be altered by grading. Although grading of the site would occur, the RV Park Component would not substantially alter the drainage pattern of the project area, because the drainage would continue to flow toward structural controls before entering the Bay, similar to existing conditions, and the originally proposed hotel plan. Post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies would be implemented, including three bio-retention basins and two sediment traps. The RV Park Component would have a less than significant impact on the existing drainage pattern of the site, similar to the original project. No new impact would occur; no new mitigation would be required.

***Would the Proposed Project would have a significant impact if it degrades water quality or would violate any water quality standards or waste discharge requirements, resulting from a substantial increase in the rate or amount of polluted surface runoff?***

As discussed in the FEIR, potential impacts on water quality during construction activities would be reduced through compliance with all applicable regulations established by the U.S. Environmental Protection Agency (EPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge. Compliance with NPDES includes meeting the requirements of the General Permit for

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Stormwater Discharges Associated with Construction Activity (General Construction Permit). Compliance with the permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared and implemented for the CVBMP. The SWPPP will be implemented during CVBMP construction to prevent water quality impacts from construction activities. The SWPPP will include erosion and sediment control BMPs, stormwater management controls and other controls such as measures to prevent construction vehicles from tracking sediment off the construction site. The RV Park Component would comply with these NPDES permit requirements, thus reducing water quality impacts to levels similar to the originally proposed hotel.

The increased pedestrian and commercial activity in proximity to the Sweetwater Marsh NWR would increase the potential for wind-blown litter entering the Bay. In addition to pollutants carried in runoff, wind-blown litter has the potential to result in a significant impact on Bay water quality. As such, mitigation previously approved for the FEIR would be applied to the RV Park Component, where necessary (MM 4.5-1).

Additionally, an increase in vehicle traffic would potentially increase surface runoff carrying oils and other vehicle-related contaminants, ultimately increasing the potential to impact the water quality of the Bay during storm events. Streets and parking lots will be paved with landscaping in the parkway areas where feasible, thus reducing the potential for sediment transported in runoff. The on-site streets drain directly to the Bay; therefore, treatment is necessary to prevent pollutants, such as copper, from entering the Bay. A bio-retention filtration system will be used upstream of every proposed curb inlet. Bio-retention filtration systems will also be utilized in areas with heavy vehicular activities, such as truck delivery areas and parking lots, or where vegetated swales are not feasible due to area constraints. Although pollutants still have the potential to enter waterways, there would be an incremental reduction in runoff after storm events, which would not result in an increase in impacts to water quality. A combination of Low-Impact Development (LID) techniques will be used based on the development category. These actions identified to occur with implementation of the CVBMP in the FEIR related to water quality standards would be applied to the Proposed Project, where necessary. Similarly, MMs previously identified within the FEIR, and applicable Development Policies, would be applied to the Proposed Project, where necessary. Therefore, the Proposed Project would have a similar effect on water quality compared to the previously approved project. No new mitigation would be required.

***Would the Proposed Project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

As described in the FEIR, the CVBMP's runoff would not increase runoff flows or exceed the capacity of the existing stormwater system. Under the RV Park Component, stormwater would

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be conveyed \_\_\_\_\_. Therefore, stormwater from the RV Park Component would not exceed the capacity of existing or planned stormwater drainage systems.

***Would the Proposed Project result in pollution or contamination that may have an impact on human health and the environment, including the aquatic habitat, or impacts on biological communities?***

Construction-related dewatering (as required during the construction of utilities, excavation of the wet wells, and excavation for emergency storage vaults for the sewer lift stations would withdraw water from the aquifer, which may be contaminated. The potential to contaminate runoff conflicts with the Basin Plan and the water quality objectives for the Bay. The CVBMP's potential to disturb contaminated soils and groundwater during construction activities would be significant, and require mitigation. The RV Park Component would have the same potential impact to disturb contaminated soils and groundwater during construction as the originally proposed hotel development. As such, applicable MMs included in the FEIR and Development Policies would be applied to the RV Park Component to reduce potential impacts. The RV Park Component would not create any new impacts or exacerbate any impacts identified in the previously approved FEIR. No additional mitigation would be required.

***Would the Proposed Project result in substantial erosion and subsequent sedimentation of water bodies?***

The RV Park Component would not include the construction of any bridges or on-water construction. However, Project grading activities have the potential to expose soil surface which would increase sedimentation through runoff during a storm event. This would be short-term and would cease at the completion of construction activities. The RV Park Component would be required to comply with and implement the NPDES permit; City grading ordinances; and other relevant Best Management Practices (BMPs), LIDs which would mitigate impacts generated from erosion and sedimentation. MMs established in the FEIR (MM 4.5-5) would minimize impacts resulting for erosion and sedimentation of water bodies. No new mitigation would be required, and no new impacts or worsened impacts would occur.

### **Applicable FEIR Mitigation Measures**

**MM 4.5-1:** The following mitigation measure reduces Significant Impact 4.5-1 (the potential for litter to enter the Bay and cause potential significant impacts to Bay water quality):

Port/City: As a condition of approval of a Tenant Design Plan for projects within the Port's jurisdiction and a condition of the approval of a Final Map for projects within the City's jurisdiction, the project applicant shall include trash control measures that include animal-proof, covered and self-closing trash containers with attached lids and trash control enclosures, with

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frequent servicing, to prevent litter from being wind blown off-site to the satisfaction of the Port/City as appropriate pursuant to their water quality technical reports.

**MM 4.5-2:** The following mitigation measure reduces Significant Impact 4.5-2 (impacts to surface water and groundwater contamination resulting from construction activities):

**Port/City:**

- A. Prior to the issuance of a grading permit, the applicant shall notify the RWQCB of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB.
- B. Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.

**MM 4.5-3:** The following mitigation measure would reduce Significant Impact 4.5-3 (water quality impacts that could result from accidental spills and unintentional discharges of fuel, lubricants, or hydraulic fluid from the equipment used during land-side and water-side construction activities):

**Port/City:** Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. The plan shall:

Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the Proposed Project shall be handled, stored, used, and disposed of in accordance with NPDES permitting requirements and applicable federal, state, and local policies

- Include material safety data sheets
- Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration
- Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time

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- Provide secured storage areas for compatible materials, with adequate spill containment
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City
- Demonstrate that all local, state, and federal regulations regarding hazardous materials and emergency response have been or will be complied with.

### Applicable Development Policies

**Policy 1.3e:** Avoidance of actions within the Chula Vista Bayfront area that would adversely impact or degrade of water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.

**Policy 1.3f:** Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.

**Policy 3.4:** Prospective development on S-1 shall be evaluated for potential hazards associated with the current year 2050 and 2100 projected sea level rise scenarios developed by the District. Development and siting decisions shall take into account identified risks on the site as well as to surrounding resources and incorporate building setbacks or other sea level rise adaptation strategies as appropriate.

**Policy 13.2:** In order to protect the quality of coastal waters the District shall promote the protection of water quality that meets state standards and the restoration of waters that do not meet state standards, and encourage and support public outreach and education regarding the water quality impacts of development.

All new development shall:

- a) Comply with the Regional Water Quality Control Board Order No. R9-2007-0001, National Pollutant Discharge Elimination System Permit No. CAS0108758, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, and the San Diego Unified Port District (Municipal Permit), as adopted, amended, and/or modified or replaced by the Regional Water Quality Control Board with a new Municipal Permit. The Municipal Permit prohibits any activities that could degrade stormwater quality.
- b) Comply with the District Jurisdictional Urban Runoff Management Document and the District Standard Urban Stormwater Mitigation Plan which provides BMP requirements for new development and redevelopment.

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- c) Be designed and managed to minimize the introduction of pollutants into coastal waters to the maximum extent practicable.
- d) Be designed and managed to minimize increases in peak runoff rate and volume in order to avoid detrimental water quality impacts caused by excessive erosion or sedimentation.
- e) Include Site Design and Source Control BMPs and Low Impact Development practices, where feasible, in all developments.
- f) Implement the requirements of Hydromodification Management Plan developed pursuant to the Municipal Permit, as required.
- g) Minimize impervious surfaces in new development, especially directly connected impervious areas, and, where feasible, increase the area of pervious surfaces in redevelopment.
- h) Minimize erosion, sedimentation, and polluted runoff from construction-related activities of development, to the maximum extent practicable.
- i) Minimize the land disturbance activities of construction (e.g., clearing, grading, and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas, and erosive soils), to avoid detrimental water quality impacts caused by increased erosion or sedimentation. Incorporate soil stabilization BMPs on disturbed areas as soon as feasible.
- j) Require Treatment Control BMPs, in addition to Site Design and Source Control measures, when the combination of Site Design and Source Control BMPs is not sufficient to protect water quality.
- k) Be designed, constructed and maintain any required Treatment Control BMPs (or suites of BMPs) are designed and constructed so that they treat, infiltrate, or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

**Policy 14.6:** Channelizations or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative; or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible MMs to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.

**Policy 25.1:** Excess dredge material from within the project area shall be tested for beach compatibility and placed on local beaches if suitable.

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**Policy 25.2:** Development in San Diego Bay waters shall be reviewed for potential impacts to open water (foraging) and eelgrass, including any direct (e.g., construction activity) and indirect (e.g., shading from structures or boats) impacts. Efforts must be made to maintain the eelgrass habitat available and improve water quality. No net loss of eelgrass meadows shall be permitted. Pre-construction and post-construction eelgrass surveys shall be prepared in full compliance with the "Southern California Eelgrass Mitigation Policy or any later revised policy adopted by the National Marine Fisheries Service. Any existing eelgrass impacted shall be replaced at a minimum 1.2:1 ratio, in accordance with the Southern California Eelgrass Mitigation Policy. In addition, impacts to open water habitat shall be assessed and mitigated.

### **3.10 Land Use and Planning**

#### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies were certified as part of the PMPA by the CCC. The Development Policies were designed to supplement and enhance the CVBMP, which was found to be consistent with the applicable land use/water plans, with the approval of amendments to the PMP, the City of Chula Vista General Plan, and the Chula Vista LCP. The Development Policies would not change the land uses identified within the CVBMP.

The Development Policies would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The land use designation change of parcel S-1 from a resort hotel to an RV Park was established within the certified PMPA in accompaniment with the Development Policies and PAP. Therefore, implementation of the Development Policies is consistent with the certified PMP.

Additionally, the Development Policies have a similar intent as the MSCP, to protect species against the potential impacts of habitat loss associated with development of both public and private lands. As such, the Development Policies would not result in any new or more severe significant land use and planning impacts other than those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP is not anticipated to result in any new impacts to land use and planning. The PAP would implement pedestrian and bicycle trails and pathways, additional streets and parking areas in proximity to the shoreline, through continuous pedestrian circulation plan totaling approximately 54,000 linear feet. The PAP is a supplemental document to the City of Chula Vista's LCP and certified as part of the PMP. Therefore,

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implementation of the PAP is consistent with the certified PMP. The PAP would be compatible with adjacent or nearby existing and proposed land uses, as pedestrian access will be limited or prohibited where public safety issues and proximity to sensitive resource issues may arise. Because the PAP is a part of the CVBMP, MMs that apply to the CVBMP would also apply to the PAP, which would reduce impacts to habitat, sensitive natural communities, or protected wetlands. These MMs are included below under Applicable FEIR Biological Resources Mitigation Measures. With implementation of those MMs and the Development Policies, the PAP would be consistent with the MSCP. As such, the PAP would not result in any new or more severe significant land use and planning impacts other than those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if it conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, master plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.*

As discussed in the FEIR, parcel S-1 was originally designated as Local Coastal Program: Residential – High Rise, Commercial – Visitor, Circulation and Other; and was proposed to be designated as PMP: Industrial Business Park. The originally proposed hotel was to be developed with a 100-foot high resort hotel with approximately 500 to 750 rooms and associated meeting space, restaurants, and retail shops. However, in order to fulfill CCC Staff Recommendations and parcel S-1 “is now proposed to be developed with low-scale, low-intensity uses including a campground and recreational vehicle park, with some associated retail, restaurant and meeting space, and a new parking lot and access road for the Chula Vista Nature Center. The existing 236-space RV Park which is being removed from the Harbor District may be replaced on Parcel area S-1” (CCC Staff Report). As such, parcel S-1 was designated as PMP Commercial Recreation, as part of the PMPA. The PMPA was certified by the CCC at the same time as the Development Policies, and the PAP in August 2012.

The City of Chula Vista LCP contains the Land Use Plan and Bayfront Specific Plan. Since the RV Park Component is located within the jurisdiction of the District, not the City, the provisions contained in the LCP do not apply to the RV Park Component site. However, since this land use designation change was certified by the CCC with the PMPA, the RV Park Component has therefore been determined that it achieves the goals of the PMP and the LCP.

Although the RV Park Component is within the jurisdiction of the District, not the City, the development of the proposed RV Park Component would be consistent with the City of Chula Vista General Plan land use designation for parcel S-1, which is Commercial Visitor. Therefore,

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the updated project would not create any new or exacerbate any previously identified impacts related to conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

***The Proposed Project would have a significant impact if it conflicts with any applicable habitat conservation plan or natural community conservation plan.***

The RV Park Component would incorporate the Development Policies and applicable MMs identified in the FEIR, as such the RV Park Component would minimize potential impacts of habitat loss associated with development of the project. As such, the RV Park Component would be consistent with the MSCP. Therefore, the updated project would not create any new or exacerbate any previously identified impacts related to the applicable habitat conservation plan.

***Would the Proposed Project create a substantial land/water use incompatibility with adjacent or nearby existing and proposed land uses, resulting in significant incompatibility or nuisance impacts?***

This land use designation change, provided a seamless transition between the CVBMP uses to the south and the Sweetwater Marsh to the north. As discussed in Section 3.4 Biological Resources, all new development must adhere to the guidelines provided in the MSCP Subarea Plan, which address issues associated with potential indirect impacts on the Sweetwater Marsh NWR and the San Diego Bay NWR. MMs 4.8-6 and 4.8-23, from the FEIR, would be applied to the RV Park Component Area, would ensure implementation of the MSCP adjacency guidelines and Wetlands Protection Program. Additionally, the avoidance and minimization measures incorporated into the Biological Resources Delineation would be applied to the RV Park Component. Those include measures that would establish ecological buffers in the Sweetwater District were expanded to incorporate several of the larger wetlands (e.g., coastal salt marsh and disturbed riparian); some of the circulation roadways were redesigned to avoid wetland resources; and several bridges have been incorporated into the project design to avoid direct impacts to resources. Fencing in parcel SP-1 would also be installed prior to occupancy of the first buildings constructed in Phase I to prevent unauthorized access. A series of staggered berms within the Sweetwater District would serve as a barrier between the human users of recreation facilities and the sensitive wildlife in the nearby marsh habitat. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas. These components were analyzed in the FEIR and would remain as part of the RV Park Component. With incorporation of these measures, the RV Park Component would not result in a significant land use incompatibility or related nuisance effects.

***Would the Proposed Project be inconsistent with or conflicts with an adopted PMP water use designation where substantial indirect or secondary environmental impacts would occur?***

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As stated in the FEIR (p. 4.1-111), no water use changes are expected to occur in Phase I of the Proposed Project and, therefore, there are no identified significant impacts. By providing the 400-foot buffer/setback, the development of the RV Park Component would assure the continued viability of the Sweetwater Marsh NWR. As such, the RV Park Component would not result in any new water use changes, or required any new mitigation measures.

### **Applicable FEIR Land Use and Planning Mitigation Measures**

The Proposed Project would not result in any significant impacts related to land use. Therefore, no MMs are considering applicable or required.

### **Applicable Development Policies**

**Policy 21.2:** Limited Use Overnight Visitor Serving Accommodations (i.e., fractional ownership condominium hotels and timeshares) shall be prohibited on District Tidelands.

**Policy 21.4:** If removal or conversion of lower or moderate cost overnight accommodations is proposed in the District, the inventory shall be replaced with units that are of comparable cost with the existing units to be removed or converted. The District shall proactively work with hotel/motel operators and offer incentives to maintain and renovate existing properties.

If replacement of lower or moderate cost units is not proposed (either on-site or elsewhere in District Tidelands or Chula Vista within five (5) miles of the coast), then the new development shall be required to pay, as a condition of approval for a coastal development permit, a mitigation payment to provide significant funding for the establishment of lower cost overnight visitor accommodations within Chula Vista, preferably, or within South San Diego County, for each of the low or moderate units removed/converted on a 1:1 basis.

**Policy 21.5:** Lower-cost RV camping uses shall be protected by maintaining at least an equivalent number of RV sites within the Chula Vista Bayfront Master Plan boundaries. Removal of the existing RV park for construction of a resort hotel and conference center (RCC) is proposed as part of the Chula Vista Bayfront Master Plan, with a replacement RV park to be constructed either in the Otay District (parcel 0-3) or the Sweetwater District (parcel S-1). In the event that the replacement park cannot be opened to visitors prior to closing the existing RV park, an interim site with an equivalent number of RV sites shall be established and opened elsewhere with the Chula Vista Bayfront Master Plan area, at parcels S-1, H-23, or in the Otay District.

**Policy 21.6:** Public recreational opportunities, such as parks, open space, and other no-cost visitor serving amenities shall be provided.

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**Policy 21.7:** Waterfront visitor-serving retail uses and public gathering spaces shall be provided.

**Policy 21.8:** Marinas within the planning area shall provide lower-cost visitor-serving boating opportunities and shall preserve a varied range of slip sizes. Prior to approval of any changes in the slip size or distribution, the District will undertake an updated comprehensive boater use, slip size, and slip distribution study which is no more than five (5) years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Bay as a whole. The District will continue to provide a mix of small, medium and large boat slips based on updated information from the comprehensive study with priority given to boats less than 25 feet in length and a goal of no net loss in number of slips within the Chula Vista Bayfront Master Plan area. Should future projects propose reducing the number or proportion of small slips for boats 25 feet or less within the Chula Vista marina, a Port Master Plan amendment will be required.

### 3.11 Mineral Resources

#### Development Policies

As stated within the FEIR, no significant economic mineral resources have been discovered within the limits of the CVMP area. Therefore, the potential for loss of mineral deposits due to further development of the CVBMP is considered low. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to mineral resources. Implementation of the Development Policies would not result in any new loss of availability of a known mineral resources that would be of value, or the loss of a locally-important mineral resource recovery sites. As such, the Development Policies would not result in any new or more severe significant impacts related to mineral resource from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Public Access Plan

As previously stated, no significant economic mineral resources have been discovered within the limits of the CVMP area. Therefore, the potential for loss of mineral deposits due to further development of the CVBMP is considered low. The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. As such, the PAP does not pertain to the availability of known mineral resources. As such, the PAP would not result in any new or more severe significant impacts related to mineral resource from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Proposed RV Park Component

The FEIR determined that no significant economic mineral resources have been discovered within the limits of the project site. Therefore, the potential for loss of mineral deposits due to further development of the project site is considered low. As such, the originally proposed hotel would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state because the project site is underlain by a thin layer of topsoil, undifferentiated alluvial and/or tidal flats deposits, and bay deposits, which do not contain any known mineral resources. The updated project, which results in changes to the size and/or placement of development within the original project site's boundary would not change this determination. Similarly, the FEIR concluded that the original project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a land use plan because the PMP does not identify any mineral resources in the area or designated plans for mineral extraction. The proposed change in development concept identified as part of the updated Project would not change this determination. Based on the evaluation of the RV Park Component as designed, the construction and operation of the updated project would continue to result in no impact to mineral resources. No new significant environmental impacts or increase in severity of impacts would occur; and no new MMs would be adopted.

### Applicable FEIR Mineral Resources Mitigation Measures

There are no MMs related to mineral resources within the FEIR.

### Applicable Development Policies

**Policies 2.4a(5):** The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this Plan, where there is no feasible less environmentally damaging alternative, and where feasible MMs have been provided to minimize adverse environmental effects, and shall be limited to: mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

## 3.12 Noise

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to noise. Implementation of the Development Policies would not result in any new exposure of persons to or generation of excessive noise levels, groundborne or waterborne vibrations, or temporary or permanent ambient noise. One of the objectives of the Development Policies is to minimize

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construction noise impacts to Wildlife Habitat Areas. As such, the Development Policies would not result in any new or more severe significant noise impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP is not anticipated to generate excessive groundborne or waterborne vibrations, and construction activities associated with the PAP would not require substantial grading, digging, or boring. Construction activities would be temporary and would be constructed concurrently with adjoining or adjacent development within the CVBMP. Implementation of the PAP would potentially result in additional temporary and permanent ambient noise within the CVBMP area. However, the MMs identified within the FEIR would apply to the PAP, and would reduce any additional noise impacts generated by the construction and operation of the PAP. Therefore, the PAP would not result in any new or worsened noise impacts, and no additional mitigation is required.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if it exposes persons to or generates noise levels in excess of standards established in the City of Chula Vista General Plan or noise ordinance, or applicable standards of other agencies.*

As discussed in the FEIR, future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact. Construction activities in Phase 1 include grading, paving the roads, and constructing the buildings along with the associated worker trips and equipment use. Site preparation would include the grading of the entire project area, the construction of the major access roads, and sewer and water infrastructure. Using the geometric mean of the near and far construction distances, the projected noise levels in the Sweetwater District at the edge of the refuge could be as high as 77 dB, which would be considered a significant impact during breeding season. Construction and operational noise of the RV Park Component would have the potential to adversely affect birds nesting and foraging in the Sweetwater Marsh NWR located north of the RV Park Component site. This potential impact would be lessened with implementation of MM 4.7-9, which would restrict construction adjacent to the Sweetwater Marsh NWR during the breeding season. Additionally, the Development Policy (8.1) identified below would be applied to the RV Park Component, and would implement noise restrictions for construction activities to minimize impact to Wildlife Habitat Areas.

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In comparison to the originally proposed hotel, construction activities would occur over a shorter duration than the previously approved plan. As such, the RV Park Component would not be anticipated to result in any new or worse noise impacts other than those identified in the FEIR.

***The Proposed Project would have a significant impact if it exposes persons to or generates excessive groundborne or waterborne vibrations, or noise levels.***

Similar to the CVBMP, the RV Park Component does not propose uses that generate groundborne vibration or noise levels. Therefore, the RV Park Component would not generate or expose persons to excessive groundborne vibration or groundborne noise levels at build-out. No new or exacerbated impacts would occur.

***The Proposed Project would have a significant impact if it results in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.***

As stated in the FEIR (p. 4.7-52), future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact. However, mitigation identified within the FEIR, and the Development Policies would be applied to the RV Park Component, (MM 4.7-9, Development Policy 8.1). Additionally, the RV Park Component would develop parcels S-1 S-2, S-3, SP-1, SP-2, SP-3, and SP-4, with the bulk and scale greatly reduced, as shown in Table 2.3-1. Exterior noise levels at the RV Park Component site would remain equal to or less than noise levels anticipated by the originally proposed hotel, as the RV Park Component would have fewer inhabitants and fewer amenities than the originally proposed hotel, therefore, reducing future noise levels. As such, potential impacts from a permanent increase in ambient noise levels would be lesser than those of the original project and no new impacts would occur, nor would impacts related to ambient noise levels be exacerbated. No new mitigation is required.

***The Proposed Project would have a significant impact if it results in a substantial temporary or a periodic increase in ambient noise levels in the project vicinity above levels existing without the project.***

Construction of the RV Park Component could potentially result in temporary increases in ambient noise levels. To lessen this impact, MM 4.7-9 and Development Policy 8.1 would be applied to the RV Park Component. In comparison to the previously approved project, construction activities would occur over a shorter duration than the previously approved plan. As such, the RV Park Component would not be anticipated to result in any new or worse noise impacts other than those identified in the FEIR.

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### Applicable FEIR Noise Mitigation Measures

**MM 4.7-8:** The following mitigation measure would reduce noise impacts on residents resulting from construction of off-site improvements and noise impacts on uses created during Phase I of development, resulting from construction noise during subsequent phases of development) to a level less than significant.

**Port/City:** To avoid significant construction-related noise impacts, the following measures shall be followed:

- Construction activity shall be prohibited Monday through Friday from 10:00 p.m. to 7:00 a.m., and Saturday and Sunday from 10:00 p.m. to 8:00 a.m., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J).
- All stationary noise generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors. Where practicable, noise generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.
- All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an unmuffled exhaust.
- Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.
- Construction vehicles accessing the site shall be required to use the shortest possible route to and from I-5, provided the route does not expose additional receptors to noise.
- Construction equipment items shall be selected as those capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible to perform the required construction operation.
- Construction equipment shall be operated and maintained to minimize noise generation. Equipment shall be kept in good repair and fitted with “manufacturer-recommended” mufflers.

**MM 4.7-9:** The following mitigation measure would reduce Significant Impact 4.7-11 (construction-related noise levels at the edge of the Sweetwater Marsh NWR that could impact breeding in the refuge) to a level less than significant.

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**Port/City:** Construction-related noise shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh NWR and F&G Street Marsh. The current accepted noise threshold is 60 dB(A) Leq.; thus construction activity shall not exceed this level, or ambient noise levels if higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall prepare and submit an acoustical analysis to the Port and/or City that shall determine whether noise barriers would be required to reduce the expected noise levels below the threshold. If noise barriers, construction activities, or other methods are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season.

### **Applicable Development Policies**

**Policy 8.1:** Construction noise shall be controlled to minimize impact to Wildlife Habitat Areas.

## **3.13 Population and Housing**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to population and housing. Implementation of the Development Policies would not result in additional housing in the CVBMP area. The Development Policies would not develop on any existing housing, therefore, would not displace existing housing or people. As such, the Development Policies would not result in any new or more severe significant population and housing impacts from those previously identified in the FEIR, and no additional mitigation is required.

### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not result in additional housing in the CVBMP area. The PAP would improve traffic circulation, which would help facilitate future populations in the CVBMP area. The PAP would not develop on any existing housing, therefore, would not displace existing housing or people. As such, the PAP would not result in any new or more severe significant population and housing impacts from those previously identified in the FEIR. No additional mitigation is required.

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### Proposed RV Park Component

*The Proposed Project would have a significant impact if it induces substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).*

The certified FEIR was slated to provide 750 hotel guest units on the RV Park Component site. In comparison, the updated Project proposes 255 RV sites and no residential units. As such, impacts would remain less than significant. The RV Park Component would continue to have no impact to housing stock; no new population and housing impact would occur, and no impact would be exacerbated.

*The Proposed Project would have a significant impact if it displaces substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere.*

As stated in the FEIR, the RV Park Component site is primarily undeveloped or underdeveloped lands with no residential units. Development of the CVBMP would introduce more intensified nearby land uses with residential, hotels, commercial/retail uses, and the Resort Conference Center. The FEIR determined that no housing would be displaced as a result of the originally proposed hotel, nor would it displace substantial numbers of people, necessitating the construction of replacement housing. The RV Park Component would not change either of these determinations. Therefore, the RV Park Component would not result in new impacts or exacerbate previously identified impacts related to displacing existing housing or people. No new mitigation would be required.

### Applicable FEIR Population and Housing Mitigation Measures

There are no MMs related to population and housing within the FEIR.

### Applicable Development Policies

There are no Development Policies related to population and housing.

## 3.14 Public Services

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not provide new information of substantial importance, or introduce a new population into the CVBMP area. Therefore, implementation of the Development Policies would not reduce the ability for public services to respond to calls throughout the City. The Development Policies would not physically

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alter any government facilities. As such, the Development Policies would not result in any new or more severe significant public services impacts from those previously identified in the FEIR, and no additional mitigation is required.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not provide new information of substantial importance, or introduce a new population into the CVBMP area. Therefore, implementation of the PAP would not reduce the ability for public services to respond to calls throughout the City. The PAP would not physically alter any government facilities. As such, the PAP would not result in any new or more severe significant public services impacts from those previously identified in the FEIR, and no additional mitigation is required.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if it reduces the ability to respond to calls within the City's threshold standard for Priority One emergency calls within 7 minutes in 81 percent of the cases and maintain an average response time to all Priority One calls of 5.5 minutes or less or Priority Two urgent calls, within 7 minutes in 57 percent of cases, and maintain an average response time to all Priority Two calls of 7.5 minutes or less.*

As discussed in the FEIR, police, fire, and emergency medical services within the Port's jurisdiction within the City are provided by the City in accordance with the "Agreement for Police, Fire, and Emergency Medical Services between the City of Chula Vista and the San Diego Unified Port District" (Service Agreement). Police protection in the RV Park Component area is currently provided by the Chula Vista Police Department, pursuant to the Service Agreement between the Port and City for non ad valorem properties.

The RV Park Component would include the development of 255 RV spots on a 19 acre-site, with a supporting uses and utilities on-site. Implementation of the RV Park Component would result in a slight increase in calls to the fire and police department. However, the originally proposed hotel was slated to provide up to 750 hotel guest units. In comparison to the originally analyzed 500-750 room-resort hotel, the RV Park Component is anticipated to generate substantially fewer calls to the Fire and Police Departments. Additionally, the CVBMP would include the construction of a new fire station on Parcel H-17 at the corner of J Street and Bay Boulevard within the Harbor District. As part of the CVBMP, the fire station would reduce any program level impacts to below a level of significance. As such, the RV Park Component would not result in any new or more severe significant public services impacts from those previously identified in the FEIR, and no additional mitigation is required.

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*The Proposed Project would have a significant impact if it results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the fire protection and emergency services.*

The RV Park Component would not result in additional in-migration or substantial population growth above what was considered in the FEIR, and would continue to have a less than significant impact to schools. The RV Park Component would result in an incremental increase in demand to park and recreation levels of service due to the addition of RV sites. However, as stated in the FEIR, implementation of Phase I of the CVBMP shall develop approximately 26 acres of new parkland in the Sweetwater and Harbor districts. As such, the RV Park Component would not substantially strain the existing public services and facilities expected to serve the project site. Considering there would be no increase in population within the area, and the addition of the a new fire station as part of the CVBMP, it is not necessary or planned that the RV Park Component physically alter any government facilities. The RV Park Component would not result in a new or exacerbate a previously identified impact related to public services.

### **Applicable FEIR Population and Housing Mitigation Measures**

There are no MMs related to public services within the FEIR.

### **Applicable Development Policies**

There are no Development Policies related to public services.

## **3.15 Recreation**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies, which primarily involve restrictions to the Project's improvements, and would not change the proposed activities and operations. The Development Policies would not provide new information of substantial importance, or introduce a new population into the CVBMP area. Therefore, implementation of the Development Policies would not interfere with the City's ability to provide an adequate level of service. The Development Policies would also not physically alter existing government or recreational facilities. As such, the Development Policies would not result in no additional or more severe significant impacts related to recreational facilities.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would implement pedestrian and bicycle trails and pathways, additional streets and parking areas in proximity to the shoreline, through continuous pedestrian circulation plan totaling approximately 54,000 linear feet. The pedestrian and bicycle pathways would act as recreation opportunities for the residents and visitors of the Chula Vista waterfront. Therefore, implementation of the PAP would increase the City's ability to provide an adequate level of service. Additionally, the PAP would not physically alter existing government or recreational facilities. As such, the PAP would not result in no additional or more severe significant impacts related to recreational facilities.

### Proposed RV Park Component

***Would the Proposed Project result in the inability to provide an adequate level of service for public parkland?***

The FEIR used a standard from the Chula Vista Municipal Code, Chapter 17.10.040 Parklands and Public Facilities. This section of the Municipal Code requires developers dedicate a certain square footage of parkland for each multifamily, residential, and transient motel/hotel unit. The proposed RV Park would not include the development of any housing units, therefore this standard does not apply to the RV Park Component. The RV Park Component would include the development of 255 RV parking spaces, a welcome center containing, offices, a marketplace, restrooms, shower and laundry facilities. A protected dog area is proposed adjacent to the welcome center. Additional amenities would include a children's play pool, family pool and spa, men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment rooms, sauna, work-out gym, and a guest laundry facilities. The activity building is located on the north side of the aquatic facilities and would house the grill/restaurant, entertainment arcade, game room, business center and restrooms. The activity building would also contain a multi-purpose room for educational and large guest gathering. The center of the RV Park would house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits.

Therefore, recreational amenities would be provided on-site. The recreational amenities on-site are anticipated to lower the demand on existing and proposed parklands in the project area. In comparison to the originally proposed hotel, the RV Park Component would generate a reduced number of on-site visitors thus a reduced demand on public parklands. As such; no additional or more severe significant impacts would occur and no additional mitigation would be required.

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*Would the Proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental or recreational facilities, need for new, expanded, or physically altered governmental or recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for park and recreation services?*

Under the FEIR, Phase I would not result in a significant adverse impact to the provision of parkland. The RV Park Component, which primarily involves the construction of an RV Park consisting of 255 sites and associated recreational amenities, would not require altering of existing recreational facilities, or the construction of new facilities. Therefore, the RV Park Component would not introduce a new impact or exacerbate a previously identified impact related to physically altering governmental or recreational facilities.

*Would the Proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.*

As previously stated, the updated Project, which primarily involves the construction of an RV Park consisting of 255 sites and associated recreational amenities on-site, would not require the construction of new facilities. In addition, the CVBMP will provide a variety of additional recreational facilities, distributing park types and facilities throughout the project area. Therefore, the RV Park Component would not result in substantial physical deterioration of existing recreational facilities. No new impact or more severe significant impact would occur related to the physical deterioration of recreational facilities.

### **Applicable FEIR Recreation Mitigation Measures**

There are no MMs related to public services within the FEIR.

### **Applicable Development Policies**

**Policy 10.1:** All boating, human, and pet intrusion must be kept away from F&G Street channel mouth and marsh.

**Policy 10.2:** Water areas will be managed with enforceable boating restrictions No boating will be allowed in vicinity of the J Street Marsh or east of the navigation channel in the Sweetwater District during the fall and spring migration and during the winter season when flocks of birds are present.

**Policy 10.3:** All rentals of personal water craft (PWC) will be prohibited in the Chula Vista Bayfront. (Note: PWC will mean a motorboat less than sixteen feet in length which uses an

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inboard motor powering a jet pump as its primary motive power and which is designed to be operation by a person sitting, standing, or kneeling on rather than in the conventional manner of sitting or standing inside the vessel.)

**Policy 10.4:** Use of PWCs will be prohibited in Wildlife Habitat Areas, subject to applicable law.

**Policy 10.5:** A five (5) mile per hour speed limit will be enforced in areas other than the navigation channels.

**Policy 10.6:** Boating in the project area will be managed in a manner that protects water quality and that ensures persons or employees maintaining boats in slips or using slips on a transient basis are made aware of water quality provisions.

- a. Approval of projects within Chula Vista Bayfront Master Plan marinas shall include appropriate requirements from the District Jurisdictional Urban Runoff Management Document (JURMP) that includes appropriate Best Management Practices (BMPs) for controlling adverse impacts to water quality related to the boating facilities, including those BMPs for activities occurring over water.
- b. Approval of projects within the Chula Vista Bayfront Master Plan marinas shall include a requirement for boating facilities to identify procedures for inspection of boater activities and sanctions for boaters that may be adversely impacting water quality.
- c. Marinas in the Chula Vista Bayfront Master Plan project area shall provide evidence of ongoing efforts to protect water quality, such as a current certification by the Clean Marinas program ([cleanmarina.org](http://www.cleanmarina.org)), stormwater BMP Plan, or other equivalent documentation of clean marina practices (<http://www.cleanmarina.org/cleanmanual.shtml>).
- d. San Diego Bay is a federally designated No Discharge Zone. The District shall ensure that District-leased facilities are adequately informing their boater tenants of their responsibilities regarding the discharge of sewage and are providing information to boaters on ways to anonymously report violators.
- e. The District shall adopt an addendum to leasing agreements for boating facilities that specifies actions that should be taken to protect water quality. This addendum should reflect applicable water quality laws and regulations pertaining to San Diego Bay.

**Policy 11.1:** Walkways, paths, and overlooks near Wildlife Habitat Areas outside of the No Touch Buffer Areas will be designed in accordance with the following:

- a. Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.

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- b. Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.
- c. Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Chula Vista Bayfront.
- d. Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.
- e. Walkways and overlooks that approach sensitive areas must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.

**Policy 18.1:** The concept approval for the Signature Park will include a refined plan to address the linkage between the parks over the F and G Street channel. The design will ensure that the linkage between the two parks is easily accessed, obvious, and allows visitors to flow naturally and safely between the two parts of the park. A separate pedestrian bridge will be evaluated and, if necessary, a supplemental environmental review will be performed to address any necessary issues prior to the concept approval being forwarded to the Board of Port Commissioners.

**Policy 18.2:** Phase I Signature Park improvements (including development of Parcel S-2, within the Transition Buffer Areas and Limited Use zones of parcel SP1, and the fencing of the No Touch Buffer Area of Parcel SP1) will be completed prior to the issuance of Certificates of Occupancy for projects developed on either Parcel H-3 or H-23 and after any additional necessary environmental review. The public participation process for the design of the park will be completed prior to District Staff seeking Concept Approval from the Board of Port Commissioners.

**Policy 19.1a:** Sweetwater and Otay District Public Parks will meet the following minimum standards: a) The parks will be Passive in nature and encourage Passive recreation, be low-impact and contain minimal permanent structures. Structures will be limited to single-story heights and will be limited in function to restrooms, picnic tables, shade structures and overlooks. The term "Passive" will mean that which emphasizes the open-space aspect of a park and which involves a low level of development, including picnic areas and trails. In contrast, active recreation is that which requires intensive development and includes programmable elements that involve cooperative or team activity, including, ball fields and skate parks.

**Policy 21.6:** Public recreational opportunities, such as parks, open space, and other no-cost visitor serving amenities shall be provided.

### 3.16 Transportation and Traffic

#### Development Policies

The Development Policies would not result in hazardous design features. In fact, the Development Policies would allow for better pedestrian connections and transit service. This will result in narrower, more pedestrian-friendly streets along the waterfront. Implementation of the Development Policies would also reduce traffic-related impacts within the CVBMP area, as discussed in the Applicable Development Policies, provided below. Because the Development Policies would help reduce traffic-related impacts within the CVBMP area, they would not conflict with adopted policies, plans, or programs supporting alternative transportation, nor would they change land use designations. Intersection operations would be improved with implementation of Development Policies. As such, no new impact would occur, and no previously identified impact would be exacerbated with implementation of the Development Policies.

#### Public Access Plan

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would implement pedestrian and bicycle trails and pathways, additional streets and parking areas in proximity to the shoreline, through continuous pedestrian circulation plan totaling approximately 54,000 linear feet. The PAP would not result in hazardous design features. The PAP would actually allow for better pedestrian connections and transit service. Implementation of the PAP would: 1) maximize the two trolley stops adjacent to the Bayfront area; and 2) provide future shuttle bus service to interconnect the Bayfront with the trolley stations and the adjacent community. Therefore, the PAP would not conflict with adopted policies, plans, or programs supporting alternative transportation. The PAP would not change any land use designations. The PAP would help reduce traffic-related impacts within the CVBMP area, through application and encouragement of public transit, and would therefore not conflict with applicable LOS requirement for intersections. As such, no new impact would occur, and no previously identified impact would be exacerbated with implementation of the Development Policies.

#### Proposed RV Park Component

*The Proposed Project would have a significant impact if it substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*

The RV Park Component would not any hazardous design features. Proposed access to the site would be via E Street. A portion of Gunpowder Drive would be relocated onto the RV Park Component site and connect with E Street at a roundabout at the southern boundary of the RV

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Park Component site, as shown in Figure 1, RV Park Component Map. As shown, this roadway improvement and proposed access to the RV Park Component site would not create a hazard due to a design feature. Emergency access would be provided via E Street. E Street, west of I-5 is considered a Class I Collector. The RV Park Component site is approximately 0.3 mile away from the I-5 south on-ramp and approximately 0.5 mile from the I-5 north on-ramp, which would provide satisfactory emergency access. Therefore, the RV Park Component would not substantially increase hazards due to design features. No new impacts would occur, and no previously identified impacts would be exacerbated related to hazardous design features.

***The Proposed Project have a significant impact if it conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).***

The RV Park Component is designed to include bike and pedestrian pathways around the RV Park Component site. A 14-foot Class 1 bicycle path would be installed along the E Street extension. The Bayshore Bikeway is located less than 200 feet east of the site, which would encourage visitors to utilize existing bikeways. The RV Park Component also includes a bus loop and pull off lanes for better bus circulations through the site. As such, the RV Park Component would not conflict with adopted policies, plan, or programs supporting alternative transportation. No new impacts would occur, and no previously identified impacts would be exacerbated related to alternative transportation regulations.

***The Proposed Project would have a significant impact if changes to the land use and the circulation plans would result in the following:***

- a) A roadway segment that currently operates at LOS C or better and with the proposed changes would operate at LOS D or worse at General Plan buildout; or***
- b) A roadway segment that currently operates at LOS D or E and with the proposed changes would operate at LOS E or F at General Plan buildout respectively, or which operates at LOS D, E, or F and would worsen by five percent or more at General Plan buildout.***

As stated in the FEIR (p. 4.2-61), there would be four significant impacts to roadway segment LOS, under Phase I, outside the Urban Core. The following four roadway segments would require mitigation:

- Lagoon Drive/F Street (Marina Parkway to Bay Boulevard) (LOS F)
- H Street (west of Marina Parkway)(LOS F)
- Marina Parkway (Lagoon Drive to G Street) (LOS F)
- Bay Boulevard (E Street to F Street) (LOS F).

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These segments would require MM to reduce impacts below a level of significance.

A traffic memo was prepared for the RV Park Component by Rick Engineering, and is attached to this Addendum as Appendix E. As discussed in Appendix E, the RV Park Component would result in 219 AM peak hours trips (90 inbound and 129 outbound), 221 PM peak hour trips (125 inbound and 96 outbound), and 2,175 daily trips. Of the four roadway segments that are anticipated to operate at an LOS D or higher, the RV Park Component would only generate project trips to the roadway segment of Bay Boulevard from E Street to F Street, which currently operates at an LOS B.

The proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the *Site Preparation at Chula Vista Bayfront Project* CDP indicates that the imported soil, and the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP. As such, MM 4.2-4 would remain applicable to the RV Park Component. Roadway segment operations would be reduced to a level below significance, and no new MMs would be required.

***For changes to signalized and unsignalized intersections:***

- a) An intersection that currently operates at LOS D or better and with proposed changes would operate at LOS E or worse at General Plan buildout; or***
- b) An intersection that currently operates at LOS E or F and the project trips generated comprise five percent or more of the entering volume. Entering volumes are the total approach volumes entering an intersection.***

As discussed in Appendix E, under Existing Plus Project conditions, the intersection of E Street at I-5 SB Ramps and Bay Boulevard would be anticipated to operate at LOS E for the PM peak hour. The intersection can be improved to LOS D by rephrasing the traffic signal from the current east-west split phasing to permissive phasing with a protected left in the westbound direction. This rephrasing can be accommodated with the widening of E street, west of Bay Boulevard to a 2 lane Class III Collector (MM 4.2-1). With the extension of E Street as a 2 lane Class III Collector, and a traffic signal modification at the intersection of E Street at I-5 SB Ramps and Bay Boulevard, the studied intersections are anticipated to operate at an acceptable capacity for Phase I of the CVBMP. The proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the *Site Preparation at Chula Vista Bayfront Project* CDP indicates that the imported soil, and the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP. As such, MM 6.5-9, 6.5-10, 6.5-11, and 4.2-25 through 4.2-30 are no longer

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triggered by the development of the RV Park Component and Phase I improvements in the Sweetwater District.

***c) A cumulative impact would occur if the operations at intersection are at LOS E or F only.***

As discussed in Appendix E, the intersection of E Street at I-5 SB Ramps and Bay Boulevard would be anticipated to operate at LOS E for the PM peak hour. The intersection can be accommodated with implementation of MM 4.2-1 and the applicable Development Policies provided below. No new mitigation would be required.

MMs 6.5-9, 6.5-10, and 6.5-11, which relate to cumulative impacts, were reviewed to evaluate the effects of the RV Park Component as a Phase I project. The conclusion of Appendix E, states that the majority of the trips destined to/from the RV Park Component will utilize the first opportunity to access I-5, and not travel through local roadways to access I-5 at H Street or J Street. Therefore, the development of the RV Park Component as a Phase I project does not trigger the need for MM 6.5-9, 6.5-10, and 6.5-11. These MMs are provided below under Mitigation Measures That Are No Longer Applicable.

***If changes to the land use and circulation plans would affect signalized and unsignalized intersections as follows:***

- a) An intersection that currently operates at LOS D or better and with proposed changes would operate at LOS E or worse at General Plan buildout;***
- b) An intersection that currently operates at LOS E or F and the project trips generated comprise five percent or more of the entering volume. Entering volumes are the total approach volumes entering an intersection; or***
- c) A cumulative impact would occur if the operations at intersection are at LOS E or F only.***

As identified in the FEIR, the CVBMP would generate a total of 5,251 AM trips, and 7,324 PM trips across all phases of the CVBMP. Phase I of the CVBMP would directly impact the following six intersections, and would require mitigation.

- E Street/I-5 Southbound Off-Ramps (LOS F, PM peak hour) (Significant Impact 4.2-6)
- F Street/Bay Boulevard (LOS F, PM peak hour) (Significant Impact 4.2-7)
- J Street/Bay Boulevard (LOS F, both peak hours) (Significant Impact 4.2-8)
- L Street/Bay Boulevard (LOS F, both peak hours) (Significant Impact 4.2-9)
- I-5 Southbound Ramps/Bay Boulevard (LOS F, PM peak hour) (Significant Impact 4.2-10)

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- J Street/Marina Parkway (LOS E, PM peak hour) (Significant Impact 4.2-11).

Mitigation for these intersections would bring these impacts below a level of significance.

As discussed in Appendix E, the RV Park Component would result in 219 AM peak hours trips (90 inbound and 129 outbound), 221 PM peak hour trips (125 inbound and 96 outbound), and 2,175 daily trips. As previously, discussed, the proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP.

The RV Park Component would influence LOS at the intersection of E Street at I-5 SB Ramps and Bay Boulevard would be anticipated to operate at LOS E for the PM peak hour. The intersection can be improved to LOS D by rephrasing the traffic signal from the current east-west split phasing to permissive phasing with a protected left in the westbound direction. This rephrasing can be accommodated with the widening of E street, west of Bay Boulevard to a 2 lane Class III Collector (MM 4.2-1). With the extension of E Street as a 2 lane Class III Collector, and a traffic signal modification at the intersection of E Street at I-5 SB Ramps and Bay Boulevard, the studied intersections are anticipated to operate at an acceptable capacity for Phase I of the CVBMP.

As such, the RV Park Component would not comprise 5 percent or more of the entering volume of the intersections listed above. Therefore, the RV Park Component would not result in any new or worsened impacts related to this topic.

### Applicable FEIR Transportation and Traffic Mitigation Measures

- MM 4.2-4:** Prior to the issuance of certificates of occupancy for any development on H-3 and building permits for any development on H-13 or H-14 in Phase I, the Port, Port tenant, or applicant, as appropriate, shall widen Bay Boulevard between E Street and F Street from a two-lane Class III Collector to a two-lane Class II Collector, or secure such widening to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-5 to below a level of significance.
- MM 4.2-8:** The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources and phasing that would reduce congestion management with Caltrans standards on the I-5 south corridor from

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the SR-54 interchange to the Otay River (the “I-5 South Corridor”) (hereinafter, the “Plan”). Local funding sources identified in the Plan shall include fair share contributions related to private and/or public development based on the nexus established in this Draft EIR as well as other mechanisms. The Plan required by this mitigation shall include the following:

- a) The responsible entities (the Entities) included in this effort will include, but may not be limited to, the City, other cities along I-5, the Port, SANDAG, and Caltrans. Other entities will be included upon the concurrence of the foregoing Entities.
- b) The Plan will identify physical and operational improvements to I-5 adjacent to the project area, relevant arterial roads and transit facilities (the Improvements), that are focused on regional impacts and specific transportation impacts from the project, and will also identify the fair share responsibilities of each Entity for the construction and financing for each Improvement. The Plan will include an implementation element that includes each Entity’s responsibilities and commitment to mitigate the impacts created by all phases of the Proposed Project.
- c) The Plan will set forth a timeline and other agreed upon relevant criteria for implementation of each Improvement.
- d) The Plan will identify the total estimated design and construction cost for each Improvement and the responsibility of each Entity for both implementation and funding of such costs.
- e) The Plan will include the parameters for any agreed upon fair-share funding to be implemented, that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law.
- f) In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.
- g) The Port shall seek adoption of the Plan before the Port Board of Commissioners and the City shall seek adoption of the Plan before the City

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Council upon the completion of the multi-jurisdictional effort to develop the Plan. The Port and the City shall report, to their respective governing bodies regarding the progress made to develop the Plan within 6 months of the first meeting of the entities. Thereafter, the Port and the City shall report at least annually regarding the progress of the Plan, for a period of not less than 5 years, which may be extended at the request of the City Council and/or Board of Commissioners.

- h) The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan.
- i) Prior to issuance of certificates of occupancy or building permits for any development of individual projects within the Chula Vista Bayfront Master Plan, the Port and the City shall require project applicants to make their fair share contribution toward mitigation of cumulative freeway impacts within the City's portion of the I-5 South Corridor by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.

The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of the mitigation measure.

### **Mitigation Measures That Are No Longer Applicable**

The following MMs were originally created to mitigate potential traffic impacts in Phase IV of the CVBMP buildout as described in the PMP. The following MMs were previously assigned to impacts related to the originally proposed hotel in Phase IV. The RV Park Component would construct an RV Park instead of a hotel, and occur during Phase I, not Phase IV. Additionally, as indicated in Appendix E, the RV Park Component would not trigger the need for traffic improvements. As such, the following MMs would be made void.

**MM 6.5-9:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct an eastbound and westbound through-lane along H Street (as part of roadway segment mitigation) and a westbound right-turn lane at the intersection of H Street and Woodlawn Avenue. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.

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- MM 6.5-10:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway. The lane shall be constructed to the satisfaction of the City Engineer. With mitigation, this intersection would still operate at LOS E during the PM peak hour. This is consistent with the result from the Chula Vista Urban Core traffic study, which concluded that no additional mitigation is desired at this location. This mitigation would reduce Significant Impact 6.5-27 to below a level of significance.
- MM 6.5-11:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.
- MM 4.2-25:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a new F Street segment between the proposed terminus of the existing F Street and the proposed E Street extension, ending at the SP-3 Chula Vista Nature Center parking lot, as a two lane Class III collector street, which shall also contain a Class II bike lane on both sides of the street. This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.
- MM 4.2-26:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen E Street between F Street and Bay Boulevard to a four-lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. Also, the widening of this segment of E Street would facilitate the flow of project traffic on Bay Boulevard between E Street to F Street. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.
- MM 4.2-27:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-42 to below a level of significance. The off-site traffic improvements described in this mitigation measure for direct traffic impacts would create secondary traffic impacts. Improvements associated with these secondary impacts would be required as a result of cumulative and growth-related traffic overall, of which the Proposed Project would be a component. The Western Chula Vista TDIF identifies these improvements in a cumulative context and attributes fair share contributions according to the impact. Therefore, the Proposed Project

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would be responsible for a fair share contribution and would not be solely responsible for implementation of necessary secondary impact improvements.

**MM 4.2-28:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an eastbound through lane and an exclusive eastbound right-turn lane along E Street at the intersection of E Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-43 to below a level of significance.

**MM 4.2-29:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an exclusive southbound right-turn lane along Bay Boulevard at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-44 to below a level of significance.

**MM 4.2-30:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a dual southbound left-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-45 to below a level of significance.

### Applicable Development Policies

**Policy 24.1:** The project shall be designed to encourage the use of alternate transportation by including the H Street transit center close to the rail line, bike and pedestrian pathways, water taxis, and a private employee parking shuttle.

**Policy 24.2:** The project shall include connections to the planned Bayshore Bikeway and provide an additional local bikeway loop that will be safer and more scenic as it is located closer to the water.

**Policy 24.3:** The District and City shall explore the operating and funding potential for a shuttle service that would link various destinations within the western portions of Chula Vista, including the Chula Vista Bayfront Master Plan area. Implementation of the Chula Vista Bayfront Shuttle is anticipated to include participation by commercial development within the Chula Vista Bayfront Master Plan area.

**Policy 24.4:** The Chula Vista Bayfront shuttle will service the Chula Vista Bayfront Master Plan area with a key focus on connecting general users to and from: downtown areas east of 1-

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5, the resort conference center, the residential project, park areas, and existing trolley stops. The shuttle system shall be designed with the following design considerations:

- a) Ensure that it has fewer stops than a conventional bus and is located as close as possible to the major traffic generators.
- b) Plan the general route of the transit shuttle to travel along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third Avenue
- c) Plan the route to operate as a two-way loop with stops in both directions.
- d) Plan for shuttles to initially run every 15 minutes.
- e) Consider a private shuttle system to transport employees between the H-18 parking structure and the H-3 parcel in the Harbor District.

**Policy 24.5:** Shuttle service shall be phased concurrent with development. At a minimum, service shall be provided upon the issuance of Certificate of Occupancy for either the H-3 resort conference center hotel or the 500\* residential unit. Additional stops shall be provided at the Signature Park, the Recreational Vehicle Park, the H-18 parking structure, and the Park in Otay District, as these uses are developed.

**Policy 24.6:** In the Harbor District, typical parking requirement standards for high intensity uses may be reduced if it can be demonstrated that the use will be adequately served by alternative transit.

**Policy 24.7:** In order to reduce transportation-related air quality impacts, the following items should be encouraged at the project-level planning phase:

- a) Limit idling time for commercial vehicles, including delivery and construction vehicles.
- b) Use low- or zero-emission vehicles, including construction vehicles.
- c) Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

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- d) Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- e) Provide public transit incentives, such as free or low-cost monthly transit passes.
- f) For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.
- g) Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- h) Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

**Policy 24.8:** The District and the City shall participate in a multi-jurisdictional effort conducted by the California Department of Transportation (Caltrans) and San Diego Association of Governments (SANDAG) to assist in developing a detailed 1-5 corridor-level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would reduce congestion management with Caltrans standards on the 1-5 South corridor from the SR-54 interchange to the Otay River. Local funding sources identified in this Plan shall include fair-share contributions related to private and/or public development based on nexus as well as other mechanisms.

### 3.17 Tribal Cultural Resources

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would direct development within the CVBMP to minimize ground-disturbing activities, which would reduce potential impacts to tribal cultural resources. With implementation of the Development Policies, no new or more severe significant impacts would occur to eligible or listed historical resources or resources determined by the lead agency to be significant.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP would result in ground-breaking activities in order to install the pedestrian and bicycle pathways within the CVBMP. Although eligible or listed historical resources or resources determined by the lead agency to be significant are not expected to be encountered, measures would be put in place to ensure these resources would not be significantly affected. Should excavation occur below the fill line, a qualified archaeological monitor would be present. As such, no new impacts would occur to eligible or listed historical resources or resources determined by the lead agency to be significant.

### Proposed RV Park Component

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a CA Native American tribe, and that is:*

- a) Listing or eligible for listing in the CA Register of Historic Resources, or in a local register of historical resources as defined in PRC section 5020.1(k) or*

The FEIR does not contain an analysis chapter on tribal resources because the FEIR was certified prior to the passing of Assembly Bill (AB) 52, which requires tribal consultation as a part of the CEQA process. Therefore, implementation of the RV Park Component would require analysis of tribal resources, and tribal consultation in accordance with AB 52. None of the tribes which received a notification letter responded expressing interest in tribal consultation. As expressed in the FEIR, (p. 4.10-3) a records search was conducted for the entire CVBMP area and only two archeological sites were found, one of them being the Coronado Belt Line Railroad Line. The entire CVBMP area has been disturbed by previous historic and modern activities. The Sweetwater District was in agricultural production for a long period of time and as a result, was plowed and graded in the past. As such, it is not anticipated to encounter any items listed or eligible for CA Register of Historic Resources, or in a local register of historical resources. However, as there is always potential to encounter historically important items during ground-disturbing activities, MM 4.10 from the FEIR, would be applied to the construction of the RV Park Component, thus reducing any potential impacts to tribal cultural resources to levels below significance. With inclusion of these actions, the RV Park Component would not result in any new or worsened impacts related to eligible or listed historical resources as defined in PRC section 5020.1(k). No new mitigation would be required.

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- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a CA Native American tribe.*

As previously stated, a records search was conducted for the entire CVBMP area and only two archeological sites were found, one of them being the Coronado Belt Line Railroad Line. The entire CVBMP area has been disturbed by previous historic and modern activities. The Sweetwater District was in agricultural production for a long period of time and as a result, was plowed and graded in the past. As such, it is not anticipated to encounter any items listed or eligible for CA Register of Historic Resources, or in a local register of historical resources. However, as there is always potential to encounter historically important items during ground-disturbing activities, MM 4.10 from the FEIR, would be applied to the construction of the RV Park Component, thus reducing any potential impacts to tribal cultural resources to levels below significance. With inclusion of these actions, the RV Park Component would not result in any new or worsened impacts related to a tribal resource determined by the lead agency to be significant.

### **Applicable FEIR Tribal Cultural Resources Mitigation Measures**

**MM 4.10:** The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Development Services. Elements of the program will include that only certified archaeologists and Native American monitors are accepted. The project archaeologist shall monitor all areas identified for excavation, including offsite improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.

In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the

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artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Development Services.

\* This measure is not associated with a significant impact related to cultural resources; however, it has been incorporated to ensure appropriate implementation and enforcement.

### Applicable Development Policies

There are no development policies related to tribal cultural resources.

## 3.18 Utilities and Service Systems

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would ensure water demands are minimized through requiring low water-use ground cover alternatives where possible. The Development Policies would not result in direct installations of utility and service systems. However, the Development Policies were designed to minimize the demand for these services. As such, with implementation of the Development Policies, no new or worsened impact would occur related to utility and service systems.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not result in direct installations of water or wastewater facilities. The increased pedestrian activity on the waterfront would increase sewage and trash generation, however, this would be diminutive towards the entire sewage system and landfill capacity. These demands would be covered by existing facilities. Therefore, with implementation of the PAP, no new or worsened impacts would occur related to utility and service systems.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if sufficient water supplies are not available to serve the project from existing entitlements and resources, or results in the need for new or expanded entitlements*

As stated in the FEIR, the CVBMP (all phases included) would use an average of 2.020 million gallons per day (MGD), or 2,262.7 acre-feet (af)/year. It was determined in the analysis that the CVBMP's water demand would be served by the Sweetwater Authority with the additional purchase of imported water supplies from the Metropolitan Water District's (MWD) reserve

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supplies. However, the Sweetwater Authority would not have to rely on the availability of MWD's Reserve and Replenishment Supplies in order to provide a sufficient water supply to the CVBMP. As such, the analysis concluded that the CVBMP would not have a significant impact because sufficient water supplies are available to serve the project from existing entitlements and resources.

The RV Park Component would include the development of 255 RV parking spaces, a registration building, retail store, clubhouse, spa/fitness facility, a shower facility, children's playground, pedestrian pathways, and a fully enclosed dog park. As stated in Development Policy 19.1, the parks will be constructed using low-water-use ground cover alternatives where possible. Under the original project, the resort hotel on parcel S-1 was anticipated to generate a demand of 162,906 gallons of water per day. The RV Park Component would receive water supply via a 12-inch waterline that would be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch line would be installed in F Street north of E Street.

When compared to the originally proposed hotel, the RV Park Component would generate less of a water due to its reduction in bulk, scale, and visitors on-site. Therefore, the RV Park Component would not result in any new or worsened impacts related to sufficient water supplies.

***The Proposed Project would have a significant impact if the project requires or results in the construction of new water treatment facilities or expansion of existing facilities and services, the construction of which could cause significant environmental effects***

According to Table 4.14-9 of the FEIR (p. 4.14-51), as shown below as Table 3.18-1, the originally proposed hotel land use was estimated to generate 0.33 equivalent dwelling unit (EDU) of sewage per room. The sewage generation for the RV Park Component is estimated to be 0.5 EDU per RV space, which is a slightly higher ratio than the originally proposed hotel. However, the RV Park Component would provide 255 sites (122 EDU's), which generates less EDU's than the originally proposed 500-750 hotel rooms (165 - 247.5 EDU's).

**Table 3.18-1  
City of Chula Vista Sewage Generation Rates**

Land Use	Sewage Generation Factor (GPD/EDU)	EDU Equivalents
Commercial/office/retail	265	0.60 EDU per 1,000 sf of building
Hotel	265	0.33 EDU per room
Park	-	500 GPD/acre
Condominium/residential	265	0.75 EDU per unit for condos
Commercial	-	2,500 GPD/acre for commercial per City – assumed marina/ pier similar to commercial, if no square feet given
RV Park	265	0.5 EDU per RV space

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Table 3.18-1  
City of Chula Vista Seweage Generation Rates

Land Use	Sewage Generation Factor (GPD/EDU)	EDU Equivalents
Power Plant	-	Assumed Duke Energy Plant generation rate of 500 GPD/acre

Similar to the originally analyzed project, the updated project would require construction of new water, stormwater, wastewater, and solid waste facilities on the project site. The RV Park Component would require gravity sewer mains in the streets, sewer force mains, and connections to the existing City sewer system. The RV Park Component would be served by the existing water system via an 8-inch sewer line that would be installed in F Street, connecting to and existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street. Applicable mitigation identified in the FEIR would be applied to the RV Park Component for potential impacts associated with utility construction-related impacts (MM 4.14.2-4 and 4.14.2-5). The RV Park Component is within the jurisdiction of the District, which relies on the City of San Diego Metro Sewage System for treating and disposing of the wastewater generated within the city (FEIR p. 4.14-46). The RV Park Component would connect to the existing City connection to Metropolitan Waste Water District (MWWD), which was concluded to have adequate sewage treatment capacity to serve the region. In conclusion, the RV Park Component would not require the construction of new water treatment facilities or expansion of facilities. No new or worsened impacts would occur related to water treatment facilities, with implementation of the RV Park Component.

***The Proposed Project would have a significant impact if it is inconsistent with the assumptions in the SDCWA's 2005 Updated UWMP.***

As previously stated, The RV Park Component would connect to the existing City connection to MWWD, which was concluded in the FEIR to have adequate sewage treatment capacity to serve the region. The FEIR concluded that the CVBMP level of water demand is expected to fall within the level of water demand included in Sweetwater's 2005 UWMP. With inclusion of the RV Park Component, total water demands for Phase I would be lowered and would further ensure the RV Park Component would be consistent with assumed water demands in the Updated UWMP. As such, no new or worsened impacts would occur related to the SDCWA's 2005 Updated UWMP assumptions, with implementation of the RV Park Component.

***4. The project is served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.***

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As stated in the FEIR, the CVBMP area would continue to be served primarily by the Otay Landfill until its capacity is reached. The City of Chula Vista is assured that the solid waste generated in the City of Chula Vista shall be accommodated by a landfill, regardless of which landfill accepts the waste. Therefore, the CVBMP would be served by landfills with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and no significant impact to integrated waste management services would result.

The RV Park Component is anticipated to generate a reduced demand for landfill capacity, compared to the originally proposed hotel. The reduced demand is anticipated due to the reduced bulk, scale, and on-site visitors under the RV Park Component, as shown on Table 2.3-1. Therefore, no new or worsened impacts are anticipated related to landfill capacity, with implementation of the RV Park Component.

**5. *The project does not comply with federal, state, and local statutes and regulations related to solid waste.***

Similar to the originally approved plan, the RV Park Component would comply with local regulations through consistency with City of Chula Vista General Plan goals, policies, and objectives. As such, no new or worsened impacts would occur related to compliance with federal, state, and local regulations related to solid wastes.

### **Applicable FEIR Utilities and Service Systems Mitigation Measures**

**MM 4.14.2-4:** The following mitigation measure shall be implemented to reduce Significant Impact 4.14.2-4 associated with utility construction-related traffic impacts in Phases I and II) to a level less than significant:

**Port/City:** A. Prior to commencement of grading activities for all Phase I projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).

B. Prior to commencement of grading activities for all Phase II–IV projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).

**MM 4.14.2-5:** The following MMs shall be implemented to reduce Significant Impact 4.14.2-5 (associated with surface water and groundwater contamination resulting from construction activities) to a level less than significant:

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Port/City: A. Prior to the issuance of a Coastal Development Permit for Properties within the Port's jurisdiction and prior to the issuance of a grading permit for properties within the City's jurisdiction, the applicant shall notify the RWQCB of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB.

**B. Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.**

### Applicable Development Policies

**Policy 19.1b:** Sweetwater and Otay District Public Parks will meet the following minimum standards:

- b) The parks will be constructed using low water-use ground cover alternatives where possible.

## 3.19 Mandatory Findings of Significance

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would greatly reduce any potential impacts to fish and wildlife species, and plant communities. They would also reduce ground-breaking activities, thus reducing the potential to encounter important examples of the major periods of CA history or prehistory. The Development Policies would not contribute any cumulatively considerable impacts, nor would they cause a substantial adverse effect on human beings. As such, the Development Policies would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP would therefore include construction of pathways which would include ground-breaking activities. As such, MMs previously noted within this Addendum would be applied to the PAP to reduce any construction-related impacts on biological or cultural resources, including examples of major periods of CA history or prehistory. The PAP would not

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contribute any cumulatively considerable impacts, nor would they cause a substantial adverse effect on human beings. As such, the PAP would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

### **Proposed RV Park Component**

Similar to the original project, the RV Park Component would include ground-breaking activities to accommodate the RV Park Component. As such, MMs previously noted within this addendum would be applied to the RV Park Component to reduce any construction-related impacts on biological. As discussed in Section 3.4, the RV Park Component would potentially result in significant impacts to vegetation, special-status habitat and other sensitive natural communities. However, with incorporation of MMs outlined in Section 3.4, all potentially significant impacts would be reduced to a level below significance. The RV Park Component would not substantially degrade the quality of the environment, impact fish or wildlife species, or plant communities. As discussed in Section 3.5, Caltrans previously determined the site had been extensively disturbed by historic and recent land use and was not a culturally significant site, and no evidence of the site occurs within the project area. The RV Park Component would not result in a potential significant impact to cultural resources including examples of major periods of CA history or prehistory in the project area. Accordingly, no MMs would be required.

As discussed in the FEIR, The RV Park Component would add to the intensification of land use, which would have the potential to cumulatively impact, aesthetics, air quality, energy, greenhouse gas emissions, wastewater, and traffic. Applicable MMs from the FEIR would reduce any cumulative impacts to less than significant levels, with exception to aesthetics, air quality, and energy. Aesthetic impacts would remain significant after mitigation; however, the cumulative impact is not associated with the RV Park Component.

Although MMs would reduce the air quality impacts of the RV Park Component, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, cumulative air quality impacts remain significant and unmitigated. Despite the CVBMP's adoption of conservation measures, the cumulative impact relative to energy supply would remain significant and unmitigated because of the uncertainty of the future supply of energy, which is within the responsibility and control of SDG&E and other entities responsible for arranging electric energy supplies, not the Port or the City. As stated in Section 3.7, the CVBMP would not be considered to contribute substantially to a cumulatively significant global climate change impact, because it would not contribute to a conflict with or the obstruction of the goals or strategies of AB 32 or related Executive Orders.

The RV Park Component would not contribute any cumulatively considerable impacts, nor would they cause a substantial adverse effect on human beings. As such, the RV Park

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Component would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

With implementation of the MMs and Development Policies included in the FEIR, the RV Park Component would not have any cumulative impacts.

### Applicable FEIR Mitigation Measures

**MM 4.4-1. Port/City: D. Landscaping:** Prior to final approval of Phase I infrastructure design plans, the Port and City shall collectively develop a master landscaping plan for the project's public components and improvements. The plan shall provide sufficient detail to ensure conformance to streetscape design guidelines and that future developers/tenants, as applicable, provide screening of parking areas.

Streetscape landscaping shall be designed to enhance the visitor experience for both pedestrians and those in vehicles. Specifically, detailed landscaping plans shall be developed to enhance Marina Parkway, a designated scenic roadway, and shall provide, where appropriate, screening of existing industrial uses and parking areas until such time as these facilities are redeveloped.

Street landscaping design shall be coordinated with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location. For instance, vegetation planted adjacent to open water/shoreline areas must not provide raptor perches. Landscaping shall be drought tolerant or low water use, and invasive plant species shall be prohibited.

**City: E. Landscaping:** Prior to approval of a tentative map or site development plan for future residential development, the project developer shall submit a landscaping design plan for on-site landscaping improvements that is in conformance with design guidelines and standards established by the City of Chula Vista. The plan shall be implemented as a condition of project approval.

**4.11-1: Port/City:** Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.

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- The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.
- The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.
- If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.
- Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

**MM-6.8-1. Port/City:** Prior to the issuance of any grading permit, the following measures shall be placed as notes on all grading plans, and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (these measures were derived, in part, from Table 11-4 of Appendix 11 of the South Coast AQMD CEQA Air Quality Handbook (SCAQMD 1999)):

- a) Where practicable, use low pollutant-emitting equipment.
- b) Where practicable, use catalytic reduction for gasoline-powered equipment.
- c) Use injection timing retard for diesel-powered equipment.
- d) Water the grading areas a minimum of twice daily to minimize fugitive dust.
- e) Stabilize graded areas as quickly as possible to minimize fugitive dust.
- f) Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry.
- g) Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.

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- h) Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- i) Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- j) Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- k) Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- l) Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph.
- m) Cover/water on-site stockpiles of excavated material.
- n) Enforce a 15 mile-per-hour speed limit on unpaved surfaces.
- o) On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce re-suspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- p) Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation.
- q) Electrical construction equipment shall be used to the extent feasible.

**MM-6.8-2. Port/City: B.** Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project shall comply with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:

- Use of low-NOx emission water heaters
- Installation of energy efficient and automated air conditioners when air conditioners are provided
- Energy efficient parking area lights
- Exterior windows shall be doublepaned.

**MM-6.8-3** The following mitigation measure is required to mitigate potential conflict with the goals or strategies of AB 32 or related Executive Orders:

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**Port/City:** Development of program-level components of the Chula Vista Bayfront Master Plan (Phases II through IV) shall implement measures to reduce GHG emissions. Specific measures may include but are not limited to the following:

### **Energy Efficiency**

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

### Renewable Energy

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

### Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisturebased irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.

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- Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.)
- For example, install dual plumbing in all new development, allowing gray water to be used for landscape irrigation.
- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

### Solid Waste Measures

- Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.
- Provide education and publicity about reducing waste and available recycling services.

### Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Use low- or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

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- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- Provide public transit incentives, such as free or low-cost monthly transit passes.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) locked bicycle storage or covered or indoor bicycle parking.
- Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

The measures identified above and in Mitigation Measure 4.16-2, will substantially reduce GHG emissions, achieving reductions of at least 20 percent below “business as usual.” Furthermore, better technology is rapidly developing and may provide further measures in the near future that will avoid conflict with the goals or strategies of AB 32 or related Executive Orders. Once projects are defined within the program phases, further environmental review will be required, at which time the most current measures will be identified and required to be consistent with this mitigation measure and any additional regulations in effect at the time. Implementation of Mitigation Measure 6.8-3, therefore, will avoid a contribution to a cumulatively significant impact and will result in a less than significant impact to global climate change.

**MM-6.15.2-1. Port/City:** Prior to the approval of a building permit for any development in all phases of the Proposed Project, the City shall verify that it has adequate sewer capacity to serve the proposed development. In the event the City does not have adequate sewer capacity to serve the proposed development, no building permit shall be approved for the proposed development until the City has acquired adequate sewer capacity to serve the proposed development. In accordance with Section 15130(a)(3) of the State CEQA Guidelines, a significant cumulative impact would be rendered less than cumulatively considerable, and thus is not significant when the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The requirement for the contribution to provide a fair-share contribution to the provision of the needed sewer service mitigates the cumulative impact to below significance.

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**MM-6.15.6.-1 Port/City:** Prior to the issuance of a building permit, the applicant shall pay all required school mitigation fees.

Payment of statutory school fees would ensure that project impacts to school services remain below a level of significance. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both “considering” and “mitigating” school facilities impacts of projects (Government Code Section 65996(a)). Once the statutory school mitigation fee (sometimes referred to as a “developer fee”) is paid, the impact would be deemed mitigated as a matter of law. Therefore, this mitigation measure would reduce the cumulative impact to schools to a level less than significant.

**MM-6.17-1.Port/City:** Encourage compact development featuring a mix of uses that locate residential areas within reasonable walking distance to jobs, services, and transit.

- Promote and facilitate transit system improvements in order to increase transit use and reduce dependency on the automobile.
- Encourage innovative energy conservation practices and air quality improvements in new development and redevelopment projects consistent with the City's AQIP Guidelines or their equivalent, pursuant to the City's Growth Management Program.

### **Applicable Development Policies**

See Applicable Development Policies with Sections 3.3, 3.4, 3.6, and 3.9.

### 4 DETERMINATION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate environmental documentation, if any, to be completed when there is a pre-existing certified EIR covering the Project. The Port District makes the following findings, and the Rationale of Findings is presented in Section 3.0 of this addendum.

CEQA Guidelines Section 15162(a) states: When an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

**Discussion:** As discussed in Section 3 of this addendum, no substantial changes are proposed to the originally proposed hotel which would result in new significant effects or an increase in the severity of previously identified significant effects. As such, major revisions to the previous EIR are not required to reflect the Proposed Project change.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which require major revisions of the previous EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects.

**Discussion:** As identified in Section 3 of this addendum, the Proposed Project would not involve any new significant environmental effects or a substantially increase the severity of a previously identified environmental effect.

3. 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 EIR was certified as complete shows any of the following:

A) The project will have one or more significant effects not discussed in the previous EIR;

**Discussion:** As identified in Section 3 of this addendum, the Proposed Project would not involve any new significant environmental effects or a substantially increase the severity of a previously identified environmental effect.

B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

**Discussion:** As identified in Section 3 of this addendum, the Proposed Project would not involve any new significant environmental effects or a substantially increase the severity of a previously identified environmental effect.

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- C) MMs 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;

**Discussion:** As discussed in Section 3 of this addendum, no previously identified MMs or alternatives have been determined to be feasible that were previously identified as not feasible.

- D) MMs or alternatives which are considered different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

**Discussion:** As discussed in Section 3 of this addendum, all the MMs identified in the FEIR would be the same and no new MMs or alternatives have been identified that would substantially reduce one or more significant effects on the environment.

CEQA Guidelines Section 15164(a) states that “The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

**Discussion:** This addendum provides details and changes to the originally analyzed FEIR. The updated project includes the construction of an RV park consisting of 255 sites, 116 of which are proposed to be occupied by park model units. Permanent buildings proposed onsite will include associated retail, restaurant, meeting space. The updated Project would be low in scale and intensity, with a maximum height of 25 feet. No additional impacts are anticipated as a result of changes to this Project. Therefore, this project-level analysis of the proposed changes to the Project is appropriately addressed in this addendum to the FEIR.

### **5 CONCLUSION**

None of the conditions requiring the preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162(a) have occurred. As such, pursuant to CEQA Guidelines Section 15164, and based on the rationale presented in Section 3 of this document, the project-level analysis for the updated Project are appropriately addressed in this addendum to the FEIR.

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### 6 REFERENCES AND PREPARERS

#### 6.1 References Cited

14 CCR 15000–15387 and Appendices A through L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

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#### 6.2 List of Preparers

##### Dudek

Shannon Baer, Analyst  
Carey Fernandes, Principal

## Chula Vista Bayfront Master Plan Addendum

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RV Resort

Chula Vista, CA 91910

CONSULTANT

## RV RESORT

PREV. SUBMITTAL	PROJ. #
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## SITE PLAN

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## RESOLUTION 2018-068

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**RESOLUTION ADOPTING THE SECOND  
ADDENDUM TO THE FINAL ENVIRONMENTAL  
IMPACT REPORT FOR THE "CHULA VISTA  
BAYFRONT MASTER PLAN PROJECT" AND  
AUTHORIZING STAFF TO FILE A NOTICE OF  
DETERMINATION**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, Sun Communities, Inc. as the project applicant and proponent, proposes to construct and operate the Chula Vista Bayfront (CVB) recreational vehicle (RV) park, a low-scale, low profile, and lower-cost RV resort consisting of 255 lower-cost overnight accommodations (approximately 139 RV stalls and 116 park model units, which count as and exceed the replacement of 237 lower cost overnight accommodation mobile vehicle stalls in the CVB) with associated improvements on parcel S-1; grading in parcels S-2 and S-3; the extension of E Street; construction of a 400-foot-wide landscape buffer within a portion of parcel SP-1; and the realignment of Gunpowder Point Drive within parcels SP-1 and SP-3 to allow continued access to the Living Coast Discovery Center (collectively, "Project"); and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000, et seq., and its implementing regulations, 14 California Code of Regulations Section 15000, et seq. ("CEQA Guidelines"), the Board of Port Commissioners (BPC) adopted Resolution No. 2010-78 in May 2010 which certified a Final Environmental Impact Report (Final EIR) (SCH No. 2005081077/UPD # 83356-EIR-658; District Clerk Document No. 56562) and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and

**WHEREAS**, on August 13, 2013, the BPC adopted Resolution 2013-138, which approved the First Addendum to the Final EIR concerning design changes to H Street; and

**WHEREAS**, pursuant to the California Coastal Act, in May 2010, the BPC also adopted Resolution No. 2010-79 which approved the CVBMP PMPA and directed staff to submit the PMPA to the California Coastal Commission (CCC) - for its review and certification; and

**WHEREAS**, during the CCC certification process for the CVBMP PMPA, the District and CCC, decided to relocate an existing RV park to Parcel S-1, a

site that at the time was designated for a future hotel in the District's approved PMPA; and

**WHEREAS**, specifically, upon the District's request, its application to the CCC for the PMPA was amended to revise the uses on parcel S-1 from hotel to low-scale, low-intensity uses consisting of a recreational vehicle park and/or campground with retail, restaurant, or meeting space associated with these uses (Relocated RV Park) and the Relocated RV Park was moved from Phase IV to Phase I of the CVBMP's implementation; and

**WHEREAS**, additionally, the District's amended application for the PMPA included Chula Vista Bayfront Development Policies (Development Policies) (District Clerk Document No. 59407) and a Public Access Plan (PAP) (District Clerk Document No. 59408), both of which were incorporated by reference into the PMPA; and

**WHEREAS**, the Development Policies consist of detailed and specific planning and development objectives and policies for the Chula Vista planning district covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor serving requirements and the PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and parking requirements; and

**WHEREAS**, on August 9, 2012, the CCC certified the CVBMP PMPA, including the Relocated RV Park, Development Policies, and PAP (collectively, Revised Project); and

**WHEREAS**, since the Revised Project in the certified PMPA occurred subsequent to the BPC's certification of the Final EIR and the BPC is considering subsequent discretionary approvals – concept approval and an Appealable Coastal Development Permit (CDP) – for the Relocated RV Park, an updated environmental analysis is necessary in accordance with CEQA; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15168(c), the District examined the Revised Project in light of the Final EIR to determine whether an additional environmental document must be prepared and found that pursuant to CEQA Guidelines Section 15162, no new effects could occur and no new mitigation measures would be required, and the Revised Project is within the scope of the project covered by the Final EIR and no new environmental document is required; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15164, the District has prepared a Second Addendum to the Final EIR, which analyzed the Revised Project and applicable mitigation measures, including those for Phase I of the CVBMP implementations (rather, than Phase IV), and the Second Addendum

was appropriate because only minor changes or additions are necessary for the Final EIR to apply to the Revised Project, and none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR, or in CEQA Guidelines Section 15163 calling for preparation of a supplemental EIR, have occurred; and

**WHEREAS**, the District has filed the Second Addendum and the Final EIR with the Office of the District Clerk (Clerk) and pursuant to CEQA, the District previously prepared a Mitigation Monitoring and Reporting Program also filed with the Clerk (District Clerk Document No. 56555); and

**WHEREAS**, the Clerk has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and affidavit of mailing on file with the Clerk; and

**WHEREAS**, all materials with regard to the Revised Project were made available to the BPC for its review and consideration of the Revised Project including, but not limited to, the following:

1. The Second Addendum and appendices, if any;
2. The Final EIR and appendices;
3. The Agenda Sheet, dated April 10, 2018;
4. The Findings of Fact and Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program, dated May 2010 and appended to Resolution 2010-78 as Exhibits "A" and "B", respectively; and
5. All documents and records filed in this proceeding by interested parties.

**WHEREAS**, a duly noticed public hearing was held on April 10, 2018, before the BPC, at which the BPC received public testimony, reviewed and considered all testimony and materials made available to the BPC regarding the Revised Project, and gave direction to District staff regarding the Revised Project; and

**WHEREAS**, having reviewed and considered all testimony and materials made available to the BPC, including but not limited to the Second Addendum and the Final EIR, the staff reports and all the testimony and evidence in the record of the proceedings with respect to the Revised Project, the BPC took the actions hereinafter set forth:

**NOW THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners (BPC) of the San Diego Unified Port District, as follows:

1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. The BPC finds and determines that the applicable provisions of CEQA, the CEQA Guidelines and the District Guidelines have been duly observed in conjunction with said hearing and the considerations of this matter and all of the previous proceedings related thereto.

3. The BPC finds and determines, on the basis of the whole record before the BPC, that:

- a. The Final EIR is complete and adequate in scope and is of continuing informational value with respect to the Revised Project;
- b. Some minor changes or additions to the Final EIR are necessary and the preparation of a Second Addendum to the Final EIR pursuant to CEQA Guidelines Section 15164 for the Revised Project is adequate and appropriate;
- c. None of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred;
- d. None of the conditions described in CEQA Guidelines Section 15163 calling for preparation of a supplemental EIR, have occurred;
- e. No additional environmental review is required because the Revised Project implements all applicable mitigation measures, is within the scope of the Final EIR and will not result in any new or more severe significant impacts or require mitigation measures not previously identified in the Final EIR;
- f. The BPC has fully reviewed and considered the information in the Second Addendum and the Final EIR prior to making a decision to approve the Revised Project;
- g. The Second Addendum is complete and adequate in scope and has been completed in compliance with CEQA and the CEQA Guidelines and the District Guidelines for implementation thereof;

- h. The Revised Project implements the Mitigation Monitoring and Reporting Program (MMRP) and no additional mitigation measures or alternatives are required; and
- i. The Second Addendum and the Final EIR reflect the District's independent judgment and analysis.
- j. The Project is consistent with the Public Trust Doctrine, as the Project complies with Section 87 of the Port Act which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed actions are consistent with the Public Trust Doctrine.

5. The Second Addendum to the Final EIR is hereby adopted in relation to the subject of this Resolution.

6. The Revised Project is approved and, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the BPC hereby makes and adopts the findings with respect to each such significant environmental effect as set forth in the Findings of Fact, appended to Resolution 2010-78 as Exhibit "A" and made a part hereof by this reference, and declares that it considered the evidence described in connection with each such finding.

8. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d), the BPC hereby adopts and approves the MMRP, which is appended to Resolution 2010-78 as Exhibit "B" and is made a part hereof by this reference, with respect to the significant environmental effects of the original CVBMP PMPA and related projects, and hereby makes and adopts the provisions of the Mitigation Monitoring and Reporting Program applicable to the Revised Project as conditions of approval for the Revised Project.

9. Pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15094, the District Clerk shall cause a Notice of Determination to be filed with the Clerk of the County of San Diego and the State Office of Planning and Research.

10. Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the location and custodian of the documents and other materials which constitute the record of proceedings on which this Resolution is based is the Office of the District Clerk, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101.

11. As a condition of this approval, Sun Communities, Inc. shall indemnify and hold the San Diego Unified Port District (District) harmless against all third-party legal challenges, claims, lawsuits, proceedings and the like, including reimbursement of all attorneys' fees, costs and expenses incurred by the District related to the approval of the Second Addendum. Said condition is independent of any agreement between the District and Sun Communities, Inc.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

  
By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10<sup>th</sup> day of April 2018, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

NAYS: None.


EXCUSED: Zucchet

ABSENT: None.

ABSTAIN: None.

  
Rafael Castellanos, Chairman  
Board of Port Commissioners

ATTEST:

  
Donna Morales  
District Clerk

(Seal)



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**File #:**2018-0069

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**DATE:** April 10, 2018

**COSTA VISTA RV RESORT AT CHULA VISTA BAYFRONT:**

- A) RESOLUTION ADOPTING A SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE "CHULA VISTA BAYFRONT MASTER PLAN PROJECT" AND AUTHORIZING STAFF TO FILE A NOTICE OF DETERMINATION**
- B) RESOLUTION GRANTING CONCEPT APPROVAL TO SUN COMMUNITIES, INC. FOR THE COSTA VISTA RV RESORT PROJECT CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT**
- C) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT (CDP) FOR THE COSTA VISTA RV RESORT PROJECT CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT**

**EXECUTIVE SUMMARY:**

Chula Vista Marina/RV Park, Ltd. has a lease<sup>1</sup> with the District to operate a 237-stall RV Park (Existing RV Park) at 460 Sandpiper Way, within the City of Chula Vista (City) that expires on November 30, 2021. In May 2010, the Board certified a Final Environmental Impact Report (Final EIR) (UPD #83356-EIR-658; SCH #2005081077; Clerk Document No. 56562, dated November 2015, and certified by Resolution No. 2010-78 on May 18, 2010) and approved a Port Master Plan Amendment (PMPA) for the Chula Vista Bayfront Master Plan (CVBMP), which was the result of a decade-long planning effort. This entitlement process envisioned the relocation of the Existing RV Park, which is currently located within the Harbor District portion of the Chula Vista Bayfront (CVB). During the certification process for the CVBMP PMPA, the District and the California Coastal Commission (CCC), decided to relocate the Existing RV Park to parcel S-1, a site that at the time was designated for a future hotel in the District's approved PMPA. Specifically, upon the District's request, its application to the CCC for the PMPA was amended to revise the uses on parcel S-1 from hotel to low-scale, low-intensity uses consisting of a recreational vehicle park and/or campground with retail, restaurant, or meeting space associated with these uses (Relocated RV Park) and the Relocated RV Park was moved from Phase IV to Phase I of the CVBMP. Ultimately, the certified CVBMP PMPA identifies parcel S-1, a 19-acre site, located at E Street and Bay Boulevard in the Sweetwater District of the CVB (Site) as the replacement site for the Relocated RV Park consisting of 237 stalls (Attachment A).

Additionally, the District's amended application for the PMPA included Chula Vista Bayfront Development Policies (Development Policies) (District Clerk Document No. 59407) and a Public Access Plan (PAP) (District Clerk Document No. 59408), both of which were incorporated by

reference into the PMPA. The Development Policies consist of detailed and specific planning and development objectives and policies for the Chula Vista Planning District covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor serving requirements. The PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and parking requirements. The Relocated RV Park, Development Policies and PAP (collectively, Revised Project) were all included in the certified PMPA. Additionally, the Development Policies require all existing 237 recreational vehicle (RV) stalls be replaced prior to the Existing RV Park closing.

After lengthy discussions and negotiations with the Existing RV Park tenant, they notified the District on April 11, 2016 that they have elected not to relocate to the new Site. Since the replacement of the 237 RV stalls is a requirement of the Development Policies, on October 24, 2016, staff issued a Request for Proposals (RFP) for the development of a minimum 237-stall RV park at the Site.

Staff issued the "Destination RV Park" RFP (RFP 16-36RH)<sup>2</sup> for the development of the Relocated RV Park with a minimum of 237 stalls and associated infrastructure improvements and partnered with the Marketing and Communications team to develop a national advertising campaign, which reached over 250,000 people. Staff also hosted an Information Exchange and site visit, which 40 interested parties attended. On December 15, 2016, five proposals were received, four of which were deemed complete. On April 11, 2017, the Board selected the team of Sun Communities, Inc. & Northgate Resorts LLC (Sun Communities) as the successful proposer and directed staff to commence lease negotiations and environmental review.

Since the Revised Project in the certified PMPA occurred subsequent to the Board's certification of the Final EIR in 2010 and the Board is considering subsequent discretionary approvals - concept approval and an Appealable Coastal Development Permit (CDP) - for the Relocated RV Park, an updated environmental analysis is necessary in accordance with the California Environmental Quality Act (CEQA). A Second Addendum to the Final EIR, dated April 2018, has been prepared to analyze the Revised Project. Additionally, as a result of the Relocated RV Park being moved to Phase I of the CVBMP implementation, certain mitigation measures are no longer applicable to the Relocated RV Park. Consequently, the Second Addendum also analyzes the changes in phasing in relation to certain mitigation measures for the Relocated RV Park. Additionally, the Second Addendum documents that none of the conditions in CEQA Guidelines Sections 15162 and 15163, triggering preparation of a Subsequent or Supplemental EIR, have occurred (Attachment B). The Second Addendum is appropriate under CEQA Guidelines Section 15164 and incorporates the Revised Project into the Final EIR for the Board's consideration.

Sun Communities, as the Project Applicant (Applicant), proposes to construct and operate the Relocated RV Park, a low-scale, low profile, and lower-cost RV resort with associated improvements on parcel S-1; grading in parcels S-2 and S-3; the extension of E Street; construction of a 400-foot-wide landscape buffer within a portion of parcel SP-1; and the realignment of Gunpowder Point Drive within parcels SP-1 and SP-3 to allow continued access to the Living Coast Discovery Center (LCDC) (collectively, "Project"). Stakeholder outreach for the Project included meetings with the South Bay Wildlife Advisory Group (WAG), Bayfront Cultural and Design Committee (BCDC), and the Accessible Advisory Committee (AAC). Pursuant to the District's CDP Regulations and the California Coastal Act, the Project requires concept approval consistent with Board Policy (BPC) No. 357 and

authorization to issue an appealable Coastal Development Permit. Moreover, because a lease - the vehicle for obtaining real property rights to the Site - has not been executed, authorization for issuance of the CDP is conditioned on the execution of a lease. Staff has determined that the Project is consistent with the certified PMP.

### **RECOMMENDATION:**

Costa Vista RV Resort at Chula Vista Bayfront:

- A) Resolution adopting a Second Addendum to the Final Environmental Impact Report for the "Chula Vista Bayfront Master Plan Project" and authorizing staff to file a Notice of Determination
- B) Resolution granting concept approval to Sun Communities, Inc. for the Costa Vista RV Resort project conditioned on satisfaction of certain conditions precedent
- C) Conduct public hearing and adopt resolution authorizing issuance of an appealable Coastal Development Permit for the Costa Vista RV Resort project conditioned on satisfaction of certain conditions precedent

### **FISCAL IMPACT:**

The current recommended actions will not have a direct fiscal impact; however, in accordance with BPC Policy No. 106, Cost Recovery User Fee Policy, Sun Communities has been subject to cost recovery fees for Project review, CEQA, and Coastal Act processing. Staff is in negotiations with Sun Communities for a ground lease, which will be presented to the Board for consideration at a future meeting. Although a lease has not yet been negotiated, the rent structure proposed by Sun Communities, their contribution to offsite improvements, and their willingness to negotiate additional contributions within the Sweetwater District, will help to minimize upfront financial obligations to fund public infrastructure in the early phases.

### **COMPASS STRATEGIC GOALS:**

As part of efforts to support a vibrant and active waterfront, the District initiated a public solicitation process for redevelopment and operation of the Site. Due to the Site's high profile nature and its status as an undeveloped property, it was important to test the market and undertake a competitive process to ensure that the Site's potential is maximized.

This agenda item supports the following Strategic Goals:

- A Port that the public understands and trusts.
- A vibrant waterfront destination where residents and visitors converge.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A Port that is a safe place to visit, work and play.

### **DISCUSSION:**

#### **Background**

Starting in 2002, the District, City, and the City of Chula Vista Redevelopment Agency (RDA) started a multi-agency comprehensive planning effort for the CVB. In May 2010, the Board, the Chula Vista City Council, and the RDA certified the Final EIR, in which the District was the lead agency and the City of Chula Vista was a responsible agency pursuant to CEQA. The Final EIR analyzed land use changes and the redevelopment of the 556-acre CVBMP. The CVBMP encompasses an area that includes 497 acres of land area and 59 acres of water area. It is bounded by the Sweetwater Marsh National Wildlife Refuge (NWR), the mouth of the Sweetwater River, and the jurisdictional boundary of National City on the north. Interstate 5 and commercial development along Bay Boulevard are to the east. Palomar Street and the South Bay Unit of the NWR, which includes the salt evaporation ponds, at the southern end of the San Diego Bay, border the CVBMP area to the south and west. The CVBMP consists of three planning districts, from north to south: the Sweetwater District, the Harbor District, and the Otay District.

The CCC's certification of the CVBMP PMPA (No. 6-PSD-MAJ-41-11) in August 2012 re-designated parcel S-1 for the Relocated RV Park, a low-scale, low profile, lower-cost overnight accommodations such as an RV park and/or campground with retail, restaurant, and meeting space associated with these uses. However, the Final EIR included an analysis of the development of parcel S-1 with a hotel, consisting of a two-to-eight stories with 500-750 rooms and a height of 40 to 100 feet. The certified PMPA also incorporated, by reference, the Development Policies and the PAP. The Development Policies consist of detailed and specific planning and development objectives and policies for the CVB covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor-serving requirements. The PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and parking requirements.

## **Sun Communities**

Sun Communities is one of the largest operators of RV resorts in North America, currently owning and operating 100 RV resorts across 29 states and two countries. Sun Communities has extensive development experience with currently over 2,000 units currently under construction, and they have a proven track record of success in financing, developing, and operating quality RV resorts. Sun Communities is a publicly-traded real estate investment trust (REIT) with a total value exceeding \$9 Billion, and the company has a \$450 Million line of credit set aside for project acquisitions. The Sun Communities proprietary marketing database contains over 1 million RV resort travelers.

## **Project Description**

The Project Site is located on six parcels identified as parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3 in the CVB Sweetwater District of Planning District 7, which is delineated on Precise Plan Map Figure 19 of the PMP (Attachment C). The Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the access road for the LCDRC will be constructed at this time); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1 & SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the PMP Project List (Table 19). The PMP land use designations within the limits of the Project are "Commercial Recreation" (S-1 & S-3), "Open Space/Habitat Replacement" (SP-1), "Wetlands" (SP-2), and "Park/Plaza" (S-2 & SP-3).

The entire Project includes the following components/features:

Roadways and Circulation

- New 26-foot wide roadway with 13-foot travel lane in each direction with sidewalk (E Street, from Bay Boulevard to F Street).
- Grading for a future 34-foot wide roadway with 11-foot travel lane and a 6-foot Class 2 bicycle lane in each direction (F Street, south of E Street).
- New 28-foot wide roadway with 14-foot travel lane in each direction (F Street, north of E Street).
- Relocated 22-foot wide roadway with 11-foot travel lane in each direction with a 1' flat area for each shoulder (Gunpowder Point Drive).
- Roundabout at the intersection of E Street and F Street.
- Removal of existing railroad tracks and ties at non-operational crossing.
- Appropriate roadway transitions at each terminus point to existing roadway improvements, including striping.
- Traffic signal modifications and striping at Bay Boulevard, the I-5 southbound on and off-ramps, and E Street to provide pedestrian crossings on the north, west and south sides of the intersection.
- 8-foot wide sidewalk on the north side of E Street west of Bay Boulevard, with a 6-foot wide landscape parkway between the curb and sidewalk except adjacent to the existing mulefat area.
- 5-foot wide sidewalk on the north side of E Street east of the I-5 southbound ramp to the I-5 bridge.
- 12-foot wide decomposed granite pedestrian trail looping around the outside of the RV Park, in Parcels SP-3 and SP-1.
- 14-foot wide Class 1 bicycle path and 8-foot wide decomposed granite pedestrian path along the south side of E Street around the north side of the roundabout and into S-2.
- The existing parking lot used by LCDC on the San Diego Gas & Electric (SDG&E) utility corridor north of E Street will be left in place, slurry coated and restriped. The new parking lot for the LCDC in parcel SP-3 is not included in the scope of this permit.

Utilities

- The potable water system will provide service to adjacent properties and accommodate the build-out of the Bayfront. A 12-inch waterline will be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch line will be installed in F Street north of E Street.
- The existing fire line and service line that serve the United States Fish and Wildlife Service (USFWS) and LCDC will be relocated into the new Gunpowder Point Drive. These new underground lines will replace existing on-ground pipelines up to the USFWS boundary.
- The sewer system will provide service to adjacent properties and accommodate the build-out of the Bayfront. An 8-inch sewer line will be installed in F Street, connecting to and existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street.
- A new sewer flow meter may be installed in an existing meter vault by the City of San Diego.
- Dry utilities, including gas, electric, and communications lines in E and F Streets.

- Relocation and undergrounding of all existing electric and communications lines on S-1, SP-3 and SP-1.
- Light-emitting diode (LED) street lighting along E Street and F Street north of E Street.

#### Drainage/Grading

- Storm drain systems to accommodate the ultimate build-out of the Bayfront.
- Post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies. Permanent BMPs include three bio-retention basins and two sediment traps.
- A portion of the storm drain system captures runoff from off-site upstream areas which is discharged to a bio-retention basin. This will provide treatment of runoff from upstream commercial areas that currently discharge directly into the Seasonal Wetlands.
- Grading on parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3 that includes 40,000 cubic yards of cut and 205,000 cubic yards of fill for a total import of 165,000 cubic yards.

#### Landscape

- Landscape planting and irrigation along E Street and F Street.
- Landscape planting and irrigation with a native species plant palette in the 400-foot buffer on Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-2.
- Mitigation for impacts to existing coastal sage scrub at a 3:1 ratio. Mitigation includes restoration with maritime succulent scrub in Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-3. The habitat restoration will be monitored consistent with the provisions of the PMP, including the Development Policies and NRMP, and the Final EIR Mitigation Monitoring and Reporting Program (MMRP).
- A 6-foot tall, black vinyl-coated chain link fence located along the outer boundary of the no-touch buffer to limit access to the NWR.
- Keypad controlled electric-operated gates will be provided at two locations on Gunpowder Point Drive to control access to USFWS and LCDC. One will be at the turnoff from F Street and the other will be along the no-touch buffer fence.

#### RV Park

- 255 spaces with concrete pads and utility hook-ups for sewer, water and electricity. The RV resort will consist of 139 RV stalls and 116 RV Park Models (PMs). PMs are considered a unique, trailer-type of RV that are built on a single chassis, mounted on wheels, and can be moved at any time. PMs are manufacture-certified as complying with the American National Standards Institute (ANSI) A119.5 standard for Recreational Park Trailers. Once parked, PMs are typically treated with architectural enhancements and skirting around the wheels to make the units aesthetically pleasing.
- Welcome center (4,519 square feet) containing Costa Vista Resort offices, marketplace, restrooms, showers and guest laundry facilities. A protected dog area is proposed adjacent to the welcome center.
- A paseo which links the resorts welcome center to the pool area amenities.
- The aquatic features of the resort include a children's play pool, family pool and Jacuzzi.
- The aquatic amenities building (4,980 square feet) will house the men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment

rooms, sauna, work-out gym, and a guest laundry facilities.

- The resort activity building (6,252 square feet) is located on the north side of the aquatic facilities and will house the grill/restaurant, entertainment arcade, game room, business center and restrooms.
- The activity center will also contain a multi-purpose room for educational and large guest gathering.
- The center of the RV resort will house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits. The resort restroom (1,071 square feet) will also be located in this area.
- Interior drive aisles and utilities.
- The facilities within the RV Resort will provide LED lighting to ensure safety of the guest. Low-level pathway lights will be utilized within the resort to assist in wayfinding for the guest.
- A 6-foot tall, black tubular metal fence with spacing of approximately four inches will be installed along the perimeter to control wildlife movement and to protect the adjacent sensitive habitat from human interaction and domesticated, feral, and nuisance predators. Security gates and controlled entry points will also be provided.
- The entire RV resort will be graded to accommodate adequate sewer fall across the site eliminating the need for a sewer pump station along the southwest corner of the resort at the round-about on E street.
- An additional landscape buffer will be provided along E street to enhance the entrance into the Chula Vista Bayfront.

## **Second Addendum to the Final Environmental Impact Report and Inapplicable Phase IV Mitigation Measures to the Relocated RV Park being a Phase I Development**

A component of the Final EIR was an analysis of the development of parcel S-1 with a hotel, consisting of a two-to-eight stories with 500-750 rooms, and a height of 40 to 100 feet. As previously discussed, parcel S-1 was re-designated in the certified PMPA to a less intensive use that was limited to the Relocated RV Park (a minimum 237 stall RV park and/or campground with associated retail, restaurant, and meeting space) and the Relocated RV Park was moved from Phase IV to Phase I of the CVBMP implementation. As a result of these changes, some of the mitigation measures identified in the Final EIR for Traffic and Transportation would no longer apply to the Project. Specifically, the following mitigation measures will be applied during Phase IV of the CVBMP implementation as they were adopted to mitigate potential traffic impacts in Phase IV of the CVBMP buildout, including a hotel on parcel S-1, as described in the PMP. However, the proposed Project is now a component of Phase I as certified by the CCC and identified in the PMP Project List (Table 19) and therefore, the mitigation measures are inapplicable to the proposed Project. This determination is analyzed in the Second Addendum to the Final EIR and further supported by a "CVBMP Traffic Analysis" prepared by Rick Engineering in March 2018 (included as Appendix E of Attachment B). The inapplicable mitigation measures are as follows:

- **MM 6.5-9:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct an eastbound and westbound through-lane along H Street (as part of roadway segment mitigation) and a westbound right-turn lane at the intersection of H Street and Woodlawn Avenue. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-26 to below a level of

significance.

- **MM 6.5-10:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway. The lane shall be constructed to the satisfaction of the City Engineer. With mitigation, this intersection would still operate at LOS E during the PM peak hour. This is consistent with the result from the Chula Vista Urban Core traffic study, which concluded that no additional mitigation is desired at this location. This mitigation would reduce Significant Impact 6.5-27 to below a level of significance.
- **MM 6.5-11:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.
- **MM 4.2-25:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a new F Street segment between the proposed terminus of the existing F Street and the proposed E Street extension, ending at the SP-3 Chula Vista Nature Center parking lot, as a two lane Class III collector street, which shall also contain a Class II bike lane on both sides of the street. This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.
- **MM 4.2-26:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen E Street between F Street and Bay Boulevard to a four-lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. Also, the widening of this segment of E Street would facilitate the flow of project traffic on Bay Boulevard between E Street to F Street. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.
- **MM 4.2-27:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-42 to below a level of significance. The off-site traffic improvements described in this mitigation measure for direct traffic impacts would create secondary traffic impacts. Improvements associated with these secondary impacts would be required as a result of cumulative and growth-related traffic overall, of which the Proposed Project would be a component. The Western Chula Vista TDIF identifies these improvements in a cumulative context and attributes fair share contributions according to the impact. Therefore, the Proposed Project would be responsible for a fair share contribution and would not be solely responsible for implementation of necessary secondary impact improvements.
- **MM 4.2-28:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an eastbound through lane and an exclusive eastbound right-turn lane along E Street at the intersection of E Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be

constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-43 to below a level of significance.

- **MM 4.2-29:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an exclusive southbound right-turn lane along Bay Boulevard at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-44 to below a level of significance.
- **MM 4.2-30:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a dual southbound left-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-45 to below a level of significance.

Additionally, as part of their certification, the CCC reviewed the PMPA and found that all impacts could be mitigated. The CCC found that the PMPA did not have the potential to result in significant individual or cumulative impacts to sensitive resources, recreation, or the visual quality of the environment of the Coastal Zone. The CCC found that there were no feasible alternatives or feasible mitigation measures that would have substantially lessened any significant adverse impacts which the PMPA may have had on the environment. The CCC found that the PMPA, as certified with the revisions to the PMPA and incorporation of Development Policies and a PAP, was consistent with the EIR prepared for the CVBMP. An analysis of the Revised Project, including the Project, the certified PMPA as revised by the CCC, Development Policies, and PAP are included in the Second Addendum to the Final EIR (Attachment B).

## **Concept Approval**

Pursuant to Board Policy No. 357, plans for new tenant development must be presented to the Board for approval if the project is estimated to cost more than \$500,000. The Project cost is approximately \$39 Million, which includes both on and offsite costs. The components of the proposed Project are further detailed above in the "Project Description" section.

## **Coastal Development Permit**

A copy of a draft CDP is provided as Attachment E to this Agenda Sheet. The Applicant is required to comply with all applicable mitigation measures that are specified in the Final EIR MMRP and all applicable policies and implementation measures in the Development Policies, PAP, CVB Natural Resources Management Plan (NRMP) (Clerk Document No. 65065), and the CVB Settlement Agreement (Clerk Document No. 56523) (listed as Special Provisions of the CDP). Special Provisions are incorporated into the CDP to ensure project conformance with all applicable mitigation measures, policies, and implementation measures. The Project complies with all the applicable Development Policies. Those Development Policies address environmental management, wetlands, climate change, landscaping, lighting and illumination, noise, pathway design, predator management, storm water and urban runoff quality, energy, hazardous materials, public engagement, and circulation. Compliance with the applicable Development Policies is analyzed in the Second

Addendum to the Final EIR under each respective environmental topic, in addition to the relevant policies (Attachment B).

A *Restoration and Enhancement Alternatives for the Chula Vista Bayfront* was prepared by Merkel & Associates, Inc. in April 2017, which includes a sea level rise analysis that was prepared by Environmental Science Associates (ESA). The analysis provides models of sea level rise under four scenarios: a 1-foot rise in the year 2030; a 2-foot rise in the year 2050; a 3.2-foot rise in the year 2070; and a 5.5-foot rise in the year 2100 (Attachment H). The four models indicate that the Project will not be impacted by sea level rise through the year 2100 and hence, are consistent with the PMP and the applicable California Coastal Act policies.

A *Biological Resources Survey Report* was conducted for the Sweetwater District in March 2015, and includes quantities of vegetation communities (Appendix D to Attachment B). The Project was designed to avoid the adjacent mulefat scrub/riparian scrub and will provide mitigation to permanent impacts of Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, broom baccharis-dominated Diegan coastal sage scrub, and disturbed broom baccharis-dominated Diegan coastal sage scrub consistent with the mitigation identified within the Final EIR. Mitigation ratios for impacts to vegetation communities are provided in the MMRP and will be adhered to through a mitigation plan as required by Mitigation Measure 4.8-6(H).

Under the Chapter 8 of the Coastal Act, the District's certified PMP and the District's CDP Regulations, the Project has been determined to be an "appealable" CDP. (See California Public Resources Code Section 30715 and Section 7(4) of the District's CDP Regulations that include the sole categories of appealable development within the District's jurisdiction; and Item 4 of Table 19 (Project List) of the PMP (p. 106) that lists the Project as appealable). The Project is also located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein. This Project will enhance public access and public recreation by providing 255 lower-cost overnight accommodations (comprised of 237 replacement lower cost overnight accommodations mobile vehicle stalls and 12 new additional stalls) and providing walking trails around the Project site of sufficient distance from the adjacent wildlife refuge. The Project conforms to the land use designations of "Commercial Recreation" for parcels S-1 and S-3, "Open Space/Habitat Replacement" for parcel SP-1, "Wetlands" for parcel SP-2, and "Park/Plaza" for parcels S-2 and SP-3, Precise Plan text, and Project list, and is therefore consistent with the certified PMP which includes, by reference, the Development Policies, the PAP, and the NRMP. Based on this finding, a conditional CDP may be issued.

Pursuant to the CDP Regulations, a public hearing is required. Notices were mailed to all property owners, lessees, and occupants within 100 feet of the Project site, the CCC, and the City of Chula Vista Mayor and City Manager, to inform them that a public hearing will be conducted regarding the authorization to issue an appealable CDP for the proposed Project. E-mailed notices were also sent to members of the (WAG) and (BCDC). Board action on the proposed Project may be appealed to the CCC pursuant to Chapter 7 of Division 20 of the Public Resources Code within 10 working days after the CCC receives a notice of the Board's decision on the CDP. After the CCC receives the notice of the Board's decision, if a written appeal is not filed within 10 working days, the Executive Director may issue the CDP immediately upon satisfaction of certain conditions precedent discussed below.

## **Conditions to the Concept Approval and CDP Approval**

As of the date of the Board's consideration of the CDP and Concept Approval, the Site is leased by the District from State Land Commission (SLC) through a Master Lease and has not yet been granted to the District and added to the Port Act. Specifically, the Site was obtained through a land exchange, which is currently being perfected to bring the Site into the District's tidelands. As of the date of this Agenda Sheet, an urgency statute is proposed for the Legislature's adoption this year (Legislation), which would transfer the Site to the District's tidelands and allow the legislation to take effect immediately after it is signed by the Governor and chaptered into law. If the Legislation does not pass, a CDP would need to be obtained from the City for the Project and the Master Lease would need to be amended to specify the Project as an approved use. Moreover, the District and Applicant need to enter into a definitive real estate agreement to give the Applicant real property rights to develop and operate the Project (Definitive Agreement). Therefore, authority to issue the CDP and the effectiveness of the Concept Approval is conditioned on the Legislation other legislation being enacted and the District and Applicant execute Definitive Agreement. Alternatively, a CDP could be obtained by City, the Master Lease amended to allow for Project and the District and Applicant execute Definitive Agreement to allow the Applicant to develop on the Site. Additionally, the CDP has been conditioned so that prior to issuance, the Applicant and/or District shall retain a qualified biologist to prepare an update to the March 2015 *Biological Resources Survey Report*. The update shall provide a current assessment of the conclusions in the 2015 report and the extent and quality of natural resources on the site.

## **Stakeholder Outreach**

### **Wildlife Advisory Group**

As required by Development Policy 17.1, the WAG was formed to advise the District and the City of Chula Vista in the creation of the NRMP, cooperative management agreements, Adaptive Management Review, and any related wildlife management and restoration plans or prioritizations. In order to more fully understand the proposed Project, the WAG formed an RV Park Subcommittee (Subcommittee) to review the proposal. Tucker-Sadler Architects (Applicant's Representative) presented to the Subcommittee during a publicly-noticed meeting on August 16, 2017 to give an overview of the project components and site design. Several suggestions were raised by the Subcommittee as summarized in Attachment F, including the actions taken by the Applicant's Representative.

### **Bayfront Cultural and Design Committee**

The BCDC was formed to meet the requirement of Development Policy 17.4 and Sections 13.1 and 13.2 of the CVBMP Settlement Agreement. The role of the BCDC is to advise the District in the design in parks, cultural facilities, and development projects. The BCDC held a publicly-noticed meeting at the City of Chula Vista offices on February 20, 2018 to allow the Applicant's Representative to present the proposed Project to the BCDC and receive input from the committee and the public. No members of the public spoke regarding the Project. The main point of discussion between the BCDC and the Applicant's Representative was a suggestion shared by the committee that the Project would create a negative visual impact from RV parking stalls being located in close

proximity to E Street, which is also a gateway or entryway into the CVB. BCDC also gave suggestions regarding the landscaping for the Project site, and more specifically that a more creative and native landscape palette should be used. With the exception of these two design issues, the BCDC determined that the Proposed Project meets the applicable provisions of the Chula Vista Bayfront Design Guidelines. The committee passed two motions formally carrying recommendations forward to the Board for consideration.

The two motions included the following:

1. Amend the preliminary site plan to provide visual relief by either removing/relocating the proposed RV lots away from the boundary adjacent to the E Street corridor or increasing landscape screening along the corridor.
2. Explore alternative landscaping options on the Project site with consideration for the CVB as a whole.

A letter from the BCDC to the Board was submitted that provided further explanation of the committee's suggestions regarding the E Street entryway into the CVB. Additional e-mail correspondence from members of the public (individual comments from committee members) were received regarding parking for the RV resort (Attachment G).

In response to the BCDC's suggestions over screening, the Applicant's Representative has revised the Project by providing deeper landscaped setbacks along the E Street frontage to provide increased visual screening into the entry of the CVB. A perspective is included in the plan set (Attachment D) that shows how the view of the RV resort, as currently proposed, would appear from public views along E Street. Additionally, the RV resort meets the parking requirement of one parking space per RV stall as indicated in Table 4.3-1 of the Final EIR.

### **Accessibility Advisory Committee**

The AAC met at a publicly-noticed meeting on February 7, 2018 and the Applicant's Representative provided an overview of the Project. The committee inquired about the process to include adjustments to the showers, restrooms, and check-in counters to make them more accessible to the disabled community. Development Services staff noted that the suggested changes could be included as part of the Conditional Project Approval pursuant to Board Policy 357, if the Project were to be approved by the Board.

### **General Counsel's Comments:**

The office of the General Counsel has reviewed the Agenda Sheet and attachments as presented to it, and approves them as to form and legality.

### **Environmental Review:**

In accordance with CEQA statutes and guidelines, the 2010 Project was analyzed in the Final EIR for the CVBMP. On May 18, 2010, the Board adopted Resolution 2010-78 certifying the Final EIR, adopting the Findings of Fact and Statement of Overriding Considerations (Findings and SOC), and

adopting the MMRP.

An Second Addendum to the Final EIR, dated April 2018, has been prepared to analyze changes from the initial 2010 project with the Revised Project, including the inclusion of the Development Policies and PAP into the certified PMPA and exclusion of certain mitigation measures that no longer apply due to the CCC's certification of the PMPA (collectively "Updated Project" for descriptive purposes herein), and to document that none of the conditions in CEQA Guidelines Sections 15162 and 15163, triggering preparation of a Subsequent or Supplemental EIR have occurred. The Second Addendum is appropriate under CEQA Guidelines Section 15164. The Second Addendum analyzes the Updated Project and if adopted will become a chapter of the Final EIR. Staff has reviewed the Updated Project and has determined that: (1) the Updated Project is within the scope of the Final EIR; and (2) there will not be any new or more significant impacts or required new mitigation measures not previously identified in the Final EIR, Findings and SOC, or MMRP previously certified and adopted by the Board.

The analysis included in the Second Addendum to the Final EIR concludes that the Updated Project would result in substantially similar or less impacts to those of the 2010 project because the scope of the Updated Project, including both construction and operation is less intensive than the 2010 project. The Second Addendum to the Final EIR also concludes that: (1) analyses and conclusions in the Final EIR remain current and valid; (2) that the Updated Project would not cause new or substantially more severe significant effects than those identified in the Final EIR; (3) no new mitigation measures would be required; (4) that no change has occurred with respect to circumstances surrounding the Updated Project that would cause new or substantially more severe significant environmental effects than identified in the Final EIR; and (5) that no new information has become available that show that the Updated Project would cause significant environmental effects not already analyzed in the Final EIR. As such, pursuant to CEQA Guidelines Section 15164, and based on the information provided in the Second Addendum to the Final EIR, the analysis for the updated Project has been appropriately addressed in the Final EIR and no further environmental review is required.

If the Board approves any discretionary action to carry out the Updated Project, District staff will file a Notice of Determination pursuant to CEQA Guidelines Section 15094.

Additionally, the recommended Board actions comply with Section 87 of the Port Act which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed actions are consistent with the Public Trust Doctrine.

### **Equal Opportunity Program:**

Not applicable.

### **PREPARED BY:**

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Associate Planner, Development Services

Stephanie Shook  
Asset Manager, Real Estate

Attachment(s):

Attachment A: Location Map and Precise Plan

Attachment B: Second Addendum to the Chula Vista Bayfront Master Plan Final EIR, dated April 2018

Attachment C: Precise Plan Figure 19, Planning District 7

Attachment D: Concept Architectural Plans

Attachment E: Draft Coastal Development Permit

Attachment F: Table with WAG Subcommittee Suggestions and Responses

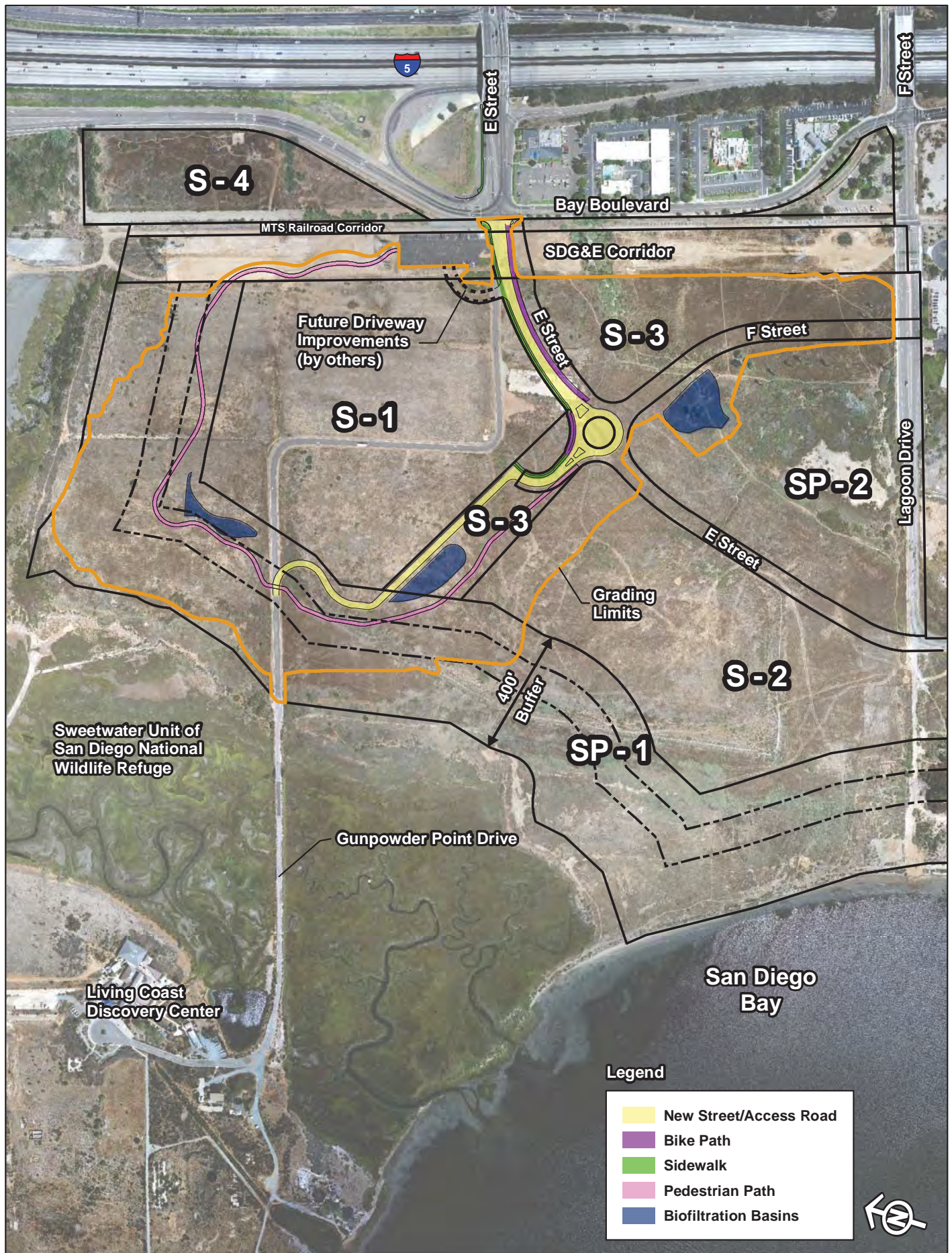
Attachment G: Correspondence from the BCDC dated March 20, 2018, Susan Krzywicki dated March 28, 2018, and Tina Matthias dated March 5, 2018

Attachment H: Sea Level Rise Modeling at 2030, 2050, 2070 & 2100

<sup>1</sup> Lease dated November 3, 1981, on file in the Office of the District Clerk as Document No. 14243, as amended.

<sup>2</sup> Request for Proposals (RFP) RFP 16-36RH Destination RV Park Development Opportunity, filed with the Office of the District Clerk on January 24, 2017, as Document No. 66060.

<sup>3</sup> SDUPD Clerk's Office Document No. 56067 filed February 19, 2010, Exchange Agreement by and between San Diego Unified Port District and North C.V. Waterfront L.P.



DRAFT

**CHULA VISTA BAYFRONT MASTER PLAN  
EIR ADDENDUM**

**COASTAL COMMISSION ADOPTED POLICIES TO THE  
CHULA VISTA BAYFRONT MASTER PLAN PORT MASTER  
PLAN AMENDMENT  
-AND-  
RV PARK PROJECT**

*Prepared by:*

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APRIL 2018



# Chula Vista Bayfront Master Plan Addendum

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### ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
af	Acre-feet
BCDC	Bayfront Cultural and Design Committee
BEPP	Business Emergency Plan
BMP	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CAC	Community Advisory Committee
Cal-IPC	California Invasive Plant Council
Caltrans	California Department of Transportation
CCC	California Coastal Commission
CEQA	California Environmental Quality Act
City	City of Chula Vista
CSS	coastal sage scrub
CVB	Chula Vista Bayfront
CVBMP	Chula Vista Bayfront Master Plan
dB	decibel
dB(A)	decibel A-weighted
DEH	Department of Environmental Health
DR	Demand reduction
District	San Diego Unified Port District
DTSC	Department of Toxic Substance Control
EDU	Equivalent Dwelling Units
EIR	Final Environmental Impact Report
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FEIR	Final Environmental Impact Report
GHG	Greenhouse gas
HHRA	Human Health Risk Assessment
IPM	Integrated Pest Management
LCP	Local Coastal Plan
LEED	Leadership in Energy and Environmental Design
LEDs	light emitting diodes
LID	Low Impact Development
MLD	Most Likely Descendants
MM	Mitigation measure
MSCP	Multiple Species Conservation Plan
MSS	Maritime succulent scrub
NAAQS	National Ambient Air Quality Standards
NPDES	National Pollutant Discharge Elimination System
NRMP	Natural Resources Management Plan
NWR	National Wildlife Refuge

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Acronym/Abbreviation	Definition
PAP	Public Access Plan
PFDIF	Public Facilities Development Impact Fee
Port	San Diego Unified Port District
PMP	Port Master Plan
PMPA	Port Master Plan Amendment
PWC	Personal water craft
RAQS	Regional Air Quality Strategy
RCC	Resort Conference Center
RDA	City of Chula Vista Redevelopment Agency
ROW	Right-of-Way
RV	Recreational vehicle
RWQCB	Regional Water Quality Control Board
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
Services Agreement	Agreement for Police, Fire, and Emergency Medical Services between the City of Chula Vista and the San Diego Unified Port District
SO <sub>2</sub>	Sulfur dioxide
SWMP	Soil and Water Management Plan
SWPPP	Stormwater Pollution Prevention Plan
SWUHSD	Sweetwater Union High School District
TCM	Transportation Control Measures

## Chula Vista Bayfront Master Plan Addendum

### 1 INTRODUCTION

In May 2010, the Board of Port Commissioners, the City of Chula Vista (City or Chula Vista) City Council and the City Redevelopment Agency (RDA) certified the Chula Vista Bayfront Master Plan (CVBMP) Final Environmental Impact Report (FEIR) (SCH No. 2005081077; San Diego Unified Port District (District) Clerk Document No. 56562) and each agency unanimously approved its respective amendments to the District's Port Master Plan (PMP) and the City's Local Coastal Program (LCP), which includes the Land Use Plan and Bayfront Specific Plan; and the City's Multiple Species Conservation Program (MSCP) Chula Vista Subarea Plan. The FEIR was prepared as a combined program and project EIR and the District was the California Environmental Quality Act lead agency. The Final EIR analyzed amendments to the PMP and the City's General Plan and LCP, and a mapping change to the Multiple Species Conservation Plan (MSCP) Chula Vista Subarea Plan, which provide for future development and redevelopment of the project area, as well as certain site-specific development projects (collectively, Project).

The California Coastal Commission (CCC) certified the San Diego Unified Port District Port Master Plan Amendment (PMPA, Appendix A) No. 6-PSD-MAJ-41-11 on August 9, 2012. Upon the District's request, its application to the CCC for the PMPA was amended to revise the uses on the S-1 parcel for only low-scale, low-intensity uses consisting of a recreational vehicle (RV) park and/or campground with retail, restaurant, or meeting space associated with these uses (RV Park Component). Specifically, the following changes were made:

Parcel area S-1 was originally proposed to be developed with a 100-foot high resort hotel with approximately 500 to 750 rooms and associated meeting space, restaurants, and retail shops, but is now proposed to be developed with low-scale, low-intensity uses including a campground and recreational vehicle park, with some associated retail, restaurant and meeting space, and a new parking lot and access road for the Chula Vista Nature Center. The existing 236-space RV Park which is being removed from the Harbor District may be replaced on Parcel area S-1 [collectively, Land Use Revisions]. [(CCC Staff Report.)]

The District's amended application for the PMPA also includes added Development Policies (included as Appendix B of this Addendum) and a Public Access Plan (PAP; included as Appendix C of this Addendum), both of which were incorporated by reference into the PMPA. The Development Policies consist of detailed and specific planning and development objectives and policies for the PMP Chula Vista planning district covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor serving requirements. The PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and

## **Chula Vista Bayfront Master Plan Addendum**

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parking requirements. The RV Park Component and the Development Policies and PAP are herein collectively referred to as the “Proposed Revised Project” in this Addendum.

With the Proposed Revised Project, CCC found that the PMPA was consistent the California Coastal Act. The CCC also recognized that with certification of the PMPA, as amended, including the Proposed Revised Project, some mitigation measures (MM, mitigation measures or Mitigation Measures) identified in the FEIR would no longer be applicable to the S-1 site due to the use revision from hotel (originally designated as a Phase IV development, meaning 4-10 years after PMPA certification) to campground/recreational vehicle park (revised to a Phase I development, meaning 1-7 years after PMPA certification).

As part of its certification, the CCC reviewed and evaluated the PMPA, as amended by the District with the Proposed Revised Project and found that with the amendment and other applicable MMs, all significant impacts had been fully mitigated. The CCC found that the PMPA did not have the potential to result in significant individual or cumulative impacts to sensitive resources, recreation, or the visual quality of the environment of the Coastal Zone. The CCC found that there were no feasible alternatives or feasible MMs available that would have substantially lessened any significant adverse effects that the PMPA may have had on the environment. The CCC concluded that the benefits of the PMPA included improvements to public access, recreation, visitor-serving amenities, and that these outweighed any remaining impacts. The CCC found that the PMPA, as revised and including the Proposed Revised Project, were consistent with CEQA).

CEQA Guidelines Sections 15162 through 15164 (see Section 1.1) set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified EIR covering the project for which a subsequent discretionary action is required. Approval shall occur if the District finds that the changes and additions associated with the certified PMPA, including the Proposed Revised Project are minor and not substantial. There are no new significant impacts resulting from the certified PMPA, including the RV Park Component, and there would not be a substantial increase in the severity of previously identified environmental impacts in the FEIR. In addition, certain MMs, specifically Traffic MM 4.2-25 through 4.2-30, are no longer needed with the Land Use Revisions, as well as the Development Policies and the PAP. The exclusion of these MM would not result in new or more severe environmental impacts or require new MMs. Therefore, in accordance with CEQA Guidelines Section 15164(e), no additional environmental review is deemed necessary pursuant to CEQA and adequate documentation may be provided through an addendum to the FEIR pursuant to these sections of the CEQA Guidelines.

## Chula Vista Bayfront Master Plan Addendum

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### 1.1 Regulatory Requirements

#### CEQA Guidelines, Section 15162: Subsequent EIR

Under CEQA, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to the EIR but none of the conditions described in State CEQA Guidelines section 15162 calling for preparation of a subsequent EIR have occurred (14 CCR 15164(a)).

CEQA Guidelines, Section 15162, provides that when an EIR has been certified for a project, a subsequent EIR shall be prepared for that project if the lead agency determines one or more of the following have occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) 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 EIR was certified as complete ... shows any of the following:
  - (a) The project will have one or more significant effects not discussed in the previous EIR;
  - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (c) MMs 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) MMs or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As explained in Section 3, there is no substantial evidence, in light of the whole record, that the Revised Proposed Project, which revised the certified PMPA, and exclusion of unnecessary MM because of those revisions would result in any new significant environmental effects, or result in a substantial increase in the severity of previously identified significant effects, MMs or alternatives. Nor are there any new MMs or Project alternatives that were considered feasible

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now feasible could substantially reduce one or more significant impacts. Finally, there is no new information not previously known that shows new significant environmental effects or that result in an increase in the severity of previously identified significant effects. Therefore, preparation of an addendum is appropriate under these circumstances.

### **CEQA Guidelines, Section 15164: Addendum to an EIR**

- A. The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- B. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- C. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- D. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- E. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This addendum complies with the provisions of CEQA Guidelines Section 15164, which governs the preparation and adoption of an addendum to an EIR. Section 15164 requires the preparation of an addendum to an EIR where some changes or additions to the EIR are necessary but none of the conditions calling for preparation of a subsequent EIR exist. No additional significant impacts or increase in severity in existing significant impacts would occur as a result of the revised PMPA, which includes the Proposed Revised Project or the elimination of the unnecessary MM due to the Land Use Revision, Development Policies and PAP. Therefore, the analysis of the Proposed Revised Project and MM found no longer applicable to Parcel S-1 are appropriately addressed in an addendum to the Final FEIR.

### **CEQA Guidelines, Section 21094(a)(2): Later Projects; Tiered Environmental Impact Reports; Initial Study; Use of Prior Reports**

This section indicates that the lead agency incorporate into the later project all the applicable mitigation measures identified by the prior EIR.

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## **2 PROJECT DESCRIPTION**

This section of the addendum summarizes the Project's location and setting, which has not changed from what was identified in the previously certified EIR. It also describes the specific characteristics of the revised Project through incorporation of the Proposed Revised Project.

### **2.1 Location and Setting**

The Chula Vista Bayfront (CVB) is located on the southeastern edge of San Diego Bay in the City of Chula Vista, which is located in southwestern San Diego County. The Sweetwater District consists of approximately 130 acres located in the northern portion of the CVBMP project area, adjacent to the Sweetwater Marsh National Wildlife Refuge (NWR). The Project site is located east of the San Diego Bay NWR, and west of Bayshore Bikeway and the I-5 freeway. Project site access would be provided by the E Street extension, as certified in the FEIR.

- Primary: E Street extension from the east at the southern corner of the Project site
- Secondary: Gunpowder Point Drive from the west via relocated Gunpowder Point Drive.

The Sweetwater District is relatively flat with slight decline elevation from east to west. The Project site is undeveloped and is currently composed primarily of fallow fields. The majority of vegetation is generally ruderal with small areas of disturbed native habitats, including California coastal sage scrub. The site is surrounded by undeveloped parcels, with exception to the Chula Vista Nature Center parking lot to the east of the Project site. Further east, past the parking lot, is the Bayshore Bikeway and I-5 freeway.

### **2.2 Project Background**

In 2002, the San Diego Unified Port District (Port) and the City of Chula Vista (City) joined together to create a master plan for the approximately 556-acre Bayfront and reconfigure its 497 acres of land and 59 acres of water uses, connecting them in a way that would promote public access to and engagement with the water while enhancing the quality and protection of key habitat areas, with the ultimate goal of creating a world-class bayfront through strong planning and design, economic feasibility, and community outreach (San Diego Unified Port District 2010). In May 2010, the Board of Port Commissioners, the Chula Vista City Council and the City RDA certified the CVBMP FEIR and each agency unanimously approved its respective amendments to the District's PMP and the City's LCP. The FEIR was prepared as a combined program and project EIR. The Final EIR consists of amendments to the Port's PMP and the City's General Plan and LCP, and a mapping change to the MSCP Chula Vista Subarea Plan, which provide for future development and redevelopment of the Project area, as well as certain site-specific development projects.

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The FEIR analyzed the proposed different land uses and development of the Sweetwater District by parcel and phase. The environmental impacts of the RV Park Component was originally analyzed in the FEIR as a resort hotel, on parcels S-1, SP-1 and SP-3, under Phase IV of the CVBMP. The resort hotel was planned to provide 500-750 rooms with a maximum height of 40-100 feet, over approximately 19 acres. The resort hotel would also include 750 on-site parking spaces. This parcel was also planned to be a part of the land exchange that would transfer land use jurisdictional authority from City to the District, and the PMP land use designation would be “Industrial Business Park.” However, the District amended its application with the CCC for the PMPA to reflect the Revised Proposed Project prior to the CCC’s certification. Accordingly, in order to develop the RV Park Component on parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4, the parcels in the PMPA were designated as Commercial Recreation as part of the certified PMPA and build-out was revised to Phase I of the CVBMP.

### **CVBMP Program-level Analysis**

The FEIR included a programmatic analysis of the environmental impacts associated with the CVBMP, which includes land uses such as: Commercial Recreation, Recreational Boat Berthing, Marine Sales/Services, Industrial Business Park, Public Facilities, and Public Recreation. The FEIR had identified the proposed RV park site as parcels O-3A and O-3B. The proposed resort hotel on parcel S-1, with 500-750 rooms at a maximum height of 40-100 feet, and 750 on-site parking spaces.

Feasible MMs were identified in the FEIR that would reduce impacts to a level below significance. With the prescribed MM, the CVBMP was found to have a “less than significant” impact on parking, cultural resources, and population and housing. A number of these MM are applicable to the proposed development on parcels S-1 S-2, S-3, SP-1, SP-2, SP-3, and SP-4 and are included within this addendum under each applicable environmental analysis topic. These MM include: MM 4.2-8, MM 4.5-1, MM 4.5-2, MM 4.5-3, MM 4.6-1, MM 4.7-6, MM 4.7-8, MM 4.7-9, MM 4.8-1, MM 4.8-2, MM 4.8-3, MM 4.8-6, MM 4.8-7, MM 4.10, MM 4.11-1, MM 4.12-1, MM 4.12-2, MM 4.12-4, MM 4.12-5, MM 4.12-6, MM 4.12-7, MM 4.12-8, MM 4.11-1, MM 4.14.2-5, MM 4.15-1, MM-4.15-2, MM 6.8-1, MM 6.8-2, MM 6.8-3, MM 6.15.2-1, and MM 6.15.6-1. With implementation of these previously adopted MM and the Development Policies, the proposed development of parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4, with the Land Use Revision and RV Park Component would not result in any adverse environmental effects.

The FEIR indicates that the CVBMP has the potential to create significant adverse impacts on: land/water use compatibility, traffic and circulation, aesthetics/visual quality, hydrology/water quality, air quality, energy, noise, terrestrial biological resources, marine biological resources, paleontological resources, hazards and hazardous materials/public safety, public services, public

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utilities, and seismic/geologic hazards. The FEIR includes MMs to reduce potentially significant impacts to less than significant levels. The following impacts were identified in the FEIR to remain significant even after implementation of all feasible MM: traffic impacts on local freeway segments; visual impacts from the height and mass of buildings to be constructed in the Harbor District; and air quality impacts from emissions of nitrogen oxides, carbon monoxide, reactive organic gas, and particulate matter.

### **CVBMP Project-level Analysis**

The FEIR included a project-level analysis of the Phase I projects, including residential and ancillary retail on parcels H-13 and H-14, the Bayfront Fire Station on parcel H-17, and wetlands and buffer on parcel HP-5.

### **Development Policies**

The Development Policies (District Clerk Document No. 59407) are compiled from MM in the FEIR and adopted Mitigation Monitoring and Reporting Program (MMRP), CVBMP Settlement Agreement (District Clerk Document No. 56523), and revisions of the CVBMP PMPA. The Development Policies were certified as part of the PMPA in August 2012, by the CCC and all development projects within CVBMP must comply with the Development Policies. The relevant Development Policies are presented under their respective environmental topic below. Those MMs included in the Development Policies that are no longer applicable to the CVBMP are identified under the *Mitigation Measures That Are No Longer Applicable* sections under their respective topic of this addendum.

### **Public Access Program**

The CVBMP Public Access Program (PAP) (District Clerk Document No. 59408) defines and implements an extensive multi-modal pedestrian, bicyclist, mass-transit, and automobile-based system to provide a variety of free and low-cost Chula Vista waterfront and public recreational opportunities for the residents and visitors of the region. The PAP was certified as part of the PMPA by the CCC. Implementation of the PAP must occur as redevelopment takes place. Relevance to the PAP is described under each respective environmental topic provided below.

## **2.3 RV Park Component Description**

The RV Park Component is located within the Sweetwater District of Planning District 7 of the PMP on the north side of E Street and west of the Interstate 5 freeway. The RV Park Component involves the construction of an RV or mobile unit park consisting of approximately 255 sites, and the extension of E Street. Some of the 255 sites – an estimated 116 spaces – are proposed for park model units, which are similar to RVs in that they are built on the same chassis with wheels

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and are mobile, and can be moved at any time. Once parked, park model units are typically treated with architectural enhancements and skirting around the wheels to make the units aesthetically pleasing. The RV Park Component site consists of the parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4, and the proposed extension of E Street. Parcels SP-1 and SP-3 would be developed for bio-retention purposes, and the realignment of Gunpowder Point Drive.

Implementation of the RV Park Component would require grading and utilities installations to facilitate the proposed buildings. A welcome center (4,519 square feet) is proposed onsite containing, Costa Vista Resort offices, marketplace, restrooms, shower and laundry facilities. A protected dog area is proposed adjacent to the welcome center. A paseo would link the welcome center to the pool area amenities. The aquatic features of the RV Park include a children's play pool, family pool and spa. The aquatic amenities building would house the men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment rooms, sauna, work-out gym, and a guest laundry facilities. The activity building (6,252 square feet) is located on the north side of the aquatic facilities and would house the grill/restaurant, entertainment arcade, game room, business center and restrooms. The activity building would also contain a multi-purpose room for educational and large guest gathering. The center of the RV Park would house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits. The RV Park restroom (1,071 square feet) would also be located in this area. Refer to Figure 1, RV Park Component Map for RV Park Component layout.

The facilities within the RV Park would provide light-emitting diode (LED) lighting to ensure safety of the guest. Low-level pathway lights would be utilized within the RV Park to assist in wayfinding for the guest. A 6-foot tall, black tubular metal fence with spacing of approximately four inches would be installed along the perimeter to control wildlife movement and protect the adjacent sensitive habitats as required to conform to the various regulatory documents, which include the Development Policies as part of the PMPA. Security gates and controlled entry points would also be provided. An additional landscape buffer would be provided along E street to enhance the entrance into the Chula Vista Bayfront.

The entire RV Park would be graded to accommodate adequate sewer fall across the site eliminating the need for a sewer pump station along the southwest corner of the resort at the round-about on E street. A 12-inch waterline would be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch water line and an 8 inch sewer line would be installed in F Street north of E Street. The sewer line would connect to and existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street. All utility lines including gas, electric, water, and communication lines would be undergrounded.

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As demonstrated on Table 2.3-1, the RV Park Component would be reduced in height, density, and grading quantities compared to what was proposed and analyzed in the FEIR for parcel S-1.

**Table 2.3-1**  
**RV Park Component Description Comparison of Changes**

Category	RV Park Component	FEIR Project for S-1
Design Elements	<ul style="list-style-type: none"> <li>• 255 stalls (139 RV &amp; 116 Park Model Units)</li> <li>• Maximum height of 25 feet</li> <li>• Low-scale, low-intensity</li> <li>• Associated retail, restaurant, meeting space permitted</li> <li>• 50-foot wide setbacks from E Street</li> <li>• 0.5 EDU of sewage per RV space</li> </ul>	<ul style="list-style-type: none"> <li>• 750 on-site parking spaces</li> <li>• Hotel building height of 2 to 8 stories (40 to 100 feet in height)</li> <li>• 500 to 750 hotel rooms</li> <li>• 50,000 to 75,000 square feet of conference space</li> <li>• 40,000 square feet of retail/restaurant space</li> <li>• 0.33 EDU of sewage per room</li> </ul>
Grading Quantities	<ul style="list-style-type: none"> <li>• 40,000 cubic yards of cut</li> <li>• 205,000 cubic yards of fill</li> <li>• 155,000 cubic yards of import</li> </ul>	<ul style="list-style-type: none"> <li>• 203,000 cubic yards of cut</li> <li>• 115,000 cubic yards of fill</li> <li>• 88,000 cubic yards of export</li> </ul>

The RV Park Component shall comply with the certified PMPA and all the Development Policies. The relevant Development Policies would guide develop of the RV Park Component with policies regarding environmental management, wetlands, climate change, landscaping, lighting and illumination, noise, pathway design, predator management, storm water and urban runoff quality, energy, hazardous materials, public engagement, and circulation. Compliance with these Development Policies is analyzed under each respective environmental topic, as well as inclusion of the relevant policies.

A Coastal Development Permit (CDP) was issued on January 25, 2017 with the District, for the *Site Preparation at Chula Vista Bayfront Project* (Clerk Document No. 66187). This CDP allows for the demolition of existing pavement and foundations, as well as clearing and compaction of 11 sites throughout the Chula Vista Bayfront to accommodate the import and placement of approximately 681,000 cubic yards (CY) of soil. The imported soil shall be used to increase existing sites' elevations that would provide more desirable building pads, improve drainage, and create more resilient redevelopment sites to accommodate potential future sea level rise. District staff determined that the CDP is in conformance with the certified FEIR, Findings of Fact, Mitigation Monitoring and Reporting Program. Compliance with all applicable mitigation measures in the certified FEIR and Mitigation Monitoring and Reporting Program are included as conditions of the CDP.

The 155,000 CY of import proposed for the RV Park Component, would account for approximately 23% of the 681,000 CY approved in the CDP for the *Site Preparation at Chula*

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*Vista Bayfront Project.* The import of soil would therefore be accounted for and is in conformance with the certified FEIR for the CVBMP.

To ensure the public's right of access to the shoreline, the PAP includes goals and considerations for proposed development within the CVBMP. These goals and considerations relate to public access, circulation and roadway improvements, integration of the Bayshore Bikeway, and parking allocations. Compliance with the PAP is analyzed under each respective environmental topic, as well as inclusion of the relevant goals and considerations.

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### **3 ENVIRONMENTAL ANALYSIS**

The FEIR analyzed the CVBMP at the program-level and project-level. Project-level analysis was conducted for projects in the Sweetwater District and Harbor District. This addendum covers the project-level analysis for the revised project components, including the RV Park Component, for the Sweetwater District component, and the inclusion of the CCC-certified Development Policies and PAP. In summary, the addendum analyzes the Revised Proposed Project and supports a finding that no supplemental or subsequent CEQA analysis is warranted.

The FEIR identified potentially significant impacts related to the CVBMP in its entirety to land/water use compatibility, traffic and circulation, aesthetics/visual quality, hydrology/water quality, air quality, energy, noise, terrestrial biological resources, marine biological resources, paleontological resources, hazards and hazardous materials/public safety, public services, public utilities, and seismic/geologic hazards. These impacts would require implementation of feasible MM to reduce or avoid significant impacts.

This addendum addresses the potential environmental impacts that would occur from the Revised Proposed Project. The existing conditions and significance criteria outlined in the FEIR are applicable to the Revised Proposed Project. In accordance with CEQA Guidelines Section 15150, existing conditions and significance criteria are incorporated in this addendum by reference. The incorporated FEIR (Clerk Document No. 56562), including addenda, is available for viewing at the Port District, Office of the District Clerk, 3165 Pacific Highway, San Diego 92101. Note that the analysis looks at the proposed changes from the CVBMP that occurred during the PMPA process; and whether the Revised Proposed Project would result in new significant impacts, increase the severity of significant impacts already identified, require new MMs or include MMs that were infeasible but now are feasible. The analysis for the CVBMP in the FEIR remains the same unless otherwise noted. Additionally, this addendum analyzes the elimination of certain MM that are no longer needed due to the Revised Proposed Project and the exclusion of certain Project features.

#### **3.1 Aesthetics**

##### **Development Policies**

Implementation of the Development Policies would not create any adverse effects on scenic vistas, scenic resources, or visual character. The Development Policies were developed to protect sensitive resources including major public viewpoints and scenic vistas. The CVBMP identified several scenic view corridors throughout the CVBMP area. By implementation of the Development Policies, impacts to view corridors would be further reduced in combination with

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applicable MMs. As such, the Development Policies would not result in any new impacts to scenic vistas and corridors.

The FEIR concludes that the CVBMP would not result in a significant impact to existing visual quality. Implementation of the Development Policies would improve the visual character and quality of the development within the CVBMP, as the Development Policies would provide setback, landscaping, and signage requirements. As such, the Development Policies would not result in any new impacts to existing visual quality.

The FEIR concludes that the CVBMP would result in a less than significant impact with mitigation incorporated related to light and glare. The Development Policies would ensure the CVBMP would avoid or to reduce the potential impacts on wildlife from exterior lighting and reflection. Therefore, implementation of the Development Policies would not result in any new impacts related to lighting and glare. As such, implementation of the development policies would not create any new impact or exacerbate an existing impact related to aesthetics.

### **Public Access Program**

The PAP states that the CVBMP enhances pedestrian visual and physical access within its developed and open space areas, and enhances pedestrian visual and physical access to the waterfront, through its pedestrian circulation plan. Implementation of the PAP would further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The pedestrian pathways included in the PAP would provide significant physical and visual corridors for pedestrians as well as facilitate for improved access to scenic vistas and resources. As such, the PAP would not result in any new impacts to scenic vistas and corridors.

The FEIR concludes that the CVBMP would not result in a significant impact to existing visual quality. Implementation of the PAP would implement an extensive multi-modal pedestrian, bicyclist, mass-transit and automobile-based system that provides public waterfront recreational opportunities. The PAP navigation channels would include pathways like waterfront promenades, and pedestrian trails along transmission corridors, providing public pathways and trails would allow overall improve visual character by providing access to visually pleasing sites. As such, the PAP would not result in any new impacts to existing visual quality.

Implementation of the PAP would include the installation of public pathways, trail, and bicycle paths throughout the CVBMP area. Construction of the PAP navigation channels would not incorporate materials or structures that would create a substantial source of light or glare. As such, the PAP would not create any new sources of substantial light of glare. Therefore, the PAP would not create any new impact or exacerbate an existing impact related to aesthetics.

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### Proposed RV Park Component

***Would the Proposed Project have a significant impact if it has a substantially adverse effect on a scenic vista, public view, or scenic resource (such as a symbol or landmark)?***

As stated in the FEIR, views to the Bay across the Sweetwater District would be enhanced at current viewing locations along E and F Streets, and the freeway flyover from SR-54 and I-5. Additionally, Parcel S-1 was identified as part of a view corridor under the FEIR. While under the previously plan for parcel S-1, views across Parcel S-1 would remain open and unobstructed. Any minor changes and additions associated with the RV Park Component would not be substantial, with respect to scenic vistas and scenic resources. Facing east, existing public views of the project site consist of low vegetation, and beyond that trees, utility poles and power lines, and existing development along Bay Boulevard. Facing north and west, beyond the RV Park Component, existing public views contain utility poles and power lines, and views of the Sweetwater Marsh and bay in the background. Facing south, public views beyond the project site are of the existing commercial and industrial uses south of Lagoon Drive. In comparison to the FEIR, the development of the RV Park on S-1 would be a reduction in bulk and scale, as indicated in Table 2.3-1. This reduction in bulk and height, would further improve any adverse impact the original project may have had on scenic vistas and resources. As such, the RV Park Component would not result in any new impacts to scenic vistas and corridors.

The RV Park Component would also include utility installations, an extension of E Street, and bio-retention areas. The bio-retention area would be installed on Parcel SP-1 and would include pedestrian pathways. Development on Parcel SP-1 would not interfere with existing scenic vistas and resources. Parcel SP-3 would include a fully-enclosed dog park with synthetic turf, realigned Gunpowder Point Drive with a loop for buses providing access to the Living Coast Discovery Center, and a bio-retention basin to capture runoff from Parcel S-1. The extension of E Street would extend southwest, south of Parcel SP-3. The E Street extension would provide access to scenic vistas that occur west of the Project site. Therefore, the E Street extension would not create new or worsened impacts related to scenic vistas and scenic resources.

***Would yhe Proposed Project have a significant impact if it substantially degradethe existing visual character or quality of the site and its surroundings?***

The existing visual character of the project site is comprised of undeveloped, vegetated generally flat land. As stated in the FEIR, visitors to the Sweetwater Marsh National Wildlife Refuge (NWR)/Chula Vista Nature Center have the highest sensitivity because they expect the visual environment within the refuge to be “natural.” When viewing the project site from this area, the built environment currently forms the background of the viewing scene. The focal point of

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development near the water's edge is the existing industrial South Bay Boatyard/storage lot, which is generally low in scale but clearly visible.

The architectural plans of the originally proposed hotel for parcel S-1 were not provided or analyzed in the FEIR, however the proposed RV Park on parcel S-1 would retain the natural character of the site, without compromising any views of the surrounding natural features. Considering the RV Park Component would be developed with reduced bulk and a maximum building height of 25 feet, compared to the 100-foot maximum height of the originally planned hotel, the RV Park Component would have less of an effect on the existing views of the site. As such, the RV Park Component would not result in any new impacts to existing visual character or quality.

***Would the Proposed Project have a significant impact if it creates a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

The previous plan for parcel S-1 had a 100-foot maximum building height. Assuming the buildout of parcel would have constructed up to its maximum building height, the previous plan for parcel S-1 would incorporate substantially more interior and exterior lighting, as well as exterior windows, which would result in greater light and glare. As such, the RV Park Component would generate substantially less light and glare compared to the original project. Additionally, implementation of MM-4.4-2, from the FEIR, would further reduce effects related to light and glare. The Development Policies would ensure the RV Park Component would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. As such, the RV Park Component would not create any new impact or exacerbate an existing impact related to light or glare.

### **Applicable FEIR Aesthetics Mitigation Measures**

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM-4.4-2:** Port/City: Prior to design review approval, lighting design plans with specifications for outdoor lighting locations and other intensely lighted areas shall be submitted to the Port and City for review and approval. The specifications shall identify the lighting intensity needs and design light fixtures to direct light toward intended uses. Outdoor and parking lot lighting shall be shielded and directed away from adjacent properties, wherever feasible and consistent with public safety. Consideration shall be given to the use of low-pressure sodium lighting or the equivalent. The lighting plan shall illustrate the location of the proposed lighting standards and type of shielding measures.

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The lighting plan shall incorporate specific design features including, but not limited to, the following:

- Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 seconds between flashes) white strobes shall be used.
- All event lighting shall be directed downward and shielded, unless directed downward or shielded to minimize light spill beyond the area for which illumination is required.
- Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and navigation, including signage for building identification and orientation.
- Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.
- Office space, residential units, and hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.
- Office space, residential units, and hotel rooms shall be equipped with blinds, drapes, or other window coverings that may be closed to minimize the effects of interior night lighting.

### Applicable Development Policies

The following Development Policies would apply to and be implemented by the RV Park Component.

**Policy 4.1.4:** Use of reflective coatings on any glass surface is prohibited.

**Policy 7.2:** Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project.

**Policy 7.3:** All street and walkway lighting should be shielded to minimize sky glow.

**Policy 7.4:** To the maximum extent feasible, all external lighting will be designed to minimize any impact on Wildlife Habitat Areas, and operations and maintenance will be devised to ensure appropriate long-term education and control of light impacts. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.

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**Policy 7.8:** In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used to minimize ecological disruption. No night lighting for active sports facilities will be allowed.

**Policy 23.1:** Public views to the beach, lagoons, and along the shoreline as well as to other scenic resources from major public viewpoints, as identified by the "vista" icon on the Precise Plan for Planning District 7 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.

**Policy 23.2:** The impacts of proposed development on existing public views of scenic resources shall be assessed by the District or City prior to approval of proposed development or redevelopment.

**Policy 23.3:** Buildings and structures shall be sited to provide unobstructed view corridors from the nearest view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

**Policy 23.4:** Public views of the Bay and access along the waterfront shall be provided via a proposed "Baywalk" promenade. This pedestrian path will also connect to the Signature Park, and the pathway system within the Sweetwater District, ultimately linking the two districts and "enabling viewers to experience visual contact at close range with the Bay and marshlands."

**Policy 23.5:** Existing views to the water from the following view corridor roads shall be protected and enhanced: E Street, F Street, Bay Boulevard between E and F Streets, Marina Parkway, and G and L Streets (in the City of Chula Vista); as shall the new views of the Bay created from the H Street corridor. These protected views shall be denoted by the "vista" icons on the Precise Plan for Planning District 7.

**Policy 23.6:** Building setbacks and coordinated signage shall be provided along Marina Parkway.

**Policy 23.7:** Prior to approval of development in the Otay District, views of the Bayfront from Bay Boulevard shall be identified and preserved.

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**Policy 23.8:** View corridors to the Bay shall be established on Marina Parkway between H and J Streets approximately every 500 feet as denoted by the "vista" icon on the Precise Plan for Planning District 7.

**Policy 23.9:** Landscaping shall be planted along Marina Parkway to frame and enhance this scenic corridor, as well as on E Street and Bay Boulevard, adjacent to the project site.

**Policy 23.10:** Bayfront Gateway Objective/Policies: Certain points of access to the Bayfront will, by use, become major entrances to the different parts of the area. A significant portion of the visitors' and users' visual impressions are influenced by conditions at these locations. Hence, special consideration should be given to roadway design, including signage and lighting, landscaping, the protection of public views towards the Bay, and the siting and design of adjoining structures. Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of certificates of occupancy for any projects within the District's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the District and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street. All Gateway plans must conform with the setback policies and height limits in the PMP.

**Policy 23.11:** The landscape designs and standards shall include a coordinated street furniture palette including waste containers and benches, to be implemented throughout the Bayfront at appropriate locations.

**Policy 23.12:** As a condition for issuance of coastal development permits, buildings fronting H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100- foot ROW width (curb-curb, building setbacks, and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Placement of trees should take into account potential view blockage at maturity, and, trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should be pruned to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach into view corridors, and to address the scale and massing impact, buildings shall step back at appropriate intervals or be angled to open up a broader view corridor at the ground plane to the extent feasible. All plans shall be subject to review and approval by the District. All future development proposals shall conform to District design guidelines and standards.

**Policy 23.13:** Prior to issuance of coastal development permits for projects within the District's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as

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articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles, and to avoid the appearance or effect of "walling off" the Bayfront.

**Policy 23.15:** Sweetwater District Lodging (S-1): Sweetwater District Lodging (S-1): Development of the Sweetwater District Lodging (S-1) shall consist of low-scale, low profile, lower-cost overnight accommodations such as a campground and/or RV park. A mix of camping facilities is encouraged. Limited meeting rooms, retail stores, and food service associated with the development shall be permitted. No structures over 1 story within a maximum height of 25 feet shall be permitted. Proposed development shall take into account potential sea level rise when site plans are prepared. The development shall incorporate a setback from the E Street view corridor as shown in Exhibit 5, where no structures shall be permitted.

**Policy 23.16:** Sweetwater District Mixed-Use Commercial Recreation/Marine Related Office Development (S-3). Development of the Sweetwater District Mixed Use development (S-3) shall incorporate setbacks of 50 feet from E Street in order to reduce visual and shading impacts of building massing and to widen view corridors towards the Bay. Building heights are limited to 45 feet and shall be located in the northeastern portion of the parcel in order to ensure views from the Bay Boulevard to the Bay are preserved to the extent feasible. The development shall incorporate a setback from the F Street view corridor as shown in Exhibit 5, where no structures shall be permitted.

**Policy 23.17:** All building height limits listed herein are measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

### **3.2 Agriculture and Forestry Resources**

#### **Development Policies**

The Development Policies were developed to protect sensitive environmental resources within and around the CVBMP area, and to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies do not pertain to the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land because none of these resources are located on the Project site. Nor would the Development Policies conflict with existing zoning for agricultural use, a Williamson Act contract, forest land, timberland, or timberland zoned Timberland Production. Again, because none of the resources

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are located on the Project site. As such, the Development Policies would not result in any new impacts to agricultural or forestry resources.

### **Public Access Program**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. No Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land is located on the Project site. As such, the PAP would not impact any or cause the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land. Additionally, the PAP would not conflict with existing zoning for agricultural use, a Williamson Act contract, forest land, timberland, or timberland zoned Timberland Production. Accordingly, the PAP would not result in any new impacts to agricultural or forestry resources.

### **Proposed RV Park Component**

As determined in the FEIR, the Project site does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. It also concluded that the Project site does not have a land designation for agricultural use and that there is not a Williamson Act contract for the site. It concluded that no forestland or timberland land exists on the Project site, nor has any land been designated as forestland or timberland within the boundaries of the Project site. As a result, the Project with the RV Park Component would not result in the loss of forestland or timberland, nor would it result in the conversion of farmland to a non-agricultural use or the conversion of forestland to a non-forest use. None of these conditions change as the result of the RV Park Component. Therefore, no impact on Agriculture and Forestry Resources would occur.

### **Applicable FEIR Agricultural and Forestry Resources Mitigation Measures**

There are no MMs related to agriculture and forestry resources within the FEIR.

### **Applicable Development Policies**

There are no Development Policies related to agriculture and forestry resources.

## **3.3 Air Quality**

### **Development Policies**

The applicable Development Policies listed below would facilitate a reduction in air quality impacts as that would occur with the implementation of the CVBMP. Additionally, the Development Policies would not conflict with the applicable Regional Air Quality Strategy (RAQS) and Transportation Control Measures (TCM) plan; violate or contribute substantially

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to an existing or projected air quality standard; result in a cumulatively considerable net increase of any criteria pollutant, expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors. As such, the Development Policies would not result in any new or more severe significant air quality impacts from those previously identified in the FEIR prepared and certified for the CVBMP.

### **Public Access Program**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. As such, the PAP does not directly pertain to air quality. However, the PAP is intended to improve and reduce vehicular circulation within the CVBMP. Therefore, with implementation of the PAP, vehicle miles traveled would be reduced, reducing vehicle emissions and any criteria pollutant or odors associated with vehicle emissions. Consequently, implementation of the PAP would not exacerbate or contribute a considerable increase in any criteria pollutant; expose sensitive receptors to pollutant concentrations, or create objectionable odors affecting a substantial number of people.

### **Proposed RV Park Component**

*Would the Proposed Project conflict with or obstruct implementation of the applicable air quality plan (e.g., RAQS)?*

As stated in the FEIR, while the CVBMP would meet several of the criteria set by the TCM plan, it does not conform to the planning assumptions that were used to generate the forecast of the region's ability to achieve the National Ambient Air Quality Standards (NAAQS). However, the CVBMP would not be inconsistent with either the City's General Plan or the District's PMP that served as the basis of the RAQS or with the growth assumptions in the RAQS and, therefore, would not result in a significant impact.

The RV Park Component includes the construction of an RV Park and associated retail and service facilities over a 19-acre parcel. The RV Park Component would also include utility installations, an extension of E Street, and bio-retention areas. As demonstrated on Table 2.3-1, the proposed RV Park Component would be reduced in height, density, and surface cut quantities compared to the FEIR plan for parcel S-1. Construction activities would occur over a shorter period with less construction equipment, compared to the originally proposed project. Construction of the RV Park Component, including the construction of the E Street extension, would include the use of heavy equipment and worker vehicle trips. However, with implementation of the applicable MMs and Development Policies described below, impacts related to conflicts with the NAAQS would be reduced to less than significant. Therefore, the RV Park Component would not conflict with applicable the RAQS and corresponding TCM; no

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new impacts would occur, the severity of the significant impacts would not increase and no new MMs would be required.

***Would the Proposed Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

As stated in the FEIR, the CVBMP does not include uses that would represent a major source of air pollution. However, Phase IV, in which parcel S-1 was analyzed under in the FEIR was determined to exceed the standard for each criteria pollutant except sulfur dioxide (SO<sub>2</sub>), thus requiring feasible MM. The reason for the exceedance of thresholds is because the construction of Phase IV would occur at the same time as operational emissions for Phases I through III. The RV Park Component on parcel S-1 would be implemented during Phase I of the CVBMP, therefore would not occur in conjunction with Phases II, III, and IV of the CVBMP. As such, the RV Park Component would not exacerbate or result in any new impact related to the violation of air quality standards.

***Would the Proposed Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? (In the SDAB, the project region is in non-attainment for the federal or state standards for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>.)?***

Under the FEIR, projected emissions were anticipated to exceed the standard for each criteria pollutant except SO<sub>2</sub>. Sensitive receptors would be exposed to pollutant concentrations in excess of the California Ambient Air Quality Standards (CAAQS) and NAAQS due to regional air pollutant concentrations, to which the Project would contribute. Construction emissions would exceed the significance thresholds for ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>; impacts to sensitive receptors would be significant but temporary. Construction of the RV Park Component facilities and facility operations would have the potential to contribute criteria pollutants. However, construction of the Proposed RV Park Component MMs approved within the FEIR (**MM-4.6-1**). Thus, the RV Park Component would result in a reduced amount of pollutant concentrations.

***Would the Proposed Project expose sensitive receptors to substantial pollutant concentrations?***

As discussed in the FEIR, the Project region is in attainment for all federal criteria pollutants except for the 8-hour ozone standard. As previously stated, Phase IV of the CVBMP was determined to exceed the standard for each criteria pollutant except SO<sub>2</sub>, thus requiring implementation of feasible MM. The reason for the exceedance of thresholds is because the construction of Phase IV would occur at the same time as operational emissions for Phases I through III. The RV Park Component on parcel S-1 would be implemented during Phase I of the CVBMP, therefore would not occur in conjunction with Phase II, III, and IV of the CVBMP. The

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RV Park Component would develop parcel S-1 at a smaller bulk and scale, as previously analyzed. Therefore, the quantity of construction emissions is anticipated to be much lower than the previous plan for parcel S-1. The RV Park Component would develop an RV park on parcel S-1, which would include occupants that would be considered sensitive receptors. Considering the RV Park Component would result in fewer pollutant concentrations as the previous plan for parcel S-1, the RV Park Component would not result in an exacerbated or new impact related to exposure to criteria pollutants. Applicable MMs and Development Policies described below would further reduce significant impacts as a result of the RV Park Component.

***Would the Proposed Project locate housing within 1,000 feet of a plant or any other toxic air emitting facility, for which a significant health risk assessment has not been conducted?***

As stated in the FEIR, there are one major sources of pollution within the CVBMP area, the Rohr Industries/Goodrich. The South Bay Power Plant was decommissioned in 2010, and demolition in summer of 2012. The RV Park Component is not within 1,000 feet of either of these present and past pollution sources. Therefore, no new or exacerbated impact would occur.

***Would the Proposed Project create objectionable odors affecting substantial number of people?***

As stated in the FEIR, odors are possible from construction emissions, but they would be temporary and would dissipate quickly and, therefore, would not affect substantial numbers of people. Impacts would not be significant. Similarly, the RV Park Component has the potential to produce odors during construction, however, there would not be a substantial number of people in the vicinity to be impacts, and odors would be temporary. Therefore, no new or exacerbated impact would occur related to odors.

***Conflict with or obstruct goals of CA Global Warming Solutions Act?***

As discussed in the FEIR, Phase I of the CVBMP would not result in a significant global climate change impact because it would not conflict with or obstruct the State of California's ability to achieve the goals and strategies of AB 32 or related Executive Orders. Additionally, the CVBMP would not experience a substantial increase in risk from potential adverse effects of global warming beyond those addressed in the other sections of the FEIR.

The RV Park Component would occur during Phase I of the CVBMP. The addition of the RV Park Component during Phase I would not contribute substantial global climate change impacts. Therefore, the RV Park Component would not result in new impacts or worsen impacts related to the obstruction of the CA Global Warming Solutions Act.

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### Applicable FEIR Air Quality Mitigation Measures

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM-4.6-1: Port/City:** Prior to the commencement of any grading activities, the following measures shall be placed as notes on all grading plans and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (These measures were derived, in part, from Table 11-4 of Appendix 11 of the SCAQMD CEQA Air Quality Handbook, and from SCAQMD Rule 403):

#### Best Available Control Measures for Specific Construction Activities

- a. Backfilling activities:
  - i. Stabilize backfill material when not actively handling
  - ii. Stabilize backfill material during handling
  - iii. Stabilize soil at completion of backfilling activity.
- b. Clearing and grubbing activities:
  - i. Maintain stability of soil through pre-watering of site prior to clearing and grubbing
  - ii. Stabilize soil during clearing and grubbing activities
  - iii. Stabilize soil immediately after clearing and grubbing activities.
- c. Clearing forms:
  - i. Use water spray to clear forms
  - ii. Use sweeping and water spray to clear forms
  - iii. Use vacuum system to clear forms.
- d. Crushing activities:
  - i. Stabilize surface soils prior to operation of support equipment
  - ii. Stabilize material after crushing.
- e. Cut and fill activities:
  - i. Pre-water soils prior to cut and fill activities

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- ii. Stabilize soil during and after cut and fill activities.
- f. Demolition activities – mechanical/manual:
  - i. Stabilize wind erodible surfaces to reduce dust
  - ii. Stabilize surface soil where support equipment and vehicles will operate
  - iii. Stabilize loose soil and demolition debris.
- g. Disturbed soil:
  - i. Stabilize disturbed soil throughout the construction site
  - ii. Stabilize disturbed soil between structures.
- h. Earth-moving activities:
  - i. Pre-apply water to depth of proposed cuts
  - ii. Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction
  - iii. Stabilize soils once earth-moving activities are complete.
- i. Importing/exporting of bulk materials:
  - i. Stabilize material while loading to reduce fugitive dust emissions
  - ii. Stabilize material while transporting to reduce fugitive dust emissions
  - iii. Stabilize material while unloading to reduce fugitive dust emissions
  - iv. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling
  - v. Comply with Vehicle Code Section 23114.
- j. Landscaping activities:
  - i. Stabilize soils, materials, slopes
- k. Road shoulder maintenance:
  - i. Apply water to unpaved shoulders prior to clearing
  - ii. Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.
- l. Screening activities:
  - i. Pre-water material prior to screening
  - ii. Limit fugitive dust emissions to opacity and plume length standards

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- iii. Stabilize material immediately after screening.
- m. Staging areas:
  - i. Stabilize staging areas during use
  - ii. Stabilize staging area soils at project completion.
- n. Stockpiles/bulk material handling:
  - i. Stabilize stockpiled materials by covering/watering
  - ii. Stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.
- o. Traffic areas for construction activities:
  - i. Stabilize all off-road traffic and parking areas
  - ii. Stabilize all haul routes
  - iii. Direct construction traffic over established haul routes.
- p. Trenching activities:
  - i. Stabilize surface soils where trencher or excavator and support equipment will operate
  - ii. Stabilize soils at the completion of trenching activities.
- q. Truck loading activities:
  - i. Pre-water material prior to loading
  - ii. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- r. Turf overseeding activities:
  - i. Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards
  - ii. Cover haul vehicles prior to exiting the site.
- s. Unpaved roads/parking lots:
  - i. Stabilize soils to meet the applicable performance standards
  - ii. Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.

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- t. Vacant land:
  - i. In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures.

### Other General Best Available Control Measures:

- u. Minimize idling time
- v. Maintain properly tuned equipment
- w. Regular maintenance—keep equipment well maintained
- x. Where practicable, use low pollutant-emitting equipment
- y. Use of ultra-low-sulfur diesel fuel
- z. Use construction equipment that is CARB-certified or that meets Tier 3 emissions or better, if available
- aa. Use alternative diesel formulations (e.g., aqueous diesel), if available
- bb. Where practicable, use catalytic reduction for gasoline-powered equipment
- cc. Use injection timing retard for diesel-powered equipment
- dd. Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry
- ee. Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads
- ff. Remove any visible track-out into traveled public streets within 30 minutes of occurrence
- gg. Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred
- hh. Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads
- ii. Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour
- jj. Enforce a 15 mile-per-hour speed limit on unpaved surfaces

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- kk. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce re-suspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- ll. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation.
- mm. Electrical construction equipment shall be used to the extent feasible.
- nn. Low-VOC coatings will be used during application of architectural coatings. Coatings must meet the VOC content limitations set forth in APCD Rule 67.0.

### Applicable Development Policies

**Policy 24.7:** In order to reduce transportation-related air quality impacts, the following items should be encouraged at the project-level planning phase:

- a) Limit idling time for commercial vehicles, including delivery and construction vehicles.
- b) Use low- or zero-emission vehicles, including construction vehicles.
- c) Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- d) Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- e) Provide public transit incentives, such as free or low-cost monthly transit passes.
- f) For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.
- g) Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- h) Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

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### 3.4 Biological Resources

#### Development Policies

The Development Policies listed below would help minimize effects to sensitive environmental resources, including biological resources, within and around the CVBMP. The Development Policies would greatly reduce any potential impacts to fish and wildlife species, and plant communities. As such, the Development Policies would not result in any new or more severe significant biological impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Public Access Program

As stated in the PAP, the CVBMP shall enhance pedestrian within its developed and open space areas, and enhance pedestrian visual and physical access to the waterfront, through a comprehensive, continuous pedestrian circulation plan. Pedestrian access will be limited or prohibited in proximity to sensitive resource, including biological resources. Additionally, a significant objective of the CVBMP is to rectify this lack of public access while still preserving sensitive habitat. Implementation of the PAP would not result in direct or indirect impacts to riparian habitat or jurisdictional wetlands. The PAP may however, result in the loss of sensitive habitat from the construction of the pedestrian circulation plan. However, because the PAP is included in the CVBMP, MMs that apply to the CVBMP would also apply to the PAP, which would reduce impacts to habitat, sensitive natural communities, or protected wetlands. These MMs are included below under Applicable FEIR Biological Resources Mitigation Measures. Implementation of the MMs would reduce significant impacts to below a level of significance related to biological resources.

#### Proposed RV Park Component

***Would the Proposed Project would have a significant impact if it has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFG or USFWS?***

As stated in the FEIR, there is the potential for impacts to nesting raptors, including the western burrowing owl, as well as impacts to sensitive vegetation like disturbed coastal sage scrub, non-native grassland, disturbed riparian, and southern coastal salt marsh. Previously established MMs from the FEIR would be applied to the RV Park Component to avoid direct and indirect impacts to riparian and natural vegetation communities (e.g., disturbed coastal sage scrub, mulefat/riparian scrub) and sensitive bird species (e.g., light-footed clapper rail, western burrowing owl, raptors) in accordance with the Multiple Species Conservation Plan (MSCP)

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Subarea Plan. All new development must adhere to the guidelines provided in the MSCP Subarea Plan, which address six issues associated with potential indirect impacts on the Sweetwater Marsh NWR and the San Diego Bay NWR from lighting, noise, drainage, use of invasive habitat species, toxic substances, and public access. MMs 4.8-1 and 4.8-2 would be applied to the RV Park Component Area, and would require pre-construction surveys and establishment of avoidance buffers around active nests until the young are independent of the nest. MMs 4.8-6 and 4.8-23 would ensure implementation of the MSCP adjacency guidelines and Wetlands Protection Program.

A “Biological Resources Survey Report” was conducted for the RV Park Component in March 2015, pursuant to Sections 1600–1603 of the California Fish and Game Code; under the jurisdiction of the ACOE, pursuant to Section 404 of the federal Clean Water Act; under jurisdiction of Regional Water Quality Control Board (RWQCB), pursuant to Clean Water Act Section 401 and the Porter-Cologne Water Quality Control Act; and under the jurisdiction of the CCC under the CCA (included as Appendix D (Dudek 2015)). Results of the Biological Resources Survey Report indicated that, construction of the proposed extension of E Street would potentially impact the inlet of the F and G Street Marsh, which contains foraging habitat for the light-footed clapper rail. As a result of the Biological Resources Survey Report, the RV Park Component was designed to avoid the adjacent mulefat scrub/riparian scrub. Specifically, the E Street road improvements would avoid direct impacts to Coastal salt marsh (jurisdictional wetland) located within parcel S-1 adjacent to the roadway at Bay Boulevard and E Street.

The Biological Resources Survey Report includes additional avoidance and minimization measures to be applied to the Proposed RV Park, in conjunction with the applicable MMs from the FEIR. The avoidance and minimization measures described below would apply to all elements of the RV Park Component, including utility installations on Parcel S-1; bio-retention areas and pedestrian trails on Parcel SP-1; and a fully-enclosed dog park, and realigned Gunpowder Point Drive with a for bus loop providing access to the Living Coast Discovery Center.

### Avoidance and Minimization Measures

- In order to reduce indirect impacts associated with development adjacent to the Sweetwater Marsh NWR and San Diego Bay NWR areas, avoidance and minimization were established in both the Port’s and City’s jurisdictions through the following design measures: (1) ecological buffers in the Sweetwater District were expanded to incorporate several of the larger wetlands (e.g., coastal salt marsh and disturbed riparian), (2) some of the circulation roadways were redesigned to avoid wetland resources, and (3) several bridges have been incorporated into the project design to avoid direct impacts to resources. Fencing in parcel SP-1 would also be installed prior to occupancy of the first buildings constructed in Phase I to prevent unauthorized access. Additionally, as

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discussed, above, new development must adhere to the guidelines provided in the MSCP Subarea Plan.

- A 400-foot-wide ecological buffer would be established within the Sweetwater District. A series of staggered berms within the Sweetwater District would serve as a barrier between the human users of recreation facilities and the sensitive wildlife in the nearby marsh habitat. The berms within the ecological buffers would also serve to reduce the amount of noise that may be disruptive to the sensitive species within the marshes. The first 200 feet of buffer areas adjacent to sensitive habitats, or full width in the case of reduced buffer areas, will be maintained as a “no touch” buffer and will not contain any trails or overlooks. This No Use Zone would be off limits to pedestrians, with signs posted stating that access into the sensitive habitat areas is prohibited and trespassing laws will be strictly enforced. Fencing, consisting of a 6-foot-high vinyl-coated chain link fence will be installed within the buffer area to prevent unauthorized access. Fencing in parcel SP-1 will be installed prior to occupancy of the first buildings constructed in Phase I. To protect the wetlands and resources within the Refuge, the SP-1 buffer would be established in Phase I. District enforcement personnel will patrol these areas and be trained in the importance of preventing human and domestic animal encroachment in these areas. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas. In order to discourage human and domestic animals from crossing over the berms into the native habitat and preserve areas, permanent fencing would be strategically placed in areas around at parcel SP-1. In addition, appropriate signage would prohibit access into the sensitive habitat and would direct public access to appropriate locations and ensure that native habitat and restoration areas are not disturbed. These components were analyzed in the FEIR and would remain as part of the Proposed Project.

Within the 400-foot buffer, planting and irrigation would be landscaped with a native species plant palette. With implementation of these avoidance and minimization measures, MMs described below, and the Development Policies, impacts to candidate, sensitive, or special-status species would be reduced to less than significant levels. No new impacts would occur, nor would any impacts be exacerbated and no new MMs are required.

***Would the Proposed Project would have a significant impact if it has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFG or USFWS?***

As previously stated in the above response, a Biological Resources Survey Report was conducted for the Proposed RV Park Component. The Survey Report provided guidance for project design, resulting in the RV Park Component avoiding the adjacent mulefat scrub/riparian scrub.

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Specifically, the E Street road improvements would avoid direct impacts to Coastal salt marsh (jurisdictional wetland) located within parcel S-1 adjacent to the roadway at Bay Boulevard and E Street. In order to avoid any indirect or adjacency impacts to adjacent sensitive natural communities, avoidance and minimization measures, in conjunction with the applicable MMs identified below would be applied to the RV Park Component. As such, no new impacts would occur, nor would any impacts be exacerbated and no new MMs are required.

***Would the Proposed Project would have a significant impact if it has a substantial adverse effect on federally or state protected wetlands as defined by Sections 401 and 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.), and Section 1600 of the CDFG Code through direct removal, filling, hydrologic interruption, or other means?***

As previously stated, a Biological Resources Survey Report, which included a wetland delineation, has been conducted pursuant to Sections 1600–1603 of the California Fish and Game Code; under the jurisdiction of the ACOE, pursuant to Section 404 of the federal Clean Water Act; and under jurisdiction of Regional Water Quality Control Board (RWQCB), pursuant to Clean Water Act Section 401. The Biological Resources Survey Report provided guidance for project design, resulting in the RV Park Component avoiding the adjacent mulefat scrub/riparian scrub, sensitive bird species (e.g., light-footed clapper rail, western burrowing owl, raptors), and Coastal salt marsh (jurisdictional wetland).. Specifically, the E Street road improvements would avoid direct impacts to Coastal salt marsh (jurisdictional wetland) located within parcel S-1 adjacent to the roadway at Bay Boulevard and E Street. In order to avoid any indirect or adjacency impacts to adjacent sensitive natural communities, avoidance and minimization measures, in conjunction with the applicable MMs identified below would be applied to the RV Park Component. Permits will be obtained from the agencies and copies provided to the City prior to grading in order to address this finding. Appropriate MMs, consistent with the MSCP, will be implemented for the Proposed RV Park Component and are provided herein. Therefore, implementation of the RV Park Component would not result in new or more severe significant impacts and does not require new MMs related to protected wetlands.

***Movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors,***

As stated in the FEIR, no significant direct impacts would occur to wildlife movement corridors for use by terrestrial wildlife, such as small mammal species, as the site does not function as a movement corridor for terrestrial species, due to the developed nature of the site. Parcel S-1 is adjacent to the Sweetwater Marsh NWR, an area that provides habitat for a number of special-status bird species. Due to the proximity to open water as a bird attractant, the location within a migration corridor, adjacency to native vegetation, and building heights that may extend into the altitude of migrating

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birds, the original plan for parcel S-1, prior to the Land Use Revisions, may result in significant impacts to migrating or special-status bird species due to an increase in bird strikes.

Under the RV Park Component, the bulk and scale of the buildings to be constructed would be reduced, as shown in Table 2.3-1. With building heights up to 25 feet, compared to the previously approved 100 feet, the RV Park Component would result in potentially fewer bird strikes, thus a lesser impact on migratory birds. Therefore, the RV Park Component would have a reduced impact to native resident or migratory fish or wildlife species.

### Applicable FEIR Biological Resources Mitigation Measures

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM 4.8-1:** shall be implemented to reduce the direct impact to nesting raptors to a level of less than significant.

**Port/City:** Prior to construction in any areas with suitable nesting locations for raptors (such as trees, utility poles, or other suitable structures) and, if grading or construction occurs during the breeding season for nesting raptors (January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction shall retain a qualified, Port- or City-approved biologist, as appropriate, who shall conduct a pre-construction survey for active raptor nests. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active nest is found, an appropriate setback distance will be determined in consultation with the applicant, Port or City, USFWS, and CDFG. The construction setback shall be implemented until the young are completely independent of the nest or the nest is relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.

**MM 4.8-2:** Mitigation Measure 4.8-2 would be required to reduce the direct impacts to the western burrowing owl (see Significant Impact 4.8-2) to a level of less than significant:

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**Port/City:** Prior to construction in any areas with suitable nesting habitat for burrowing owl and, if grading or construction occurs during the breeding season for the burrowing owl (April January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction, as appropriate, shall retain a qualified biologist, who shall be approved by the Port or City, respectively, to conduct a pre-construction survey within all suitable habitat prior to any grading activities. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active burrow is detected during the breeding season of April January 15 to July 31, construction setbacks of 300 feet from occupied burrows shall be implemented until the young are completely independent of the nest. If an active burrow is found outside of the breeding season, or after an active nest is determined to no longer be active by a qualified biologist, the burrowing owl would be passively relocated according to the guidelines provided by CDFG (1995) and in coordination with CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.

**MM 4.8-3:** shall be implemented to reduce the direct impact to nesting migratory birds to a level of less than significant:

**Port/City:** If grading or construction occurs during the breeding season for migratory birds (January 15 through July August 31), the project developer(s) shall retain a qualified biologist, approved by the Port/City (depending on the jurisdiction), to conduct a preconstruction survey for nesting migratory birds. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If active nests are present, the Port will consult with USFWS and CDFG to determine the appropriate construction setback distance. Construction setbacks shall be implemented until the young are completely independent of the nest or relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are

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minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.

**MM-4.8-4:** Port/City: Prior to construction or grading in any areas of suitable nesting or foraging habitat for light-footed clapper rail and, regardless of the time of year, the project developer(s) shall retain a qualified biologist who shall be approved by the Port or City, as appropriate, and shall be present during removal of southern coastal salt marsh vegetation within the inlet to the F & G Street Marsh to ensure that there are no direct impacts to foraging lightfooted clapper rails. If a light-footed clapper rail is encountered, construction will be temporarily halted until the bird leaves the area of construction. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint. The project developer(s) shall consult with the U.S. Fish and Wildlife Service prior to impacting any areas of suitable nesting or foraging habitat for light-footed clapper rail so as not to prevent any unauthorized take of the lightfooted clapper rail. Any take must be authorized by U.S. Fish and Wildlife Service.

**MM-4.8-6:**

**Port/City:**

- A. Construction-related noise. Construction-related noise shall be limited adjacent to the Sweetwater Marsh and South San Diego Bay Units of the San Diego Bay National Wildlife Refuge, F & G Street Marsh, the mudflats west of the Sweetwater District, and the J Street Marsh during the general avian breeding season of January 15 to August 31. During the avian breeding season, noise levels from construction activities must not exceed 60 dB(A) Leq., or ambient noise levels if higher than 60 dB(A). The project developer(s) shall prepare and submit to the Port/City for review and approval an acoustical analysis and nesting bird survey to demonstrate that the 60 dB(A) Leq. noise level is maintained at the location of any active nest within the marsh. If noise attenuation measures or modifications to construction activities are unable to reduce the noise level

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below 60 dB(A), either the developer(s) must immediately consult with the Service to develop a noise attenuation plan or construction in the affected areas must cease until the end of the breeding season. Because potential construction noise levels above 60 dB(A) Leq have been identified at the F & G Street Marsh, specific noise attenuation measures have been identified and are addressed in Section 4.7 of the FEIR.

B. Perching of raptors. To reduce the potential for raptors to perch within the landscaping and hunt sensitive bird species from those perches, the following design criteria shall be identified in the CVBMP master landscape plan and incorporated into all building and landscape plans with a line of site to the City's MSCP Preserve, buffer zones, and on-site open space:

- Light posts shall have anti-perching spike strips along any portions that would be accessible to raptors.
- The top edge of buildings shall be rounded with sufficient radius to reduce the amount of suitable perching building edges.
- If building tops are hard corners, spike strips shall be used to discourage raptors from perching and building nests.
- Decorative eaves, ledges, or other protrusions shall be designed to discourage perching by raptors.
- To the extent practicable, buildings on Parcels S-1 and S-4 will be oriented to reduce raptor perches within the line of sight to adjacent sensitive habitats.

C. Raptor management and monitoring. Prior to the issuance of a Coastal Development Permit, the project developer shall prepare a raptor nest management plan to be implemented once the project is built. A biologist retained by the project developer and approved by the Port and/or City shall be responsible for monitoring the buildings and associated landscaping to determine whether raptor nests have been established on Port or City lands within 500 feet of the Preserves. If a nest is discovered, the nest would be removed in consultation with USFWS, CDFG, and the Port/City, outside of the raptor breeding season of January 15 to July 31.

D. Lighting. The following mitigation measure is required during all phases of development to ensure that outdoor lighting throughout the project area is minimized upon any of the habitat buffers, Preserve areas, habitats, or open water.

Prior to issuance of a building permit, each applicant within the Port's or City's jurisdiction shall prepare a lighting design plan, including a photometric analysis, to be reviewed by the Port or City, as appropriate. Each plan shall include the following features, as appropriate to the specific locations:

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- All exterior lighting shall be directed away from the habitat buffers, Preserve Areas, habitats, or open water, wherever feasible and consistent with public safety. Where necessary, lighting of all developed areas adjacent to the habitat buffers, Preserve Areas, habitats, or open water shall provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the habitat buffers, Preserve Areas, habitats, or open water and sensitive species from night lighting. The light structures themselves shall have shielding (and incorporate anti-raptor perching criteria); but the placement of the light structures shall also provide shielding from wildlife habitats and shall be placed in such a way as to minimize the amount of light reaching adjacent habitat buffers, Preserve Areas, habitats, or open water. This includes street lights, pedestrian and bicycle path lighting, and any recreational lighting.
- All exterior lighting immediately adjacent to habitat buffers, Preserve Areas, habitats, or open water shall be low-pressure sodium lighting or other approved equivalent.
- No sports field lights shall be planned on the recreation fields near the J Street Marsh or the Sweetwater Marsh.
- All roadways will be designed, and where necessary edges bermed, to ensure automobile light penetration in the Wildlife Habitat Areas, will be minimized, subject to applicable City and Port roadway design standards.
- Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project. All street and walkway lighting should be shielded to minimize sky glow.
- To the maximum extent feasible, all external lighting will be designed to minimize any impact to Wildlife Habitat Areas, and operations and maintenance conditions and procedures will be devised to ensure appropriate long-term education and control. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.
- In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement requirements. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used since yellow

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monochromatic light is not perceived as natural light by wildlife and minimized ecodisruptions. No night lighting for active sports facilities will be allowed.

- Sweetwater and Otay District parks will open and close in accordance with Port park regulations.
- Laser light shows will be prohibited.
- Construction lighting will be controlled to minimize Wildlife Habitat Area impacts.

- E. Noise. Construction Noise: MM 4.8-6 and the measures outlined in Section 4.7 Noise of the FEIR, shall be implemented in order to reduce potential indirect construction-noise impacts to sensitive species within the F & G Street Marsh and the J Street Marsh. In order to further reduce construction noise, equipment staging areas shall be centered away from the edges of the project, and construction equipment shall be maintained regularly and muffled appropriately. In addition, construction noise must be controlled to minimize impacts to Wildlife Habitat Areas.

**Operational Noise:** noise levels from loading and unloading areas; rooftop heating, ventilation, and air conditioning facilities; and other noise-generating operational equipment shall not exceed 60 dB(A) Leq. at the boundaries of the F & G Street Marsh and the J Street Marsh during the typical breeding season of January 15 to August 31.

**Fireworks.** A maximum of three (3) fireworks events can be held per year, all outside of Least Tern nesting season except 4th of July, which may be allowed if in full regulatory compliance and if the nesting colonies are monitored during the event and any impacts reported to the Wildlife Advisory Committee so they can be addressed. All shows must comply with all applicable water quality and species protection regulations. All shows must be consistent with policies, goals, and objectives in the Natural Resource Management Plan (NRMP), described in **MM-4.8-7**.

- F. Invasives. All exterior landscaping plans shall be submitted to the Port or City, as appropriate, for review and approval to ensure that no plants listed on the California Invasive Plan Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of this FEIR), the California Invasive Plant Inventory Database, Appendix N of the City's MSCP Subarea Plan, or any related updates shall be used in the Proposed Project area. Any such invasive plant species that establishes itself within the Proposed Project area will be removed immediately to the maximum extent feasible and in a manner adequate to prevent further distribution into Wildlife Habitat Areas.

The following landscape guidelines will apply to the Proposed Project area:

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- Only designated native plants will be used in No Touch Buffer Areas, habitat restoration areas, or in the limited and transitional zones of Parcel SP-1 adjacent to Wildlife Habitat Areas.
- Non-native plants will be prohibited adjacent to Wildlife Habitat Areas and will be strongly discouraged and minimized elsewhere where they will provide breeding of undesired scavengers.
- Landscaping plans for development projects adjacent to ecological buffers and/or the MSCP Preserve shall include native plants that are compatible with native vegetation located within the ecological buffers and/or MSCP Preserve.
- No trees will be planted in the No Touch Buffer Areas or directly adjacent to a National Wildlife Refuge, J Street Marsh, or SP-2 areas where there is no Buffer Area.

G. Toxic Substances and Drainage. Implementation of general water quality measures identified in Section 4.5 of the FEIR, Hydrology/Water Quality, would reduce impacts associated with the release of toxins, chemicals, petroleum products, and other elements that might degrade or harm the natural environment to below a level that is significant, and would provide benefits to wetland habitats. As a reference, these MMs are repeated below and apply to the Port and City:

- If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which include obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. The project developer(s) shall demonstrate satisfaction of all permit requirements prior to issuance of a grading permit.
- Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pre-treatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.
- Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. The plan shall:
  - Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the Proposed Project shall be handled, stored, used, and disposed

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of in accordance with NPDES permitting requirements and applicable federal, state, and local policies

- Include material safety data sheets
- Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration
- Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time
- Provide secured storage areas for compatible materials, with adequate spill containment
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City
- Prior to issuance of a permit by USACE for dredge and/or fill operations in the Bay or Chula Vista Harbor, the applicant shall conduct a focused sediment investigation and submit it to USACE, EPA, and RWQCB for review and approval. The applicant shall then determine the amount of bay sediment that requires remediation and develop a specific work plan to remediate bay sediments in accordance with permitting requirements of the RWQCB. The work plan shall include but not be limited to dredging the sediment, analyzing the nature and extent of any contamination, and allowing it to drain. Pending the outcome of the analytical results, the RWQCB and the Port shall prescribe the appropriate method for disposal of any contaminated sediment.

In addition, the following measures will apply:

- Vegetation-based storm water treatment facilities, such as natural berms, swales, and detention areas are appropriate uses for Buffer Areas so long as they are designed using native plant species and serve dual functions as habitat areas. Provisions for access for non-destructive maintenance and removal of litter and excess sediment will be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, mulefat, willow, and the like are permissible.
- Storm water and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of any erosion or type conversion will be developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment

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accumulation, shoreline erosion and stream bed widening, loss of aquatic species, and decreased base flow.

- The use of persistent pesticides or fertilizers in landscaping that drains into Wildlife Habitat Areas is prohibited. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas.
- Fine trash filters (as approved by the agency having jurisdiction over the storm drain) are required for all storm drain pipes that discharge toward Wildlife Habitat Areas.

H. Public Access. In addition to site-specific measures designed to prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals, the following would prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals.

**Buffers.** All buffers shall be established and maintained by the Port/City. Appropriate signage will be provided at the boundary and within the buffer area to restrict public access. Within the western 200-foot width of Parcel SP-1, a portion of the buffer areas would be re-contoured and restored to provide habitat consistent with the native vegetation communities in the adjacent open space preserve areas and to provide mitigation opportunities for project impacts. The proposed restoration includes creating and restoring coastal salt marsh and creating riparian scrub vegetation communities. In addition, the coastal brackish marsh, disturbed riparian habitat, and wetland would be enhanced.

The first 200 feet of buffer areas adjacent to sensitive habitats, or full width in the case of reduced buffer areas, will be maintained as a “no touch” buffer and will not contain any trails or overlooks. Fencing, consisting of a 6-foot-high vinyl-coated chain link fence will be installed within the buffer area to prevent unauthorized access. Fencing in Parcel SP-1 will be installed prior to occupancy of the first buildings constructed in Phase I. District enforcement personnel will patrol these areas and be trained in the importance of preventing human and domestic animal encroachment in these areas. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas.

Impacts to disturbed coastal sage scrub would be mitigated by the restoration of a coastal sage scrub/native grassland habitat also within this buffer. There is the potential to provide a maximum of 20.71 acres of mitigation credit for impacts to wetland habitats and 22.21 acres for impacts to upland habitats. This would exceed the required mitigation needed for impacts within the Port’s and City’s jurisdiction.

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A detailed coastal sage scrub (CSS) and maritime succulent scrub (MSS) restoration plan that describes the vegetation to be planted shall be prepared by a Port- or City-approved biologist and approved by the Port or City, as appropriate. The City or Port shall develop guidelines for restoration in consultation with USFWS and CDFG.

The restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish success criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions are expected. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months from the date the report is submitted.

The project developer(s) shall be responsible for implementing the proposed MMs and ensuring that the success criteria are met and approved by the City or Port, as appropriate, and other regulatory agencies, as may be required.

### **Strategic Fencing**

**Temporary Fencing.** Prior to issuance of any clearing and grubbing or grading permits, temporary orange fencing shall be installed around sensitive biological resources on the project site that will not be impacted by the Proposed Project. Silt fencing shall also be installed along the edge of the SDBNWR during grading within the western portion of the ecological buffer. In addition, the applicant must retain a qualified biologist to monitor the installation and ongoing maintenance of this temporary fencing adjacent to all sensitive habitat. This fencing shall be shown on both grading and landscape plans, and installation and maintenance of the fencing shall be verified by the Port's or City's Mitigation Monitor, as appropriate.

**Permanent Fencing.** Prior to approval of landscape plans, a conceptual site plan or fencing plan shall be submitted to the Port or City, as appropriate, for review and approval to ensure areas designated as sensitive habitat are not impacted. Fencing shall be provided within the buffer area only, and not in sensitive habitat areas.

**Domestic Animals.** In all areas of the Chula Vista Bayfront, especially on the foot path adjacent to the marsh on the Sweetwater District property, mandatory leash laws shall be

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enforced. Appropriate signage shall be posted indicating human and domestic animal access is prohibited within the designated Preserve areas.

**Trash.** Illegal dumping and littering shall be prohibited within the Preserve areas. Throughout the Proposed Project site, easily accessible trash cans and recycling bins shall be placed along all walking and bike paths, and shop walkways. These trash cans shall be “animal-proof” and have self-closing lids that close, to discourage scavenger animals from foraging in the cans. The trash cans shall be emptied daily or more often if required during high use periods. Buildings and stores shall have large dumpsters in a courtyard or carport that is bermed and enclosed. This ensures that, if stray trash falls to the ground during collection, it does not blow into the Bay or marshes.

**Training.** Pursuant to permitting requirements of the Resource Agencies, preconstruction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area.

**I. Boating Impacts.** All boating, human and pet intrusion must be kept away from F & G Street channel mouth and marsh.

- Water areas must be managed with enforceable boating restrictions. The Port will exercise diligent and good faith efforts to enter into a cooperative agreement with the Resource Agencies and Coast Guard to ensure monitoring and enforcement of no-boating zones and speed limit restrictions to prevent wildlife disturbances.
- No boating will be allowed in vicinity of the J Street Marsh or east of the navigation channel in the Sweetwater District during the fall and spring migration and during the winter season when flocks of bird are present.
- All rentals of jet-skis and other motorized personal watercraft (PWCs), as defined in Harbors and Navigations Code Section 651(s), will be prohibited in the Proposed Project area.
- Use of PWCs will be prohibited in Wildlife Habitat Areas, subject to applicable law.
- A five (5) mile per hour speed limit will be enforced in areas other than the navigation channels.
- Nothing in this mitigation measure shall preclude bona fide research, law enforcement, or emergency activities.

**MM 4.8-7** Mitigation Measure 4.8-7 is intended to provide additional measures to reduce further the indirect impacts to biological resources already addressed in and reduced to below a level of significance by Mitigation Measure 4.8-6. This additional mitigation provides for the

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creation, implementation, funding, and enforcement of a Natural Resources Management Plan (“NRMP”), good faith efforts to enter into a cooperative management agreement with the USFWS or other appropriate agency or organization, restoration priorities, the creation of a South Bay Wildlife Advisory Group, and education, as follows:

- A. Natural Resources Management Plan: In recognition of the sensitivity of the natural resources and the importance of protection, restoration, management and enforcement in protecting those resources, the Port, City and RDA will cause an NRMP to be prepared in accordance with this mitigation measure. The NRMP will be designed to achieve the Management Objectives (defined below) for the Wildlife Habitat Areas (defined below). The NRMP will be an adaptive management plan, reviewed and amended as necessary by the Port and City in compliance with the process described in Section 4.8-7D of this measure.
  - a. “Wildlife Habitat Areas” are defined as:
    - i. All National Wildlife refuge lands, currently designated and designated in the future, in the South San Diego Bay and Sweetwater Marsh National Wildlife Refuge Units. National Wildlife Refuge lands are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.
    - ii. All Port designated lands and open water areas in the Conservation Land Use Designations of Wetlands, Estuary, and Habitat Replacement as depicted in the Draft Precise Plan for Planning District 7.
    - iii. Parcels 1g and 2a from the City’s Bayfront Specific Plan.
    - iv. The Wildlife Habitat Areas are depicted on Exhibit 1 to the MMRP.
    - v. No Touch Buffer areas are as depicted on Exhibit 2 to the MMRP.
  - b. NRMP Management Objectives for Wildlife Habitat Areas: Taking into consideration the potential changes in functionality of Wildlife Habitat Areas due to rising sea levels, the NRMP will promote, at a minimum, the following objectives (“Management Objectives”) for the Wildlife Habitat Areas:
    - i. Long term protection, conservation, monitoring, and enhancement of:
      - 1. Wetland habitat, with regard to gross acreage as well as ecosystem structure, function and value.
      - 2. Coastal sage and coastal strand vegetation.

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3. Upland natural resources for their inherent ecological values, as well as their roles as buffers to more sensitive adjacent wetlands. Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide, taking into account future sea level rise.
- ii. Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.
- iii. Protection of nesting, foraging, and rafting wildlife from disturbance.
- iv. Avoidance of actions within the Proposed Project area that would adversely impact or degrade water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.
- v. Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.
- c. Implementation of NRMP Management Objectives: NRMP will include a plan for achieving Management Objectives as they related to the Buffer Areas and Wildlife Habitat Areas and the Proposed Project area, which will:
  - i. Ensure the Port, City and RDA are not required to expend funds for NRMP implementation until project-related revenues are identified and impacts initiated.
  - ii. Require coordination with the Resource Agencies of the Port's City's and Resource Agencies' respective obligations with respect to the Buffer Areas and Wildlife Habitat Areas.
  - iii. Designate "No Touch" Buffer Areas as that term is defined and described in this FEIR. Such areas will contain contiguous fencing designed specifically to limit the movement of domesticated, feral, and nuisance predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, "Predators"] and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be at a minimum 6-foot high, black vinyl chain link fence or other suitable barrier (built to the specifications described in this FEIR). Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence. The installation of such fencing in the Sweetwater and Harbor Districts must be completed prior to the issuance of Certificates of Occupancy for development projects on either Parcel H-3 or H-23 and in conjunction with the development or road improvements in the Sweetwater District, with the exception of Parcel S-4 which will retain the existing

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fencing until that parcel is redeveloped and the fencing of the No Touch Buffer installed.

- iv. Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas, Limited Use Buffer Areas, and Transition Buffer Areas as that term is defined and described in this FEIR, with the exception of existing or necessary access points for required maintenance.
- v. Result in the fencing of No Touch Buffer Areas including, without limitation, fencing necessary to protect the Sweetwater Marsh and the Sweetwater parcel tidal flats, the J Street Marsh next to the San Diego Bay Refuge and the north side of Parcel H-3.
- vi. Include additional controls and strategies restricting movement of humans and Predators into sensitive areas beyond the boundaries of the designated Buffer Areas, as necessary.
- vii. Require the Recreational Vehicle Park to install fencing or other barriers sufficient to prevent passage of Predators and humans into sensitive adjacent habitat.
- viii. Require all dogs to be leashed in all areas of the Proposed Project at all times except in any designated and controlled off-leash areas.
- ix. Impose and enforce restrictions on all residential development to keep cats and dogs indoors or on leashes at all times. Residential developments will be required to provide education to owners and/or renters regarding the rules and restrictions regarding the keeping of pets.
- d. Walkway and Path Design: Detail conditions and controls applicable to the walkways, paths, and overlooks near Wildlife Habitat Areas and outside of the No Touch Buffer Areas in accordance with the following:
  - i. Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.
  - ii. Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.
  - iii. Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Proposed Project.
  - iv. Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.

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- v. Walkways and overlooks that approach sensitive areas will must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.
- e. Predator Management: The NRMP will include provisions designed to manage Predator impacts on Wildlife Habitat Areas which will include and comply with the following:
  - i. Year-round Predator management will be implemented for the life of the Proposed Project with clearly delineated roles and responsibilities for the Port, City and Resources Agencies. The primary objective of such provisions will be to adequately protect terns, rails, plovers, shorebirds, over-wintering species, and other species of high management priority as determined by the Resource Agencies.
  - ii. Predator management will include regular foot patrols and utilize tracking techniques to find and remove domestic or feral animals.
  - iii. Address Predator attraction and trash management for all areas of the Proposed Project by identifying clear management measures and restrictions. Examples of the foregoing include design of trash containers, including those in park areas and commercial dumpsters, to be covered and self-closing at all times, design of containment systems to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons, and similar animals and adequate and frequent servicing of trash receptacles.
  - iv. All buildings, signage, walkways, overlooks, light standards, roofs, balconies, ledges, and other structures that could provide line of sight views of Wildlife Habitat Areas will be designed in a manner to discourage their use as raptor perches or nests.
- f. Miscellaneous Additional Requirements of the NRMP: In addition to the standards described above, the NRMP will include:
  - i. All elements which address natural resource protection in the MMRP including but not limited to those which assign responsibility and timing for implementing MMs consistent with the City's MSCP Subarea Plan;
  - ii. Pertinent sections of the MSCP Subarea Plan;
  - iii. References to existing Port policies and practices, such as Predator management programs and daily trash collections with public areas and increase service during special events.

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- iv. Establishment of design guidelines to address adjacency impacts, such as storm water, landscape design, light and noise and objectives as discussed below;
  - v. Establishment of baseline conditions and management objectives; and
  - vi. Habitat enhancement objectives and priorities.
- g. **Creation, Periodic Review, and Amendment of the NRMP:** The NRMP will be a natural resource adaptive management and monitoring plan initially prepared in consultation with the Wildlife Advisory Group, and reviewed and amended in further consultation with the Wildlife Advisory Group one year following adoption of the NRMP and annually thereafter for the first five (5) years after adoption, after which it will be reviewed and amended as necessary every other year for the first 6 years, then once every 5 years thereafter. If the RCC is not pursued in the first five (5) years after certification of the FEIR, this schedule will be amended to ensure that NRMP is evaluated every year for five years after the development of the RCC. The periodic review of the NRMP described in the preceding sentences is hereinafter called “Periodic Review.” A material revision of the NRMP is hereinafter called an “NRMP Amendment”. However, nothing in this schedule will be interpreted to preclude a speedy response or revision to the NRMP if necessary to abate an emergency condition or to accommodate relevant new information or necessary management practices consistent with the NRMP management objectives. Preparation of the NRMP will begin within six months of the filing of the Notice of Determination for the FEIR by the Port and will be completed prior to the earlier of: (a) Development Commencement; (b) issuance of a Certificate of Occupancy for the residential development; or (c) three years. The adaptive management components of the NRMP Periodic Review will address, among other things, monitoring of impacts of development as it occurs and monitoring the efficacy of water quality improvement projects (if applicable) and management and restoration actions needed for resource protection, resource threats, and management (i.e., sea-level rise, trash, window bird strikes, lighting impacts, bird flushing, water quality, fireworks, human-wildlife interface, education and interpretation programs, public access, involvement, and use plan, management of the human-wildlife interface, wildlife issues related to facilities, trails, roads, overlooks planning, and watershed coordination), and other issues affecting achievement of NRMP Management Objectives.
- i. The Port and City will cause the preparation, consideration negotiation and approval of the NRMP including, staff and administrative oversight and engagement of such consultants as are reasonable and necessary for their completion, approval and amendment in accordance with this mitigation measure.

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- ii. The Port and City will each provide a written notice of adoption to the Wildlife Advisory Group upon their respective approval of the NRMP.
- h. **DISPUTE RESOLUTION FOR PLAN CREATION AND AMENDMENT.** The NRMP and any material amendments to the NRMP will require submission, review, and approval by the CCC after final adoption by the Port and City. Nonetheless, the participants would benefit if the NRMP is developed through a meaningful stakeholder process providing for the resolution of as many disagreements as possible prior to NRMP submission to the CCC. This section provides a process by which the Coalition can participate in the creation and amendment of the NRMP.
- i. **PLAN CREATION AND AMENDMENT.** Where this mitigation measure contemplates the creation of the NRMP following the Effective Date or an NRMP Amendment, this section will provide a non-exclusive mechanism for resolution of disputes concerning the content of the NRMP and such NRMP Amendments. The standard of review and burden of proof for any disputes arising hereunder shall be the same as those under the California Environmental Quality Act.
  - 1. **PLAN CREATION AND AMENDMENT INFORMAL NEGOTIATIONS.** Any dispute that arises with respect to the creation or amendment of the NRMP will in the first instance be the subject of informal negotiations between the parties to the dispute. A dispute will be considered to have arisen when one (1) party (the “Disputing Party”) sends the other party a written Notice of Dispute. During the informal negotiations, the Disputing Party will identify in writing and with specificity the issue, standard, or proposed requirement which is the subject of the dispute (the “Notice of Dispute”). The period for informal negotiations will not exceed thirty (30) days from the date the Notice of Dispute is received.
  - 2. **PLAN CREATION AND AMENDMENT FORMAL DISPUTE RESOLUTION, PHASE I.** In the event the Parties cannot resolve a dispute by informal negotiations, the Disputing Party may invoke formal dispute resolution procedures by providing the other parties a written statement of position on the matter in dispute, including, but not limited to, any facts, data, analysis or opinion supporting that position and any supporting documentation relied upon by the Disputing Party (the “Position Statement”). The Position Statement must be transmitted (via electronic mail or verifiable post) within thirty (30) days of the end of informal negotiations, and will be provided to the other parties and to each member of the Wildlife Advisory Group. If informal negotiations are unsuccessful, and the Disputing Party does not

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invoke formal dispute resolution within thirty (30) days, the position held by the Port, City or Agency (the respective public agency involved in such dispute is hereinafter called “Managing Agency”) will be binding on the Disputing Party, subject to submission, review, and approval by the CCC.

- a. The other parties will submit their position statements (“Opposition Statements”), including facts, data, analysis or opinion in support thereof, to the Disputing Party and the Wildlife Advisory Group members within thirty (30) days of transmission of the Position Statement.
  - b. Within twenty-one (21) days after transmission of the Opposition Statement(s), the Wildlife Advisory Group will convene, consider and, within a reasonable period of time thereafter, render its proposed resolution of the dispute. The Wildlife Advisory Group’s decision will not be binding upon the Disputing Party, but rather, will be considered purely advisory in nature. The proposed resolution of the Wildlife Advisory Group will be that comprehensive recommendation supported by a majority of Wildlife Advisory Group members after vote, with each member entitled to one vote. The Wildlife Advisory Group’s proposal will be transmitted to all parties by an appointed Wildlife Advisory Group member via electronic mail.
3. **PLAN CREATION AND AMENDMENT FORMAL DISPUTE RESOLUTION, PHASE II.** If any party does not accept the advisory decision of the Wildlife Advisory Group, it must invoke the second phase of formal dispute resolution by presenting the dispute to the governing board (“Governing Board”) of the Managing Agency (i.e., Board of Port Commissioners or City Council). This phase of the dispute resolution process is initiated by such party providing written notice to the other parties within thirty (30) days of receipt of the Wildlife Advisory Group proposal (“MA Notice”). The MA Notice will include the Position Statement, Opposition Statement, the Wildlife Advisory Group proposal, and any other information such party desires to include. Any supplement to the Opposition Statement will be filed with the Managing Agency within fourteen (14) days. The Governing Board of the Managing Agency will review the transmitted information and within sixty (60) days from receipt of the MA Notice will schedule a public hearing to consider the dispute and within ten (10) days of such public hearing, render a decision. The decision of the Governing Board of the Managing Agency will be final and binding on the Managing Agency but will not bind the members of the Coalition. If the members of the Coalition accept the decision of the Governing Board of the Managing

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Agency, the decision will dictate the manner in which the dispute is resolved in the NRMP or amendment to the NRMP. Nothing herein will preclude such party from publicly opposing or supporting the Governing Board's decision before the CCC.

- i. **DISPUTE RESOLUTION REGARDING NRMP IMPLEMENTATION AND ENFORCEMENT.** Once the CCC approves the NRMP or any NRMP Amendment, the Governing Board will issue a Notice of Adoption with respect to the NRMP or NRMP amendment. Once a Notice of Adoption is issued with respect to the NRMP or NRMP Amendment, this section will be the exclusive mechanism for the parties to resolve disputes arising under, or with respect to implementation or enforcement of, the NRMP including when the NRMP is reviewed during an Adaptive Management Review or Periodic Review and such review does not require an NRMP Amendment. This provision will not be used to challenge the adequacy of the NRMP or an NRMP Amendment after the issuance of a Notice of Adoption with respect thereto. The standard of review and burden of proof for any disputes arising hereunder shall be the same as those under CEQA.
- i. **PLAN ENFORCEMENT INFORMAL NEGOTIATIONS.** Any dispute that arises with respect to implementation or enforcement of the NRMP will in the first instance be the subject of informal negotiations between the parties to the dispute. A dispute will be considered to have arisen when one Disputing Party sends the other party a written Notice of Dispute. During the informal negotiations, the Disputing Party will send a written Notice of Dispute to the other parties specifying the aspect of the NRMP it believes is not being implemented properly and the way in which the Disputing Party believes the NRMP should be implemented according to its terms (the "Notice of Dispute"). The period for informal negotiations will not exceed forty-five (45) days from the date such Notice of Dispute is received.
- ii. **PLAN ENFORCEMENT FORMAL DISPUTE RESOLUTION, PHASE I.** In the event the Parties cannot resolve a dispute by informal negotiations under the preceding section, the Disputing Party may invoke a formal dispute resolution procedure by presenting the dispute to the Governing Board of the Managing Agency by providing the other parties a written statement of position on the matter in dispute, including, but not limited to, any facts, data, analysis or opinion supporting that position and any supporting documentation relied upon by the Disputing Party (the "Position Statement"). The Position Statement must be transmitted (via electronic mail or verifiable post) within thirty (30) days of the end of informal negotiations, and will be provided to the other parties, to each member of the Wildlife Advisory Group. If informal

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negotiations are unsuccessful, and the Disputing Party does not invoke formal dispute resolution within thirty (30) days, the Managing Agency's position will be binding on the Disputing Party subject to any periodic review and/or approval by the CCC, if required by law.

1. The other parties will submit their position statements ("Opposition Statements"), including facts, data, analysis, or opinion in support thereof, to the Disputing Party, the Wildlife Advisory Group members, and the Governing Board within thirty (30) days of transmission of the Position Statement.
2. Within forty-five (45) days after transmission of the Opposition Statement(s), the Disputing Party will provide a written notice ("MA II Notice") to the other parties, the Wildlife Advisory Group and the Governing Board. The MA II Notice will include the Position Statement, Opposition Statement, the Wildlife Advisory Group proposal, and any other information the Disputing Party desires to include. Any supplement to the Opposition Statement will be filed with the Managing Agency within fourteen (14) days following receipt of the MA II Notice.

The Governing Board will review the transmitted information and within sixty (60) days from receipt of the MA II Notice will schedule a public hearing to consider the dispute and within ten (10) days of such public hearing, render a decision. The decision of the Governing Board will be final and binding on the Managing Agency but will not bind the members of Coalition. If the members of the Coalition accept the decision of the Governing Board of the Managing Agency, the decision will dictate the manner in which the dispute is resolved in the NRMP. If any member of the Coalition disagrees with the decision of the Governing Board, it shall have the right to seek a petition for writ of mandate from the Superior Court of California, San Diego Division.

- iii. **WAIVER OF DEFENSE.** To the extent permitted by law, the Port, City and RDA agree that lack of funds shall not be a defense to any claim of failure to adequately fund implementation and enforcement of the adopted NRMP.

### B. Additional Habitat Management and Protection:

- a. The Port will exercise diligent and good faith efforts to enter into the following cooperative agreements with the USFWS or other appropriate agency or organization:
  - i. An agreement providing for the long-term protection and management of the sensitive biological habitat running north from the South Bay Boatyard to the Sweetwater River Channel (known as the Sweetwater Tidal Flats) and

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addressing educational signage, long-term maintenance, and additional protection measures such as increased monitoring and enforcement, shared jurisdiction and enforcement by District personnel with legal authority to enforce applicable rules and regulations (“District Enforcement Personnel”), shared jurisdiction and enforcement by District Enforcement Personnel and other appropriate Resource Agencies of resource regulations, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement of any projects subject to Port’s jurisdiction within the Sweetwater or Harbor Districts.

- ii. An agreement for the long-term protection and management of the J Street Marsh and addressing additional protective measures such as educational signage, long-term maintenance, and monitoring and enforcement by District Enforcement Personnel, shared jurisdiction and enforcement of resource regulations by District Enforcement Personnel and other Resource Agencies, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement within the Otay District.
  - iii. If either of the cooperative agreements contemplated above are not achievable within three (3) years after FEIR certification, the Port will develop and pursue another mechanism that provides long-term additional protection and natural resource management for these areas.
- b. The Port will include an analysis of the appropriate level and method for wetland and marine life habitat restoration of the intake/discharge channels associated with the South Bay Power Plant in the environmental review document for the demolition of the South Bay Power Plant.
  - c. As a future and separate project, the Port will investigate, in consultation with the USFWS, the feasibility of restoring an ecologically meaningful tidal connection between the F & G Street Marsh and the upland marsh on parcel SP-2 consistent with USFWS restoration concepts for the area.

At a minimum, the investigation will assess the biological value of tidal influence, the presence of hazardous materials, necessary physical improvements to achieve desired results, permitting requirements, and funding opportunities for establishing the tidal connection. This investigation will be completed prior to the initiation of any physical alteration of SP-2, F Street, and/or the F & G Street Marsh. In addition, once emergency access to the Proposed Project area has been adequately established such that F Street is no longer needed for public right-of-

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way for vehicular use, but may reserve it for pedestrian and bicycle use if ecologically appropriate.

- C. Restoration Priorities: The following will supplement the description of the conceptual mitigation opportunities in the FEIR (including Appendix 4.8-8 Mitigation Opportunities). The following restoration priorities will not be included in the NRMP but rather will be applicable (i) if and only to the extent that Port or City are required to restore degraded habitat in accordance with the terms of the MMRP or (ii) to establish priorities for Port's pursuit of grant funding.
- a. Restoration priorities for the Proposed Project are those mitigation opportunities in the FEIR as depicted in the conceptual mitigation opportunities (Figures 4.8-23 and 4.8-26 of the FEIR) and the projects located in the South Bay in the Port's Adopted Restoration and Enhancement Plan.
  - b. With the exception of the restoration described in Section (d) below, shoreline/marsh interface restorations in the Sweetwater and Otay Districts should be natural and gradually sloped and planted with salt marsh and upland transition plants in a manner that will stabilize the bank without the need for additional riprap areas. Upland slopes should be contoured to provide a very gentle grade so as to maximize tidal elevation of mudflats, salt marsh habitat and upland transition areas. This area should be wide enough to encourage or allow wildlife to move between the Sweetwater Marsh and the F & G Marsh and between the J Street and the South San Diego Bay Unit of the NWR. The shoreline should be improved and restored to facilitate a more effective upland refuge area for species during high tides and to accommodate the impacts from global sea rise.
  - c. The Telegraph Creek should be improved to be a more natural channel as part of the redevelopment of the Otay District. Efforts to naturalize and revegetate the creek will be maximized as is consistent with its function as a storm water conveyance.
  - d. The Port will perform an analysis of the appropriate level and method for environmental restoration of the intake/discharge channels associated with the South Bay Power Plan in the environmental review document for the demolition of the power plant.
- D. South Bay Wildlife Advisory Group: A South Bay Wildlife Advisory Group ("Wildlife Advisory Group") will be formed to advise the Port and City in the creation of the NRMP, cooperative management agreements, Adaptive Management Review (defined below) and any related wildlife management and restoration plans or prioritizations. The Wildlife Advisory Group will also address management issues and options for resolution. The Wildlife Advisory Group will initiate and support

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funding requests to the Port and City, identify priorities for use of these funds and engage in partnering, education, and volunteerism to support the development of the Proposed Project in a manner that effectively protects and enhances the fish, wildlife, and habitats of the area and educates and engages the public.

- a. Port and City will provide such administrative and staff support to the Wildlife Advisory Group as is necessary to perform the functions and achieve the goals described herein.
- b. The Wildlife Advisory Group will be comprised of the following: one (1) representative from each the Environmental Health Coalition, San Diego Audubon Society, San Diego Coastkeeper, Coastal Environmental Rights Foundation, Southwest Wetlands Interpretative Association, Surfrider Foundation (San Diego Chapter), and Empower San Diego; two (2) representatives from the Chula Vista Natural Center (one from educational programs and one from programs/operations); up to three (3) representatives from major developers or tenants with projects in the CVBMP (including one from Pacifica Companies, which on completion, may be succeeded by a representative of its homeowner association); one (1) representative from the City's Resource Conservation Commission; one (1) from either Harborside or Mueller elementary school or the School District; Western and Eastern Chula Vista residents selected by the City (one from Northwest one from the Southwest and one from east of I-805); one (1) representative from eco-tourism based business; two (2) individuals appointed by Port; and 6 representatives from Resources Agencies (two from the USFWS, one from Refuges and one from Endangered Species and one (1) each from California Department of Fish and Game, National Marine Fisheries Service, Regional Water Quality Control Board and CCC).
- c. The Wildlife Advisory Group will meet as needed, but at a minimum of every six months for the first ten (10) years and annually thereafter. The Wildlife Advisory Group will be formed within six months of the filing of the Notice of Determination for the FEIR by the Port.
- d. The Wildlife Advisory Group will meet at the intervals described above to review the NRMP to: (i) determine the effectiveness of the NRMP in achieving the Management Objectives; (ii) identify any changes or adjustments to the NRMP required to better achieve the Management Objectives; (iii) identify any changes or adjustments to the NRMP required to respond to changes in the man-made and natural environments that are affecting or, with the passage of time may affect, the effectiveness of the NRMP in achieving the Management Objectives; and (iv) review priorities relative to available funding. At its periodic meetings, the

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Wildlife Advisory Group may also consider and make recommendations regarding (x) implementation of the NRMP as needed, (y) Adaptive Management Review and (z) NRMP Amendments.

- e. The Wildlife Advisory Group will advise the joint powers authority (JPA) on the expenditure of the Community Benefits Fund, subject to the applicable law.
- E. Education: An environmental education program will be developed and implemented and will include the following:
  - a. The program will continue for the duration of the Proposed Project and will target both residential and commercial uses as well as park visitors.
  - b. The program's primary objective will be to educate Bayfront residents, visitors, tenants and workers about the natural condition of the Bay, the ecological importance of the Proposed Project area and the public's role in the restoration and protection of wildlife resources of the Bay.
  - c. The program will include educational signage, regular seminars and interpretive walks on the natural history and resources of the area, regular stewardship events for volunteers (shoreline and beach cleanups, exotic plant removal, etc.).
  - d. Adequate annual funding for personnel or contractor/consultant and overhead to ensure implementation of the following functions and activities in collaboration with the Chula Vista Nature Center or USFWS:
    - i. Coordination of Volunteer programs and events;
    - ii. Coordination of Interpretive and educational programs;
    - iii. Coordination of Tenant, resident and visitor educational programs;
    - iv. Docent educational; and
    - v. Enhancements and restoration.
- F. Personnel and Funding: Funding for the implementation of the NRMP will be provided by the Port, City and RDA. To meet these obligations, the Port, City and RDA will commit revenues or otherwise provide funding to a JPA formed pursuant to the California Marks-Roos Act, Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code. Port, City and RDA will ensure the JPA is specifically charged to treat the financial requirements of this Agreement as priority expenditures that must be assured as project-related revenues are identified and impacts initiated. The Port, City and RDA expressly acknowledge the funding commitments contemplated herein will include, but not be limited to, funding for personnel and

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overhead or contractor(s)/consultant(s) to implement and ensure the following functions and activities:

- a. On-site management and enforcement for parks and Wildlife Habitat Areas as necessary to enforce restrictions on human and Predator access regarding Wildlife Habitat Areas;
- b. Enforcement of MMs including, but not limited to, trash collection, noise restrictions, removal of invasive plants, habitat restoration, and park use restrictions;
- c. Coordination, development, implementation and evaluation of effectiveness of education and mitigation programs, including implementation of NRMP.
- d. Evaluation of effectiveness of bird strike mitigation and design measures;
- e. Water quality protections; and,
- f. Coordination of injured animal rehabilitation activities.

### **Applicable Development Policies**

Due to the high volume of applicable Development Policies, please see Appendix B, Development Policies for the full description of each applicable Development Policy. The Applicable Development Policies are: Policy 1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 4.1, 4.1.6, 4.2, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 6.1, 7.1, 7.2, 7.4, 7.5, 7.7, 8.1, 10.1, 10.2, 10.3, 10.4, 11.1, 12.1, 13.1, 13.4, 13.5, 13.6, 13.7, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 16.1, 17.1, 19.1, 23.2, 25.2, and 25.3.

## **3.5 Cultural Resources**

### **Development Policies**

With implementation of the Development Policies, no new or more severe significant impacts would occur to historical, archaeological, paleontological, or tribal resources. The Development Policies would actually reduce ground-breaking activities, thus reducing the potential to encounter historical, archaeological, paleontological, or tribal resources. Additionally, no new or more severe significant impacts to human remains would occur with implementation of the Development Policies. As such, the Development Policies would not result in any new or more severe significant cultural resource impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP is not anticipated to result in direct impacts to cultural resources in the Project area. Accordingly, no MMs would be required. Additionally, the MMs included below under “Applicable FEIR Cultural Resources Mitigation Measure” would apply to the implementation of the PAP, and no new impacts would occur related to cultural resources.

### Proposed RV Park Component

***Would the Proposed Project would have a significant impact if it causes a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5, including resources that are eligible for the CRHR and the National Register of Historic Places and resources that are locally designated as historically significant, or the City of Chula Vista finds the resource historically significant based on substantial evidence?***

As discussed in the FEIR, implementation of the CVBMP is not anticipated to result in direct impacts to cultural resources in the project area. However, ground-disturbing activities would have the potential to encounter historical and archaeological resources, as such MMs identified in the FEIR would be applied to construction of the RV Park Component (MM 4.10 and MM 4.11-1) to reduce potential impacts to levels less than significant. Additionally, the MMs included below under Applicable FEIR Cultural Resources Mitigation Measure would apply to the implementation of the RV Park Component where necessary, and no new impacts would occur related to historical or archaeological resources.

***Would the Proposed Project would have a significant impact if it disturbs any human remains, including those interred outside of formal cemeteries?***

There are no cemeteries on the project site and no known or expected human remains within the project boundary. The possibility of encountering human remains on the project site is low because the Sweetwater District was extensively plowed and graded in the past years of agricultural production. However, in the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and

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research data within the context shall be completed and submitted to the satisfaction of the Director of Development Services.

The RV Park Component would include ground disturbance on Parcels S-1, S-2, S-3, SP-1, SP-2, SP-3, and SP-4. However, similar to the previously analyzed FEIR, the RV Park Component would not be expected to result in any new or additional impacts to cultural and paleontological resources. The RV Park Component would require less surface cut as shown in Table 2.3-1. Additionally, grading would require a shallower depth of cut, which would further reduce potential impacts to such resources. The changes involved with the updated project would be of equal or less intensity and would therefore not increase any impacts to cultural resources previously analyzed in the FEIR. As such, the RV Park Component is not expected to result in any new or additional impacts to cultural resources.

### **Applicable FEIR Cultural Resources Mitigation Measures**

The following MM that were included in the FEIR and adopted MMRP would still be implemented with the Revised Proposed Project.

**MM 4.10:** The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Development Services. Elements of the program will include that only certified archaeologists and Native American monitors are accepted.

The project archaeologist shall monitor all areas identified for excavation, including offsite improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.

In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Development Services.

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- \* This measure is not associated with a significant impact related to cultural resources; however, it has been incorporated to ensure appropriate implementation and enforcement.

**MM 4.11-1:** Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.

The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.

The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.

If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.

Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

All work shall be completed to the satisfaction of the Port or the City of Chula Vista, as appropriate.

### Applicable Development Policies

There are no Development Policies related to cultural resources.

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### 3.6 Geology and Soils

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. There are no active faults that have been mapped or observed within the CVBMP area, nor is the CVBMP located within a State of California Earthquake Fault Zone. The Development Policies would not rupture a known earthquake fault or result in seismic-related ground shaking or failure. The geologic study for the CVBMP area indicated that no landslides or indications of deep-seated slope instability were observed underlying the CVBMP area. Also, no development is proposed on Bay deposits or alluvium within the CVBMP area, therefore, expansive soil is not expected to pose a geologic hazard within the CVBMP area. Lastly, the CVBMP area is protected from the open ocean by intervening land features (Coronado and Silver Strand) which would provide some protection from direct wave action in the event of a tsunami. Historically, the instances of damage from tsunamis in this area of Southern California are rare; therefore, impacts associated with tsunamis are not significant for all phases of development.

Considering these geologic and soil conditions, and that the Development Policies would help minimize land disturbance activities, implementation of the Development Policies would not exacerbate any impacts related to soil instability, or geologic hazards.

#### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. As previously indicated, the geologic conditions of the CVBMP site would not pose any seismic, soil, or geologic hazards to the site. Implementation of the PAP is not anticipated to result in a rupture of a known earthquake fault, seismic-related ground shaking or failure, soil instability, or create a substantial risk to life or property through expansive soils or tsunamis. Mitigation approved for the FEIR would also be applied to the PAP, where necessary. As such, implementation of the PAP would not result in any new or more severe significant impacts related to geology and soils.

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### Proposed RV Park Component

***Would the Proposed Project would have a significant impact if there were a rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or strong seismic ground shaking?***

As stated in Section 4.15 of the FEIR, a geologic evaluation for the CVBMP area was completed. The geologic study also determined that implementation of the CVBMP would not cause a geological unit or soil to become unstable and exacerbate the potential of onsite or offsite lateral spreading, subsidence, or collapse. Earthquakes on the Rose Canyon Fault having a maximum magnitude of 7.2 are considered to be representative of the potential for seismic ground shaking within the property. However, the CVBMP area does not possess any greater seismic risk than that of the surrounding development. MM (4.15-1) would be required to reduce impacts associated with strong motion and surface rupture. These MMs would be applied to all phases of the CVBMP, and therefore would be applied to the RV Park Component where necessary. Impacts would therefore be similar to the originally proposed hotel. No new mitigation would be required.

***Would the Proposed Project have a significant impact if the site experienced seismic-related ground failure, including liquefaction, or it is located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?***

The geotechnical evaluation for the CVBMP area determined that no landslides or indications of deep-seated slope instability were observed underlying the project site. In addition, the site is relatively flat. Based on this, the project site is generally not susceptible to landslides or collapse hazards. There is no potential for impacts associated with liquefaction and induced settlement within the RV Park Component site. Implementation of the RV Park Component would not exacerbate the potential for seismic ground failure to occur. As such, implementation of the RV Park Component would not create new impacts or worsen impacts related to seismic-related ground failure.

***Would the Proposed Project would have a significant impact if it is located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating a substantial risk to life or property?***

As stated in the FEIR, no development is proposed on Bay deposits or alluvium within the Project area. The deposits beneath the Proposed Project site are comprised of Huerhuero loam, which possesses expansive potential (County of San Diego 2007). The relevant MM (MM 4.15-1) would reduce impacts associated with strong motion and surface rupture, settlement,

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and expansive soils during all phases to a less than significant level. With implementation of approved MMs within the FEIR, impacts related to expansive soils would be reduced to less than significant. Impacts would be similar to the originally proposed hotel. No new mitigation would be required.

***Would the Proposed Project would have a significant impact if there is the potential for tsunamis?***

As discussed in the FEIR, the site is protected from the open ocean by intervening land features (Coronado and Silver Strand) which would provide some protection from direct wave action in the event of a tsunami. Historically, the instances of damage from tsunamis in this area of Southern California are rare; therefore, impacts associated with tsunamis are not significant for all phases of development. As such, the RV Park Component would not exacerbate or create any new impacts related to tsunamis.

### **Applicable FEIR Geology and Soil Mitigation Measures**

#### **MM 4.15-1:**

**Port/City:** Prior to the grading of parcels for specific developments, the applicant shall provide a comprehensive site-specific geotechnical evaluation, including subsurface exploration and laboratory testing showing that individual parcels are suitable for proposed development work and that on-site fill materials and soils can support proposed structures. The applicant shall submit a geotechnical design report to the Port or City, depending on jurisdiction, for approval showing site-specific measures to be employed. As applicable, these measures shall include:

- Conformance to the California Building Code Seismic Zone 4 Design Parameters, as detailed in Table 1 of the geotechnical study (see Appendix 4.15-1)
- Design capable of withstanding strong seismic accelerations
- Earthwork procedures, including removal, moisture conditioning, and recompaction of existing fills on the site
- Selective grading, densification of the subsurface soils, and/or deep foundations
- Removal, moisture conditioning, and compaction of bay deposits/alluvial soils. Deep foundations shall be used for structural support in areas of relatively thick bay deposits/alluvium
- Removal or deep burial of expansive soils during grading, moisture conditioning, or specially designed foundations and slabs

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- Removal, moisture conditioning, and compaction of the topsoil on site.

### Applicable Development Policies

There are no applicable Development Policies related to geology and soils.

## 3.7 Greenhouse Gas Emissions

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to greenhouse gas (GHG) emissions. Implementation of the Development Policies would result in no new or more severe significant GHG emission outcomes that would conflict with an applicable plan, policy or regulation. As such, the Development Policies would not result in any new or more severe significant GHG emission impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Therefore, the PAP would facilitate more pedestrian and bicycle usage, thus reducing transportation-related GHG emissions. As such, implementation of the Development Policies would result in no new or more severe significant GHG outcomes that would conflict with an applicable plan, policy or regulation. As such, the Development Policies would not result in any new or more severe significant GHG emission impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Proposed RV Park Component

As discussed in FEIR, the program-level components would need to comply with the 20 percent below business as usual and while recognizing that changes in state GHG reduction strategies—substantially greater reductions—may be required. The CVBMP would result in approximately 120,780 metric tons of GHG emissions a year. The CVBMP provides a variety of land uses, locating increased housing density, employment, and pedestrian connections near transit options, including the H Street and E Street stations, San Diego Trolley system, and freeway access. The CVBMP would not be considered to contribute substantially to a cumulatively significant global climate change impact, because it would not contribute to a conflict with or the obstruction of the goals or strategies of AB 32 or related Executive Orders. With implementation of GHG emission

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reduction measures and MMs, the CVBMP will achieve a 20 percent reduction in water use and exceed Title 24 energy efficiency standards by 15 percent.

The RV Park Component included the construction of an RV Park and associated retail and service facilities, a parking lot containing 100 spaces, and a segment of E Street. As demonstrated on Table 2.3-1, the RV Park Component would be reduced in height, density, and surface cut quantities compared to the FEIR plan for parcel S-1. The proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the *Site Preparation at Chula Vista Bayfront Project* CDP indicates that the imported soil, and the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP.

The RV Park Component would not site new sensitive receptors within 500 feet of the I-5 freeway. Construction activities would occur over a shorter period with less construction equipment, compared to the originally proposed project. Thus, the RV Park Component would result in a reduced amount of GHGs. Therefore, GHG emissions associated with construction of the updated Project would not create new significant environmental impacts or increase the severity of construction-related greenhouse gas emissions that were identified in the previously certified FEIR. In terms of ongoing operations, the updated Project would involve operation of the onsite retail and service facilities, as well as electrical hook-up capabilities for 255 RV stalls. A portion of the proposed RV sites would be long-term sites, in which less vehicle trips would be associated with those. As shown in Table 2.3-1, the RV Park Component would result in reduced bulk, and scale, and on-site visitors. Additionally, as discussed in Appendix E, a Traffic Memo was prepared for the RV Park Component by Rick Engineering, which established that the RV Park Component would generate 2,175 daily trips, which is much lower than the originally planned hotel which would generate 6,000 daily trips (FEIR p. 4.2-50). As such, the RV Park Component would not result in any new or exacerbate any operational GHG emissions, in comparison to the FEIR.

### Applicable FEIR Greenhouse Gas Emissions Mitigation Measures

**MM-4.6-6:** The following mitigation measure is required to mitigate potential conflict with the goals or strategies of AB 32 or related Executive Orders:

**Port/City:** Development of Program-level components of the Chula Vista Bayfront Master Plan (Phases I through IV) shall implement measures to reduce GHG emissions. Specific measures may include, but are not limited to the following:

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### **Energy Efficiency**

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.
- Limit the hours of operation for outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

### **Renewable Energy**

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

### **Water Conservation and Efficiency**

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water efficient. Install water-efficient fixtures and appliances.
- Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing gray water to be used for landscape irrigation.

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- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

### Applicable Development Policies

**Policy 15.1:** The following energy standards shall be applied to development of all parcels within the Chula Vista Bayfront area except Parcels HP-5, H-13, H-14 and H-15. These parcels are addressed on separate standards provided below. The term "Development" will mean the development of an individual parcel within the Chula Vista Bayfront area.

- a) To help reduce the need for fossil-fueled power generation, reduce greenhouse gas emissions, and support the California Energy Commission's Loading Order for Electricity Resources, all Developments will achieve a minimum of a fifty (50) percent reduction in annual energy use in accordance with these policies.
- b) Each building in each Development will perform at least fifteen (15) percent better than Title 24, Part 6 of the California Building Energy Efficiency Standards ("Title 24") in effect on the date of the execution of the Chula Vista Bayfront Master Plan Settlement Agreement (May 2010). The minimum energy efficiency performance standard adopted by the City is hereinafter described as its "Energy Efficiency Requirement" or "EER". Should revised Title 24 standards be adopted by the State of California, the City's EER at the time a building permit application is submitted for such Development shall apply.
- c) The balance of the fifty (50) percent reduction in annual energy use will be achieved through the use of any combination of the energy reduction measures described in these policies. To achieve compliance with this policy, sponsors of Developments may select one of two paths. The first path is based on Title 24 ("Title 24 Path") and the second is described in Energy and Atmosphere, Credit 1 "Optimize Energy Performance" (Credit EA-/c1) in the US Green Building Council's Leadership in Energy and Environmental Design (LEED) v3 system ("LEED Path"). The definition of the term "Baseline" against

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which energy reduction will be measured will vary depending on the path selected and is further described in Exhibit 3. Choosing the LEED Path does not require a Development to achieve LEED Certification, but simply uses the methodology of EA-/c1.

- d) Renewable Energy generated within the boundaries of the Development will be credited toward the minimum of a fifty (50) percent reduction in annual energy use in accordance energy reduction requirement. The term "Renewable Energy" will mean energy derived from the sources described in California Public Resources Code section 25741 (b) 1.
- e) Renewable Energy generated on one or more sites ("Renewable Energy Sites") within the boundaries of the Chula Vista Bayfront by the District, City or other third party and fed to the electrical grid or to the Development will be credited toward the minimum of a fifty (50) percent energy reduction requirement. Aggregate energy generated on Renewable Energy Sites may be allocated to an individual Development up to the amount necessary to achieve such Development's compliance with the minimum of a fifty (50) percent energy reduction requirement. Once allocated to a Development, the amount of energy generated by Renewable Energy Sites so allocated may not be further allocated to another Development.
- f) Participation in a City of Chula Vista sponsored energy efficiency program provided that the resulting energy reduction may be calculated and verified. The methodology for calculating the amount of the credit toward the minimum of a fifty (50) percent energy reduction requirement under the Title 24 Path and the LEED Path is described in Exhibit 3.
- g) Each Development will develop, implement, and for the life of each Development, maintain a measurement and verification plan ("M&V Plan"). Such participation has been shown to increase the persistence of energy efficiency ("EE") and also to provide a way of recognizing and encouraging the ongoing conservation efforts of occupants and facility managers and will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement. The District will include in all leases the requirement to perform an energy audit every three (3) years for the convention centers and hotel Developments over 300 rooms and five (5) years for all other Developments to ensure that all energy systems are performing as planned or corrective action will be taken if failing to meet EE commitments.
- h) Participation in one of SDG&E's Voluntary Demand Reduction (DR) utility rates will be awarded a waiver for three (3) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement.
- i) Participation in one of SDG&E's Mandatory Demand Reduction (DR) utility rates will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement.

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- j) Incorporation of natural ventilation into design such that at least 75% of the conditioned area is naturally ventilated according to the guidelines set forth in Exhibit 3, and if this benefit was not included in the energy efficiency calculations, the project will be awarded either: a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement; or, a waiver for ten (10) percent credit will be awarded if the natural ventilation system is coupled with an energy or cooling system that does not draw from the grid if and when natural ventilation is not used. This may be prorated if less than seventy-five (75) percent of the conditioned area is naturally ventilated.
- k) The parties understand and acknowledge that the energy reduction measures described above for a Development or component of a Development may be phased in over time to achieve compliance with the minimum of a fifty (50) percent energy reduction requirement provided such energy reduction measures are completed no later than thirty-six (36) months following issuance of a Certificate of Occupancy for such Development or such component thereof.
- l) To further incentivize responsible and sustainable development practices within the boundaries of the Chula Vista Bayfront, District and City will consider voluntary commitments to levels of energy reduction in excess of the requirements of above, commitment to achievement of a LEED Certification, and/or a "Living Building Challenge" in connection with the selection of respondents in Request for Proposals/Request for Qualifications (RFP/RFQ) processes for Developments within the Chula Vista Bayfront area.

**Policy 15.2:** Within one year following the California Coastal Commission's (CCC) approval of a Port Master Plan amendment substantially consistent with the Chula Vista Bayfront project, the District will in good faith consider adoption of an ordinance in a public hearing process that, if approved by the Board of Port Commissioners, will require the following:

- a) Within six (6) months following adoption of the ordinance and every three (3) years thereafter, the District will conduct an energy efficiency and renewable energy analysis that will:
  - (i) Assess the feasibility and cost-effectiveness of programs and options to reduce demand on the electric grid from all lands under District's jurisdiction; and,
  - (ii) Include, but not be limited to, an assessment of the potential for reduction in energy use on all land under District's jurisdiction through increases in energy efficiency, demand response, clean renewable and distributed energy generation and other methods and technologies.

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- b) Upon the completion of each analysis, the District will consider good faith implementation of cost-effective programs and options as part of its commitment to greenhouse gas reductions and global climate change prevention activities consistent with Assembly Bill 32.
- c) The results of each analysis will be published on the District's website and received by the District's Board of Port Commissioners in a public forum.

### 3.8 Hazards and Hazardous Materials

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce any new information of substantial importance, or result in any substantial changes related to hazards and hazardous materials. Implementation of the Development Policies would not result in the routine transport, use or disposal of hazardous materials, anticipated release of hazardous materials, or interference with an emergency response plan would occur with implementation of the Development Policies. Nor would the Development Policies result in a safety hazard in the vicinity of a school, airport, or wildlands. As such, the Development Policies would not result in any new or more severe significant hazards or hazardous materials impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not introduce any new information of substantial importance, or result in any substantial changes related to hazards and hazardous materials. Implementation of the PAP would not result in the routine transport, use or disposal of hazardous materials, anticipated release of hazardous materials, or interference with an emergency response plan would occur with implementation of the PAP. Nor would the PAP result in a safety hazard in the vicinity of a school, airport, or wildlands. As such, the PAP would not result in any new or more severe significant hazards or hazardous materials impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### Proposed RV Park Component

*Would the Proposed Project would have a significant impact if it creates a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

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Similar to the originally proposed hotel, excavation, demolition, and construction activities would temporarily involve the transportation, use, and/or disposal of hazardous materials. Relatively small amounts of hazardous substances such as gasoline, diesel fuel, lubricating oil, grease, solvents, caulking, paint, and welding gases would be used on site for construction activities. Storage and use of such substances would be short term and would be subject to federal, state, and local health and safety requirements. The RV Park Component would include the proper removal and disposal of all construction debris as mandated by applicable regulations. Consequently, the RV Park Component would not have a significant hazardous materials impact associated with the transportation, use, and/or disposal of hazardous substances during excavation, demolition, and construction activities. Although not expected to occur, a spill or unintentional discharge of fuel, lubricants, or hydraulic fluid from the transportation of construction materials and/or the equipment used during construction, including dredge and fill activities, could occur. Previously approved MMs that would be applied to the originally proposed hotel would be applied to the RV Park Component where necessary to reduce impacts related to the routine transport, use, or disposal of hazardous material to levels below significance. These MMs include measures 4.12-1, 4.12-2, MM 4.12-4, 4.12-5, 4.12-6, 4.12-7, 4.12-8, and 4.12-9.

***Would the Proposed Project would have a significant impact if it creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Section 4.12 of the FEIR for the original project determined that construction and grading activities associated with the Project site could potentially result in a release of hazardous materials and create a potentially significant hazard to workers, the public and the environment. Although the Sweetwater District does not appear on a list of hazardous materials sites despite its historical agricultural uses, the FEIR states that all of the Sweetwater District has potential residual concentrations of pesticides and herbicides present in the soil. Historically, the entire District was used extensively for agricultural purposes from at least as early as 1953 (possibly pre-dating the 1920s) until the 1980s. Most pesticides tend to persist in the upper one to two feet of topsoil; such contamination will be redistributed over the site during grading activities. As such, applicable MMs identified in the FEIR would also be applied to the RV Park Component (See MMs below).

***The Proposed Project would have a significant impact if it emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

The RV Park Component would include the construction and operation of an RV park with recreational amenities, associated utilities and infrastructure, and segment of E Street. The RV

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Park Component is located approximately 1,640 feet west, or 0.30 mile, of Mae L Feaster Elementary School. This is the nearest existing school to the RV Park Component site, and there are no proposed schools within a quarter mile. As such, the RV Park Component is not located within one-quarter mile of an existing or proposed school.

***Would the Proposed Project would have a significant impact if it is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, a significant hazard to the public or the environment would be created?***

The RV Park Component would include the construction and operation of an RV park with recreational amenities, associated utilities and infrastructure, and segment of E Street. Excavation, demolition, and construction activities would temporarily involve the transportation, use, and/or disposal of hazardous materials. Storage and use of such substances would be short term and would be subject to federal, state, and local health and safety requirements. The RV Park Component would include the proper removal and disposal of all construction debris as mandated by applicable regulations. Applicable MMs identified in the FEIR would also be applied to the RV Park Component, reducing potential impacts to less than significant levels.

Based on the evaluation of the RV Park Component, the construction and operation of the RV Park Component would not create new significant environmental impacts or increase the severity of impacts identified in the previously certified FEIR, and no new MMs are to be adopted. MMs from the FEIR that are applicable to the RV Park Component would be required for in order to reduce impacts associated with hazards and hazardous materials. The applicable MMs that would be applied to the RV Park Component are provided below.

### **Applicable FEIR Hazards and Hazardous Materials Mitigation Measures**

#### **MM 4.12-1**

**Port/City:** Prior to the issuance of any permit for excavation, demolition, grading, or construction activities in the area described in the relevant permit based on the planned future use, the following shall occur:

- A. The applicant shall contact the lead regulatory agency (RWQCB/DEH/DTSC) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have

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been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).

- B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.
- C. A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options. If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.

In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.

Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.

- D. In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste

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shall be characterized and disposed of in accordance with CCR Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material. The applicant must have an Industrial Hygienist registered in the State of California on site while working in areas where contamination is encountered. The responsibility of this professional would be to monitor the work site for contamination and to implement MMs as needed to prevent exposure to the workers or public. These measures may include signage and dust control.

Dewatering activities during construction shall be limited to the extent practicable and water generated by dewatering shall be tested to determine treatment and disposal options in accordance with all applicable laws and regulations.

**MM 4.12-2:** Implementation of the following mitigation measure reduces impacts associated with accidental spills during construction to below a level of significance.

**Port/City:** Prior to construction, all contractor and subcontractor project personnel shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including, without limitation, hazardous materials spill prevention and response measures. Hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials.

The Port of San Diego shall require that a Business Emergency Plan (BEPP) is prepared for the construction of the Proposed Project, if not covered under their approved SWPPP. The plan shall identify all hazardous materials (e.g., fuels, solvents) that would be present on any portion of the construction area and project site. Contingency analysis and planning shall be presented to identify potential spill or accident situations, how to minimize their occurrence, and how to respond should they occur. The plan shall also identify spill response materials (e.g., absorbent pads, shovels) to be kept at the construction site and their locations.

Hazardous materials spill kits shall be maintained on site for small spills.

**MM 4.12-4:** Implementation of the following mitigation measure reduces impacts associated with contaminated soils associated with USTs.

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**Port/City:** In event of removal of underground storage tanks (USTs), the soil and groundwater within the vicinity of the USTs shall be adequately characterized and remediated, if necessary, to a standard that would be protective of water quality and human health, based on future site use. In areas to be redeveloped, a geophysical survey shall be conducted by the applicant to evaluate if there are any previously unidentified USTs or piping still existing in areas to be redeveloped.

In the event that USTs are not identified in the HMTS or undocumented areas of contamination are encountered during grading activities (as indicated by odors, discolored soil, etc.), all work shall cease until appropriate health and safety procedures are implemented pursuant to the applicant's contingency plan. The applicant shall prepare a contingency plan to address contractor procedures for such an event, to minimize the potential for construction delays. In addition, the lead regulatory agency (DEH or RWQCB, depending on the nature of the contamination) shall be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The applicant shall conduct contamination remediation and removal activities in accordance with pertinent local, state, and federal regulatory guidelines, under the oversight of the appropriate regulatory agency. Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.

**MM 4.12-5:** Implementation of the following mitigation measure reduces impacts associated with exposure to ACMs, LBPs, and hazards during demolition.

**Port/City:** Prior to the issuance of a demolition permit for buildings scheduled for demolition that have not been surveyed to date for ACMs and LBPs, the applicant shall conduct a survey to determine the locations and amounts of ACMs and LBPs present, as well as other miscellaneous hazardous materials, such as potential mercury-containing thermostats and switches, light ballasts and switches that might contain PCBs, fluorescent light tubes that might contain mercury vapor, exit signs that might contain a radioactive source, air conditioning systems, lead-acid batteries and batteries associated with emergency lighting systems, and Freon™-containing refrigeration systems. Should ACMs, LBPs, or other miscellaneous hazardous building materials be encountered in the site structures, the applicant shall obtain a licensed abatement contractor to remove the hazardous materials in accordance with all applicable federal, state, and local laws, regulations, and permitting requirements prior to initiation of demolition activities.

Prior to any proposed demolition activities, the applicant shall conduct a thorough inspection of the facilities that have permits to store hazardous materials to confirm whether a release of hazardous materials at these facilities has impacted the underlying soil and/or groundwater. The facilities that currently store hazardous materials are located at 596 Sandpiper Way, 997 G Street, and 979 G Street. If indications of contamination are encountered during

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demolition, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result and provide recommendations for further action.

**MM 4.12-6:** Implementation of the following mitigation measure reduces impacts associated with exposure of contaminated soils, soil gas, and/or groundwater to construction workers to a level less than significant.

**Port/City:** Prior to construction, remediation activities for known contamination shall be performed to be protective of construction workers on the project site, as required by MM 4.12-1.

**MM 4.12-7:** Implementation of the following mitigation measure reduces impacts potential for contamination from hazardous runoff associated with park maintenance to a level less than significant.

**Port/City:** Management of the parks throughout the project site must be required to comply with the Port and City's Integrated Pest Management Policies (IPM). IPM shall be used on all landscaped areas. In addition, fertilizers must be minimized and only non-toxic products used. Runoff from irrigation sprinklers into surface waters must be minimized and use of mulching and drip irrigation, where needed, maximized.

Measures shall be employed to ensure that landscape chemicals and wastes do not get into surface waters or habitat areas.

**MM 4.12-8:** Implementation of the following mitigation measure reduces impacts associated with risk of exposure to residents and/or users in the Sweetwater District of elevated concentrations of residual pesticides and herbicides to below a level of significance.

**Port/City:** For development in the Sweetwater District that would result in exposure of any soil containing pesticides/herbicides, excavation and disposal of the contaminated soils at an appropriately licensed facility shall be conducted as required by applicable law, to reduce potential for future site occupants' exposure. Otherwise, soil capping shall be implemented. Capping could be performed by placement of a clean soil fill layer over the impacted soil, which in turn could be overlain by other surface covers (i.e., turf and other vegetative cover and pavement).

### Applicable Development Policies

**Policy 14.5:** As a future and separate project, the District will investigate, in consultation with the USFWS, the feasibility of restoring an ecologically meaningful tidal connection between the

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F & G Street Marsh and the upland marsh on parcel SP-2 consistent with USFWS restoration concepts for the area. At a minimum, the investigation will assess the biological value of tidal influence, the presence of hazardous materials, necessary physical improvements to achieve desired results, permitting requirements, and funding opportunities for establishing the tidal connection. This investigation will be completed prior to the initiation of any physical alteration of SP-2, F Street, and/or the F & G Street Marsh. In addition, once emergency access to the Chula Vista Bayfront area has been adequately established such that F Street is no longer needed for public right-of-way, the District and City will abandon/vacate the F Street right-of-way for vehicular use, but may reserve it for pedestrian and bicycle use if ecologically appropriate.

**Policy 16.1:** Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.

### **3.9 Hydrology and Water Quality**

#### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce any new information of substantial importance, or result in any substantial changes related to hydrology and water quality. Implementation of the Development Policies would not result in any new violations of water quality standards or discharge requirements, or depletion of groundwater supplies. In fact, implementation of the Development Policies may increase groundwater recharge, as channelization or other substantial alterations of streams shall be prohibited. Additionally, the Development Policies would not result in any new alterations of the existing drainage pattern, or result in any additional runoff water than previously analyzed. An objective of the Development Policies is to minimize the land disturbance activities of construction (e.g., clearing, grading, and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas, and erosive soils). This would further reduce any impacts related to erosion and runoff water quality.

As discussed in the FEIR, the CVBMP would not expose people or structures to a significant risk of loss, injury, or death involving flooding. Degradation of water quality, flooding, sieche, tsunami, or mudflow hazards would not be exacerbated as a result of implanting the Development Policies. As such, the Development Policies would not result in any new or more severe significant hydrology and water quality impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

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### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP is not anticipated to result in any new impacts to hydrology and water quality, nor would it worsen any previously identified impacts. Implementation of the PAP would involve construction of pedestrian and bicycle trails and pathways which would involve construction and potential grading. The increased pedestrian activity on the waterfront would increase the potential for wind-blown litter entering the Bay. In addition to pollutants carried in runoff, wind-blown litter has the potential to result in a significant impact on Bay water quality. As such, mitigation previously approved for the FEIR would be applied to the PAP, where necessary (MM 4.5-1). Implementation of the PAP would not result in any new or more severe significant impacts related to hydrology and water quality.

### **Proposed RV Park Component**

***Would the Proposed Project would have a significant impact if it substantially depletes groundwater or interferes substantially with groundwater recharge?***

As discussed in the FEIR, the CVBMP would not include the direct use of groundwater during any phase of development, and permanent dewatering would be prohibited by on-site operations. As such, the Proposed Project would not deplete groundwater, similar to the previously approved plan. The RV Park Component would implement the applicable Development Policies which would minimize impervious surfaces in new development, especially directly connected impervious areas, and, where feasible, increase the area of pervious surfaces in redevelopment. Although the RV Park Component plan would develop over a similar gross acreage, thus resulting in similar impervious acreages, the RV Park Component would generate less on-site visitors and a reduced demand on water resources. As such, the RV Park Component would have a reduced effect on groundwater depletion, compared to the previously approved project. No new mitigation would be required.

***Would the Proposed Project would have a significant impact if it alters an existing 100- year floodplain or would place structures within a 100-year flood hazard area which would impede or redirect flood flows?***

According to the FEIR, the 100-year flood plain occurs on parcel SP-1. However, similar to the previously approved plan for parcel SP-1, no buildings are proposed at this location. Accordingly, the RV Park Component would not have a significant impact with respect to an existing 100-year floodplain or flood hazard area, and impacts would be similar to those of the FEIR. No new mitigation would be required.

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***Would the Proposed Project would have a significant impact if it exposes people or structures to a significant risk of loss, injury, or death involving flooding and/or exposes people or structures to inundation by seiche, tsunami, or mudflow?***

As discussed in the FEIR, the primary areas of potential flood hazards in the project vicinity are the low-lying portions and tributary areas of the Sweetwater and Otay river valleys, located just north and south of the project site. Due to the elevation of the site and distance to the bodies of water, the potential impacts to the site from tsunamis is very low. As indicated in the FEIR, impacts would be less than significant with regards to flooding and tsunami. Parcel SP-1 was identified as within the 100-year flood plain. However, no buildings would be developed on that parcel. As such, the RV Park Component would result in similar impacts as those identified in the FEIR.

***The Proposed Project would have a significant impact if it substantially alters the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?***

Runoff from the RV Park Component would be collected and conveyed by existing and proposed storm drain systems. A portion of the existing storm drain system would capture runoff from off-site upstream areas which is discharged to a bio-retention basin. This will provide treatment of runoff from upstream commercial areas that currently discharge directly into the Seasonal Wetlands. As stated in the FEIR, no streams or rivers would be altered by grading. Although grading of the site would occur, the RV Park Component would not substantially alter the drainage pattern of the project area, because the drainage would continue to flow toward structural controls before entering the Bay, similar to existing conditions, and the originally proposed hotel plan. Post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies would be implemented, including three bio-retention basins and two sediment traps. The RV Park Component would have a less than significant impact on the existing drainage pattern of the site, similar to the original project. No new impact would occur; no new mitigation would be required.

***Would the Proposed Project would have a significant impact if it degrades water quality or would violate any water quality standards or waste discharge requirements, resulting from a substantial increase in the rate or amount of polluted surface runoff?***

As discussed in the FEIR, potential impacts on water quality during construction activities would be reduced through compliance with all applicable regulations established by the U.S. Environmental Protection Agency (EPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge. Compliance with NPDES includes meeting the requirements of the General Permit for

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Stormwater Discharges Associated with Construction Activity (General Construction Permit). Compliance with the permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared and implemented for the CVBMP. The SWPPP will be implemented during CVBMP construction to prevent water quality impacts from construction activities. The SWPPP will include erosion and sediment control BMPs, stormwater management controls and other controls such as measures to prevent construction vehicles from tracking sediment off the construction site. The RV Park Component would comply with these NPDES permit requirements, thus reducing water quality impacts to levels similar to the originally proposed hotel.

The increased pedestrian and commercial activity in proximity to the Sweetwater Marsh NWR would increase the potential for wind-blown litter entering the Bay. In addition to pollutants carried in runoff, wind-blown litter has the potential to result in a significant impact on Bay water quality. As such, mitigation previously approved for the FEIR would be applied to the RV Park Component, where necessary (MM 4.5-1).

Additionally, an increase in vehicle traffic would potentially increase surface runoff carrying oils and other vehicle-related contaminants, ultimately increasing the potential to impact the water quality of the Bay during storm events. Streets and parking lots will be paved with landscaping in the parkway areas where feasible, thus reducing the potential for sediment transported in runoff. The on-site streets drain directly to the Bay; therefore, treatment is necessary to prevent pollutants, such as copper, from entering the Bay. A bio-retention filtration system will be used upstream of every proposed curb inlet. Bio-retention filtration systems will also be utilized in areas with heavy vehicular activities, such as truck delivery areas and parking lots, or where vegetated swales are not feasible due to area constraints. Although pollutants still have the potential to enter waterways, there would be an incremental reduction in runoff after storm events, which would not result in an increase in impacts to water quality. A combination of Low-Impact Development (LID) techniques will be used based on the development category. These actions identified to occur with implementation of the CVBMP in the FEIR related to water quality standards would be applied to the Proposed Project, where necessary. Similarly, MMs previously identified within the FEIR, and applicable Development Policies, would be applied to the Proposed Project, where necessary. Therefore, the Proposed Project would have a similar effect on water quality compared to the previously approved project. No new mitigation would be required.

***Would the Proposed Project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

As described in the FEIR, the CVBMP's runoff would not increase runoff flows or exceed the capacity of the existing stormwater system. Under the RV Park Component, stormwater would

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be conveyed \_\_\_\_\_. Therefore, stormwater from the RV Park Component would not exceed the capacity of existing or planned stormwater drainage systems.

***Would the Proposed Project result in pollution or contamination that may have an impact on human health and the environment, including the aquatic habitat, or impacts on biological communities?***

Construction-related dewatering (as required during the construction of utilities, excavation of the wet wells, and excavation for emergency storage vaults for the sewer lift stations would withdraw water from the aquifer, which may be contaminated. The potential to contaminate runoff conflicts with the Basin Plan and the water quality objectives for the Bay. The CVBMP's potential to disturb contaminated soils and groundwater during construction activities would be significant, and require mitigation. The RV Park Component would have the same potential impact to disturb contaminated soils and groundwater during construction as the originally proposed hotel development. As such, applicable MMs included in the FEIR and Development Policies would be applied to the RV Park Component to reduce potential impacts. The RV Park Component would not create any new impacts or exacerbate any impacts identified in the previously approved FEIR. No additional mitigation would be required.

***Would the Proposed Project result in substantial erosion and subsequent sedimentation of water bodies?***

The RV Park Component would not include the construction of any bridges or on-water construction. However, Project grading activities have the potential to expose soil surface which would increase sedimentation through runoff during a storm event. This would be short-term and would cease at the completion of construction activities. The RV Park Component would be required to comply with and implement the NPDES permit; City grading ordinances; and other relevant Best Management Practices (BMPs), LIDs which would mitigate impacts generated from erosion and sedimentation. MMs established in the FEIR (MM 4.5-5) would minimize impacts resulting for erosion and sedimentation of water bodies. No new mitigation would be required, and no new impacts or worsened impacts would occur.

### **Applicable FEIR Mitigation Measures**

**MM 4.5-1:** The following mitigation measure reduces Significant Impact 4.5-1 (the potential for litter to enter the Bay and cause potential significant impacts to Bay water quality):

Port/City: As a condition of approval of a Tenant Design Plan for projects within the Port's jurisdiction and a condition of the approval of a Final Map for projects within the City's jurisdiction, the project applicant shall include trash control measures that include animal-proof, covered and self-closing trash containers with attached lids and trash control enclosures, with

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frequent servicing, to prevent litter from being wind blown off-site to the satisfaction of the Port/City as appropriate pursuant to their water quality technical reports.

**MM 4.5-2:** The following mitigation measure reduces Significant Impact 4.5-2 (impacts to surface water and groundwater contamination resulting from construction activities):

**Port/City:**

- A. Prior to the issuance of a grading permit, the applicant shall notify the RWQCB of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB.
- B. Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.

**MM 4.5-3:** The following mitigation measure would reduce Significant Impact 4.5-3 (water quality impacts that could result from accidental spills and unintentional discharges of fuel, lubricants, or hydraulic fluid from the equipment used during land-side and water-side construction activities):

**Port/City:** Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. The plan shall:

Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the Proposed Project shall be handled, stored, used, and disposed of in accordance with NPDES permitting requirements and applicable federal, state, and local policies

- Include material safety data sheets
- Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration
- Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time

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- Provide secured storage areas for compatible materials, with adequate spill contaminant
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City
- Demonstrate that all local, state, and federal regulations regarding hazardous materials and emergency response have been or will be complied with.

### Applicable Development Policies

**Policy 1.3e:** Avoidance of actions within the Chula Vista Bayfront area that would adversely impact or degrade of water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.

**Policy 1.3f:** Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.

**Policy 3.4:** Prospective development on S-1 shall be evaluated for potential hazards associated with the current year 2050 and 2100 projected sea level rise scenarios developed by the District. Development and siting decisions shall take into account identified risks on the site as well as to surrounding resources and incorporate building setbacks or other sea level rise adaptation strategies as appropriate.

**Policy 13.2:** In order to protect the quality of coastal waters the District shall promote the protection of water quality that meets state standards and the restoration of waters that do not meet state standards, and encourage and support public outreach and education regarding the water quality impacts of development.

All new development shall:

- a) Comply with the Regional Water Quality Control Board Order No. R9-2007-0001, National Pollutant Discharge Elimination System Permit No. CAS0108758, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, and the San Diego Unified Port District (Municipal Permit), as adopted, amended, and/or modified or replaced by the Regional Water Quality Control Board with a new Municipal Permit. The Municipal Permit prohibits any activities that could degrade stormwater quality.
- b) Comply with the District Jurisdictional Urban Runoff Management Document and the District Standard Urban Stormwater Mitigation Plan which provides BMP requirements for new development and redevelopment.

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- c) Be designed and managed to minimize the introduction of pollutants into coastal waters to the maximum extent practicable.
- d) Be designed and managed to minimize increases in peak runoff rate and volume in order to avoid detrimental water quality impacts caused by excessive erosion or sedimentation.
- e) Include Site Design and Source Control BMPs and Low Impact Development practices, where feasible, in all developments.
- f) Implement the requirements of Hydromodification Management Plan developed pursuant to the Municipal Permit, as required.
- g) Minimize impervious surfaces in new development, especially directly connected impervious areas, and, where feasible, increase the area of pervious surfaces in redevelopment.
- h) Minimize erosion, sedimentation, and polluted runoff from construction-related activities of development, to the maximum extent practicable.
- i) Minimize the land disturbance activities of construction (e.g., clearing, grading, and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas, and erosive soils), to avoid detrimental water quality impacts caused by increased erosion or sedimentation. Incorporate soil stabilization BMPs on disturbed areas as soon as feasible.
- j) Require Treatment Control BMPs, in addition to Site Design and Source Control BMPs, when the combination of Site Design and Source Control BMPs is not sufficient to protect water quality.
- k) Be designed, constructed and maintain any required Treatment Control BMPs (or suites of BMPs) are designed and constructed so that they treat, infiltrate, or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

**Policy 14.6:** Channelizations or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative; or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible MMs to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.

**Policy 25.1:** Excess dredge material from within the project area shall be tested for beach compatibility and placed on local beaches if suitable.

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**Policy 25.2:** Development in San Diego Bay waters shall be reviewed for potential impacts to open water (foraging) and eelgrass, including any direct (e.g., construction activity) and indirect (e.g., shading from structures or boats) impacts. Efforts must be made to maintain the eelgrass habitat available and improve water quality. No net loss of eelgrass meadows shall be permitted. Pre-construction and post-construction eelgrass surveys shall be prepared in full compliance with the "Southern California Eelgrass Mitigation Policy or any later revised policy adopted by the National Marine Fisheries Service. Any existing eelgrass impacted shall be replaced at a minimum 1.2:1 ratio, in accordance with the Southern California Eelgrass Mitigation Policy. In addition, impacts to open water habitat shall be assessed and mitigated.

### **3.10 Land Use and Planning**

#### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies were certified as part of the PMPA by the CCC. The Development Policies were designed to supplement and enhance the CVBMP, which was found to be consistent with the applicable land use/water plans, with the approval of amendments to the PMP, the City of Chula Vista General Plan, and the Chula Vista LCP. The Development Policies would not change the land uses identified within the CVBMP.

The Development Policies would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The land use designation change of parcel S-1 from a resort hotel to an RV Park was established within the certified PMPA in accompaniment with the Development Policies and PAP. Therefore, implementation of the Development Policies is consistent with the certified PMP.

Additionally, the Development Policies have a similar intent as the MSCP, to protect species against the potential impacts of habitat loss associated with development of both public and private lands. As such, the Development Policies would not result in any new or more severe significant land use and planning impacts other than those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP is not anticipated to result in any new impacts to land use and planning. The PAP would implement pedestrian and bicycle trails and pathways, additional streets and parking areas in proximity to the shoreline, through continuous pedestrian circulation plan totaling approximately 54,000 linear feet. The PAP is a supplemental document to the City of Chula Vista's LCP and certified as part of the PMP. Therefore,

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implementation of the PAP is consistent with the certified PMP. The PAP would be compatible with adjacent or nearby existing and proposed land uses, as pedestrian access will be limited or prohibited where public safety issues and proximity to sensitive resource issues may arise. Because the PAP is a part of the CVBMP, MMs that apply to the CVBMP would also apply to the PAP, which would reduce impacts to habitat, sensitive natural communities, or protected wetlands. These MMs are included below under Applicable FEIR Biological Resources Mitigation Measures. With implementation of those MMs and the Development Policies, the PAP would be consistent with the MSCP. As such, the PAP would not result in any new or more severe significant land use and planning impacts other than those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if it conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, master plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.*

As discussed in the FEIR, parcel S-1 was originally designated as Local Coastal Program: Residential – High Rise, Commercial – Visitor, Circulation and Other; and was proposed to be designated as PMP: Industrial Business Park. The originally proposed hotel was to be developed with a 100-foot high resort hotel with approximately 500 to 750 rooms and associated meeting space, restaurants, and retail shops. However, in order to fulfill CCC Staff Recommendations and parcel S-1 “is now proposed to be developed with low-scale, low-intensity uses including a campground and recreational vehicle park, with some associated retail, restaurant and meeting space, and a new parking lot and access road for the Chula Vista Nature Center. The existing 236-space RV Park which is being removed from the Harbor District may be replaced on Parcel area S-1” (CCC Staff Report). As such, parcel S-1 was designated as PMP Commercial Recreation, as part of the PMPA. The PMPA was certified by the CCC at the same time as the Development Policies, and the PAP in August 2012.

The City of Chula Vista LCP contains the Land Use Plan and Bayfront Specific Plan. Since the RV Park Component is located within the jurisdiction of the District, not the City, the provisions contained in the LCP do not apply to the RV Park Component site. However, since this land use designation change was certified by the CCC with the PMPA, the RV Park Component has therefore been determined that it achieves the goals of the PMP and the LCP.

Although the RV Park Component is within the jurisdiction of the District, not the City, the development of the proposed RV Park Component would be consistent with the City of Chula Vista General Plan land use designation for parcel S-1, which is Commercial Visitor. Therefore,

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the updated project would not create any new or exacerbate any previously identified impacts related to conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

***The Proposed Project would have a significant impact if it conflicts with any applicable habitat conservation plan or natural community conservation plan.***

The RV Park Component would incorporate the Development Policies and applicable MMs identified in the FEIR, as such the RV Park Component would minimize potential impacts of habitat loss associated with development of the project. As such, the RV Park Component would be consistent with the MSCP. Therefore, the updated project would not create any new or exacerbate any previously identified impacts related to the applicable habitat conservation plan.

***Would the Proposed Project create a substantial land/water use incompatibility with adjacent or nearby existing and proposed land uses, resulting in significant incompatibility or nuisance impacts?***

This land use designation change, provided a seamless transition between the CVBMP uses to the south and the Sweetwater Marsh to the north. As discussed in Section 3.4 Biological Resources, all new development must adhere to the guidelines provided in the MSCP Subarea Plan, which address issues associated with potential indirect impacts on the Sweetwater Marsh NWR and the San Diego Bay NWR. MMs 4.8-6 and 4.8-23, from the FEIR, would be applied to the RV Park Component Area, would ensure implementation of the MSCP adjacency guidelines and Wetlands Protection Program. Additionally, the avoidance and minimization measures incorporated into the Biological Resources Delineation would be applied to the RV Park Component. Those include measures that would establish ecological buffers in the Sweetwater District were expanded to incorporate several of the larger wetlands (e.g., coastal salt marsh and disturbed riparian); some of the circulation roadways were redesigned to avoid wetland resources; and several bridges have been incorporated into the project design to avoid direct impacts to resources. Fencing in parcel SP-1 would also be installed prior to occupancy of the first buildings constructed in Phase I to prevent unauthorized access. A series of staggered berms within the Sweetwater District would serve as a barrier between the human users of recreation facilities and the sensitive wildlife in the nearby marsh habitat. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas. These components were analyzed in the FEIR and would remain as part of the RV Park Component. With incorporation of these measures, the RV Park Component would not result in a significant land use incompatibility or related nuisance effects.

***Would the Proposed Project be inconsistent with or conflicts with an adopted PMP water use designation where substantial indirect or secondary environmental impacts would occur?***

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As stated in the FEIR (p. 4.1-111), no water use changes are expected to occur in Phase I of the Proposed Project and, therefore, there are no identified significant impacts. By providing the 400-foot buffer/setback, the development of the RV Park Component would assure the continued viability of the Sweetwater Marsh NWR. As such, the RV Park Component would not result in any new water use changes, or required any new mitigation measures.

### **Applicable FEIR Land Use and Planning Mitigation Measures**

The Proposed Project would not result in any significant impacts related to land use. Therefore, no MMs are considering applicable or required.

### **Applicable Development Policies**

**Policy 21.2:** Limited Use Overnight Visitor Serving Accommodations (i.e., fractional ownership condominium hotels and timeshares) shall be prohibited on District Tidelands.

**Policy 21.4:** If removal or conversion of lower or moderate cost overnight accommodations is proposed in the District, the inventory shall be replaced with units that are of comparable cost with the existing units to be removed or converted. The District shall proactively work with hotel/motel operators and offer incentives to maintain and renovate existing properties.

If replacement of lower or moderate cost units is not proposed (either on-site or elsewhere in District Tidelands or Chula Vista within five (5) miles of the coast), then the new development shall be required to pay, as a condition of approval for a coastal development permit, a mitigation payment to provide significant funding for the establishment of lower cost overnight visitor accommodations within Chula Vista, preferably, or within South San Diego County, for each of the low or moderate units removed/converted on a 1:1 basis.

**Policy 21.5:** Lower-cost RV camping uses shall be protected by maintaining at least an equivalent number of RV sites within the Chula Vista Bayfront Master Plan boundaries. Removal of the existing RV park for construction of a resort hotel and conference center (RCC) is proposed as part of the Chula Vista Bayfront Master Plan, with a replacement RV park to be constructed either in the Otay District (parcel 0-3) or the Sweetwater District (parcel S-1). In the event that the replacement park cannot be opened to visitors prior to closing the existing RV park, an interim site with an equivalent number of RV sites shall be established and opened elsewhere within the Chula Vista Bayfront Master Plan area, at parcels S-1, H-23, or in the Otay District.

**Policy 21.6:** Public recreational opportunities, such as parks, open space, and other no-cost visitor serving amenities shall be provided.

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**Policy 21.7:** Waterfront visitor-serving retail uses and public gathering spaces shall be provided.

**Policy 21.8:** Marinas within the planning area shall provide lower-cost visitor-serving boating opportunities and shall preserve a varied range of slip sizes. Prior to approval of any changes in the slip size or distribution, the District will undertake an updated comprehensive boater use, slip size, and slip distribution study which is no more than five (5) years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Bay as a whole. The District will continue to provide a mix of small, medium and large boat slips based on updated information from the comprehensive study with priority given to boats less than 25 feet in length and a goal of no net loss in number of slips within the Chula Vista Bayfront Master Plan area. Should future projects propose reducing the number or proportion of small slips for boats 25 feet or less within the Chula Vista marina, a Port Master Plan amendment will be required.

### **3.11 Mineral Resources**

#### **Development Policies**

As stated within the FEIR, no significant economic mineral resources have been discovered within the limits of the CVMP area. Therefore, the potential for loss of mineral deposits due to further development of the CVBMP is considered low. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to mineral resources. Implementation of the Development Policies would not result in any new loss of availability of a known mineral resources that would be of value, or the loss of a locally-important mineral resource recovery sites. As such, the Development Policies would not result in any new or more severe significant impacts related to mineral resource from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

#### **Public Access Plan**

As previously stated, no significant economic mineral resources have been discovered within the limits of the CVMP area. Therefore, the potential for loss of mineral deposits due to further development of the CVBMP is considered low. The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. As such, the PAP does not pertain to the availability of known mineral resources. As such, the PAP would not result in any new or more severe significant impacts related to mineral resource from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

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### **Proposed RV Park Component**

The FEIR determined that no significant economic mineral resources have been discovered within the limits of the project site. Therefore, the potential for loss of mineral deposits due to further development of the project site is considered low. As such, the originally proposed hotel would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state because the project site is underlain by a thin layer of topsoil, undifferentiated alluvial and/or tidal flats deposits, and bay deposits, which do not contain any known mineral resources. The updated project, which results in changes to the size and/or placement of development within the original project site's boundary would not change this determination. Similarly, the FEIR concluded that the original project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a land use plan because the PMP does not identify any mineral resources in the area or designated plans for mineral extraction. The proposed change in development concept identified as part of the updated Project would not change this determination. Based on the evaluation of the RV Park Component as designed, the construction and operation of the updated project would continue to result in no impact to mineral resources. No new significant environmental impacts or increase in severity of impacts would occur; and no new MMs would be adopted.

### **Applicable FEIR Mineral Resources Mitigation Measures**

There are no MMs related to mineral resources within the FEIR.

### **Applicable Development Policies**

**Policies 2.4a(5):** The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this Plan, where there is no feasible less environmentally damaging alternative, and where feasible MMs have been provided to minimize adverse environmental effects, and shall be limited to: mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

## **3.12 Noise**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to noise. Implementation of the Development Policies would not result in any new exposure of persons to or generation of excessive noise levels, groundborne or waterborne vibrations, or temporary or permanent ambient noise. One of the objectives of the Development Policies is to minimize

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construction noise impacts to Wildlife Habitat Areas. As such, the Development Policies would not result in any new or more severe significant noise impacts from those previously identified in past environmental documents prepared for the CVBMP, and no additional mitigation is required.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP is not anticipated to generate excessive groundborne or waterborne vibrations, and construction activities associated with the PAP would not require substantial grading, digging, or boring. Construction activities would be temporary and would be constructed concurrently with adjoining or adjacent development within the CVBMP. Implementation of the PAP would potentially result in additional temporary and permanent ambient noise within the CVBMP area. However, the MMs identified within the FEIR would apply to the PAP, and would reduce any additional noise impacts generated by the construction and operation of the PAP. Therefore, the PAP would not result in any new or worsened noise impacts, and no additional mitigation is required.

### Proposed RV Park Component

***The Proposed Project would have a significant impact if it exposes persons to or generates noise levels in excess of standards established in the City of Chula Vista General Plan or noise ordinance, or applicable standards of other agencies.***

As discussed in the FEIR, future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact. Construction activities in Phase 1 include grading, paving the roads, and constructing the buildings along with the associated worker trips and equipment use. Site preparation would include the grading of the entire project area, the construction of the major access roads, and sewer and water infrastructure. Using the geometric mean of the near and far construction distances, the projected noise levels in the Sweetwater District at the edge of the refuge could be as high as 77 dB, which would be considered a significant impact during breeding season. Construction and operational noise of the RV Park Component would have the potential to adversely affect birds nesting and foraging in the Sweetwater Marsh NWR located north of the RV Park Component site. This potential impact would be lessened with implementation of MM 4.7-9, which would restrict construction adjacent to the Sweetwater Marsh NWR during the breeding season. Additionally, the Development Policy (8.1) identified below would be applied to the RV Park Component, and would implement noise restrictions for construction activities to minimize impact to Wildlife Habitat Areas.

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In comparison to the originally proposed hotel, construction activities would occur over a shorter duration than the previously approved plan. As such, the RV Park Component would not be anticipated to result in any new or worse noise impacts other than those identified in the FEIR.

***The Proposed Project would have a significant impact if it exposes persons to or generates excessive groundborne or waterborne vibrations, or noise levels.***

Similar to the CVBMP, the RV Park Component does not propose uses that generate groundborne vibration or noise levels. Therefore, the RV Park Component would not generate or expose persons to excessive groundborne vibration or groundborne noise levels at build-out. No new or exacerbated impacts would occur.

***The Proposed Project would have a significant impact if it results in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.***

As stated in the FEIR (p. 4.7-52), future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact. However, mitigation identified within the FEIR, and the Development Policies would be applied to the RV Park Component, (MM 4.7-9, Development Policy 8.1). Additionally, the RV Park Component would develop parcels S-1 S-2, S-3, SP-1, SP-2, SP-3, and SP-4, with the bulk and scale greatly reduced, as shown in Table 2.3-1. Exterior noise levels at the RV Park Component site would remain equal to or less than noise levels anticipated by the originally proposed hotel, as the RV Park Component would have fewer inhabitants and fewer amenities than the originally proposed hotel, therefore, reducing future noise levels. As such, potential impacts from a permanent increase in ambient noise levels would be lesser than those of the original project and no new impacts would occur, nor would impacts related to ambient noise levels be exacerbated. No new mitigation is required.

***The Proposed Project would have a significant impact if it results in a substantial temporary or a periodic increase in ambient noise levels in the project vicinity above levels existing without the project.***

Construction of the RV Park Component could potentially result in temporary increases in ambient noise levels. To lessen this impact, MM 4.7-9 and Development Policy 8.1 would be applied to the RV Park Component. In comparison to the previously approved project, construction activities would occur over a shorter duration than the previously approved plan. As such, the RV Park Component would not be anticipated to result in any new or worse noise impacts other than those identified in the FEIR.

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### Applicable FEIR Noise Mitigation Measures

**MM 4.7-8:** The following mitigation measure would reduce noise impacts on residents resulting from construction of off-site improvements and noise impacts on uses created during Phase I of development, resulting from construction noise during subsequent phases of development) to a level less than significant.

**Port/City:** To avoid significant construction-related noise impacts, the following measures shall be followed:

- Construction activity shall be prohibited Monday through Friday from 10:00 p.m. to 7:00 a.m., and Saturday and Sunday from 10:00 p.m. to 8:00 a.m., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J).
- All stationary noise generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors. Where practicable, noise generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.
- All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an unmuffled exhaust.
- Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.
- Construction vehicles accessing the site shall be required to use the shortest possible route to and from I-5, provided the route does not expose additional receptors to noise.
- Construction equipment items shall be selected as those capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible to perform the required construction operation.
- Construction equipment shall be operated and maintained to minimize noise generation. Equipment shall be kept in good repair and fitted with “manufacturer-recommended” mufflers.

**MM 4.7-9:** The following mitigation measure would reduce Significant Impact 4.7-11 (construction-related noise levels at the edge of the Sweetwater Marsh NWR that could impact breeding in the refuge) to a level less than significant.

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**Port/City:** Construction-related noise shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh NWR and F&G Street Marsh. The current accepted noise threshold is 60 dB(A) Leq.; thus construction activity shall not exceed this level, or ambient noise levels if higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall prepare and submit an acoustical analysis to the Port and/or City that shall determine whether noise barriers would be required to reduce the expected noise levels below the threshold. If noise barriers, construction activities, or other methods are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season.

### **Applicable Development Policies**

**Policy 8.1:** Construction noise shall be controlled to minimize impact to Wildlife Habitat Areas.

## **3.13 Population and Housing**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not introduce and new information of substantial importance, or result in any substantial changes related to population and housing. Implementation of the Development Policies would not result in additional housing in the CVBMP area. The Development Policies would not develop on any existing housing, therefore, would not displace existing housing or people. As such, the Development Policies would not result in any new or more severe significant population and housing impacts from those previously identified in the FEIR, and no additional mitigation is required.

### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not result in additional housing in the CVBMP area. The PAP would improve traffic circulation, which would help facilitate future populations in the CVBMP area. The PAP would not develop on any existing housing, therefore, would not displace existing housing or people. As such, the PAP would not result in any new or more severe significant population and housing impacts from those previously identified in the FEIR. No additional mitigation is required.

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### Proposed RV Park Component

*The Proposed Project would have a significant impact if it induces substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).*

The certified FEIR was slated to provide 750 hotel guest units on the RV Park Component site. In comparison, the updated Project proposes 255 RV sites and no residential units. As such, impacts would remain less than significant. The RV Park Component would continue to have no impact to housing stock; no new population and housing impact would occur, and no impact would be exacerbated.

*The Proposed Project would have a significant impact if it displaces substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere.*

As stated in the FEIR, the RV Park Component site is primarily undeveloped or underdeveloped lands with no residential units. Development of the CVBMP would introduce more intensified nearby land uses with residential, hotels, commercial/retail uses, and the Resort Conference Center. The FEIR determined that no housing would be displaced as a result of the originally proposed hotel, nor would it displace substantial numbers of people, necessitating the construction of replacement housing. The RV Park Component would not change either of these determinations. Therefore, the RV Park Component would not result in new impacts or exacerbate previously identified impacts related to displacing existing housing or people. No new mitigation would be required.

### Applicable FEIR Population and Housing Mitigation Measures

There are no MMs related to population and housing within the FEIR.

### Applicable Development Policies

There are no Development Policies related to population and housing.

## 3.14 Public Services

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would not provide new information of substantial importance, or introduce a new population into the CVBMP area. Therefore, implementation of the Development Policies would not reduce the ability for public services to respond to calls throughout the City. The Development Policies would not physically

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alter any government facilities. As such, the Development Policies would not result in any new or more severe significant public services impacts from those previously identified in the FEIR, and no additional mitigation is required.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not provide new information of substantial importance, or introduce a new population into the CVBMP area. Therefore, implementation of the PAP would not reduce the ability for public services to respond to calls throughout the City. The PAP would not physically alter any government facilities. As such, the PAP would not result in any new or more severe significant public services impacts from those previously identified in the FEIR, and no additional mitigation is required.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if it reduces the ability to respond to calls within the City's threshold standard for Priority One emergency calls within 7 minutes in 81 percent of the cases and maintain an average response time to all Priority One calls of 5.5 minutes or less or Priority Two urgent calls, within 7 minutes in 57 percent of cases, and maintain an average response time to all Priority Two calls of 7.5 minutes or less.*

As discussed in the FEIR, police, fire, and emergency medical services within the Port's jurisdiction within the City are provided by the City in accordance with the "Agreement for Police, Fire, and Emergency Medical Services between the City of Chula Vista and the San Diego Unified Port District" (Service Agreement). Police protection in the RV Park Component area is currently provided by the Chula Vista Police Department, pursuant to the Service Agreement between the Port and City for non ad valorem properties.

The RV Park Component would include the development of 255 RV spots on a 19 acre-site, with a supporting uses and utilities on-site. Implementation of the RV Park Component would result in a slight increase in calls to the fire and police department. However, the originally proposed hotel was slated to provide up to 750 hotel guest units. In comparison to the originally analyzed 500-750 room-resort hotel, the RV Park Component is anticipated to generate substantially fewer calls to the Fire and Police Departments. Additionally, the CVBMP would include the construction of a new fire station on Parcel H-17 at the corner of J Street and Bay Boulevard within the Harbor District. As part of the CVBMP, the fire station would reduce any program level impacts to below a level of significance. As such, the RV Park Component would not result in any new or more severe significant public services impacts from those previously identified in the FEIR, and no additional mitigation is required.

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*The Proposed Project would have a significant impact if it results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the fire protection and emergency services.*

The RV Park Component would not result in additional in-migration or substantial population growth above what was considered in the FEIR, and would continue to have a less than significant impact to schools. The RV Park Component would result in an incremental increase in demand to park and recreation levels of service due to the addition of RV sites. However, as stated in the FEIR, implementation of Phase I of the CVBMP shall develop approximately 26 acres of new parkland in the Sweetwater and Harbor districts. As such, the RV Park Component would not substantially strain the existing public services and facilities expected to serve the project site. Considering there would be no increase in population within the area, and the addition of the a new fire station as part of the CVBMP, it is not necessary or planned that the RV Park Component physically alter any government facilities. The RV Park Component would not result in a new or exacerbate a previously identified impact related to public services.

### **Applicable FEIR Population and Housing Mitigation Measures**

There are no MMs related to public services within the FEIR.

### **Applicable Development Policies**

There are no Development Policies related to public services.

## **3.15 Recreation**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies, which primarily involve restrictions to the Project's improvements, and would not change the proposed activities and operations. The Development Policies would not provide new information of substantial importance, or introduce a new population into the CVBMP area. Therefore, implementation of the Development Policies would not interfere with the City's ability to provide an adequate level of service. The Development Policies would also not physically alter existing government or recreational facilities. As such, the Development Policies would not result in no additional or more severe significant impacts related to recreational facilities.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would implement pedestrian and bicycle trails and pathways, additional streets and parking areas in proximity to the shoreline, through continuous pedestrian circulation plan totaling approximately 54,000 linear feet. The pedestrian and bicycle pathways would act as recreation opportunities for the residents and visitors of the Chula Vista waterfront. Therefore, implementation of the PAP would increase the City's ability to provide an adequate level of service. Additionally, the PAP would not physically alter existing government or recreational facilities. As such, the PAP would not result in no additional or more severe significant impacts related to recreational facilities.

### Proposed RV Park Component

#### ***Would the Proposed Project result in the inability to provide an adequate level of service for public parkland?***

The FEIR used a standard from the Chula Vista Municipal Code, Chapter 17.10.040 Parklands and Public Facilities. This section of the Municipal Code requires developers dedicate a certain square footage of parkland for each multifamily, residential, and transient motel/hotel unit. The proposed RV Park would not include the development of any housing units, therefore this standard does not apply to the RV Park Component. The RV Park Component would include the development of 255 RV parking spaces, a welcome center containing, offices, a marketplace, restrooms, shower and laundry facilities. A protected dog area is proposed adjacent to the welcome center. Additional amenities would include a children's play pool, family pool and spa, men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment rooms, sauna, work-out gym, and a guest laundry facilities. The activity building is located on the north side of the aquatic facilities and would house the grill/restaurant, entertainment arcade, game room, business center and restrooms. The activity building would also contain a multi-purpose room for educational and large guest gathering. The center of the RV Park would house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits.

Therefore, recreational amenities would be provided on-site. The recreational amenities on-site are anticipated to lower the demand on existing and proposed parklands in the project area. In comparison to the originally proposed hotel, the RV Park Component would generate a reduced number of on-site visitors thus a reduced demand on public parklands. As such; no additional or more severe significant impacts would occur and no additional mitigation would be required.

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*Would the Proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental or recreational facilities, need for new, expanded, or physically altered governmental or recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for park and recreation services?*

Under the FEIR, Phase I would not result in a significant adverse impact to the provision of parkland. The RV Park Component, which primarily involves the construction of an RV Park consisting of 255 sites and associated recreational amenities, would not require altering of existing recreational facilities, or the construction of new facilities. Therefore, the RV Park Component would not introduce a new impact or exacerbate a previously identified impact related to physically altering governmental or recreational facilities.

*Would the Proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.*

As previously stated, the updated Project, which primarily involves the construction of an RV Park consisting of 255 sites and associated recreational amenities on-site, would not require the construction of new facilities. In addition, the CVBMP will provide a variety of additional recreational facilities, distributing park types and facilities throughout the project area. Therefore, the RV Park Component would not result in substantial physical deterioration of existing recreational facilities. No new impact or more severe significant impact would occur related to the physical deterioration of recreational facilities.

### Applicable FEIR Recreation Mitigation Measures

There are no MMs related to public services within the FEIR.

### Applicable Development Policies

**Policy 10.1:** All boating, human, and pet intrusion must be kept away from F&G Street channel mouth and marsh.

**Policy 10.2:** Water areas will be managed with enforceable boating restrictions No boating will be allowed in vicinity of the J Street Marsh or east of the navigation channel in the Sweetwater District during the fall and spring migration and during the winter season when flocks of birds are present.

**Policy 10.3:** All rentals of personal water craft (PWC) will be prohibited in the Chula Vista Bayfront. (Note: PWC will mean a motorboat less than sixteen feet in length which uses an

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inboard motor powering a jet pump as its primary motive power and which is designed to be operation by a person sitting, standing, or kneeling on rather than in the conventional manner of sitting or standing inside the vessel.)

**Policy 10.4:** Use of PWCs will be prohibited in Wildlife Habitat Areas, subject to applicable law.

**Policy 10.5:** A five (5) mile per hour speed limit will be enforced in areas other than the navigation channels.

**Policy 10.6:** Boating in the project area will be managed in a manner that protects water quality and that ensures persons or employees maintaining boats in slips or using slips on a transient basis are made aware of water quality provisions.

- a. Approval of projects within Chula Vista Bayfront Master Plan marinas shall include appropriate requirements from the District Jurisdictional Urban Runoff Management Document (JURMP) that includes appropriate Best Management Practices (BMPs) for controlling adverse impacts to water quality related to the boating facilities, including those BMPs for activities occurring over water.
- b. Approval of projects within the Chula Vista Bayfront Master Plan marinas shall include a requirement for boating facilities to identify procedures for inspection of boater activities and sanctions for boaters that may be adversely impacting water quality.
- c. Marinas in the Chula Vista Bayfront Master Plan project area shall provide evidence of ongoing efforts to protect water quality, such as a current certification by the Clean Marinas program ([cleanmarina.org](http://www.cleanmarina.org)), stormwater BMP Plan, or other equivalent documentation of clean marina practices (<http://www.cleanmarina.org/cleanmanual.shtml>).
- d. San Diego Bay is a federally designated No Discharge Zone. The District shall ensure that District-leased facilities are adequately informing their boater tenants of their responsibilities regarding the discharge of sewage and are providing information to boaters on ways to anonymously report violators.
- e. The District shall adopt an addendum to leasing agreements for boating facilities that specifies actions that should be taken to protect water quality. This addendum should reflect applicable water quality laws and regulations pertaining to San Diego Bay.

**Policy 11.1:** Walkways, paths, and overlooks near Wildlife Habitat Areas outside of the No Touch Buffer Areas will be designed in accordance with the following:

- a. Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.

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- b. Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.
- c. Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Chula Vista Bayfront.
- d. Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.
- e. Walkways and overlooks that approach sensitive areas must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.

**Policy 18.1:** The concept approval for the Signature Park will include a refined plan to address the linkage between the parks over the F and G Street channel. The design will ensure that the linkage between the two parks is easily accessed, obvious, and allows visitors to flow naturally and safely between the two parts of the park. A separate pedestrian bridge will be evaluated and, if necessary, a supplemental environmental review will be performed to address any necessary issues prior to the concept approval being forwarded to the Board of Port Commissioners.

**Policy 18.2:** Phase I Signature Park improvements (including development of Parcel S-2, within the Transition Buffer Areas and Limited Use zones of parcel SP1, and the fencing of the No Touch Buffer Area of Parcel SP1) will be completed prior to the issuance of Certificates of Occupancy for projects developed on either Parcel H-3 or H-23 and after any additional necessary environmental review. The public participation process for the design of the park will be completed prior to District Staff seeking Concept Approval from the Board of Port Commissioners.

**Policy 19.1a:** Sweetwater and Otay District Public Parks will meet the following minimum standards: a) The parks will be Passive in nature and encourage Passive recreation, be low-impact and contain minimal permanent structures. Structures will be limited to single-story heights and will be limited in function to restrooms, picnic tables, shade structures and overlooks. The term "Passive" will mean that which emphasizes the open-space aspect of a park and which involves a low level of development, including picnic areas and trails. In contrast, active recreation is that which requires intensive development and includes programmable elements that involve cooperative or team activity, including, ball fields and skate parks.

**Policy 21.6:** Public recreational opportunities, such as parks, open space, and other no-cost visitor serving amenities shall be provided.

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### 3.16 Transportation and Traffic

#### Development Policies

The Development Policies would not result in hazardous design features. In fact, the Development Policies would allow for better pedestrian connections and transit service. This will result in narrower, more pedestrian-friendly streets along the waterfront. Implementation of the Development Policies would also reduce traffic-related impacts within the CVBMP area, as discussed in the Applicable Development Policies, provided below. Because the Development Policies would help reduce traffic-related impacts within the CVBMP area, they would not conflict with adopted policies, plans, or programs supporting alternative transportation, nor would they change land use designations. Intersection operations would be improved with implementation of Development Policies. As such, no new impact would occur, and no previously identified impact would be exacerbated with implementation of the Development Policies.

#### Public Access Plan

The purpose of the PAP is to further enhance pedestrian visual access through pedestrian and bicycle paths throughout the CVBMP. The PAP would implement pedestrian and bicycle trails and pathways, additional streets and parking areas in proximity to the shoreline, through continuous pedestrian circulation plan totaling approximately 54,000 linear feet. The PAP would not result in hazardous design features. The PAP would actually allow for better pedestrian connections and transit service. Implementation of the PAP would: 1) maximize the two trolley stops adjacent to the Bayfront area; and 2) provide future shuttle bus service to interconnect the Bayfront with the trolley stations and the adjacent community. Therefore, the PAP would not conflict with adopted policies, plans, or programs supporting alternative transportation. The PAP would not change any land use designations. The PAP would help reduce traffic-related impacts within the CVBMP area, through application and encouragement of public transit, and would therefore not conflict with applicable LOS requirement for intersections. As such, no new impact would occur, and no previously identified impact would be exacerbated with implementation of the Development Policies.

#### Proposed RV Park Component

*The Proposed Project would have a significant impact if it substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*

The RV Park Component would not any hazardous design features. Proposed access to the site would be via E Street. A portion of Gunpowder Drive would be relocated onto the RV Park Component site and connect with E Street at a roundabout at the southern boundary of the RV

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Park Component site, as shown in Figure 1, RV Park Component Map. As shown, this roadway improvement and proposed access to the RV Park Component site would not create a hazard due to a design feature. Emergency access would be provided via E Street. E Street, west of I-5 is considered a Class I Collector. The RV Park Component site is approximately 0.3 mile away from the I-5 south on-ramp and approximately 0.5 mile from the I-5 north on-ramp, which would provide satisfactory emergency access. Therefore, the RV Park Component would not substantially increase hazards due to design features. No new impacts would occur, and no previously identified impacts would be exacerbated related to hazardous design features.

***The Proposed Project have a significant impact if it conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).***

The RV Park Component is designed to include bike and pedestrian pathways around the RV Park Component site. A 14-foot Class 1 bicycle path would be installed along the E Street extension. The Bayshore Bikeway is located less than 200 feet east of the site, which would encourage visitors to utilize existing bikeways. The RV Park Component also includes a bus loop and pull off lanes for better bus circulations through the site. As such, the RV Park Component would not conflict with adopted policies, plan, or programs supporting alternative transportation. No new impacts would occur, and no previously identified impacts would be exacerbated related to alternative transportation regulations.

***The Proposed Project would have a significant impact if changes to the land use and the circulation plans would result in the following:***

- a) A roadway segment that currently operates at LOS C or better and with the proposed changes would operate at LOS D or worse at General Plan buildout; or***
- b) A roadway segment that currently operates at LOS D or E and with the proposed changes would operate at LOS E or F at General Plan buildout respectively, or which operates at LOS D, E, or F and would worsen by five percent or more at General Plan buildout.***

As stated in the FEIR (p. 4.2-61), there would be four significant impacts to roadway segment LOS, under Phase I, outside the Urban Core. The following four roadway segments would require mitigation:

- Lagoon Drive/F Street (Marina Parkway to Bay Boulevard) (LOS F)
- H Street (west of Marina Parkway)(LOS F)
- Marina Parkway (Lagoon Drive to G Street) (LOS F)
- Bay Boulevard (E Street to F Street) (LOS F).

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These segments would require MM to reduce impacts below a level of significance.

A traffic memo was prepared for the RV Park Component by Rick Engineering, and is attached to this Addendum as Appendix E. As discussed in Appendix E, the RV Park Component would result in 219 AM peak hours trips (90 inbound and 129 outbound), 221 PM peak hour trips (125 inbound and 96 outbound), and 2,175 daily trips. Of the four roadway segments that are anticipated to operate at an LOS D or higher, the RV Park Component would only generate project trips to the roadway segment of Bay Boulevard from E Street to F Street, which currently operates at an LOS B.

The proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the *Site Preparation at Chula Vista Bayfront Project* CDP indicates that the imported soil, and the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP. As such, MM 4.2-4 would remain applicable to the RV Park Component. Roadway segment operations would be reduced to a level below significance, and no new MMs would be required.

***For changes to signalized and unsignalized intersections:***

- a) An intersection that currently operates at LOS D or better and with proposed changes would operate at LOS E or worse at General Plan buildout; or***
- b) An intersection that currently operates at LOS E or F and the project trips generated comprise five percent or more of the entering volume. Entering volumes are the total approach volumes entering an intersection.***

As discussed in Appendix E, under Existing Plus Project conditions, the intersection of E Street at I-5 SB Ramps and Bay Boulevard would be anticipated to operate at LOS E for the PM peak hour. The intersection can be improved to LOS D by rephrasing the traffic signal from the current east-west split phasing to permissive phasing with a protected left in the westbound direction. This rephrasing can be accommodated with the widening of E street, west of Bay Boulevard to a 2 lane Class III Collector (MM 4.2-1). With the extension of E Street as a 2 lane Class III Collector, and a traffic signal modification at the intersection of E Street at I-5 SB Ramps and Bay Boulevard, the studied intersections are anticipated to operate at an acceptable capacity for Phase I of the CVBMP. The proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the *Site Preparation at Chula Vista Bayfront Project* CDP indicates that the imported soil, and the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP. As such, MM 6.5-9, 6.5-10, 6.5-11, and 4.2-25 through 4.2-30 are no longer

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triggered by the development of the RV Park Component and Phase I improvements in the Sweetwater District.

***c) A cumulative impact would occur if the operations at intersection are at LOS E or F only.***

As discussed in Appendix E, the intersection of E Street at I-5 SB Ramps and Bay Boulevard would be anticipated to operate at LOS E for the PM peak hour. The intersection can be accommodated with implementation of MM 4.2-1 and the applicable Development Policies provided below. No new mitigation would be required.

MMs 6.5-9, 6.5-10, and 6.5-11, which relate to cumulative impacts, were reviewed to evaluate the effects of the RV Park Component as a Phase I project. The conclusion of Appendix E, states that the majority of the trips destined to/from the RV Park Component will utilize the first opportunity to access I-5, and not travel through local roadways to access I-5 at H Street or J Street. Therefore, the development of the RV Park Component as a Phase I project does not trigger the need for MM 6.5-9, 6.5-10, and 6.5-11. These MMs are provided below under Mitigation Measures That Are No Longer Applicable.

***If changes to the land use and circulation plans would affect signalized and unsignalized intersections as follows:***

- a) An intersection that currently operates at LOS D or better and with proposed changes would operate at LOS E or worse at General Plan buildout;***
- b) An intersection that currently operates at LOS E or F and the project trips generated comprise five percent or more of the entering volume. Entering volumes are the total approach volumes entering an intersection; or***
- c) A cumulative impact would occur if the operations at intersection are at LOS E or F only.***

As identified in the FEIR, the CVBMP would generate a total of 5,251 AM trips, and 7,324 PM trips across all phases of the CVBMP. Phase I of the CVBMP would directly impact the following six intersections, and would require mitigation.

- E Street/I-5 Southbound Off-Ramps (LOS F, PM peak hour) (Significant Impact 4.2-6)
- F Street/Bay Boulevard (LOS F, PM peak hour) (Significant Impact 4.2-7)
- J Street/Bay Boulevard (LOS F, both peak hours) (Significant Impact 4.2-8)
- L Street/Bay Boulevard (LOS F, both peak hours) (Significant Impact 4.2-9)
- I-5 Southbound Ramps/Bay Boulevard (LOS F, PM peak hour) (Significant Impact 4.2-10)

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- J Street/Marina Parkway (LOS E, PM peak hour) (Significant Impact 4.2-11).

Mitigation for these intersections would bring these impacts below a level of significance.

As discussed in Appendix E, the RV Park Component would result in 219 AM peak hours trips (90 inbound and 129 outbound), 221 PM peak hour trips (125 inbound and 96 outbound), and 2,175 daily trips. As previously, discussed, the proposed RV Park Component would result in a greater amount of soil imported onto the site, than the amount of soil exported from the previously planned hotel project. However, the truck trips associated with the imported soil onto the project site, is in conformance with the FEIR for the CVBMP.

The RV Park Component would influence LOS at the intersection of of E Street at I-5 SB Ramps and Bay Boulevard would be anticipated to operate at LOS E for the PM peak hour. The intersection can be improved to LOS D by rephrasing the traffic signal from the current east-west split phasing to permissive phasing with a protected left in the westbound direction. This rephrasing can be accommodated with the widening of E street, west of Bay Boulevard to a 2 lane Class III Collector (MM 4.2-1). With the extension of E Street as a 2 lane Class III Collector, and a traffic signal modification at the intersection of E Street at I-5 SB Ramps and Bay Boulevard, the studied intersections are anticipated to operate at an acceptable capacity for Phase I of the CVBMP.

As such, the RV Park Component would not comprise 5 percent or more of the entering volume of the intersections listed above. Therefore, the RV Park Component would not result in any new or worsened impacts related to this topic.

### Applicable FEIR Transportation and Traffic Mitigation Measures

- MM 4.2-4:** Prior to the issuance of certificates of occupancy for any development on H-3 and building permits for any development on H-13 or H-14 in Phase I, the Port, Port tenant, or applicant, as appropriate, shall widen Bay Boulevard between E Street and F Street from a two-lane Class III Collector to a two-lane Class II Collector, or secure such widening to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-5 to below a level of significance.
- MM 4.2-8:** The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources and phasing that would reduce congestion management with Caltrans standards on the I-5 south corridor from

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the SR-54 interchange to the Otay River (the “I-5 South Corridor”) (hereinafter, the “Plan”). Local funding sources identified in the Plan shall include fair share contributions related to private and/or public development based on the nexus established in this Draft EIR as well as other mechanisms. The Plan required by this mitigation shall include the following:

- a) The responsible entities (the Entities) included in this effort will include, but may not be limited to, the City, other cities along I-5, the Port, SANDAG, and Caltrans. Other entities will be included upon the concurrence of the foregoing Entities.
- b) The Plan will identify physical and operational improvements to I-5 adjacent to the project area, relevant arterial roads and transit facilities (the Improvements), that are focused on regional impacts and specific transportation impacts from the project, and will also identify the fair share responsibilities of each Entity for the construction and financing for each Improvement. The Plan will include an implementation element that includes each Entity’s responsibilities and commitment to mitigate the impacts created by all phases of the Proposed Project.
- c) The Plan will set forth a timeline and other agreed upon relevant criteria for implementation of each Improvement.
- d) The Plan will identify the total estimated design and construction cost for each Improvement and the responsibility of each Entity for both implementation and funding of such costs.
- e) The Plan will include the parameters for any agreed upon fair-share funding to be implemented, that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law.
- f) In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.
- g) The Port shall seek adoption of the Plan before the Port Board of Commissioners and the City shall seek adoption of the Plan before the City

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Council upon the completion of the multi-jurisdictional effort to develop the Plan. The Port and the City shall report, to their respective governing bodies regarding the progress made to develop the Plan within 6 months of the first meeting of the entities. Thereafter, the Port and the City shall report at least annually regarding the progress of the Plan, for a period of not less than 5 years, which may be extended at the request of the City Council and/or Board of Commissioners.

- h) The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan.
- i) Prior to issuance of certificates of occupancy or building permits for any development of individual projects within the Chula Vista Bayfront Master Plan, the Port and the City shall require project applicants to make their fair share contribution toward mitigation of cumulative freeway impacts within the City's portion of the I-5 South Corridor by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.

The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of the mitigation measure.

### Mitigation Measures That Are No Longer Applicable

The following MMs were originally created to mitigate potential traffic impacts in Phase IV of the CVBMP buildout as described in the PMP. The following MMs were previously assigned to impacts related to the originally proposed hotel in Phase IV. The RV Park Component would construct an RV Park instead of a hotel, and occur during Phase 1, not Phase IV. Additionally, as indicated in Appendix E, the RV Park Component would not trigger the need for traffic improvements. As such, the following MMs would be made void.

**MM 6.5-9:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct an eastbound and westbound through-lane along H Street (as part of roadway segment mitigation) and a westbound right-turn lane at the intersection of H Street and Woodlawn Avenue. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.

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- MM 6.5-10:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway. The lane shall be constructed to the satisfaction of the City Engineer. With mitigation, this intersection would still operate at LOS E during the PM peak hour. This is consistent with the result from the Chula Vista Urban Core traffic study, which concluded that no additional mitigation is desired at this location. This mitigation would reduce Significant Impact 6.5-27 to below a level of significance.
- MM 6.5-11:** Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.
- MM 4.2-25:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a new F Street segment between the proposed terminus of the existing F Street and the proposed E Street extension, ending at the SP-3 Chula Vista Nature Center parking lot, as a two lane Class III collector street, which shall also contain a Class II bike lane on both sides of the street. This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.
- MM 4.2-26:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen E Street between F Street and Bay Boulevard to a four-lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. Also, the widening of this segment of E Street would facilitate the flow of project traffic on Bay Boulevard between E Street to F Street. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.
- MM 4.2-27:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-42 to below a level of significance. The off-site traffic improvements described in this mitigation measure for direct traffic impacts would create secondary traffic impacts. Improvements associated with these secondary impacts would be required as a result of cumulative and growth-related traffic overall, of which the Proposed Project would be a component. The Western Chula Vista TDIF identifies these improvements in a cumulative context and attributes fair share contributions according to the impact. Therefore, the Proposed Project

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would be responsible for a fair share contribution and would not be solely responsible for implementation of necessary secondary impact improvements.

**MM 4.2-28:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an eastbound through lane and an exclusive eastbound right-turn lane along E Street at the intersection of E Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-43 to below a level of significance.

**MM 4.2-29:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an exclusive southbound right-turn lane along Bay Boulevard at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-44 to below a level of significance.

**MM 4.2-30:** Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a dual southbound left-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-45 to below a level of significance.

### Applicable Development Policies

**Policy 24.1:** The project shall be designed to encourage the use of alternate transportation by including the H Street transit center close to the rail line, bike and pedestrian pathways, water taxis, and a private employee parking shuttle.

**Policy 24.2:** The project shall include connections to the planned Bayshore Bikeway and provide an additional local bikeway loop that will be safer and more scenic as it is located closer to the water.

**Policy 24.3:** The District and City shall explore the operating and funding potential for a shuttle service that would link various destinations within the western portions of Chula Vista, including the Chula Vista Bayfront Master Plan area. Implementation of the Chula Vista Bayfront Shuttle is anticipated to include participation by commercial development within the Chula Vista Bayfront Master Plan area.

**Policy 24.4:** The Chula Vista Bayfront shuttle will service the Chula Vista Bayfront Master Plan area with a key focus on connecting general users to and from: downtown areas east of 1-

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5, the resort conference center, the residential project, park areas, and existing trolley stops. The shuttle system shall be designed with the following design considerations:

- a) Ensure that it has fewer stops than a conventional bus and is located as close as possible to the major traffic generators.
- b) Plan the general route of the transit shuttle to travel along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third Avenue
- c) Plan the route to operate as a two-way loop with stops in both directions.
- d) Plan for shuttles to initially run every 15 minutes.
- e) Consider a private shuttle system to transport employees between the H-18 parking structure and the H-3 parcel in the Harbor District.

**Policy 24.5:** Shuttle service shall be phased concurrent with development. At a minimum, service shall be provided upon the issuance of Certificate of Occupancy for either the H-3 resort conference center hotel or the 500\* residential unit. Additional stops shall be provided at the Signature Park, the Recreational Vehicle Park, the H-18 parking structure, and the Park in Otay District, as these uses are developed.

**Policy 24.6:** In the Harbor District, typical parking requirement standards for high intensity uses may be reduced if it can be demonstrated that the use will be adequately served by alternative transit.

**Policy 24.7:** In order to reduce transportation-related air quality impacts, the following items should be encouraged at the project-level planning phase:

- a) Limit idling time for commercial vehicles, including delivery and construction vehicles.
- b) Use low- or zero-emission vehicles, including construction vehicles.
- c) Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

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- d) Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- e) Provide public transit incentives, such as free or low-cost monthly transit passes.
- f) For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.
- g) Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- h) Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

**Policy 24.8:** The District and the City shall participate in a multi-jurisdictional effort conducted by the California Department of Transportation (Caltrans) and San Diego Association of Governments (SANDAG) to assist in developing a detailed 1-5 corridor-level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would reduce congestion management with Caltrans standards on the 1-5 South corridor from the SR-54 interchange to the Otay River. Local funding sources identified in this Plan shall include fair-share contributions related to private and/or public development based on nexus as well as other mechanisms.

### 3.17 Tribal Cultural Resources

#### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would direct development within the CVBMP to minimize ground-disturbing activities, which would reduce potential impacts to tribal cultural resources. With implementation of the Development Policies, no new or more severe significant impacts would occur to eligible or listed historical resources or resources determined by the lead agency to be significant.

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### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. Implementation of the PAP would result in ground-breaking activities in order to install the pedestrian and bicycle pathways within the CVBMP. Although eligible or listed historical resources or resources determined by the lead agency to be significant are not expected to be encountered, measures would be put in place to ensure these resources would not be significantly affected. Should excavation occur below the fill line, a qualified archaeological monitor would be present. As such, no new impacts would occur to eligible or listed historical resources or resources determined by the lead agency to be significant.

### Proposed RV Park Component

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a CA Native American tribe, and that is:*

- a) Listing or eligible for listing in the CA Register of Historic Resources, or in a local register of historical resources as defined in PRC section 5020.1(k) or*

The FEIR does not contain an analysis chapter on tribal resources because the FEIR was certified prior to the passing of Assembly Bill (AB) 52, which requires tribal consultation as a part of the CEQA process. Therefore, implementation of the RV Park Component would require analysis of tribal resources, and tribal consultation in accordance with AB 52. None of the tribes which received a notification letter responded expressing interest in tribal consultation. As expressed in the FEIR, (p. 4.10-3) a records search was conducted for the entire CVBMP area and only two archeological sites were found, one of them being the Coronado Belt Line Railroad Line. The entire CVBMP area has been disturbed by previous historic and modern activities. The Sweetwater District was in agricultural production for a long period of time and as a result, was plowed and graded in the past. As such, it is not anticipated to encounter any items listed or eligible for CA Register of Historic Resources, or in a local register of historical resources. However, as there is always potential to encounter historically important items during ground-disturbing activities, MM 4.10 from the FEIR, would be applied to the construction of the RV Park Component, thus reducing any potential impacts to tribal cultural resources to levels below significance. With inclusion of these actions, the RV Park Component would not result in any new or worsened impacts related to eligible or listed historical resources as defined in PRC section 5020.1(k). No new mitigation would be required.

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- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a CA Native American tribe.*

As previously stated, a records search was conducted for the entire CVBMP area and only two archeological sites were found, one of them being the Coronado Belt Line Railroad Line. The entire CVBMP area has been disturbed by previous historic and modern activities. The Sweetwater District was in agricultural production for a long period of time and as a result, was plowed and graded in the past. As such, it is not anticipated to encounter any items listed or eligible for CA Register of Historic Resources, or in a local register of historical resources. However, as there is always potential to encounter historically important items during ground-disturbing activities, MM 4.10 from the FEIR, would be applied to the construction of the RV Park Component, thus reducing any potential impacts to tribal cultural resources to levels below significance. With inclusion of these actions, the RV Park Component would not result in any new or worsened impacts related to a tribal resource determined by the lead agency to be significant.

### Applicable FEIR Tribal Cultural Resources Mitigation Measures

**MM 4.10:** The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Development Services. Elements of the program will include that only certified archaeologists and Native American monitors are accepted. The project archaeologist shall monitor all areas identified for excavation, including offsite improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.

In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the

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artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Development Services.

\* This measure is not associated with a significant impact related to cultural resources; however, it has been incorporated to ensure appropriate implementation and enforcement.

### Applicable Development Policies

There are no development policies related to tribal cultural resources.

## 3.18 Utilities and Service Systems

### Development Policies

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would ensure water demands are minimized through requiring low water-use ground cover alternatives where possible. The Development Policies would not result in direct installations of utility and service systems. However, the Development Policies were designed to minimize the demand for these services. As such, with implementation of the Development Policies, no new or worsened impact would occur related to utility and service systems.

### Public Access Plan

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP would not result in direct installations of water or wastewater facilities. The increased pedestrian activity on the waterfront would increase sewage and trash generation, however, this would be diminutive towards the entire sewage system and landfill capacity. These demands would be covered by existing facilities. Therefore, with implementation of the PAP, no new or worsened impacts would occur related to utility and service systems.

### Proposed RV Park Component

*The Proposed Project would have a significant impact if sufficient water supplies are not available to serve the project from existing entitlements and resources, or results in the need for new or expanded entitlements*

As stated in the FEIR, the CVBMP (all phases included) would use an average of 2.020 million gallons per day (MGD), or 2,262.7 acre-feet (af)/year. It was determined in the analysis that the CVBMP's water demand would be served by the Sweetwater Authority with the additional purchase of imported water supplies from the Metropolitan Water District's (MWD) reserve

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supplies. However, the Sweetwater Authority would not have to rely on the availability of MWD's Reserve and Replenishment Supplies in order to provide a sufficient water supply to the CVBMP. As such, the analysis concluded that the CVBMP would not have a significant impact because sufficient water supplies are available to serve the project from existing entitlements and resources.

The RV Park Component would include the development of 255 RV parking spaces, a registration building, retail store, clubhouse, spa/fitness facility, a shower facility, children's playground, pedestrian pathways, and a fully enclosed dog park. As stated in Development Policy 19.1, the parks will be constructed using low-water-use ground cover alternatives where possible. Under the original project, the resort hotel on parcel S-1 was anticipated to generate a demand of 162,906 gallons of water per day. The RV Park Component would receive water supply via a 12-inch waterline that would be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch line would be installed in F Street north of E Street.

When compared to the originally proposed hotel, the RV Park Component would generate less of a water due to its reduction in bulk, scale, and visitors on-site. Therefore, the RV Park Component would not result in any new or worsened impacts related to sufficient water supplies.

***The Proposed Project would have a significant impact if the project requires or results in the construction of new water treatment facilities or expansion of existing facilities and services, the construction of which could cause significant environmental effects***

According to Table 4.14-9 of the FEIR (p. 4.14-51), as shown below as Table 3.18-1, the originally proposed hotel land use was estimated to generate 0.33 equivalent dwelling unit (EDU) of sewage per room. The sewage generation for the RV Park Component is estimated to be 0.5 EDU per RV space, which is a slightly higher ratio than the originally proposed hotel. However, the RV Park Component would provide 255 sites (122 EDU's), which generates less EDU's than the originally proposed 500-750 hotel rooms (165 - 247.5 EDU's).

**Table 3.18-1  
City of Chula Vista Sewage Generation Rates**

Land Use	Sewage Generation Factor (GPD/EDU)	EDU Equivalents
Commercial/office/retail	265	0.60 EDU per 1,000 sf of building
Hotel	265	0.33 EDU per room
Park	-	500 GPD/acre
Condominium/residential	265	0.75 EDU per unit for condos
Commercial	-	2,500 GPD/acre for commercial per City – assumed marina/ pier similar to commercial, if no square feet given
RV Park	265	0.5 EDU per RV space

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**Table 3.18-1**  
**City of Chula Vista Seweage Generation Rates**

Land Use	Sewage Generation Factor (GPD/EDU)	EDU Equivalents
Power Plant	-	Assumed Duke Energy Plant generation rate of 500 GPD/acre

Similar to the originally analyzed project, the updated project would require construction of new water, stormwater, wastewater, and solid waste facilities on the project site. The RV Park Component would require gravity sewer mains in the streets, sewer force mains, and connections to the existing City sewer system. The RV Park Component would be served by the existing water system via an 8-inch sewer line that would be installed in F Street, connecting to and existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street. Applicable mitigation identified in the FEIR would be applied to the RV Park Component for potential impacts associated with utility construction-related impacts (MM 4.14.2-4 and 4.14.2-5). The RV Park Component is within the jurisdiction of the District, which relies on the City of San Diego Metro Sewage System for treating and disposing of the wastewater generated within the city (FEIR p. 4.14-46). The RV Park Component would connect to the existing City connection to Metropolitan Waste Water District (MWWD), which was concluded to have adequate sewage treatment capacity to serve the region. In conclusion, the RV Park Component would not require the construction of new water treatment facilities or expansion of facilities. No new or worsened impacts would occur related to water treatment facilities, with implementation of the RV Park Component.

***The Proposed Project would have a significant impact if it is inconsistent with the assumptions in the SDCWA's 2005 Updated UWMP.***

As previously stated, The RV Park Component would connect to the existing City connection to MWWD, which was concluded in the FEIR to have adequate sewage treatment capacity to serve the region. The FEIR concluded that the CVBMP level of water demand is expected to fall within the level of water demand included in Sweetwater's 2005 UWMP. With inclusion of the RV Park Component, total water demands for Phase I would be lowered and would further ensure the RV Park Component would be consistent with assumed water demands in the Updated UWMP. As such, no new or worsened impacts would occur related to the SDCWA's 2005 Updated UWMP assumptions, with implementation of the RV Park Component.

***4. The project is served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.***

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As stated in the FEIR, the CVBMP area would continue to be served primarily by the Otay Landfill until its capacity is reached. The City of Chula Vista is assured that the solid waste generated in the City of Chula Vista shall be accommodated by a landfill, regardless of which landfill accepts the waste. Therefore, the CVBMP would be served by landfills with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and no significant impact to integrated waste management services would result.

The RV Park Component is anticipated to generate a reduced demand for landfill capacity, compared to the originally proposed hotel. The reduced demand is anticipated due to the reduced bulk, scale, and on-site visitors under the RV Park Component, as shown on Table 2.3-1. Therefore, no new or worsened impacts are anticipated related to landfill capacity, with implementation of the RV Park Component.

***5. The project does not comply with federal, state, and local statutes and regulations related to solid waste.***

Similar to the originally approved plan, the RV Park Component would comply with local regulations through consistency with City of Chula Vista General Plan goals, policies, and objectives. As such, no new or worsened impacts would occur related to compliance with federal, state, and local regulations related to solid wastes.

### **Applicable FEIR Utilities and Service Systems Mitigation Measures**

**MM 4.14.2-4:** The following mitigation measure shall be implemented to reduce Significant Impact 4.14.2-4 associated with utility construction-related traffic impacts in Phases I and II) to a level less than significant:

**Port/City:** A. Prior to commencement of grading activities for all Phase I projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).

B. Prior to commencement of grading activities for all Phase II–IV projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).

**MM 4.14.2-5:** The following MMs shall be implemented to reduce Significant Impact 4.14.2-5 (associated with surface water and groundwater contamination resulting from construction activities) to a level less than significant:

## **Chula Vista Bayfront Master Plan Addendum**

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Port/City: A. Prior to the issuance of a Coastal Development Permit for Properties within the Port's jurisdiction and prior to the issuance of a grading permit for properties within the City's jurisdiction, the applicant shall notify the RWQCB of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB.

**B. Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.**

### **Applicable Development Policies**

**Policy 19.1b:** Sweetwater and Otay District Public Parks will meet the following minimum standards:

- b) The parks will be constructed using low water-use ground cover alternatives where possible.

## **3.19 Mandatory Findings of Significance**

### **Development Policies**

The Development Policies were developed to guide the development of the Bayfront, in a way that minimizes environmental impacts. The Development Policies would greatly reduce any potential impacts to fish and wildlife species, and plant communities. They would also reduce ground-breaking activities, thus reducing the potential to encounter important examples of the major periods of CA history or prehistory. The Development Policies would not contribute any cumulatively considerable impacts, nor would they cause a substantial adverse effect on human beings. As such, the Development Policies would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

### **Public Access Plan**

The purpose of the PAP is to further enhance pedestrian access through pedestrian and bicycle paths throughout the CVBMP. The PAP would therefore include construction of pathways which would include ground-breaking activities. As such, MMs previously noted within this Addendum would be applied to the PAP to reduce any construction-related impacts on biological or cultural resources, including examples of major periods of CA history or prehistory. The PAP would not

## **Chula Vista Bayfront Master Plan Addendum**

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contribute any cumulatively considerable impacts, nor would they cause a substantial adverse effect on human beings. As such, the PAP would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

### **Proposed RV Park Component**

Similar to the original project, the RV Park Component would include ground-breaking activities to accommodate the RV Park Component. As such, MMs previously noted within this addendum would be applied to the RV Park Component to reduce any construction-related impacts on biological. As discussed in Section 3.4, the RV Park Component would potentially result in significant impacts to vegetation, special-status habitat and other sensitive natural communities. However, with incorporation of MMs outlined in Section 3.4, all potentially significant impacts would be reduced to a level below significance. The RV Park Component would not substantially degrade the quality of the environment, impact fish or wildlife species, or plant communities. As discussed in Section 3.5, Caltrans previously determined the site had been extensively disturbed by historic and recent land use and was not a culturally significant site, and no evidence of the site occurs within the project area. The RV Park Component would not result in a potential significant impact to cultural resources including examples of major periods of CA history or prehistory in the project area. Accordingly, no MMs would be required.

As discussed in the FEIR, The RV Park Component would add to the intensification of land use, which would have the potential to cumulatively impact, aesthetics, air quality, energy, greenhouse gas emissions, wastewater, and traffic. Applicable MMs from the FEIR would reduce any cumulative impacts to less than significant levels, with exception to aesthetics, air quality, and energy. Aesthetic impacts would remain significant after mitigation; however, the cumulative impact is not associated with the RV Park Component.

Although MMs would reduce the air quality impacts of the RV Park Component, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, cumulative air quality impacts remain significant and unmitigated. Despite the CVBMP's adoption of conservation measures, the cumulative impact relative to energy supply would remain significant and unmitigated because of the uncertainty of the future supply of energy, which is within the responsibility and control of SDG&E and other entities responsible for arranging electric energy supplies, not the Port or the City. As stated in Section 3.7, the CVBMP would not be considered to contribute substantially to a cumulatively significant global climate change impact, because it would not contribute to a conflict with or the obstruction of the goals or strategies of AB 32 or related Executive Orders.

The RV Park Component would not contribute any cumulatively considerable impacts, nor would they cause a substantial adverse effect on human beings. As such, the RV Park

## Chula Vista Bayfront Master Plan Addendum

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Component would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

With implementation of the MMs and Development Policies included in the FEIR, the RV Park Component would not have any cumulative impacts.

### Applicable FEIR Mitigation Measures

**MM 4.4-1. Port/City: D. Landscaping:** Prior to final approval of Phase I infrastructure design plans, the Port and City shall collectively develop a master landscaping plan for the project's public components and improvements. The plan shall provide sufficient detail to ensure conformance to streetscape design guidelines and that future developers/tenants, as applicable, provide screening of parking areas.

Streetscape landscaping shall be designed to enhance the visitor experience for both pedestrians and those in vehicles. Specifically, detailed landscaping plans shall be developed to enhance Marina Parkway, a designated scenic roadway, and shall provide, where appropriate, screening of existing industrial uses and parking areas until such time as these facilities are redeveloped.

Street landscaping design shall be coordinated with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location. For instance, vegetation planted adjacent to open water/shoreline areas must not provide raptor perches. Landscaping shall be drought tolerant or low water use, and invasive plant species shall be prohibited.

**City: E. Landscaping:** Prior to approval of a tentative map or site development plan for future residential development, the project developer shall submit a landscaping design plan for on-site landscaping improvements that is in conformance with design guidelines and standards established by the City of Chula Vista. The plan shall be implemented as a condition of project approval.

**4.11-1: Port/City:** Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.

## Chula Vista Bayfront Master Plan Addendum

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- The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.
- The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.
- If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.
- Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

**MM-6.8-1. Port/City:** Prior to the issuance of any grading permit, the following measures shall be placed as notes on all grading plans, and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (these measures were derived, in part, from Table 11-4 of Appendix 11 of the South Coast AQMD CEQA Air Quality Handbook (SCAQMD 1999)):

- a) Where practicable, use low pollutant-emitting equipment.
- b) Where practicable, use catalytic reduction for gasoline-powered equipment.
- c) Use injection timing retard for diesel-powered equipment.
- d) Water the grading areas a minimum of twice daily to minimize fugitive dust.
- e) Stabilize graded areas as quickly as possible to minimize fugitive dust.
- f) Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry.
- g) Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.

## Chula Vista Bayfront Master Plan Addendum

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- h) Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- i) Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- j) Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- k) Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- l) Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph.
- m) Cover/water on-site stockpiles of excavated material.
- n) Enforce a 15 mile-per-hour speed limit on unpaved surfaces.
- o) On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce re-suspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- p) Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation.
- q) Electrical construction equipment shall be used to the extent feasible.

**MM-6.8-2. Port/City: B.** Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project shall comply with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:

- Use of low-NOx emission water heaters
- Installation of energy efficient and automated air conditioners when air conditioners are provided
- Energy efficient parking area lights
- Exterior windows shall be doublepaned.

**MM-6.8-3** The following mitigation measure is required to mitigate potential conflict with the goals or strategies of AB 32 or related Executive Orders:

## **Chula Vista Bayfront Master Plan Addendum**

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**Port/City:** Development of program-level components of the Chula Vista Bayfront Master Plan (Phases II through IV) shall implement measures to reduce GHG emissions. Specific measures may include but are not limited to the following:

### **Energy Efficiency**

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

### Renewable Energy

- Install solar and wind power systems, solar and tankless hot water heaters, and
- energy-efficient heating ventilation and air conditioning. Educate consumers
- about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

### Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisturebased irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.

## **Chula Vista Bayfront Master Plan Addendum**

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- Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.)
- For example, install dual plumbing in all new development, allowing gray water to be used for landscape irrigation.
- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

### Solid Waste Measures

- Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.
- Provide education and publicity about reducing waste and available recycling services.

### Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Use low- or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

## Chula Vista Bayfront Master Plan Addendum

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- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- Provide public transit incentives, such as free or low-cost monthly transit passes.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) locked bicycle storage or covered or indoor bicycle parking.
- Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

The measures identified above and in Mitigation Measure 4.16-2, will substantially reduce GHG emissions, achieving reductions of at least 20 percent below “business as usual.” Furthermore, better technology is rapidly developing and may provide further measures in the near future that will avoid conflict with the goals or strategies of AB 32 or related Executive Orders. Once projects are defined within the program phases, further environmental review will be required, at which time the most current measures will be identified and required to be consistent with this mitigation measure and any additional regulations in effect at the time. Implementation of Mitigation Measure 6.8-3, therefore, will avoid a contribution to a cumulatively significant impact and will result in a less than significant impact to global climate change.

**MM-6.15.2-1. Port/City:** Prior to the approval of a building permit for any development in all phases of the Proposed Project, the City shall verify that it has adequate sewer capacity to serve the proposed development. In the event the City does not have adequate sewer capacity to serve the proposed development, no building permit shall be approved for the proposed development until the City has acquired adequate sewer capacity to serve the proposed development. In accordance with Section 15130(a)(3) of the State CEQA Guidelines, a significant cumulative impact would be rendered less than cumulatively considerable, and thus is not significant when the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The requirement for the contribution to provide a fair-share contribution to the provision of the needed sewer service mitigates the cumulative impact to below significance.

## Chula Vista Bayfront Master Plan Addendum

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**MM-6.15.6.-1 Port/City:** Prior to the issuance of a building permit, the applicant shall pay all required school mitigation fees.

Payment of statutory school fees would ensure that project impacts to school services remain below a level of significance. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both “considering” and “mitigating” school facilities impacts of projects (Government Code Section 65996(a)). Once the statutory school mitigation fee (sometimes referred to as a “developer fee”) is paid, the impact would be deemed mitigated as a matter of law. Therefore, this mitigation measure would reduce the cumulative impact to schools to a level less than significant.

**MM-6.17-1.Port/City:** Encourage compact development featuring a mix of uses that locate residential areas within reasonable walking distance to jobs, services, and transit.

- Promote and facilitate transit system improvements in order to increase transit use and reduce dependency on the automobile.
- Encourage innovative energy conservation practices and air quality improvements in new development and redevelopment projects consistent with the City's AQIP Guidelines or their equivalent, pursuant to the City's Growth Management Program.

### **Applicable Development Policies**

See Applicable Development Policies with Sections 3.3, 3.4, 3.6, and 3.9.

## Chula Vista Bayfront Master Plan Addendum

### 4 DETERMINATION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate environmental documentation, if any, to be completed when there is a pre-existing certified EIR covering the Project. The Port District makes the following findings, and the Rationale of Findings is presented in Section 3.0 of this addendum.

CEQA Guidelines Section 15162(a) states: When an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

**Discussion:** As discussed in Section 3 of this addendum, no substantial changes are proposed to the originally proposed hotel which would result in new significant effects or an increase in the severity of previously identified significant effects. As such, major revisions to the previous EIR are not required to reflect the Proposed Project change.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which require major revisions of the previous EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects.

**Discussion:** As identified in Section 3 of this addendum, the Proposed Project would not involve any new significant environmental effects or a substantially increase the severity of a previously identified environmental effect.

3. 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 EIR was certified as complete shows any of the following:

A) The project will have one or more significant effects not discussed in the previous EIR;

**Discussion:** As identified in Section 3 of this addendum, the Proposed Project would not involve any new significant environmental effects or a substantially increase the severity of a previously identified environmental effect.

B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

**Discussion:** As identified in Section 3 of this addendum, the Proposed Project would not involve any new significant environmental effects or a substantially increase the severity of a previously identified environmental effect.

## Chula Vista Bayfront Master Plan Addendum

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- C) MMs 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;

**Discussion:** As discussed in Section 3 of this addendum, no previously identified MMs or alternatives have been determined to be feasible that were previously identified as not feasible.

- D) MMs or alternatives which are considered different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

**Discussion:** As discussed in Section 3 of this addendum, all the MMs identified in the FEIR would be the same and no new MMs or alternatives have been identified that would substantially reduce one or more significant effects on the environment.

CEQA Guidelines Section 15164(a) states that “The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

**Discussion:** This addendum provides details and changes to the originally analyzed FEIR. The updated project includes the construction of an RV park consisting of 255 sites, 116 of which are proposed to be occupied by park model units. Permanent buildings proposed onsite will include associated retail, restaurant, meeting space. The updated Project would be low in scale and intensity, with a maximum height of 25 feet. No additional impacts are anticipated as a result of changes to this Project. Therefore, this project-level analysis of the proposed changes to the Project is appropriately addressed in this addendum to the FEIR.

## **Chula Vista Bayfront Master Plan Addendum**

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### **5 CONCLUSION**

None of the conditions requiring the preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162(a) have occurred. As such, pursuant to CEQA Guidelines Section 15164, and based on the rationale presented in Section 3 of this document, the project-level analysis for the updated Project are appropriately addressed in this addendum to the FEIR.

## **Chula Vista Bayfront Master Plan Addendum**

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### **6 REFERENCES AND PREPARERS**

#### **6.1 References Cited**

14 CCR 15000–15387 and Appendices A through L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

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#### **6.2 List of Preparers**

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## Chula Vista Bayfront Master Plan Addendum

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CONSULTANT

## RV RESORT

PREV. SUBMITTAL	PROJ. #
Part of SD 08 18 2017	

ISSUED/ REVISIONS	DATE
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SITE PLAN 7

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**Site**

1/64" = 1'-0"

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# APPENDIX A

## *Port Master Plan Amendment*



*San Diego Unified Port District  
Port Master Plan Amendment*

San Diego Unified Port District  
Document No. **59406**  
Filed **OCT 05 2012**  
Office of the District Clerk



*Chula Vista Bayfront Master Plan  
&  
Port Master Plan Amendment*

*Existing/Proposed Plan Text  
and  
Plan Graphics*

*May 2010, Revised July 2012*

*\*Certified by the California Coastal Commission*

*Note: Text to be ~~deleted~~ shown in ~~strike-out~~ and text to be added shown in underline.  
Text in italics is for clarification only and is not part of the Plan Amendment.*

**TABLE 4  
PORT MASTER PLAN  
LAND AND WATER USE ALLOCATION SUMMARY**

<u>LAND USE</u>	<u>ACRES</u>	<u>WATER USE</u>	<u>ACRES</u>	<u>TOTAL ACRES</u>	<u>% OF TOTAL</u>
<b><u>COMMERCIAL</u></b>	<del>373.5</del> <u>455.2</u>		<del>383.0</del> <u>388.6</u>	<del>756.5</del> <u>843.8</u>	<del>44</del> <u>15</u> %
Marine Sales and Services	<del>18.8</del> <u>9.1</u>	Marine Services Berthing	17.7		
Airport Related	38.0				
Commercial					
Commercial Fishing	8.3	Commercial Fishing Berthing	18.8		
Commercial Recreation	<del>304.4</del> <u>395.5</u>	Recreational Boat Berthing	<del>335.4</del> <u>341.0</u>		
Sportfishing	4.3	Sportfishing Berthing	11.1		
<b><u>INDUSTRIAL</u></b>	<del>1206.4</del> <u>1158.7</u>		<del>217.7</del> <u>212.0</u>	<del>1424.1</del> <u>1370.7</u>	<del>26</del> <u>24</u> %
Aviation Related	152.9	Specialized Berthing	<del>170.5</del> <u>164.8</u>		
Industrial					
Industrial Business Park	<del>113.7</del> <u>69.5</u>	Terminal Berthing	47.2		
Marine Related Industrial	<del>322.4</del> <u>318.6</u>				
Marine Terminal	149.6				
International Airport	468.1				
<b><u>PUBLIC RECREATION</u></b>	<del>280.5</del> <u>409.5</u>		<del>681.0</del> <u>681.3</u>	<del>961.5</del> <u>1090.8</u>	<del>48</del> <u>19</u> %
Open Space	<del>19.0</del> <u>66.7</u>	Open Bay/Water	<del>681.0</del> <u>681.3</u>		
Park/Plaza	<del>146.4</del> <u>213.0</u>				
Golf Course	97.8				
Promenade	<del>17.3</del> <u>32.0</u>				
<b><u>CONSERVATION</u></b>	<del>399.2</del> <u>485.3</u>		<del>1058.6</del> <u>1084.6</u>	<del>1457.8</del> <u>1569.9</u>	<del>27</del> <u>28</u> %
Wetlands	<del>304.9</del> <u>375.8</u>	Estuary	<del>1058.6</del> <u>1084.6</u>		
Habitat Replacement	<del>94.3</del> <u>109.5</u>				
<b><u>PUBLIC FACILITIES</u></b>	<del>222.9</del> <u>242.1</u>		<del>394.3</del> <u>387.9</u>	<del>617.2</del> <u>630.0</u>	<del>42</del> <u>11</u> %
Harbor Services	<del>2.7</del> <u>2.6</u>	Harbor Services	10.5		
City Pump Station	0.4	Boat Navigation Corridor	<del>284.6</del> <u>274.3</u>		
Streets	<del>219.8</del> <u>239.1</u>	Boat Anchorage	25.0		
		Ship Navigation Corridor	<del>50.0</del> <u>53.9</u>		
		Ship Anchorage	24.2		
<b><u>MILITARY</u></b>	<b>25.9</b>		<b>125.6</b>	<b>151.5</b>	<b>3</b> %
Navy Fleet School	25.9	Navy Small Craft Berthing	6.2		
		Navy Ship Berthing	119.4		
<b><u>TOTAL LAND AREA</u></b>	<del>2508.4</del> <u>2776.7</u>	<b><u>TOTAL WATER AREA</u></b>	<del>2860.2</del> <u>2880.0</u>		
<b>MASTER PLAN LAND AND WATER ACREAGE TOTAL</b>				<del>5368.6</del> <u>5656.7</u>	<b>100</b> %

## Commercial Recreation



Land use demand forecasts have established a basis for anticipating continued demand for commercial recreational type facilities due to trends drawn

from the convergence of numerous factors, of which the most significant are expendable income, paid holidays, leisure time, population, education, travel habits, and new modes of transportation. All of these are increasing while the average number of working hours is decreasing. It seems likely that activities associated with water-based pursuits will continue to be among the most popular. The trends are almost certain to have considerable repercussions on the full range of leisure services. Tourism in the San Diego Bay region is a significant economic base activity, and at the national level, it figures highly in maintaining the balance of payment.

Activities associated with commercial recreation contribute to the economic base of the region with full-time jobs, secondary employment for part-time help, and spin-off employment opportunities in construction, warehousing, trucking, custodial, and personal services. It is the intent of this Master Plan to create attractive destinations in carefully selected locations around the bay to serve the needs of recreationalists for lodging, food, transportation services, and entertainment. Site amenities are to be enhanced and over-commercialization is to be avoided by the balanced development of commercial and public recreational facilities.

Commercial recreation allocations of the Land and Water Use Map include approximately 287400 acres of land and about 343352 acres of water area, including sportfishing and recreational craft berthing. The Commercial Recreation category includes hotels, restaurants, convention center, recreational vehicle parks, specialty shopping, pleasure craft marinas, water dependent educational and recreational program facilities and activities, dock and dine facilities (public boat docks located in proximity to a restaurant or other retail use where boaters may tie up and disembark for a short period of time to dine, shop, or enjoy other recreational activities).

and sportfishing, which are discussed or illustrated in the various District Plans.

**Hotels and Restaurants** located on San Diego Bay cater to markets involving leisure recreation, tourism, business travel and specialized conference facilities accommodating conventions, training, seminars and meetings. Of growing importance are the attractions or amenities of the restaurant, which caters to the varied age groups dining for pleasure, and the hotel as a provider of more than just rooms. Overnight accommodations should be provided for a range of incomes.

Hotels constitute a significant part of the local recreation industry and, as generators of ancillary business such as restaurants and specialty shops, have an important influence on land use. Uses typically associated with hotels, frequently in the same building or on the same site, include lodging; coffee shop; cocktail lounge and restaurant; specialty shops for gifts, sundries, cigarettes, candy, liquor, clothing and sporting goods; tourist information and travel services; auto service station; personal services such as dry cleaning, barber and beauty shop; convention, banquet and conference rooms; and recreational facilities such as swimming pools, cabanas, game rooms, tennis courts, putting green, boat and bicycle rental or charter, and theatrical entertainment. In addition to the man-made structures and organized sports facilities, hotel locations on the bay feature waterfront locations with easy access to beaches, scuba diving and snorkeling, deep sea fishing, sailing, water skiing, boat rides, and "whale watching" during the whale migration season. New hotel locations are allocated in Planning Districts 2, 3, 6, 7 and possibly 8.

**Specialty Shopping** involves the planned assembly of stores, frequently operating within a unified building complex, designed to give patrons a varied selection of retail goods, personal services, and entertainment facilities. Activities typically found in specialty shopping areas include restaurants and the retail sale of ice cream, dessert items, beverages and sandwiches; artisan activities associated with the production and sale of hand-crafted gift items, and original works of art; professional office

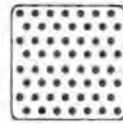
space; retail shops handling gifts, novelties, clothing, jewelry, and home furnishings; wholesale and retail fish sales, fish and seafood processing, and unloading docks for vessels and trucks. Characteristic of shopping centers, the specialty shopping developments allocated on tidelands are usually managed and operated as a unit. Shopping areas will feature a major open space format, separate pedestrian traffic from vehicular movement by emphasizing pedestrian mall and plaza developments improved with landscaping, sitting areas, fountains and sculpture. Specialty shopping areas are allocated in Precise Plans for Planning Districts 3 ~~and 6~~, and 7.

**Pleasure Craft Marinas** are encouraged to provide a variety of services for boats and boat owners. Services could possibly include in-season wet and dry berthing and dock lockers; boat rentals, charter and sales; sailing schools and membership sailing clubs; fueling docks; launching for transients; automobile parking; dockside electricity; fresh water and telephones; holding tank pumpout stations and disposal facilities for waste oil and hazardous substances; restrooms and showers; repairs; maintenance; off-season storage; ice and fuel. Accessory facilities provided as part of a full-service marina or in the commercial recreational areas and within close proximity to the marinas should include shopping areas for groceries, medicine and clothing; restaurants; shoreside living and recreational accommodations for boatmen; marine supplies; boating equipment; navigation instruments; marine electronics; and sailmaking. Users requiring water frontage are given preference because it is desirable to maintain a dynamic waterfront in recreational areas, which is functionally sound and capable of providing essential services to the operation of a small craft harbor. Proposed recreational boating facilities, to the extent feasible, are to be designed and located so as not to interfere with the needs of the commercial fishing industry.



**Recreational Vehicle / Camping** parks provide low cost, visitor serving recreational opportunities for enjoying scenic and commercial amenities on the

Bay. Such parks may contain ancillary facilities such as offices, pool/spas, snack bars, general stores, meeting spaces, game rooms, laundry rooms, associated parking spaces, and playground equipment. Recreational Vehicle/Camping park designated areas are found in Planning District 7.



## Recreational Boat

### Berthing.

Water area used primarily for recreational craft storage, refueling, boat brokerage storage area, sailing school docking, water taxi, excursion ferry and charter craft operations, guest docking, boat launching, sewage pump out, water craft rental, boat navigation corridors, breakwaters for recreational craft protection, navigation facilities, aids to navigation, floats, docks, piers, breakwaters, wave attenuation structures, seawalls, shoreline protection, and any other necessary or essential facilities for providing water-side docking refuge to recreational marine craft and commercial passenger vessels.



### Sportfishing.

Deep-sea sportfishing is big business in California and San Diego enjoys a major share of that activity.

The local fleet takes a large portion of the State's total sportfishing catch of the larger sport fish – yellowtail, yellowfin, albacore, and giant sea bass. Sportfishing brings new revenue into the region from customers heavily drawn from the Los Angeles metropolitan area, and from a small but important segment of out of state fishermen.

The intensity of sportfishing activities reflects the cyclical nature of the sportfishing operations (half day and full day), and the seasonal nature of sportfishing for certain fish species that produces a winter slack season. The size of the local sportfishing fleet also increases two to three times during the peak period from April to September. Operating schedules for most boats provide for pre-dawn



**Industrial-Business Park** is a land use category that permits a wide range of industrial and business uses sited in development that emphasizes clustering of

buildings, extensive landscaping, landscaping, and shared open space.

Coastal dependent developments, including, but not limited to, Marine Related Industrial or Commercial uses, shall have priority over other developments on or near the shoreline. The development of industrial-business parks can be an asset to the bay region because of the stimulating effect such developments usually have on the local economy by attracting new businesses as well as retaining existing firms that might otherwise leave the area. The industrial-business park area is reserved for the types of industrial activities associated with the manufacture, assembling, processing, testing, servicing, repairing, storing or distribution of products; wholesale sales; retail sales that are incidental to permitted uses; transportation and communication uses; parking; industrial, construction, government and business services; and research and development. The Industrial-Business Park classification will also integrate other land uses within the industrial environment. Such integration is prompted by recognition of the fact that the traditional industrial park, while carefully providing for efficient operation for industrial purposes, typically has ignored many community, employee and tenant needs. This use group would allow industrial, commercial, professional, business service, and recreation uses and facilities.

Hotel, restaurant, integrated meeting and conference space, cultural (museums and similar), specialized retail store, and business-professional office uses would be allowed in a campus setting. Permitted recreational uses include, but are not limited to, landscaped areas, promenades, public walkways, parks, picnic areas, and active sports facilities (where associated with a business park campus and intended for employees). A 1000-foot separation shall be maintained between any childcare facility and any facility using or storing hazardous materials, whichever facility is developed first.

## Public Recreation Use

### Land Use Objectives & Criteria

Parks, plazas, public accessways, vista points and recreational activities on Port lands and tidelands should:

- provide a variety of public access and carefully selected active and passive recreational facilities suitable for all age groups including families with children throughout all seasons of the year.
- enhance the marine, natural resource, and human recreational assets of San Diego Bay and its shoreline for all members of the public.
- provide for clear and continuous multi-lingual information throughout Port lands and facilities to and about public accessways and recreational areas.

### Master Plan Interpretation

A growing population, greater discretionary incomes and more leisure time all contribute significantly to the increasing demand for both active and passive outdoor recreational opportunities. The public recreation opportunities developed on tidelands by the Port District along with the commercial recreation opportunities developed by private investment provide a balanced recreation resource for San Diego Bay. When thoughtfully planned, both public recreational developments and commercial recreational developments benefit from each other as off-site improvements, although as a matter of planning policy, commercial activities within public recreation areas will be limited. Recreational areas must be of the appropriate type and size to be efficiently developed, administered and maintained by the Port District at a reasonable cost. This Plan places primary emphasis on the development of public facilities for marine oriented recreational activities for the purposes of fishing, boating, beach use, walking and driving for pleasure, nature observation, picnicking, children's playing, bicycling and viewing.

**Recreation Area/Open Space** is a category illustrated on the Land and Water Use Element Map to portray a wide array of active and passive recreational areas allocated around the bay. More specific

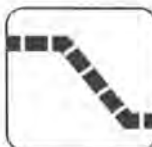
information on public recreational areas is provided at the Planning District level under the following use categories.

**Park, Plaza** is a use category designating landscaped urban type recreational developments and amenities. Users are generally drawn from the region so that access to the site needs to link with regional and statewide roadways, regional bicycle ways, and regional



mass transit, and provide adequate traffic facilities to handle large volumes of traffic and peak use demands. Parks and plazas encourage and accommodate public access to and along the interface zone of land and water. Recreational facilities frequently associated with parks include public fishing piers, boat launching ramps, beaches, historic and environmentally interpretive features, public art, cultural uses, vista areas, scenic roads, bicycle and pedestrian ways, water dependent educational and recreational program facilities and activities, small food and beverage vending, and other park-activating uses that are ancillary to the public uses. Maintenance of park and other landscaped areas shall be provided through integrated pest management and Best Management Practices to avoid or minimize the application of chemicals to such areas.

**Promenade** indicates the shoreline public pedestrian promenade-bicycle route system that is improved with landscaping, lighting, directional and informational signage and other street fixtures, works of art, and seating. Many short trips, especially recreation related, can involve walking or bicycling rather than motorized transportation. There are many assumed benefits of walking and bicycling; it is inexpensive, exerts no adverse impact on the environment, contributes to the physical well-being of the individual, and affords an unfettered opportunity to enjoy the amenities of San Diego Bay. Where feasible, Class I bikeways should be provided consistent with SANDAG's regional Bayshore Bikeway system. A Class I bikeway shall include a



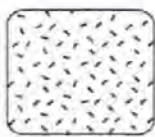
minimum paved width of 8 feet separated from vehicular roadways.

Pedestrian and bicycle facilities located on tidelands should: insure physical access to the water's edge unless safety, security or compatibility reasons negate; be accessible to parking and mass transit facilities; and link appropriate portions of the waterfront for continuous longitudinal access. A variety of route locations is encouraged to extend the pedestrian and bike environment through parks, commercial development and by the working port areas. Special provision for persons with disabilities shall conform to applicable Law.



**Open Space** provides amenities contributing to a more satisfying and stimulating environment. These areas include landscaped traffic inter-change and median strips, and isolated narrow and irregular shoreline areas where use and development potential is severely limited and where publicly placed works of art can enhance and enliven the waterfront setting. The Open Space designation may also include limited use and/or transitional zones from biologically significant resources deserving protection and preservation.

Public access within open space setback areas is limited to passive uses, such as outlooks, picnic areas, and/or spur-trails. Such uses should include interpretive and educational opportunities while allowing coastal access in a manner that will ensure the protection and preservation of sensitive habitat areas.



**Golf Course** is used in Planning District 6 to illustrate this 98-acre land allocation. The continuation of this use is anticipated for the duration of the planning period.



**Open Bay** is a category allocated to water areas adjoining shoreline recreational areas, the boat launching ramp, fishing pier, vista areas and other public recreational facilities where the need for open water is related to the proper function of the shoreside activity. Multiple use of open bay water areas for recreational and for natural habitat purposes is possible under this use category designation.

**Boat Launching Ramp** indicated by symbols on the Planning Maps, provides facilities for launching thousands of trailerable pleasure craft throughout the year for purposes of boating, fishing, regattas, and water skiing. The requirements

for new or expanded launching ramps need to be carefully considered since boat access areas and parking areas for both car and boat trailer consume large land areas. While existing boat launching ramps are to continue operation during the planning period, alternatives other than providing new launching areas should be considered due to the high land consumption involved. Dry stack storage, which accommodates trailerable size boats, is proposed in Planning District 6.



**Public Fishing Pier** areas include the pier structures, necessary land support area adequate for parking and access, and the surrounding water area. Boating activities near the pier, which may interfere with fishing, are discouraged. Commercial activities relating to food and beverage, and bait and tackle sales and rental are generally associated with the



activity. While pier site selections should be based on a number of criteria, including fish species surveys, fish habitat or artificial reef-like improvements are frequently desirable. Three existing piers are used by fishermen at all hours of the day and night currently. Three more piers are recommended in Planning Districts 2, 3 and 6. Fishing piers are indicated by symbol on the Land and Water Use Maps.



**Public Access** has been highlighted by symbol on the Plan maps for public recreational areas. The development of these physical accessways is only one of the four access categories established in this Plan and discussed in Section III of this document.



**Vista Areas** include points of natural visual beauty, photo vantage points, and other panoramas. It is the intent of this Plan to guide the arrangement of development on those sites to preserve and enhance such vista points. Major vista areas are indicated by symbol on the Plan maps.

## Conservation

### Land Use Objectives & Criteria

Natural marine resource utilization activities on tidelands should:

- be planned and located so as to present minimum conflicts with existing and proposed incompatible uses.
- promote the multiple utilization of the unique plant, shellfish, fish and wildlife resources of the bay.
- encourage the protection and restoration of functional areas which have a high ecological value.
- be accessible to the public for non-appropriative uses consistent with nature interpretive functions.
- enhance the open space character of San Diego Bay.

### Master Plan Interpretation

Areas included in the conservation group are scheduled for little or no development. The intent is to preserve, maintain and enhance natural habitat areas so that biological productivity will be sustained.

Areas of extraordinary biological significance are identified and given special protection under four categories of use: wetlands, estuary, salt ponds and habitat replacement. Much of the shallow water areas located in the South Bay are considered to have great potential for restoration.



#### Wetlands

Wetland areas are undeveloped arealands having high biological productivity that are alternately covered with water and exposed to air. ~~They occur in the South Bay in Planning Districts 7 and 9. Wetlands total 392 acres, although the delineations isare~~ conceptual in nature and may fluctuate with changing natural cycles.

Wetlands may house unique forms of life, some species of which are considered rare or endangered. In any case, they are recognized

in the plan as important natural habitat for microscopic plant and animal life which form basic food for larger fish. They also provide breeding and nesting sites for migratory or native birds.

Wetlands are to be preserved, protected and, where feasible, restored. Development shall be limited to restoration, nature study or similar resource-dependent activities. Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Any diking, filling or dredging occurring in these areas shall maintain or enhance functional capacity of the wetlands.

The Wetlands designation may include required wetland buffers from delineated wetland areas. Where new development is proposed near an identified wetland, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian wetlands habitat must be provided. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. The CDFG and USFWS must be consulted in such buffer determinations and in some cases the required buffer, especially for salt marsh wetlands, could be greater than 100 feet. Development within wetland buffers is limited to minor passive recreational uses, such as outlooks, and/or spur-trails, with fencing, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area. Such improvements should include interpretive and educational opportunities while allowing coastal access in a manner that will ensure the protection and preservation of these sensitive habitat areas.

This land use designation may include areas designated for mitigation, or areas that have been identified for potential wetland enhancement, restoration and/or creation opportunities. Such mitigation would be implemented in conjunction with development projects, or could be implemented and banked for use as mitigation for future development projects.



An **Estuary** is the confluence of a river with the ocean, especially an area of the sea at the lower end of a river. In the

Master Plan, estuaries comprise the shallow, sub-merged areas of South San Diego Bay and are valuable in much the same way as are wetlands. The warm shallow water nurtures microscopic plants that are eaten by the small fish inhabiting the estuary.

The Otay River, historically the source of the South Bay estuary, now contributes little fresh water to the area; however, natural tidal fluctuations provide some salt-water exchange. The northerly extent of the estuary area occurs where development in the form of dredging has deepened the water to a point where the productivity and its biological importance is significantly reduced. Estuary designation is found in Planning Districts 7, 8 and 9.

Development in estuaries is limited to new or expanded boating facilities (including entrance channels), intake and outfall lines, restoration work, nature study, aquaculture, and resource-dependent activities. Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats, and water circulation. Diking, filling or dredging in existing estuaries shall maintain or enhance the functional capacity of the wetland or estuary.

Use of the water surface for boating, fishing and similar water oriented recreational uses is also permitted; however, efforts should be made to reduce potential environmental damage.



**Salt Ponds** occupy the extreme southerly end of San Diego Bay (Planning District 9).

The shallow, diked ponds are used to produce salt by solar evaporation. The ponds and dikes have proved to be suitable habitat for many bird species, providing nesting, resting and specialized feeding areas for local and migratory aquatic birds.

A continuation of salt production is proposed in the South Bay. This activity provides for salt production, maintains bird habitat, and

provides open space and vistas, which enhance the appearance of the South Bay. Reutilization of some salt ponds for mariculture uses has potential for development. See Planning District 9 description for further information.

### **Habitat Replacement**

~~an area of about 55 acres, is delineated in Planning District 7 for the creation of a marsh island to be used to replace wildlife habitat removed during other development around the bay.~~

~~This project is under construction.~~ Habitat replacement refers to the concept of recreating, as closely as possible, the type of environment conducive to the maintenance, protection and growth of wildlife species deemed important. This might include endangered species as well as



~~economically~~ environmentally significant wildlife.

Uses which conflict with the above objective would be prohibited in habitat replacement areas. After creation of the area by diking, dredging and filling, the only activities which would be permitted would be nature study, academic research and instruction related to the area, and similar resource dependent activities. It is not anticipated that public access would be provided or allowed unless detrimental environmental conflicts could be avoided.

## **CHULA VISTA BAYFRONT: Planning District 7**

Planning District 7 includes all Port District lands within the City of Chula Vista. As shown on the Precise Plan map (Figure 19), these District lands extend beyond the U.S. Pierhead Line (the usual Port District boundary) to the city limits.

Historically, harbor development in the South Bay has lagged behind the North Bay because of shallow water, distance from the harbor entrance, environmental concerns, and other factors. However, by about 1990, Port land on the Chula Vista Bayfront had been developed into public parks, excursion pier, boat launching ramp, recreational vehicle (RV) park, marinas, boatyards, warehouses, and a recreated wildlife habitat island. Police and emergency waterborne services are provided to the South Bay from the Harbor Police substation near the boat launching ramp. The Chula Vista Bayside Park Pier provides public fishing and large vessel berthing, and the Marina Parkway Pier provides berthing and landside automobile parking for users. The major development on the Chula Vista Bayfront ~~is—was an aircraft parts manufacturing plant, which occupies occupied~~ both District lands and uplands, that has consolidated its operations north of H Street and now occupies only uplands.

Marine and biological resources are abundant throughout the entire planning district, primarily due to its proximity to San Diego Bay and the estimated 3,940-acre South San Diego Bay National Wildlife Refuge.

Over recent years, the Port has acquired approximately 291 acres of uplands in this planning district, including the former Goodrich South Campus, park area, and properties at the south end of the planning district containing the existing switchyard and power plant. Most recently, as part of the Chula Vista Bayfront Master Plan (CVBMP) and in an effort to improve land use compatibility at the north and middle portions of the planning district, the Port completed a land exchange with a private entity. The exchange enables residential and non-trust related retail and office development to occur on approximately 35 acres of former Port properties now under the City of Chula Vista's

(City) jurisdiction, and places approximately 97 acres of land at the north end of the planning district, formerly under the City's jurisdiction, within the Port's trusteeship and jurisdiction. In addition, the City has acquired from the Port a vacant parcel for a proposed fire station. Planned uses for the acquired land areas are further described in each of the planning subareas.

### **Precise Plan Concept**

With the goal of transforming the planning district into a world-class bayfront, the Port developed the Chula Vista Bayfront Master Plan (CVBMP or plan) in 2005. The CVBMP resulted from a cooperative planning effort with the City of Chula Vista, which involved extensive public outreach and community participation.

The CVBMP is intended to guide the development of approximately 556 acres of the Chula Vista Bayfront over the next 24-year period. The Pplan Concept for District lands—proposes a multiple-faceted land use allocation within this Pplanning Ddistrict, including environmental conservation and development of public park and commercial recreational uses. The Proposed development proposal—emphasizes public waterfront amenities and public accessto enhance the bayfront's natural and economic resources. The plan increases public access opportunities while restoring and protecting natural resources, serving to attract visitors from outside the region as well as local residents to use the marine related recreational facilities and public areas. Additionally, the plan strengthens the bayfront's connection to the Chula Vista urban core and neighborhoods to the east by extending the City's traditional street grid to ensure pedestrian, vehicular, bicycle, and transit, and water linkages. Recreation boating marinas have been developed to meet part of the —increasing— regional— demand— for recreational boating and wet storage marinas. A recreational vehicle park provides short-term parking spaces for visitors so they can enjoy the Chula Vista Bayfront. Other public recreational opportunities can be found in the large Bayside Park, the public boat launching ramp and its existing peninsula, and Marina View Park.

Although planning policy encourages marine-related industrial uses, the plan provides the flexibility to attract new industrial, and business-commercial, and commercial recreational development to this planning district. To accomplish this goal, the plan allocates a large amount of land in the Chula Vista Bayfront Planning District for Commercial Recreation, and some area for Industrial-Business Park use. Much of the land is currently vacant or underutilized. As the South Bay regional economy expands in the future, the Commercial Recreation and Industrial-Business Park designations will both stimulate and accommodate appropriate industrial and commercial redevelopment, thereby enabling the Chula Vista Bayfront to realize its full potential.

The Plan provides for a range of development options from complete industrial to complete commercial, with the most likely a combination of both land use types. Two possible scenarios are presented in this plan. One scenario concentrates on industrial development for the approximately 80 acres of Industrial-Business Park zoned land, with up to one million square feet of floor area. Approximately 20 of these acres are expected to be allocated to a 250,000 square-foot biomedical and pharmaceutical manufacturing plant employing about 400-600 people.

The second scenario consists of a combination of industrial and commercial development on the 80 acres. A parcel of approximately 14 acres located to the north of "H" Street and to the east of Marina Parkway is already developed for industrial purposes. The remaining 66 acres of Industrial-Business Park land would be available for up to 600,000 square feet of commercial buildings.

Both scenarios provide for the extension of "H" Street from its present terminus to Bayside Parkway, as well as associated public accessways, landscaping, and park/open space areas. Public access from H Street extended, G Street, and Bayside Parkway would be maintained and enhanced.

The plan proposes to redevelop underutilized and vacant areas with a mix of land uses, along with a new roadway and infrastructure system throughout the planning district. A variety of public amenities are proposed, including: a signature park and other open

space areas, buffers, cultural uses, piers, a new commercial harbor and reconfiguration of marina slips, a community boating center, a ferry terminal, navigation channel improvements, an RV park, a continuous and comprehensive pedestrian pathway system, bicycle paths, ample parking areas, and public art. Proposed development includes hotel and conference facilities, retail/entertainment, cultural (museums and similar uses), and marine related office. A maximum of 2,850 hotel rooms are allowed within the boundaries of the CVBMP.

There are a multitude of existing and proposed recreational opportunities within the planning district. Recreation boating marinas have been developed to meet part of the increasing regional demand for recreational boating and wet storage marinas. An RV park provides short-term parking spaces for visitors to enjoy the Chula Vista Bayfront. Other public recreational opportunities can be found at the large Bayside Park that includes a public fishing pier, the Chula Vista Bayfront Park with its public boat launching ramp, and Marina View Park. Planned recreational improvements include two new large parks, enhancements to existing park areas, a new pier, as well as a continuous open space system that is fully accessible to the public and seamlessly connects the bayfront to the region. This open space system will create a comprehensive greenbelt linkage throughout the entire planning district with a continuous pedestrian walkway, or "baywalk", and a bicycle path that would tie into the regional Bayshore Bikeway system. Where appropriate, Class I bicycle paths, including 8-foot minimum paved widths separated from vehicular roadways, will be provided. The CVBMP emphasizes an active commercial harbor with public spaces at the water's edge as well as enhanced existing and newly created visual corridors to the bay.

The plan also includes buffers adjacent to environmentally sensitive resources in order to ensure such habitat areas are protected and preserved. Best management practices and natural retention basins will be implemented throughout the planning area to prevent degradation to sensitive areas and to curb storm water pollution to the bay. Additional measures for the protection of natural resources and the environment, including specific planning, design, education,

implementation and management elements have been incorporated into the CVBMP.

To ensure adequate coastal access is provided for the public, the CVBMP requires appropriately allocated on-site parking spaces to be developed with bayfront commercial and recreational uses. Additionally, commercial development throughout the planning district is required to participate in and contribute a fair share to the implementation of an employee shuttle system that connects users to a collector parking structure located near Interstate 5, thereby ensuring the availability of bayfront parking for the public. In the Harbor District, typical parking requirement standards for high intensity uses may be reduced if it can be demonstrated that the use will be adequately served by alternative transit.

In addition, the Chula Vista Bayfront Shuttle service will be phased concurrent with development. At a minimum, service will be provided upon the issuance of Certificate of Occupancy for either the H-3 resort conference center hotel or the 500<sup>th</sup> residential unit in the City CVBMP area. Implementation of the shuttle is anticipated to include participation by commercial development within the plan area.

These scenarios are cited to indicate only the magnitude or possible range of development. The ultimate use will depend on the development market and on opportunities created by more flexible land use classifications. Implementation of the CVBMP is envisioned to occur in four phases over the next 24 years, and will be contingent upon and subject to many factors, such as availability and timing of public financing and construction of public improvements, terms of existing long-term leases, actual market demand for and private financing of proposed development, lease negotiations, approvals for and demolition and/or relocation of existing uses, approvals for new uses, and other approvals.

Redevelopment of the Chula Vista Bayfront is guided by the "Chula Vista Bayfront Development Policies" document, which is incorporated into this document by reference. The "Chula Vista Bayfront Development Policies" document contains policies from

adopted and approved plans, certified environmental documents, required mitigation measures, enforceable settlement agreements, and conditions included in the approval process. All development projects must comply with these policies and standards. Implementation of the "Chula Vista Bayfront Master Plan Public Access Program", which is also incorporated into this document by reference, must occur as redevelopment takes place.

## **Land and Water Use Allocations**

A total ~~1,690~~ of 1,978 acres of Chula Vista Bayfront are allocated to commercial, industrial, public recreation, conservation, and public facilities activities (Table 18).

### **Chula Vista Bayfront Planning Subareas**

Nine planning subareas have been delineated (see Figure 20) to facilitate a description of the plan planning district.

#### **D Street Area**

The D Street Area includes approximately 63 acres of land and water area designated for Habitat Replacement, Estuary, Open Bay, Boat Navigation Corridor, and Ship Navigation Corridor uses. A 33.2-acre portion of the northwest corner of the City of Chula Vista lies within Port District jurisdiction. Under the pPlan, tidelands have been reserved for uses which would take advantage of the deep water channel in the Sweetwater Flood Control Channel, and for the habitat—Habitat replacementReplacement.

It is intended that the tideland uses will not only utilize the valuable deep water to a high potential and provide the income to develop public recreation areas, but will establish a buffer zone between the National City Marine Terminal (with its associated industrial uses) and the ultimate use of the uplands. The D Street Fill area adjacent to the Sweetwater Flood Control Channel, designated as Estuary, mitigates the loss of intertidal and shallow sub-tidal habitat resulting from the National City Marine Terminal Wharf Extension project.

## ***Gunpowder Point Shoreline***

Between the D Street Area and G Street lies a very small sliver of land (2 acres) and a broad intertidal mud flat. This area will be preserved as wetlands and has been designated as such, as discussed in Section III under the Conservation category. This subarea totals approximately 223 acres and includes mostly land area designated for Wetlands use, along with some water areas designated as Estuary. To provide for the long-term protection and management of the sensitive habitat known as the Sweetwater Tidal Flats (running north from the boatyard to the Sweetwater River Channel), the Port will enter into a cooperative agreement with the US Fish and Wildlife Service that will address the placement of educational and enforcement signage, long-term maintenance, and additional protection measures such as increased monitoring and enforcement. The cooperative agreement will be executed prior to development commencement in the Sweetwater or Harbor districts.

## ***Chula Vista Bayfront Master Plan***

The CVBMP planning area consists of the northern Sweetwater District, the middle Harbor District, the southern Otay District, Chula Vista Harbor, and Boat Channel subareas. The Sweetwater District proposes the lowest intensity development and focuses on lower scale, environmentally sensitive and ecologically themed uses. In contrast, the Harbor District is intended to provide a significant link from the City to the bayfront and includes the highest intensity development. Lastly, the Otay District proposes moderate intensity mixed-use development. Each of the districts contain substantial amounts of open space and public amenities, and are seamlessly connected by greenbelt linkages that include pathways for pedestrians and bicyclists. A maximum of 2,850 hotel rooms are allowed within the boundaries of the CVBMP. Each CVBMP district, or planning subarea, is further described below.

## ***Sweetwater District***

The Sweetwater District, acquired by the Port as part of the aforementioned land exchange,

is approximately 97 acres in size and is generally undeveloped and consists predominantly of fallow fields.

Public spaces and development planned for this subarea focus on lower scale, environmentally sensitive and environmentally themed uses. Land use designations include Open Space, Habitat Replacement, Wetlands, Park/Plaza, Commercial Recreation, and Promenade.

Undeveloped land along the northern and western boundaries of the district will be established as a 400-foot-wide buffer/setback area. The buffer/setback is intended to preserve and protect the adjacent Sweetwater Marsh Wildlife Refuge from planned development and to provide a gradual transition from undeveloped native landscape to developed areas. From west to east, the buffer/setback area consists of a 200-foot-wide "no-touch" zone, a 100-foot-wide "limited use" zone, and a 100-foot-wide "transitional use" zone. The no-touch zone primarily consists of wetland and upland habitat. To prohibit access by the public and nuisance predators into the sensitive habitat areas, the eastern boundary of the no-touch zone will include six-foot-high vinyl-coated chain link fencing. Fence installation shall include land contouring to minimize visual impacts of the fence. The limited use zone will contain outlook stations, open space areas, and a meandering trail system. The transitional use zone will accommodate increased recreational uses such as picnic areas and trails, and consists of revegetated open space. The southwestern portion of the buffer, which is designated as Wetlands, consists of lands identified for potential enhancement, restoration or creation of wetland mitigation areas. The outlook stations, which will be connected by meandering trails designated as Promenade, will provide viewing areas of the bay and wildlife, and will include educational elements such as kiosks, sculptures, or interpretive signs.

In addition, a 21-acre signature park is proposed with greenbelt linkages to park areas in the Harbor District. The park is envisioned as a passive use, meadow-type open space with amenities such as: landscaping, lighting, restrooms, drinking fountains, bicycle racks, children play areas, picnic areas, benches, trash receptacles,

interpretive signage, landscaped berms, public art, decomposed granite paving, and parking. The park is to be passive in nature, be low-impact and contain minimal structures. Allowed structures include restrooms, picnic tables, shade structures and overlooks, and are limited to single-story heights. No athletic field amenities or unattended food vending will be allowed. The park will utilize low water-use ground cover alternatives where possible and trails will not be paved. Due to the immediate adjacency to sensitive habitat areas, amplified sound equipment and issuance of park use permits for group events will be prohibited. The signature park parcel is assigned the Park/Plaza land use designation.

At the northern end of the district, planned development includes: a low-scale, low profile, lower-cost overnight accommodations, such as a campground and/or RV park and limited meeting space, food service, and retail shops associated with the development. Other uses include a parking area and access road for the Chula Vista Nature Center; and a low-intensity mixed use commercial recreation/marine related office development of approximately 60,000 to 120,000 square feet in size. Building heights in the Sweetwater District range from one-story on the north side of the E Street extension to 45 feet on the south side of E Street. An approximately 100-foot-wide buffer will separate the existing seasonal wetland, located between E and F Streets, from adjacent development.

Roadway improvements planned include the extension of E Street into the Harbor District, and re-routing of the terminus of F Street to connect to the E Street extension. A trail connection west of the F Street terminus will be limited to emergency vehicles and pedestrian and bicycle access. Each of the new roadways, as well as the connecting trail, include the Promenade land use designation to indicate pedestrian and bicycle connections to the rest of the planning district.

### **Harbor District**

The Harbor District includes a total of approximately 223 acres of land area, of which approximately 191 acres lie within District jurisdiction. As a result of the land exchange previously described, an interior

portion of this subarea falls under the City's jurisdiction and is intended for private residential, general office, retail and hotel development – all of which has been planned in conjunction with the CVBMP.

The Harbor District encompasses the greatest diversity of existing uses, including the majority of the planning district's developed commercial uses and areas accessible by the public. Existing uses include a boat yard, yacht club, marinas, restaurants, RV park, former industrial and supporting parking facilities, and waterfront parks.

Proposed development in the Harbor District is the highest intensity of the plan and encourages an active, vibrant mix of uses and public spaces. Land use designations within this subarea include Open Space, Wetlands, Park/Plaza, Commercial Recreation, and Promenade. Up to 2,850 hotel rooms are proposed in the Harbor District at two separate sites. The exact number of rooms may be allocated among either site, up to the 2,850 room maximum for the Harbor District.

Public amenities in this subarea include Park/Plaza-designated land areas, which include the existing Bayside Park that will be improved as a 25-acre extension of the signature park with similar amenities, such as lighting, sculptures, restrooms, interactive fountains, plaza areas, drinking fountains, bicycle racks, tot lots, picnic areas, benches, trash bins, interpretive signage, a sculpture garden, landscaped berms, public art, decomposed granite paving, and open lawn area. The park area could also include cultural uses; small food and beverage vending; and other park-activating ancillary uses. Allowed structures include restrooms, picnic tables, shade structures and overlooks, and are limited to single-story heights. Other public spaces to remain in the subarea include the existing Marina View and Chula Vista Bayfront Parks, both designated as Park/Plaza, and the existing fishing pier. The existing boat launch ramp, restrooms, and Harbor Police facility within Chula Vista Bayfront Park will remain. In contrast to the passive use emphasis of the Sweetwater District park areas, parks within the Harbor District are planned to accommodate flexible spaces and programmable elements that allow for more active uses or events.

Shoreline erosion protection is provided by stone rip-rap. Both the beach and the rip-rap require periodic maintenance. The park terminates at the Chula Vista Bayside Park Pier, which provides protective wave attenuation for the marina, berthing for vessels, and access for fishing.

The land lying north of G Street-E Street South is designated for Commercial Recreation, Park/Plaza, Open Space, and Wetlands, except for the conservation adjacent designation of Wetlands, Open Space, and Habitat Replacement. The 100-foot-wide Open Space designation north of the expanded park area abutting the area designated Commercial Recreation (the site of an existing boatyard) would serve as a buffer between future commercial development adjacent to and the surrounding adjacent habitat. The extent of buffer coverage will depend upon future resource conditions and will be reevaluated as new development proposals are submitted. The parcels formerly designated as Marine Related Industrial are envisioned to be part of a future redevelopment project which is planned to be compatible with the surrounding conservation land uses. The public promenade will be extended along the entire water frontage of the Commercial Recreation site. The existing boatyard use may continue to operate until the site is redeveloped to a conforming Commercial Recreation use. Prior to redevelopment, additional boat repair capacity will be identified. The shoreline south of G Street has been developed as an extension of the Chula Vista Bayside Park, with promenade, restrooms, parking, landscaping, lawn areas, and picnic facilities. The Bayside Park shoreline promenade will, as a long-term objective, be extended along the Chula Vista Harbor to connect with the promenade on the Marina Way arm.

The anchor component of the district is a large resort conference center proposed just east of Bayside Park. The resort conference center will be a destination attracting visitors from, and providing public amenities to, the region. The resort conference center will include a portion of the allowed 2,850 rooms in the Harbor District, approximately 100,000 square feet of restaurant space, approximately 20,000 square feet of retail, a conference

center with up to approximately 415,000 square feet of meeting space (with a maximum of 200,000 square feet of contiguous exhibit and flex space in a single enclosed room), expansive open space areas, and other ancillary uses. The maximum heights for the resort conference center components are 240 feet for the hotel and 120 feet for the convention center. The bayward half of this site will be developed with public open space upland of E Street, and a specialty retail shopping village consisting of low-scale commercial retail buildings interspersed with plazas, landscaping, public art and other pedestrian oriented public amenities. Any proposal to construct more than 1,600 rooms as part of the resort conference center will require evaluation of the impacts areas needing additional analysis and the need for additional mitigation measures to reduce significant impacts, if any, associated with any increase in rooms. Development of the resort conference center site will require the relocation of the existing RV park. None of the existing RV sites will be removed until an equivalent number of RV sites are constructed and operating within the planning district. The replacement RV park will be located on either parcel O-3 or S-1. In the event the replacement park cannot be opened to visitors prior to closing the existing RV Park, an interim site with an equivalent number of RV sites will be established and opened elsewhere in the CVBMP at parcels S-1, H-23, or in the Otay District.

South of H Street, the plan allows for a hotel with conference room, retail, and open space, and other ancillary hotel uses. The hotel will include a portion of the allowed 2,850 rooms in the Harbor District. An additional 200,000 square feet of cultural/retail uses and integrated open space would be developed on the site. East of this site, the plan includes approximately 100,000 square feet of mixed-use commercial recreation/marine related office uses wrapped around a 1,100- to 3,000-space collector parking garage. The garage is intended to function as remote employee and/or visitor parking to supplement on-site parking needs for bayfront businesses. -The garage site may be utilized as an interim surface parking lot with approximately 1,100 spaces during Phase I. Heights in the Harbor District will not exceed 25 feet (30 feet with architectural or mechanical features)

immediately adjacent to the water, with a maximum height of 300 feet away from the shoreline.

A new ferry terminal/restaurant is proposed on the harbor that will provide water transportation linkages to the central portion of the bay. New visitor-serving retail and marina support uses totaling approximately 25,000 to 50,000 square feet will be established around the northern periphery of the harbor. An additional approximately 75,000 to 150,000 square feet of retail and marina support uses and parking are planned around the south end of the harbor. Marina support uses may include: offices, restrooms, showers, lockers, ship chandlery, boat/bicycle rentals, bait and tackle sales, delicatessens, and snack bars. Only water dependent uses such as docks can be constructed in or over the water; retail and restaurant uses must be located on land. The waterside components of the marinas are further described as part of the Chula Vista Harbor subarea.

Roadway improvements include the extension of H Street that will connect to the E Street extension in the Sweetwater and Harbor districts. The H Street extension, which will end with a pedestrian connection and a new pier, will provide a significant link from eastern Chula Vista to the waterfront. Modifications to Marina Parkway and new access roads are also proposed throughout the Harbor District.

Construction of a new, approximately 60-foot-wide, 36,000-square-foot pier is proposed at the terminus of the extended H Street corridor above existing open water area. The 600-linear-foot pier would connect downtown Chula Vista to the Bay via H Street, and would enhance pedestrian and visual access to the water and offer picturesque views of San Diego Bay. Approximately half (300 linear feet) of the H Street Pier would be developed in Phase II at a length just short of the existing navigation channel. The remainder of the H Street Pier would be constructed in Phase IV, following realignment of the existing navigation channel. Development and uses on the pier may include small scale amenities such as a bait shop or snack bar.

A minimum wide 25-foot-wide shoreline pedestrian promenade or "baywalk" is planned to wrap around the perimeter of the park and

harbor front businesses, connecting the pedestrian and bicycle greenbelt linkage to the other subareas, while maximizing public visual and physical access to the water. The baywalk will contain public amenities such as pedestrian-scale landscaping, lighting, and furniture, providing public seating and gathering spaces while offering views of the harbor. Private uses shall not encroach into the public walkway, and view corridors through the site towards the bay will be incorporated into the project design.

The eastern areas of the district within existing right-of-way/easement areas are planned for landscaping and pedestrian/bicycle trails as part of the greenbelt system that will link to the rest of the City.

### **G Street Corridor**

The land lying north of G Street is designated for Commercial Recreation, except for the conservation designations of Wetlands and Habitat Replacement, which would serve as a buffer between future commercial development adjacent to the surrounding habitat. The extent of buffer coverage will depend upon future resource conditions and will be reevaluated as new development proposals are submitted. The parcels formerly designated as Marine Related Industrial are envisioned to be part of a future redevelopment project which is planned to be compatible with the surrounding conservation land uses. The public promenade will be extended along the entire water frontage of the Commercial Recreation site.

The existing boatyard use may continue to operate until the site is redeveloped to a conforming Commercial Recreation use. Prior to redevelopment, additional boat repair capacity will be identified. The shoreline south of G Street has been developed as an extension of the Chula Vista Bayside Park, with promenade, restrooms, parking, landscaping, lawn areas, and picnic facilities. The Bayside Park shoreline promenade will, as a long-term objective, be extended along the Chula Vista Harbor to connect with the promenade on the Marina Way arm.

Shoreline erosion protection is provided by stone rip-rap. Both the beach and the rip-rap require periodic maintenance. The park

terminates at the Chula Vista Bayside Park Pier, which provides protective wave attenuation for the marina, berthing for vessels, and access for fishing.

Approximately 11 acres of vacant land bounded by Marina Parkway, G Street, Bayshore Parkway, and Bayside Park has been designated as the site for initial development of the biomedical-pharmaceutical manufacturing plant mentioned in the Precise Plan Concept for the Chula Vista Bayfront. Ultimately, the plant will include another ten acres of land east of Sandpiper Way in the Marina Parkway Corridor subarea.

### ***Marina Parkway Corridor***

Most of the Marina Parkway Corridor subarea is either vacant or leased to an aircraft parts manufacturer. Under the plan concept, H Street will be extended from its present terminus to Marina Parkway, creating a third major entry into the Chula Vista Bayfront.

All of this planning subarea has been designated for Industrial-Business Park uses (except the small area to the south that is part of Marina View Park). When future economic conditions change to stimulate redevelopment demand, this demand can be accommodated under the Industrial-Business Park classification. As mentioned in the Plan Concept section of this planning district, the proportion of industrial or commercial development, which would ultimately be allocated would depend on the type and amount of uses attracted to the Bayfront. The property north of H Street, which is currently leased to an aircraft manufacturer, would likely be retained in industrial use, however.

### ***Bayside Parkway Area***

The Bayside Parkway planning subarea contains two uses: a recreational vehicle park, under the Commercial Recreation use category, and a shoreline recreation park, shown on the precise plan as Park.

A nine-acre shoreline park fronts on both the boat access channel and the boat basin. Park uses include a landscaped leisure site for local residents and visitors, a restful lunchtime picnic spot for nearby workers, and a recreational resource for the public. To

provide additional access to the coast, a promenade is shown coming off the access street and continuing around the park back to Marina Parkway.

### ***Chula Vista Harbor***

The basin created by dredging and filling at the south end of the Planning District is used primarily for recreational boat berthing. The Chula Vista harbor basin includes approximately 50 acres of water area and is protected by two structures: a 300-foot-long rock breakwater extending north from the Marina Way arm and a 650-foot-long wave attenuation pier extending south from Bayside Park. They are separated by about 200 feet of channel. The harbor is currently occupied by two marinas totaling approximately 900 boat slips. The existing Chula Vista Boat Launch has been upgraded with additional shore protection.

An essential component of the CVBMP is the creation of an active commercial harbor that encourages public access to the water and activity on the water. To facilitate the development of this activated harbor, the existing marina boat slips will be reconfigured to create an approximately 4-acre open water area. Of the existing 900 marina slips, 700 slips would be reconfigured within the existing harbor at HW-1 and HW-4, and 200 slips would be relocated to HW-6. The new open water area will enhance boating activity on the water and is envisioned to be utilized for ferry loading and unloading, water taxis, dinner boats, harbor cruises, visiting historic vessels, and boat rentals. The reduction in boat slips may only occur if replacement slips are provided elsewhere within the CVBMP.

Prior to approval of any changes in the slip size or distribution, the Port will undertake an updated comprehensive boater use, slip size, and slip distribution study which is no more than five years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Bay as a whole. The Port will continue to provide a mix of small, medium and large boat slips based on updated information from the comprehensive study with priority given to

boats less than 25 feet in length and a goal of no net loss in number of slips within the CVBMP. Should future projects propose reducing the number or proportion of small slips for boats 25 feet or less within the Chula Vista marina, a Port Master Plan amendment will be required.

Landside improvements around the harbor, including commercial development and public amenities, are further described above in the Harbor District subarea.

The water areas within the Harbor have been designated as Recreational Boat Berthing, Specialized Berthing, and Boat Navigation Channel.

Two marinas occupy most of the boat basin. One, occupying about four acres of land on Marina Parkway, has about 560 slips in the north half of the basin. The other, south of the first, occupies almost three acres of land and has room for 350 boats. Both marinas have facilities, for the convenience of their patrons.

The commercial recreation area is developed with a restaurant and associated marine sales and service establishments. Since many potential customers come from the nearby marinas, parking needs are reduced. The design provides a visual focal point and identification symbol for the boat basin.

The vacant six-acre parcel north of Marina Way will be developed with Commercial Recreation uses compatible with the existing marinas. A hotel/motel of approximately 200 rooms, with a restaurant and ancillary retail shops, is anticipated.

The Chula Vista Boat Launch has been upgraded with additional shore protection, landscaping and picnic facilities. Public access to the water is provided by a promenade around the outside edge of the arm. The entire south edge of the arm is designated as a leisure park, offering landscaped viewing areas and additional parking.

### **Otay District**

The Otay District is approximately 124 acres in size and includes recently acquired upland

areas. This subarea was characterized by industrial uses, including the existing SDG&E electrical switchyard and South Bay Power Plant. Uses within this district will be designed in consideration of the adjacent sensitive habitat areas.

The proposed development for the Otay District consists of a mix of uses, including industrial and low-cost visitor serving recreational uses. The extreme northern and southern parcels are designated for Industrial Business Park use. The southern Industrial Business Park parcel could include industrial distribution and related facilities, or other uses allowed under the Industrial Business Park designation. Land use designations for this subarea include Open Space, Park/Plaza, Habitat Replacement, Wetlands, Industrial Business Park, Commercial Recreation, and Promenade.

A new approximately 24-acre passive South Park is proposed and will include amenities such as: pedestrian trails, landscaping, berms, lighting, restrooms, drinking fountains, benches, picnic areas, outlook areas, trash receptacles, public art, filtration basins, and parking. The park is to be passive in nature, be low-impact and contain minimal structures. Allowed structures include restrooms, picnic tables, shade structures and overlooks, and are limited to single-story heights. No athletic field amenities or unattended food vending will be allowed. The park will utilize low water-use ground cover alternatives where possible and trails will not be paved. Due to the immediate adjacency to sensitive habitat areas, amplified sound equipment and issuance of park use permits for group events will be prohibited.

Abutting the north side of this park area is Commercial Recreation-designated property that is intended to provide low-cost visitor serving recreational uses. This area may be developed as an RV park that will include approximately 237 RV parking spaces and ancillary uses such as offices, pool/spa, snack bar, general store, meeting space, game room, laundry facilities, and playground equipment. Both parcels could allow for camping activities. The existing concrete Telegraph Canyon Creek channel is proposed to be replaced with a more natural vegetated channel. Efforts to naturalize and vegetate the

creek will be maximized as is consistent with its function as a storm water conveyance.

A buffer/setback area will be provided along the western boundary of the district between J Street and the RV park. The buffer/setback area will consist of a 100 to 200-foot-wide no-touch zone, within which public access is prohibited, to protect the adjacent J Street Marsh and wildlife reserve from proposed development. The buffer/setback area, which is designated as Habitat Replacement and Wetlands, will be utilized for wetland and upland habitat mitigation and will prohibit public access. To prohibit access by the public and nuisance predators into the sensitive habitat areas, the eastern boundary of the no-touch zone will include six-foot-high vinyl-coated chain link fencing. Fence installation shall include land contouring to minimize visual impacts of the fence.

The construction of the northern Industrial Business Park parcel, South Park, and RV park in this district is subject to demolition of the existing power plant, and demolition and relocation of the existing switchyard.

New roadways will be constructed throughout the Otay District to serve new uses. A new bike path is proposed alongside the new roadways. A shoreline pedestrian trail is proposed in the Otay District, and its design will ensure protection of the adjacent sensitive habitat areas. Like the Harbor District subarea, the eastern portion of this subarea within existing right-of-way/easement areas are planned for landscaping and pedestrian/bicycle trails that will connect to the shoreline pedestrian and bike trail in the Otay District. This district will also contain parking areas. The pedestrian/bicycle trail in the Otay District will be part of the greenbelt system that will link the CVBMP area together, and link it to the rest of the City greenbelt.

### **Boat Channel**

The water area directly west of the Chula Vista Bayfront is occupied by the main boat channel providing access to the harbor, which is designated Boat Navigation Corridor on the Precise Plan. Areas outside the channel will remain in the Estuary category.

The CVBMP proposes to realign and straighten the existing navigation channel in order to increase accessibility to the harbor. The realignment will utilize an existing abandoned access channel and remove the "dog leg" portion of the current channel, thereby enhancing boat access between the Chula Vista Harbor and the northern portions of San Diego Bay. In addition, the new channel will be located farther away from sensitive resources located along the shoreline west of the Sweetwater District.

### **Outer South Bay**

The remaining water area in Chula Vista is scheduled to stay designated as estuary. Limited surface water use for boating and fishing, for example, will be permitted but other uses will be discouraged.

### **Wildlife Reserve**

South of the Chula Vista Harbor lies a large tidal mud flat, the San Diego Gas and Electric Company (SDG&E) dike, and the South Bay Wildlife Reserve, a 55-acre island which was built from dredged material and where native habitat has been established. The Master Plan has ~~four~~ three designations for this subarea: Wetlands, Estuary, and Habitat Replacement, ~~and Marine Related Industrial.~~

The Wetlands (refer to the Master Plan Interpretation section on Wetlands, ~~page 33~~), includes the area known as the J Street Marsh and is roughly the mud flat and marsh area exposed to air during low tide. It is undeveloped, except for a small channel that was used as a water intake trough for the SDG&E thermal power plant. The function of the SDG&E dike is to separate this cool water intake from the warm water outfall area located on the south side of the dike. Other than potential habitat restoration activities, no alterations to the former existing intake/discharge channel area are proposed; however ~~it~~ is the intent of this plan to preserve the surrounding wetlands in their natural state but to retain and maintain the intake channel. To provide for the long-term protection and management of the J Street Marsh sensitive habitat area, the Port will enter into a cooperative agreement with the US Fish and Wildlife Service that will address the placement of educational and enforcement

signage, long-term maintenance, and additional protection measures such as increased monitoring and enforcement. The cooperative agreement will be executed prior to the redevelopment of the Otay District.

Estuary refers to the shallow water outward of the wetlands which is not exposed at low tide. This area will not be developed; however, limited surface water activities such as boating and fishing would be permitted. Efforts should be made to avoid or reduce potential environmental damage.

The Habitat Replacement concept involves engineering, dredging, planting and developing a valuable supratidal salt marsh habitat as part of a master-planned complex. Unauthorized access by humans and predators will be greatly discouraged by fencing the SDG&E dike, although controlled access will be provided for nature instruction and research. Its location reduces conflicts between development and preservation activities, and its size enables other shoreline projects to be completed by substituting the inferior habitats at the project sites for a carefully nurtured and highly productive habitat.

The Port District provides continual protection and management, as part of a comprehensive South Bay wildlife preserve program.

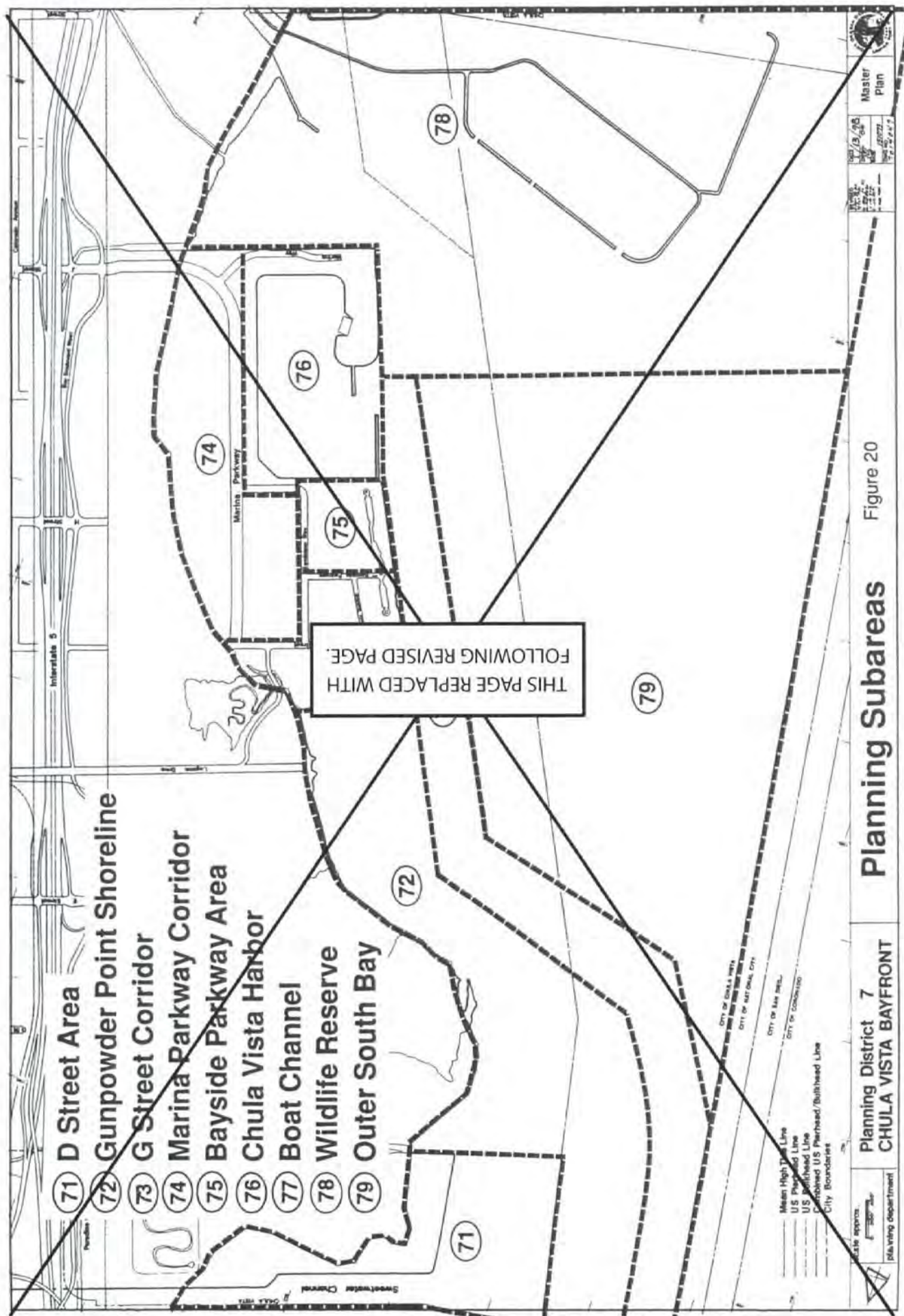
A narrow strip of District-owned land, designated Marine-Related-Industrial Wetlands, follows along the eastern edge of this planning subarea. It is currently leased for an electric generating plant to the existing power plant operator, and is expected to remain in this use for the future but upon demolition of the existing power plant, is intended for mitigation and/or restoration area that will include a buffer between existing and created wetland areas and upland use.

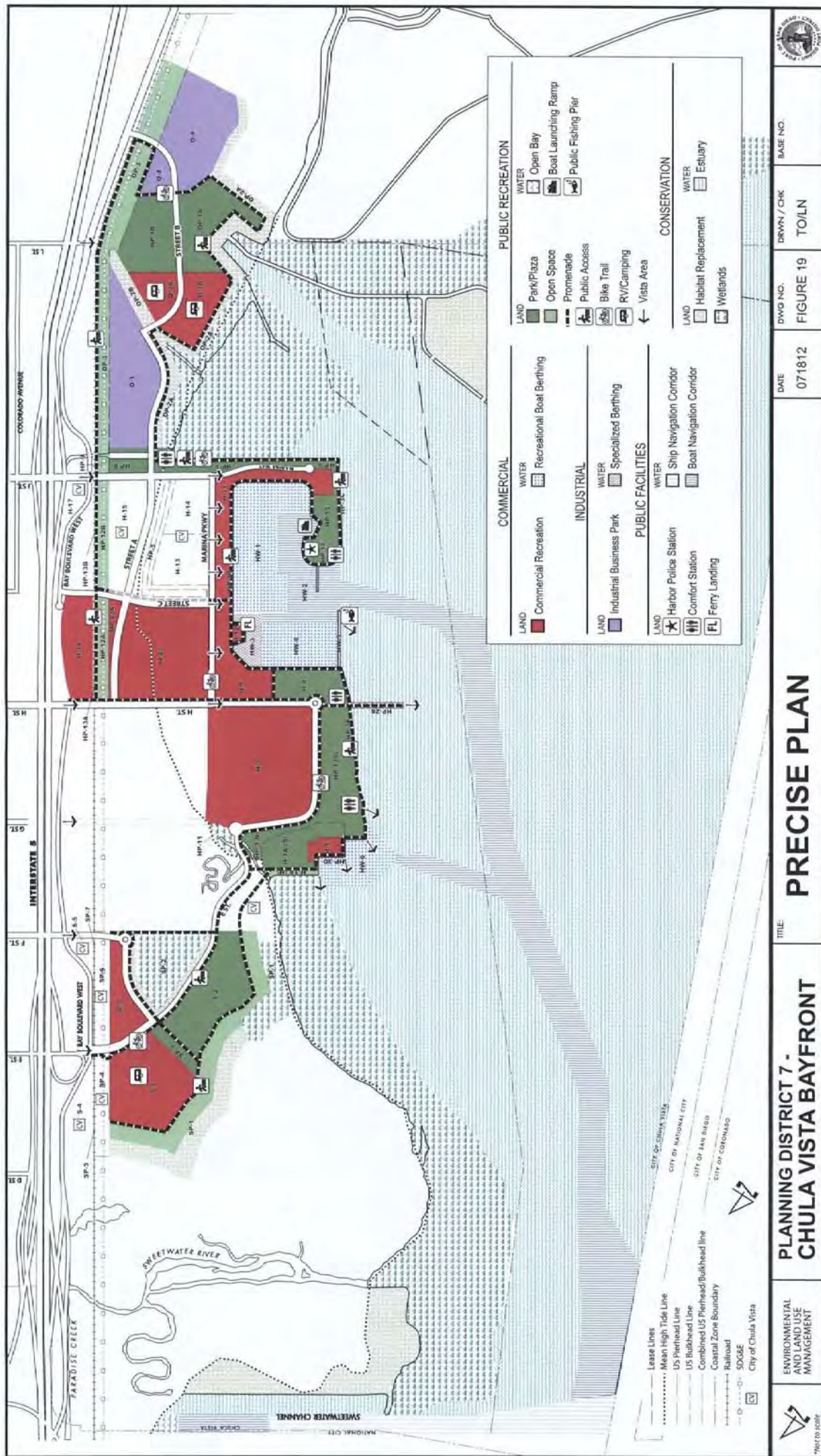
**TABLE 18**  
**Precise Plan Land and Water Use Allocation**

**CHULA VISTA BAYFRONT: PLANNING DISTRICT 7**

<u>LAND</u> USE	ACRES	<u>WATER</u> USE	ACRES	<u>TOTAL</u> ACRES	% OF TOTAL
<b>COMMERCIAL</b>	<b><u>48.5</u></b> <b><u>130.2</u></b>		<b><u>34.0</u></b> <b><u>39.6</u></b>	<b><u>82.5</u></b> <b><u>169.8</u></b>	<b><u>5.8%</u></b>
Marine Sales and Service	9.7				
Commercial Recreation	<u>38.8</u> <u>130.2</u>	Recreational Boat Berthing	<u>34.0</u> <u>39.6</u>		
<b>INDUSTRIAL</b>	<b><u>84.1</u></b> <b><u>36.4</u></b>		<b><u>9.5</u></b> <b><u>3.8</u></b>	<b><u>93.6</u></b> <b><u>40.2</u></b>	<b><u>6.2%</u></b>
Industrial Business Park	<u>80.6</u> <u>36.4</u>				
Marine-Related Industrial	3.5	Specialized Berthing	<u>9.5</u> <u>3.8</u>		
<b>PUBLIC RECREATION</b>	<b><u>23.9</u></b> <b><u>152.9</u></b>		<b><u>0.9</u></b> <b><u>1.2</u></b>	<b><u>24.8</u></b> <b><u>154.1</u></b>	<b><u>1.8%</u></b>
Open Space	<u>47.7</u>				
Park/Plaza	<u>21.3</u> <u>87.9</u>	Open Bay/Water	<u>0.9</u> <u>1.2</u>		
Promenade	<u>2.6</u> <u>17.3</u>				
<b>CONSERVATION</b>	<b><u>327.3</u></b> <b><u>413.4</u></b>		<b><u>941.2</u></b> <b><u>967.2</u></b>	<b><u>1268.5</u></b> <b><u>1380.6</u></b>	<b><u>75.70%</u></b>
Wetlands	<u>233.0</u> <u>303.9</u>	Estuary	<u>941.2</u> <u>967.2</u>		
Habitat Replacement	<u>94.3</u> <u>109.5</u>				
<b>PUBLIC FACILITIES</b>	<b><u>23.3</u></b> <b><u>42.5</u></b>		<b><u>196.8</u></b> <b><u>190.4</u></b>	<b><u>220.1</u></b> <b><u>232.9</u></b>	<b><u>13.12%</u></b>
Harbor Services	0.4	Boat Navigation Corridor	<u>166.8</u> <u>156.5</u>		
Streets	<u>23.2</u> <u>42.5</u>	Ship Navigation Corridor	<u>30.0</u> <u>33.9</u>		
<b>TOTAL LAND AREA</b>	<b><u>507.1</u></b> <b><u>775.4</u></b>	<b>TOTAL WATER AREA</b>	<b><u>1,182.4</u></b> <b><u>1202.2</u></b>		
<b>PRECISE PLAN LAND AND WATER ACREAGE TOTAL</b>				<b><u>1,689.5</u></b> <b><u>1977.6</u></b>	<b><u>100.00%</u></b>







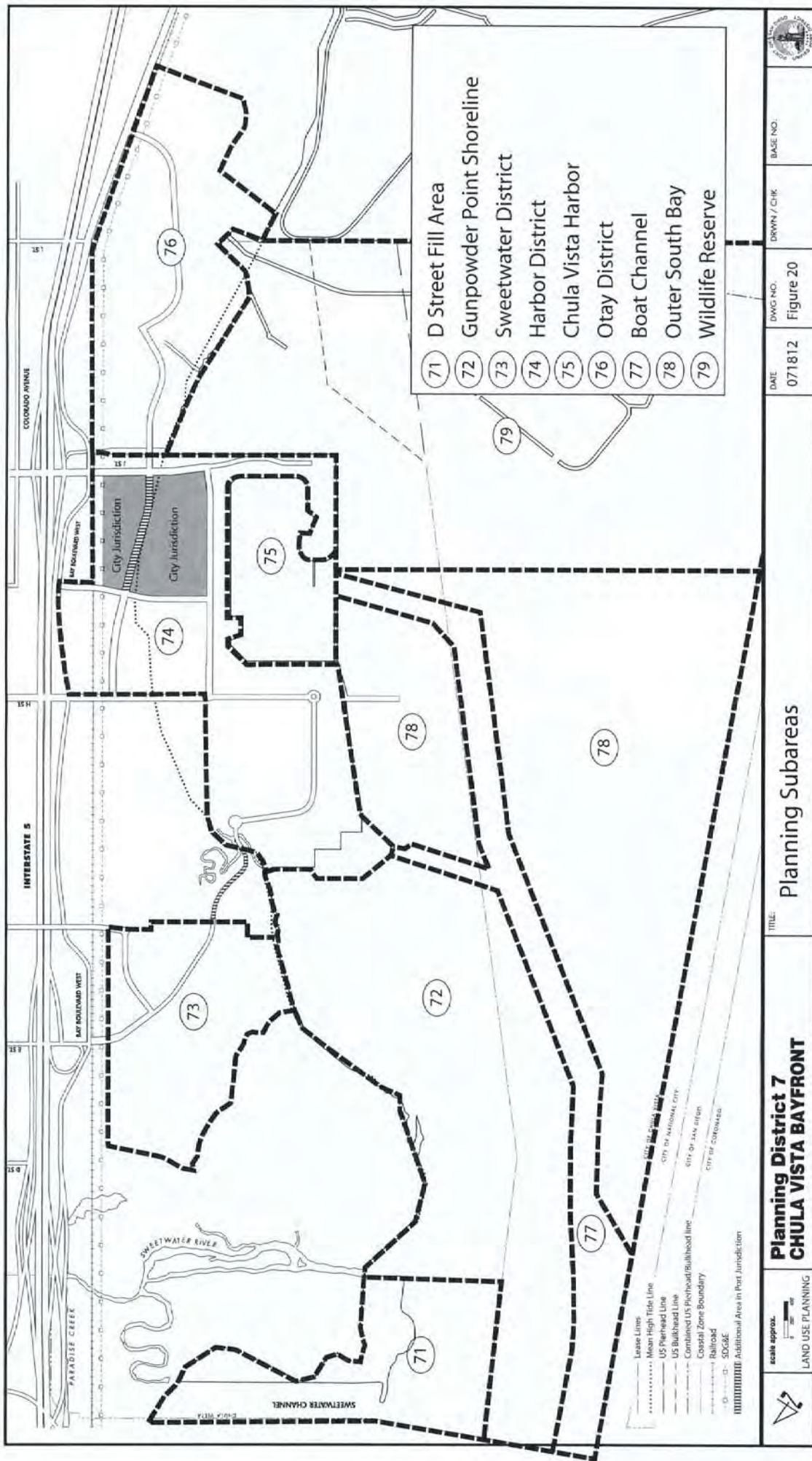


TABLE 19: Project List

CHULA VISTA BAYFRONT: PLANNING DISTRICT 7				FISCAL YEAR PHASE
	SUBAREA ↓	DEVELOPER ↓	APPEALABLE ↓	
2. <del>MARINE-RELATED INDUSTRY: Construct marine-related industrial Development</del>	73	T	N	2002
3. <del>BIOMEDICAL/PHARMACEUTICAL MANUFACTURING: Construct facility</del>	73	T	N	2002
5. <del>HOTEL/RESTAURANT: Construct hotel and restaurant</del>	76	T	Y	1998
7. <del>D STREET FILL MITIGATION SITE*: Excavate and construct a salt marsh habitat as mitigation for the National City Marine Terminal Wharf Extension</del>	74	P	N	2004
<b>GENERAL</b>				
61. STORM DRAINS: Construct, enhance, and maintain storm drains.	73/74	P/T	N	ONGOING
<b>SWEETWATER DISTRICT</b>				
2. SWEETWATER PARK (S-2): Development of 21-acre signature park in Sweetwater District, including associated public amenities, promenades, and parking areas as detailed in Planning District text.	73	P	N	Phase I
3. NATURE CENTER PARKING AREA (SP-3): Construct new 100-space parking area and access road for Chula Vista Nature Center.	73	I	N	Phase I
4. SWEETWATER DISTRICT LODGING (S-1): Construct a low-scale, low profile, lower-cost overnight accommodations such as a campground and/or RV park; associated meeting rooms, retail stores and food service are limited to one story within a maximum height of 25 feet.	73	I	Y	Phase I
5. SWEETWATER DISTRICT ROADWAY AND INFRASTRUCTURE IMPROVEMENTS: Reconfiguration of existing (F Street) and construction of new interior (E Street) roadways, as well as necessary utility improvements and pedestrian/bicycle connections to support planned projects. E and F Streets are appealable category developments.	73	P	Y	Phase I – IV
6. SWEETWATER DISTRICT WETLAND AND UPLAND HABITAT ENHANCEMENT (SP-1 / SP-2): Creation, restoration, and enhancement of identified wetland and upland habitat areas, as well as the establishment of buffers; these areas may also be utilized for mitigation opportunities as CVBMP development impacts occur.	73	P	N	Phase I – IV
7. F STREET TERMINATION: Termination of F Street segment/Lagoon Drive and construction of new roadway connection to E Street, as well as pedestrian/bike trail connection on former F Street segment.	73	P	Y	Phase II / IV
8. MIXED-USE COMMERCIAL RECREATION/MARINE RELATED OFFICE DEVELOPMENT (S-3): Construct low-intensity mixed-use marine commercial recreation/marine related office development of up	73	I	Y	Phase IV

to 60,000 to 120,000 square feet in size, along with associated on-site landscaping and parking improvements; maximum building height is limited to 45 feet.

### HARBOR DISTRICT

49. <u>SHORELINE MAINTENANCE (HP-1/H-8): Maintain stone revetment and replenish Beach at Bayside Park</u>	7574	P	N	2002 <u>ONGOING</u>
410. <u>H STREET EXTENSION: Extend H Street to Marina Parkway</u>	74	P	Y	1997 <u>UNDERWAY</u>
11. <u>RESORT CONFERENCE CENTER (H-3): Construct resort conference center, including a portion of the allowed 2,850 hotel rooms in the Harbor District, up to 100,000 square feet of restaurant, up to 20,000 square feet of retail, up to 415,000 square feet of net meeting space, and other associated ancillary uses. The bayward portion of this site will be developed with a 150-foot wide public open space esplanade inland of E Street, and a specialty retail shopping village consisting of buildings no more than 35 feet in height with commercial retail on the ground floor, and hotel/conference center uses above. The special shopping area shall be interspersed with plazas, landscaping, public art and other pedestrian oriented public amenities. Maximum heights are limited to 240 feet for the hotel and 120 feet for the conference center.</u>	74	I	Y	<u>Phase I</u>
12. <u>INTERIM SURFACE PARKING LOT (H-18): Construction of approximately 1,100 surface parking spaces for use as collector and off-site parking lot.</u>	74	T/P	N	<u>Phase I</u>
13. <u>SIGNATURE PARK EXTENSION (HP-1N, HP-1S, H-1AS, H-8): A 25-acre extension of Sweetwater Signature Park into Harbor District, including improvements to existing Bayside Park as detailed in Planning District text.</u>	74	P	N	<u>Phase I / IV</u>
14. <u>HARBOR DISTRICT ROADWAY AND INFRASTRUCTURE IMPROVEMENTS: Reconfiguration of existing (H Street, J Street and Marina Parkway) and construction of new interior (E Street, Street A and C) roadways, as well as necessary utility improvements and pedestrian/bicycle connections to support planned projects. All new streets are appealable category developments.</u>	74	P	Y	<u>Phase I - III</u>
15. <u>HARBOR DISTRICT BAYWALK (HP-3): Development of new Baywalk promenade along the shoreline.</u>	74	P	N	<u>Phase I - IV</u>
16. <u>H STREET PIER (FIRST HALF) (HP-28): Construct new 60-foot wide, 300-linear-foot pier at terminus of extended H Street corridor above existing open water area (only portion eastward <del>only</del> of existing navigation channel; second half of total 600-linear-foot pier totaling 36,000 square feet to be constructed in Phase IV following realignment of navigation channel).</u>	74	P	Y	<u>Phase II</u>
17. <u>HARBOR RESORT HOTEL AND CULTURAL/RETAIL (H-23): Construct hotel with portion of allowed 2,850 rooms in Harbor District, associated conference room, retail, and ancillary uses, along with up to 200,000 square feet of cultural/retail uses and integrated open space; maximum heights are limited to 300 feet for the hotel and 65 feet for the cultural/retail uses.</u>	74	I	Y	<u>Phase II</u>
18. <u>NORTH HARBOR RETAIL AND MARINA SUPPORT (H-9): Construct</u>	74	I	Y	<u>Phase II</u>

<u>visitor-serving retail and marina support uses totaling up to 25,000 to 50,000 square feet within maximum building heights of 25 feet (30 feet with architectural or mechanical features) around northern periphery of Chula Vista Harbor.</u>				
<u>19. MARINA WAY RECONFIGURATION: Reconfiguration of Marina Way, including modifications to Marina View Park (HP-7, HP-8) and parking areas (HP-6) to accommodate reconfigured J Street/Marina Parkway, including construction of pedestrian promenade (HP-3) with minimum 25-foot width.</u>	<u>74</u>	<u>P</u>	<u>N</u>	<u>Phase III</u>
<u>20. CHULA VISTA BAYFRONT PARK IMPROVEMENTS (HP-14): Reconfiguration of existing boat trailer parking lot and modifications to park area to accommodate installation of minimum 25-foot wide shoreline promenade. No change in number of parking spaces.</u>	<u>74</u>	<u>P</u>	<u>N</u>	<u>Phase III</u>
<u>21. OPEN SPACE IMPROVEMENTS (HP-12, HP-13, OP-3): Construct greenbelt improvements, such as landscaping and trails for pedestrians and bicyclists, along SDG&amp;E and Coronado Branch Railroad rights-of-way.</u>	<u>74/76</u>	<u>P</u>	<u>N</u>	<u>Phase III</u>
<u>22. SOUTH HARBOR RETAIL AND MARINA SUPPORT (H-21): Construct up to 75,000 to 150,000 square feet with maximum building heights of 25 feet (30 feet with architectural or mechanical features) of visitor-serving retail, marina support, and parking uses around southern periphery of Chula Vista Harbor.</u>	<u>74</u>	<u>I</u>	<u>Y</u>	<u>Phase III</u>
<u>23. CHULA VISTA HARBOR RECONFIGURATION AND MARINA SUPPORT (HW-1, HW-2, HW-3, HW-4): Reconfiguration of existing marina slips to create new open water commercial harbor (HW-2 and HW-3), and development of landside marina support facilities; of the existing 900 marina slips, 700 slips would be reconfigured within the existing harbor at HW-1 and HW-4.</u>	<u>75</u>	<u>P</u>	<u>Y</u>	<u>Phase IV</u>
<u>24. BOAT CHANNEL REALIGNMENT: Realign and straighten existing boat navigation channel</u>	<u>77</u>	<u>P</u>	<u>N</u>	<u>Phase IV</u>
<u>25. H STREET PIER (SECOND HALF) (HP-28): Construct second phase of new 60-foot wide, 600-lineal-foot pier totaling up to 36,000 square feet at terminus of extended H Street corridor (extension into former navigation channel)</u>	<u>74</u>	<u>P</u>	<u>Y</u>	<u>Phase IV</u>
<u>26. MIXED-USE OFFICE/COMMERCIAL RECREATION AND COLLECTOR PARKING GARAGE (H-18): Construct approximately 100,000 square feet of mixed-use marine-related office/commercial recreation and a 1,100 to 3,000-space collector parking garage; maximum building heights is 155 feet (10 stories).</u>	<u>74</u>	<u>T/P</u>	<u>Y</u>	<u>Phase IV</u>
<u>27. FERRY TERMINAL (H-12): Construct ferry terminal with second story restaurant/retail totaling up to 10,000 to 25,000 square feet of building area; building height is limited to 25 feet (30 feet with architectural or mechanical features).</u>	<u>74</u>	<u>I</u>	<u>Y</u>	<u>Phase IV</u>
<b><u>OTAY DISTRICT</u></b>				
<u>28. RECREATIONAL VEHICLE PARK (O-3A, O-3B): Construct replacement recreational vehicle park with minimum 237 spaces, along with supporting ancillary uses with building heights limited to 25 feet (30</u>	<u>76</u>	<u>I</u>	<u>Y</u>	<u>Phase I</u>

<u>feet with architectural or mechanical features).</u>					
<b>29. OTAY DISTRICT ROADWAY AND INFRASTRUCTURE IMPROVEMENTS:</b> <u>Reconfiguration of existing and construction of new interior roadways (Street B), as well as necessary utility improvements and pedestrian/bicycle connections to support planned projects.</u>		<u>76</u>	<u>P</u>	<u>Y</u>	<u>Phase III</u>
<b>30. OTAY DISTRICT WETLAND AND UPLAND HABITAT MITIGATION (OP-2A, OP-2B):</b> <u>Creation, restoration, and enhancement of identified wetland and upland habitat areas, as well as the establishment of buffers; replacement of existing concrete Telegraph Canyon Creek channel with wider, naturally vegetated channel.</u>		<u>76</u>	<u>P</u>	<u>N</u>	<u>Phase III</u>
<b>31. SOUTH PARK (OP-1A, OP-1B):</b> <u>Development of 24-acre park in Otay District, including associated public amenities, promenades, and parking areas as detailed in Planning District text.</u>		<u>76</u>	<u>P</u>	<u>N</u>	<u>Phase III</u>
P- Port District      N- No T- Tenant            Y- Yes					

Phase I refers to the time period of approximately 1-7 years after PMPA certification

Phase II refers to the time period of approximately 4-10 years after PMPA certification

Phase III refers to the time period of approximately 11-17 years after PMPA certification

Phase IV refers to the time period of approximately 18-24 years after PMPA certification

PLANNING DISTRICT 9**South Bay Salt Ponds**

This subarea includes both leased and unleased areas. A parcel is leased to San Diego Gas and Electric Company for a warm water outlet and dispersal area as part of the South Bay Power Generating Plant operation. The remaining area is predominantly submerged bay tidelands, including the terminus channel of the Otay River. The water area remaining under Port District control is included in the Estuary classification.

**Project List**

No specific projects are identified, although it is anticipated that some environmental enhancement or mitigation project may be identified later as plans are implemented around the bay.

TABLE 22					
Precise Plan Land and Water Use Allocation					
SOUTH BAY SALT LANDS: PLANNING DISTRICT 9					
<u>LAND</u> <u>USE</u>	<u>ACRES</u>	<u>WATER</u> <u>USE</u>	<u>ACRES</u>	<u>TOTAL</u> <u>ACRES</u>	<u>%OF</u> <u>TOTAL</u>
CONSERVATION	192.0		605.5	797.5	100%
Wetlands	192.0	Estuary Salt Ponds	185.3 420.2		
<u>TOTAL LAND AREA</u>	<u>192.0</u>	<u>TOTAL WATER AREA</u>	<u>605.5</u>		
<b>PRECISE PLAN LAND AND WATER ACREAGE TOTAL</b>				<b>797.5</b>	<b>100%</b>

# APPENDIX B

## *Development Policies*



***San Diego Unified Port District***

San Diego Unified Port District

Document No. **59407**

Filed **OCT 05 2012**

Office of the District Clerk



***Chula Vista Bayfront***

***Development Policies***

***August 2012***

***\*Certified by the California Coastal Commission***

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### Exhibits

- Exhibit 1. Wildlife Habitat Areas
- Exhibit 2. Buffer Areas
- Exhibit 3. Energy Standards
- Exhibit 4. Resort Conference Center (H-3) Development
- Exhibit 5. Sweetwater District (S-1/S-3) Development

# CHULA VISTA BAYFRONT

## Development Policies

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### PLANNING AND DEVELOPMENT POLICIES

The policies below form the Chula Vista Bayfront Master Plan Development Policies (Plan). These policies are taken from the adopted and approved plans, certified environmental documents, enforceable settlement agreements, required mitigation measures, and conditions included in the approval process. They are meant to bring together, in one document, the conditions and policies that will apply to and guide the development of the Bayfront. This document has been incorporated by reference into Planning District 7, Chula Vista Bayfront, of the Port Master Plan.

#### 1. Environmental Management Policies

**Policy 1.1:** In recognition of the sensitivity of the natural resources and the importance of protection, restoration, management and enforcement in protecting those resources, the District and City will prepare a Natural Resources Management Plan (NRMP) for the Chula Vista Bayfront. The NRMP will be designed to achieve the Management Objectives (defined below) for the Wildlife Habitat Areas. The NRMP will be an adaptive management plan, reviewed and amended as necessary by the District and City in coordination with the Wildlife Advisory Group. The Wildlife Advisory Group shall be formed to advise the District and City in the creation of a NRMP, cooperative management agreements, Adaptive Management Review and any related wildlife management and restoration plans or prioritizations. Because it will be frequently revised and updated, the NRMP has not been incorporated into the Port Master Plan (PMP). If there are any conflicts between the NRMP and any portion of the PMP, the provisions of the PMP shall control and take precedence.

**Policy 1.2:** A NRMP will be created as a condition of this Plan and will meet the management objectives below.

**Policy 1.3:** Taking into consideration the potential changes in functionality of Wildlife Habitat Areas due to rising sea levels, the NRMP will promote, at a minimum, the following objectives ("Management Objectives") for the Wildlife Habitat Areas:

- a) Long term protection, conservation, monitoring, and enhancement of: 1) Wetland habitat, with regard to gross acreage as well as ecosystem structure, function, and value; 2) Coastal sage and coastal strand vegetation; and 3) Upland natural resources for their inherent ecological values, as well as their roles as buffers to more sensitive adjacent wetlands.
- b) Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide and taking into account future sea level rise.
- c) Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.
- d) Protection of nesting, foraging, and rafting wildlife from disturbance.
- e) Avoidance of actions within the Chula Vista Bayfront area that would adversely impact or degrade of water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.
- f) Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.

Wildlife Habitat Areas is defined below and are depicted on Exhibit 1:

- All National Wildlife refuge lands, currently designated and designated in the future, in the South San Diego Bay and Sweetwater Marsh National Wildlife Refuge Units. These areas are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.
- All District designated lands and open water areas in the Conservation Land Use Designations of Wetlands, Estuary, and Habitat Replacement as depicted in the Precise Plan for Planning District 7.
- Parcels 1g and 2a from the City's Bayfront Specific Plan.

**Policy 1.4:** In addition to the standards described above, the NRMP will include:

- a) All elements which address natural resource protection in the Final Environmental Impact Report Mitigation Monitoring and Reporting Program (MMRP) including but not limited to those which assign responsibility and timing for implementing mitigation measures consistent with the City's Multiple Species Conservation Program (MSCP) Subarea Plan.
- b) Pertinent sections of the MSCP Subarea Plan.
- c) References to existing District policies and practices, such as Predator management programs and daily trash collections with public areas and increase service during special events.
- d) Establishment of design guidelines to address adjacency impacts, such as storm water, landscape design, light and noise and objectives as discussed in this Plan.
- e) Establishment of baseline conditions and management objectives.
- f) Habitat enhancement objectives and priorities.

**Policy 1.5:** The NRMP will be a natural resource adaptive management and monitoring plan initially prepared in consultation with the Wildlife Advisory Group and regularly reviewed and amended in further consultation with the Wildlife Advisory Group. Periodic Review will address, among other things, monitoring of impacts of development as it occurs and monitoring the efficacy of water quality improvement projects (if applicable) and management and restoration actions needed for resource protection, resource threats, management (i.e., sea-level rise, trash, window bird strikes, lighting impacts, bird flushing, water quality, fireworks, human-wildlife interface, education and interpretation programs, public access, involvement, and use plan, management of the human-wildlife interface, wildlife issues related to facilities, trails, roads, overlooks planning, and watershed coordination) and other issues affecting achievement of Management Objectives and related to Adaptive Management Review.

## **2. Wetlands**

**Policy 2.1:** The biological productivity and the quality of wetlands shall be protected and, where feasible, restored.

**Policy 2.2:** Wetlands shall be defined and delineated consistent with the Coastal Act and the Coastal Commission Regulations, and shall include, but not be limited to, lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes,

swamps, mudflats, and fens. Any unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the PMP.

Wetlands shall be further defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

**Policy 2.3:** Where the required initial site inventory indicates the presence or potential for wetland species or other wetland indicators, the District shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

**Policy 2.4:**

- a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this Plan, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
  - (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
  - (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
  - (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
  - (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
  - (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
  - (6) Restoration purposes.
  - (7) Nature study, aquaculture, or similar resource dependent activities.

**Policy 2.5:** Where wetland fill or development impacts are permitted in wetlands in accordance with the Coastal Act and any applicable PMP policies, mitigation measures shall include creation of wetlands of the same type lost. Adverse impacts will be mitigated at a ratio of 4:1 for all types of wetland, and 3:1 for non-wetland riparian areas.

Replacement of wetlands on-site or adjacent to the project site, within the same wetland system, shall be given preference over replacement off-site or within a different system. Areas subjected to temporary wetland impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or negative alterations to wetland hydrology.

**Policy 2.6:** Wherever wetlands are identified, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50 feet in width from the upland edge of riparian habitat shall be established. In some unusual cases, smaller buffers may be appropriate, when conditions of the site as demonstrated in a site-specific biological survey, the nature of the proposed development, etc. show that a smaller buffer would provide adequate protection. In such cases, the California Department of Fish and Game (CDFG) must be consulted and agree that a reduced buffer is appropriate and the District, or Commission on appeal, must find that the development could not be feasibly constructed without a reduced buffer. However, in no case shall the buffer be less than 50 feet.

**Policy 2.7:** At the time of adoption of the Chula Vista Bayfront plan, the seasonal ponds designated "Former Industrial Areas in Process of Remediation" on O-1 and O-4 have been identified as wetland habitat. These areas will be preserved and infrastructure rerouted to preserve the resource. Site-specific studies to assess the extent and quality of natural resources on the site will be required at the time development is proposed.

### **3. Climate Change and Sea Level Rise:**

"Sea level rise" means a change in the mean level of the ocean. Accepted sea level rise scenarios shall be based on best available science (such as the October 2010 State of California Sea Level Rise Interim Guidance Document by the California Climate Action Team) and are presently projected at a range of approximately 10 to 17 inches for 2050.

**Policy 3.1:** Buffers within the Port Master Plan area have been designed to accommodate potential areas of future sea level rise inundation and are identified on Exhibit 2. The Chula Vista Bayfront plan also provides for an adequate amount of habitat migration within the identified buffer areas based on a projected sea level rise.

In cases where buffers have not yet been established, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50 feet in width from the upland edge of riparian habitat shall be established. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. The CDFG and U.S. Fish and Wildlife Service (USFWS) must be consulted in such buffer determinations and, in some cases, the required buffer, especially for salt marsh wetlands, could be greater than 100 feet. Uses and development within buffer areas shall be limited to minor passive recreational uses, with fencing, desiltation or erosion control facilities, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area; however, water quality features required to support new development shall not be constructed in wetland buffers. All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the application of an open space easement or other suitable device. All development activities, such as grading, buildings and other improvements in, adjacent to, or draining directly to a wetland must be located and built so they do not contribute to increased sediment loading of the wetland, disturbance of its habitat values, or impairment of its functional capacity.

**Policy 3.2:** Development shall consider the potential changes in functionality of Wildlife Habitat Area due to rising sea levels and coordinate management with the District and City Climate Mitigation and Adaptation Plans. Siting and design of new shoreline development shall take into account predicted future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered and based upon up-to-date scientific papers and studies, agency guidance (such as the 2010 Sea Level Guidance from the

California Ocean Protection Council), and reports by national and international groups such as the National Research Council and the Intergovernmental Panel on Climate Change. Consistent with all provisions of the PMP, new structures shall be set back a sufficient distance landward or other sea level rise adaptation strategies incorporated to eliminate or minimize, to the maximum extent feasible, hazards associated with anticipated sea level rise over the expected economic life of the structure.

**Policy 3.3:** Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide and taking into account future sea level rise.

**Policy 3.4:** Prospective development on S-1 shall be evaluated for potential hazards associated with the current year 2050 and 2100 projected sea level rise scenarios developed by the District. Development and siting decisions shall take into account identified risks on the site as well as to surrounding resources and incorporate building setbacks or other sea level rise adaptation strategies as appropriate.

#### **4. Wildlife Protection: Bird Strikes and Disorientation**

**Policy 4.1:** Prior to issuance of any building permits, building plans shall be reviewed by a qualified biologist retained by the developer and approved by the District, to verify that the proposed building has incorporated specific design features to avoid or to reduce the potential for bird strikes and that employ measures described below:

##### **Policy 4.1.1: Lighting**

- a) No solid red or pulsating red lights shall be installed on or near the building unless required by the Federal Aviation Administration (FAA).
- b) Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 seconds between flashes) white strobes shall be used.
- c) No solid spot lights or intense bright lights shall be used during bird migration periods in the spring (from March to May) and fall (from August to October). All event lighting shall be directed downward and shielded, unless such directed and shielded minimized light spills beyond the area for which illumination is required.
- d) Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and way finding, including signage for building identification and way finding.
- e) Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.
- f) Office space, residential units, and hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.
- g) Office space, residential units, and hotel rooms shall be equipped with blinds, drapes, or other window coverings that may be closed to minimize the effects of interior night lighting.

##### **Policy 4.1.2: Glass and Reflection**

- a) Use of reflective coatings on any glass surface is prohibited.

- b) Buildings shall incorporate measures to the satisfaction of the District or the City to indicate to birds that the glass surface is solid by creating visual markers and muting reflection.
- c) Project design standards will encourage window stencilling and angling.
- d) These measures may include but are not limited to the following:
  - i. Glass surfaces which are non-reflective
  - ii. Glass surfaces which are tilted at a downward angle
  - iii. Glass surfaces which use fritted or patterned glass
  - iv. Glass surfaces which use vertical or horizontal mullions or other fenestration patterns
  - v. Glass surfaces which are fitted with screening, decorative grills, or louvers
  - vi. Glass surfaces which use awnings, overhangs, bris sole, or other exterior sun-shading devices
  - vii. Glass surfaces which use external films or coatings perceivable by birds
  - viii. Artwork, drapery, banners, and wall coverings that counter the reflection of glass surfaces or block "see through" pathways.

#### **Policy 4.1.3: Building Articulation**

- a) Structure design will include secondary and tertiary setbacks and, to the maximum extent possible, stepped back building design, protruding balconies, recessed windows, and mullioned glazing systems, shall be incorporated to the extent feasible. Balconies and other elements will step back from the water's edge.
- b) Design features that increase the potential for bird strikes, such as walkways constructed of clear glass and "see through" pathways through lobbies, rooms and corridors, shall be avoided except for minor features intended to enhance view opportunities at grade level and only when oriented away from large open expanses.
- c) Buildings shall be sited and designed to minimize glass and windows facing Wildlife Habitat Areas to the maximum extent possible. Design for towers on Parcel H-3 should avoid east-west monolith massing and shall include architectural articulation.
- d) Parcels containing surface parking, such as those depicted for the Sweetwater District, will be designed with parking lots located nearer to the Wildlife Habitat Areas. Site plans on parcels adjacent to Wildlife Habitat Areas will maximize distance between structures and such areas.

#### **Policy 4.1.4: Landscaping**

- a) Exterior trees and landscaping shall be located and glass surfaces shall incorporate measures so that exterior trees and landscaping are not reflected on building surfaces.
- b) In small exterior courtyards and recessed areas, the building's edge shall be clearly defined with opaque materials and non-reflective glass.
- c) Interior plants shall be located a minimum of 10 feet away from glass surfaces to avoid or reduce the potential for attracting birds.

#### **Policy 4.1.5: Public Education**

- a) The owner or operator of each building shall implement an ongoing procedure to the satisfaction of the District or the City to encourage tenants, residents, and guests to close their blinds, drapes, or other window coverings to reduce or avoid the potential for bird strikes.

- b) The owner or operator of each building shall enroll in the Fatal Light Awareness Program's "Bird-Friendly Building Program" and shall implement ongoing tenant, resident, and guest education strategies, to the satisfaction of the District or the City, to reduce or avoid the potential for bird strikes, such as elevator and lobby signage and educational displays, e-mail alerts and other bulletins during spring and fall migratory seasons, and other activities designed to enlist cooperation in reducing bird collisions with the building.

**Policy 4.1.6: Monitoring Bird Strikes and Collisions**

For Phase I projects, the project applicant shall retain a qualified biologist to design a protocol and schedule, in consultation with the USFWS and subject to the approval of the District or City, as appropriate depending on jurisdiction, to monitor bird strikes which may occur during the first 12 months after the completion of construction. Within 60 days after completion of the monitoring period, the qualified biologist shall submit a written report to the District or the City, which shall state the biologist's findings and recommendations regarding any bird strikes that occurred. Based on the findings of those reports, the District or the City, as appropriate depending on jurisdiction, in coordination with the USFWS, will evaluate whether further action is required, which may include further monitoring or redesign of structures for future phases.

**Policy 4.2:** Bird strikes must be monitored and measures developed to address persistent problem areas in accordance with the NRMP. Nighttime lighting in tower buildings must be addressed and evaluated through adaptive management such that impacts on birds are avoided or minimized. Minimization of impacts of buildings on birds and the Wildlife Habitat Areas will be a priority in the selection of window coverings, glass color, other exterior materials, and design of exterior lighting and lighting of signs.

## **5. Buffer Areas for Wildlife Protection**

**Policy 5.1:** Designate "No Touch" Buffer Areas as defined and described in Exhibit 2. Such areas will contain fencing designed specifically to limit the movement of domesticated, feral, and nuisance predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, "Predators"]) and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be a minimum 6-foot high, black vinyl chain link fence or other equally effective barrier designed to take into consideration public views of the Bay and the need to protect natural resources. Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence. The installation of such fencing must be completed prior to the issuance of Certificates of Occupancy for development projects on either Parcel H-3 or H-23 and in conjunction with development or road improvements in the Sweetwater District.

**Policy 5.2:** Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas and "Transition Buffer Areas" as that term is defined and described in Exhibit 2, with the exception of existing or necessary access points for required maintenance.

**Policy 5.3:** Protect the No Touch Buffer Areas from the impacts of the Chula Vista Bayfront project including, without limitation, fencing necessary to protect the Sweetwater Marsh and the Sweetwater parcel tidal flats, the J Street Marsh next to the San Diego Bay National Wildlife Refuge, and the north side of Parcel H-3.

**Policy 5.4:** Include additional controls and strategies restricting movement of humans and Predators into sensitive areas beyond the boundaries of the designated Buffer Areas.

**Policy 5.5:** Require the Recreational Vehicle (RV) Park to install fencing or other barriers sufficient to prevent passage of predators and humans into sensitive adjacent habitat.

**Policy 5.6:** Require all dogs to be leashed in all areas of the Chula Vista Bayfront at all times except in any designated and controlled off-leash areas.

**Policy 5.7:** Impose and enforce restrictions on all residential development to keep cats and dogs indoors or on leashes at all times. Residential developments will be required to provide education to owners and/or renters regarding the rules and restrictions regarding the keeping of pets.

**Policy 5.8:** Habitat buffers shall include a 100-foot-wide buffer from the seasonal pond (parcel SP-2) within the Sweetwater District, a 400-foot combined buffer in the Sweetwater District and a minimum 100-foot buffer in the Otay District.

**Policy 5.9:** "Environmentally sensitive habitat area" (ESHA) means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The following areas shall be considered ESHA, unless there is compelling site-specific evidence to the contrary:

- Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.
- Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.
- Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.
- Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated by the California Native Plant Society (CNPS) as 1b (Rare or endangered in California and elsewhere), such as Nuttall's scrub oak or "2" (rare, threatened or endangered in California but more common elsewhere), such as wart-stemmed Ceanothus.

**Policy 5.10:** New development shall be sited and designed to avoid impacts to ESHA. ESHA shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. These uses include enhancement/restoration work, passive recreational parks and public access or recreational facilities such as trails and bike paths integrated into the natural environment and sited and designed to preserve, and be compatible with, native habitat.

**Policy 5.11:** At the time of adoption of the Chula Vista Bayfront plan, the Coastal Sage Scrub on the berm in the S-1 and S-2 parcel areas and the non-native grasslands located in various locations within the Chula Vista Bayfront Master Plan were not identified as ESHA.

Site-specific studies to assess the extent and quality of natural resources on a site will be required at the time development is proposed.

**Policy 5.12:** In the 1-g parcel area, a pedestrian bridge is proposed to create a linkage over a tidal inlet associated with the F and G Street Marsh. Tidal habitats should be treated as ESHA and the bridge crossing must be designed to enhance the habitat values present and reduce erosion. This bridge span must be extended and the existing incised channel slope should be cut back, reducing the slope and then creating additional salt marsh habitat on the created floodplain. Site-specific studies to assess the extent and quality of natural resources at the site will be required at the time development is proposed.

**Policy 5.13:** If located in or adjacent to ESHA, new development shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required. Sensitive species are those listed in any of three categories: federally listed, state listed or designated species of special concern or fully protected species, and CNPS categories 1B and 2.

**Policy 5.14:** Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.

**Policy 5.15:** All buffers around (non-wetland) ESHA shall be a minimum of 100 feet in width, or a lesser width may be approved by the District if findings are made that a lesser buffer would adequately protect the resource. However, in no case can the buffer size be reduced to less than 50 feet.

**Policy 5.16:** Public access-ways and trails are considered resource dependent uses. New access-ways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures including, but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

**Policy 5.17:** Modifications to required development standards that are not related to ESHA protection (street setbacks, height limits, etc.) shall be permitted where necessary to avoid or minimize impacts to ESHA.

**Policy 5.18:** Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.

**Policy 5.19:** Impacts to native habitat that does not constitute ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation for impacts to native habitat shall be provided at a 3:1 ratio.

## **6. Landscaping and Vegetation**

**Policy 6.1:** The following landscape guidelines will apply to the Chula Vista Bayfront area:

- a) Invasive plant species (as listed in the California Invasive Plant Inventory list or California Invasive Plant Inventory Database or updates) will not be used in the Chula Vista Bayfront area. Any such invasive plant species that establishes itself within the Chula Vista Bayfront area will be immediately removed to the maximum extent feasible and in a manner adequate to prevent further distribution into Wildlife Habitat Areas. A condition of approval for coastal development permits will require applicants to remove any such invasive plant species that established itself within the Chula Vista Bayfront area.
- b) Only designated native plants will be used in No Touch Buffer Areas, habitat restoration areas, or in the limited and transitional zones of Parcel SP-1 adjacent to Wildlife Habitat Areas.
- c) Non-native plants will be prohibited adjacent to Wildlife Habitat Areas and will be strongly discouraged and minimized elsewhere where they will provide breeding of undesired scavengers.
- d) No trees will be planted in the No Touch Buffer Areas or directly adjacent to a National Wildlife Refuge, J Street Marsh, or SP-2 areas where there is no Buffer Area.

## **7. Lighting and Illumination**

**Policy 7.1:** All roadways will be designed, and where necessary edges bermed, to ensure penetration of automobile lights in the Wildlife Habitat Areas will be minimized subject to applicable City and District roadway design standards.

**Policy 7.2:** Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project.

**Policy 7.3:** All street and walkway lighting should be shielded to minimize sky glow.

**Policy 7.4:** To the maximum extent feasible, all external lighting will be designed to minimize any impact on Wildlife Habitat Areas, and operations and maintenance will be devised to ensure appropriate long-term education and control of light impacts. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.

**Policy 7.5:** Sweetwater and Otay District parks will open and close in accordance with District Park Regulations.

**Policy 7.6:** Laser light shows will be prohibited.

**Policy 7.7:** Construction lighting will be controlled to minimize Wildlife Habitat Areas impacts.

**Policy 7.8:** In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by

applicable law enforcement. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used to minimize ecological disruption. No night lighting for active sports facilities will be allowed.

## **8. Noise**

**Policy 8.1:** Construction noise shall be controlled to minimize impact to Wildlife Habitat Areas.

## **9. Public, Resident, Visitor, Worker Education Program Education**

**Policy 9.1:** An environmental education program will be developed and implemented and will include the following:

- a) The program must continue for the duration of the Chula Vista Bayfront project and must target both residential and commercial uses as well as park visitors.
- b) The program's primary objective will be to educate Bayfront users, residents, visitors, tenants and workers about the natural condition of the Bay, the ecological importance of the Chula Vista Bayfront area and the public's role in the restoration and protection of wildlife resources of the Bay.

**Policy 9.2:** The environmental education program will include educational signage, regular seminars and interpretive walks on the natural history and resources of the area, and regular stewardship events for volunteers (i.e., shoreline and beach cleanups, exotic plant removal, etc.).

**Policy 9.3:** The environmental education program will include adequate annual funding for personnel or contractor/consultant and overhead to ensure implementation of the following functions and activities in collaboration with the Chula Vista Nature Center or USFWS:

- a) Coordination of volunteer programs and events;
- b) Coordination of interpretive and educational programs;
- c) Coordination of tenant, resident and visitor educational programs;
- d) Docent educational; and
- e) Enhancements and restoration events.

## **10. Boating Impacts**

**Policy 10.1:** All boating, human, and pet intrusion must be kept away from F&G Street channel mouth and marsh.

**Policy 10.2:** Water areas will be managed with enforceable boating restrictions. No boating will be allowed in vicinity of the J Street Marsh or east of the navigation channel in the Sweetwater District during the fall and spring migration and during the winter season when flocks of birds are present.

**Policy 10.3:** All rentals of personal water craft (PWC) will be prohibited in the Chula Vista Bayfront. (Note: PWC will mean a motorboat less than sixteen feet in length which uses an inboard motor powering a jet pump as its primary motive power and which is designed to be operation by a person sitting, standing, or kneeling on rather than in the conventional manner of sitting or standing inside the vessel.)

**Policy 10.4:** Use of PWCs will be prohibited in Wildlife Habitat Areas, subject to applicable law.

**Policy 10.5:** A five (5) mile per hour speed limit will be enforced in areas other than the navigation channels.

**Policy 10.6:** Boating in the project area will be managed in a manner that protects water quality and that ensures persons or employees maintaining boats in slips or using slips on a transient basis are made aware of water quality provisions.

- a) Approval of projects within Chula Vista Bayfront Master Plan marinas shall include appropriate requirements from the District Jurisdictional Urban Runoff Management Document (JURMP) that includes appropriate Best Management Practices (BMPs) for controlling adverse impacts to water quality related to the boating facilities, including those BMPs for activities occurring over water.
- b) Approval of projects within the Chula Vista Bayfront Master Plan marinas shall include a requirement for boating facilities to identify procedures for inspection of boater activities and sanctions for boaters that may be adversely impacting water quality.
- c) Marinas in the Chula Vista Bayfront Master Plan project area shall provide evidence of ongoing efforts to protect water quality, such as a current certification by the Clean Marinas program ([cleanmarina.org](http://www.cleanmarina.org)), stormwater BMP Plan, or other equivalent documentation of clean marina practices (<http://www.cleanmarina.org/cleanmanual.shtml>).
- d) San Diego Bay is a federally designated No Discharge Zone. The District shall ensure that District-leased facilities are adequately informing their boater tenants of their responsibilities regarding the discharge of sewage and are providing information to boaters on ways to anonymously report violators.
- e) The District shall adopt an addendum to leasing agreements for boating facilities that specifies actions that should be taken to protect water quality. This addendum should reflect applicable water quality laws and regulations pertaining to San Diego Bay.

## **11. Walkway and Pathway Design**

**Policy 11.1:** Walkways, paths, and overlooks near Wildlife Habitat Areas outside of the No Touch Buffer Areas will be designed in accordance with the following:

- a) Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.
- b) Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.
- c) Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Chula Vista Bayfront.
- d) Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.

- e) Walkways and overlooks that approach sensitive areas must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.

## **12. Predator Management**

**Policy 12.1:** The NRMP will include provisions designed to manage Predator impacts on Wildlife Habitat Areas which will include and comply with the following:

- a) Year-round, funded Predator management will be implemented for the life of the Chula Vista Bayfront project with clearly delineated roles and responsibilities for the District, City and Resource Agencies. The primary objective of such provisions will be to adequately protect terns, rails, plovers, shorebirds, over-wintering species, and other species of high management priority as determined by the Resource Agencies.
- b) Predator management will include regular foot patrols and utilize tracking techniques to find and remove domestic or feral animals.
- c) Predator attraction and trash management shall be addressed for all areas of the Chula Vista Bayfront project by identifying clear management measures and restrictions. Examples of the foregoing include design of trash containers, including those in park areas and commercial dumpsters, to be covered and self-closing at all times, design of containment systems to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons, and similar animals and adequate and frequent servicing of trash receptacles.
- d) All buildings, signage, walkways, overlooks, light standards, roofs, balconies, ledges, and other structures that could provide line of sight views of Wildlife Habitat Areas will be designed in a manner to discourage their use as raptor perches or nests.

## **13. Stormwater and Urban Runoff Quality**

**Policy 13.1:** Provisions for access for non-destructive maintenance and removal of litter and excess sediment will be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, mulefat, willow, and the like are permissible.

**Policy 13.2:** In order to protect the quality of coastal waters the District shall promote the protection of water quality that meets state standards and the restoration of waters that do not meet state standards, and encourage and support public outreach and education regarding the water quality impacts of development.

All new development shall:

- a) Comply with the Regional Water Quality Control Board Order No. R9-2007-0001, National Pollutant Discharge Elimination System Permit No. CAS0108758, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, and the San Diego Unified Port District (Municipal Permit), as adopted, amended, and/or modified or replaced by the Regional Water Quality Control Board with a new Municipal Permit. The Municipal Permit prohibits any activities that could degrade stormwater quality.
- b) Comply with the District Jurisdictional Urban Runoff Management Document and the District Standard Urban Stormwater Mitigation Plan which provides BMP requirements for new development and redevelopment.

- c) Be designed and managed to minimize the introduction of pollutants into coastal waters to the maximum extent practicable.
- d) Be designed and managed to minimize increases in peak runoff rate and volume in order to avoid detrimental water quality impacts caused by excessive erosion or sedimentation.
- e) Include Site Design and Source Control BMPs and Low Impact Development practices, where feasible, in all developments.
- f) Implement the requirements of Hydromodification Management Plan developed pursuant to the Municipal Permit, as required.
- g) Minimize impervious surfaces in new development, especially directly connected impervious areas, and, where feasible, increase the area of pervious surfaces in redevelopment.
- h) Minimize erosion, sedimentation, and polluted runoff from construction-related activities of development, to the maximum extent practicable.
- i) Minimize the land disturbance activities of construction (e.g., clearing, grading, and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas, and erosive soils), to avoid detrimental water quality impacts caused by increased erosion or sedimentation. Incorporate soil stabilization BMPs on disturbed areas as soon as feasible.
- j) Require Treatment Control BMPs, in addition to Site Design and Source Control measures, when the combination of Site Design and Source Control BMPs is not sufficient to protect water quality.
- k) Be designed, constructed and maintain any required Treatment Control BMPs (or suites of BMPs) are designed and constructed so that they treat, infiltrate, or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

**Policy 13.3:** An on-site pump out facility shall be required with the development of any new marinas.

**Policy 13.4:** Stormwater and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of any erosion or type conversion will be developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment accumulation, shoreline erosion and stream bed widening, loss of aquatic species, and decreased base flow.

**Policy 13.5:** The use of insecticides, herbicides, rodenticides or any toxic chemical substance that drains into Wildlife Habitat Areas or which has the potential to significantly degrade ESHA, shall be prohibited within and adjacent to ESHAs, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application.

**Policy 13.6:** Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas.

**Policy 13.7:** Fine trash filters are required for all storm drain pipes that discharge toward Wildlife Habitat Areas.

#### **14. Additional Habitat Management and Protection**

**Policy 14.1:** The District will exercise diligent and good faith efforts to enter into the following cooperative agreements with the USFWS or other appropriate agency or organization:

- a) An agreement providing for the long-term protection and management of the sensitive biological habitat running north from the South Bay Boatyard to the Sweetwater River Channel (known as the Sweetwater Tidal Flats) and addressing educational signage, long-term maintenance, and additional protection measures such as increased monitoring and enforcement, shared jurisdiction and enforcement by District personnel with legal authority to enforce applicable rules and regulations ("District Enforcement Personnel"), shared jurisdiction and enforcement by District Enforcement Personnel and other appropriate Resource Agencies of resource regulations, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement of any projects subject to District's jurisdiction within the Sweetwater or Harbor Districts.
- b) An agreement for the long-term protection and management of the J Street Marsh and addressing additional protective measures such as educational signage, long-term maintenance, and monitoring and enforcement by District Enforcement Personnel and enforcement of resource regulations by District Enforcement Personnel and other Resource Agencies and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement within the Otay District.
- c) If either of the cooperative agreements contemplated above is not achievable within three (3) years after Final Environmental Impact Report certification, the District will develop and pursue another mechanism that provides long-term, additional protection and natural resource management for these areas.

**Policy 14.2:** The District will include an analysis of the appropriate level and method for wetland and marine life habitat restoration of the intake/discharge channels associated with the South Bay Power Plant in the environmental review document for the demolition of the South Bay Power Plant that includes below grade or in water structures.

**Policy 14.3:** A permanent 100-foot-wide buffer shall be provided from proposed development around the seasonal wetland within Parcel SP-2.

**Policy 14.4:** In order to ensure that sensitive resources are protected from adjacent development, at the time project specific development is proposed on parcel S-1, shading impacts, appropriate setbacks, step backs, and/or height reductions, will be analyzed as part of the necessary subsequent environmental review for those projects.

**Policy 14.5:** As a future and separate project, the District will investigate, in consultation with the USFWS, the feasibility of restoring an ecologically meaningful tidal connection between the F & G Street Marsh and the upland marsh on parcel SP-2 consistent with USFWS restoration concepts for the area. At a minimum, the investigation will assess the biological value of tidal influence, the presence of hazardous materials, necessary physical improvements to achieve desired results, permitting requirements, and funding opportunities for establishing the tidal connection. This investigation will be completed prior to the

initiation of any physical alteration of SP-2, F Street, and/or the F & G Street Marsh. In addition, once emergency access to the Chula Vista Bayfront area has been adequately established such that F Street is no longer needed for public right-of-way, the District and City will abandon/vacate the F Street right-of-way for vehicular use, but may reserve it for pedestrian and bicycle use if ecologically appropriate.

**Policy 14.6:** Channelizations or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative; or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.

## **15. Energy**

The development of the Chula Vista Bayfront offers the District and City a unique opportunity to demonstrate the viability of responsible and sustainable development practices. Accordingly, the Chula Vista Bayfront Development Policies seek to establish guidelines to govern the future build-out of the programmatic elements of Chula Vista Bayfront and to ensure that the project is comprised of high performance and highly energy-efficient buildings and clean, efficient generation. The standards in this section are intended to be interpreted broadly and with the flexibility to adapt to new energy technology and evolving building construction and design practices.

**Policy 15.1:** The following energy standards shall be applied to development of all parcels within the Chula Vista Bayfront area *except* *Parcels HP-5, H-13, H-14 and H-15*. These parcels are addressed on separate standards provided below. The term "Development" will mean the development of an individual parcel within the Chula Vista Bayfront area.

- a) To help reduce the need for fossil-fueled power generation, reduce greenhouse gas emissions, and support the California Energy Commission's Loading Order for Electricity Resources, all Developments will achieve a minimum of a fifty (50) percent reduction in annual energy use in accordance with these policies.
- b) Each building in each Development will perform at least fifteen (15) percent better than Title 24, Part 6 of the California Building Energy Efficiency Standards ("Title 24") in effect on the date of the execution of the Chula Vista Bayfront Master Plan Settlement Agreement (May 2010). The minimum energy efficiency performance standard adopted by the City is hereinafter described as its "Energy Efficiency Requirement" or "EER". Should revised Title 24 standards be adopted by the State of California, the City's EER at the time a building permit application is submitted for such Development shall apply.
- c) The balance of the fifty (50) percent reduction in annual energy use will be achieved through the use of any combination of the energy reduction measures described in these policies. To achieve compliance with this policy, sponsors of Developments may select one of two paths. The first path is based on Title 24 ("Title 24 Path") and the second is described in Energy and Atmosphere, Credit 1 "Optimize Energy Performance" (Credit EA/c1) in the US Green Building Council's Leadership in Energy and Environmental Design (LEED) v3 system ("LEED Path"). The definition of the term "Baseline" against which energy reduction will be measured will vary depending on the path selected and is

further described in Exhibit 3. Choosing the LEED Path does not require a Development to achieve LEED Certification, but simply uses the methodology of EA-/c1.

- d) Renewable Energy generated within the boundaries of the Development will be credited toward the minimum of a fifty (50) percent reduction in annual energy use in accordance energy reduction requirement. The term "Renewable Energy" will mean energy derived from the sources described in California Public Resources Code section 25741 (b) 1.
- e) Renewable Energy generated on one or more sites ("Renewable Energy Sites") within the boundaries of the Chula Vista Bayfront by the District, City or other third party and fed to the electrical grid or to the Development will be credited toward the minimum of a fifty (50) percent energy reduction requirement. Aggregate energy generated on Renewable Energy Sites may be allocated to an individual Development up to the amount necessary to achieve such Development's compliance with the minimum of a fifty (50) percent energy reduction requirement. Once allocated to a Development, the amount of energy generated by Renewable Energy Sites so allocated may not be further allocated to another Development.
- f) Participation in a City of Chula Vista sponsored energy efficiency program provided that the resulting energy reduction may be calculated and verified. The methodology for calculating the amount of the credit toward the minimum of a fifty (50) percent energy reduction requirement under the Title 24 Path and the LEED Path is described in Exhibit 3.
- g) Each Development will develop, implement, and for the life of each Development, maintain a measurement and verification plan ("M&V Plan"). Such participation has been shown to increase the persistence of energy efficiency ("EE") and also to provide a way of recognizing and encouraging the ongoing conservation efforts of occupants and facility managers and will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement. The District will include in all leases the requirement to perform an energy audit every three (3) years for the convention centers and hotel Developments over 300 rooms and five (5) years for all other Developments to ensure that all energy systems are performing as planned or corrective action will be taken if failing to meet EE commitments.
- h) Participation in one of SDG&E's Voluntary Demand Reduction (DR) utility rates will be awarded a waiver for three (3) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement.
- i) Participation in one of SDG&E's Mandatory Demand Reduction (DR) utility rates will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement.
- j) Incorporation of natural ventilation into design such that at least 75% of the conditioned area is naturally ventilated according to the guidelines set forth in Exhibit 3, and if this benefit was not included in the energy efficiency calculations, the project will be awarded either: a waiver for five (5) percent credit against the Baseline to determine compliance with the minimum of a fifty (50) percent energy reduction requirement; or, a waiver for ten (10) percent credit will be awarded if the natural ventilation system is coupled with an energy or cooling system that does not draw from the grid if and when natural ventilation is not used. This may

be prorated if less than seventy-five (75) percent of the conditioned area is naturally ventilated.

- k) The parties understand and acknowledge that the energy reduction measures described above for a Development or component of a Development may be phased in over time to achieve compliance with the minimum of a fifty (50) percent energy reduction requirement provided such energy reduction measures are completed no later than thirty-six (36) months following issuance of a Certificate of Occupancy for such Development or such component thereof.
- l) To further incentivize responsible and sustainable development practices within the boundaries of the Chula Vista Bayfront, District and City will consider voluntary commitments to levels of energy reduction in excess of the requirements of above, commitment to achievement of a LEED Certification, and/or a "Living Building Challenge" in connection with the selection of respondents in Request for Proposals/Request for Qualifications (RFP/RFQ) processes for Developments within the Chula Vista Bayfront area.

**Policy 15.2:** Within one year following the California Coastal Commission's (CCC) approval of a Port Master Plan amendment substantially consistent with the Chula Vista Bayfront project, the District will in good faith consider adoption of an ordinance in a public hearing process that, if approved by the Board of Port Commissioners, will require the following:

- a) Within six (6) months following adoption of the ordinance and every three (3) years thereafter, the District will conduct an energy efficiency and renewable energy analysis that will:
  - (i) Assess the feasibility and cost-effectiveness of programs and options to reduce demand on the electric grid from all lands under District's jurisdiction; and,
  - (ii) Include, but not be limited to, an assessment of the potential for reduction in energy use on all land under District's jurisdiction through increases in energy efficiency, demand response, clean renewable and distributed energy generation and other methods and technologies.
- b) Upon the completion of each analysis, the District will consider good faith implementation of cost-effective programs and options as part of its commitment to greenhouse gas reductions and global climate change prevention activities consistent with Assembly Bill 32.
- c) The results of each analysis will be published on the District's website and received by the District's Board of Port Commissioners in a public forum.

## **16. Hazardous Materials and Exposure Policies**

**Policy 16.1:** Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.

## **17. Public Engagement**

**Policy 17.1:** A South Bay Wildlife Advisory Group ("Wildlife Advisory Group") will be formed to advise the District and City in the creation of the NRMP, cooperative management agreements, Adaptive Management Review and any related wildlife management and restoration plans or prioritizations. The Wildlife Advisory Group will also address management issues and options for resolution. The Wildlife Advisory Group will initiate and support funding requests to the District and City, identify priorities for use of these funds and engage in partnering, education, and volunteerism to support the development of the Chula

Vista Bayfront in a manner that effectively protects and enhances the fish, wildlife, and habitats of the area and educates and engages the public. The Wildlife Advisory Group will meet as needed, but at a minimum of every six (6) months for the first ten (10) years and annually thereafter.

**Policy 17.2:** The Wildlife Advisory Group will meet to: (i) determine the effectiveness of the NRMP in achieving the Management Objectives; (ii) identify any changes or adjustments to the NRMP required to better achieve the Management Objectives; (iii) identify any changes or adjustments to the NRMP required to respond to changes in the man-made and natural environments that are affecting or, with the passage of time may affect, the effectiveness of the NRMP in achieving the Management Objectives; and (iv) review priorities relative to available funding. At its periodic meetings, the Wildlife Advisory Group may also consider and make recommendations regarding (a) implementation of the NRMP as needed, (b) Adaptive Management Review and (c) NRMP Amendments.

**Policy 17.3:** The Wildlife Advisory Group will advise the joint powers authority ("JPA") on expenditure of the Community Benefits Fund consistent with this Plan subject to applicable law. Written recommendations from the Wildlife Advisory Group will be forwarded to the District and City for consideration on key decisions as the build-out of the Chula Vista Bayfront project occurs.

**Policy 17.4:** A Bayfront Cultural and Design Committee ("BCDC") shall be formed to advise the District in addressing the design of parks, cultural facilities, and development projects. The public participation process for the BCDC will include broad community representation and will be modeled after the Community Advisory Committee (CAC) process. Membership will include at least one member each from the District, Chula Vista Planning Commission, Design Review Committee, and Resource Conservation Committee. The BCDC will advise the District in the establishment of Chula Vista Bayfront Master Plan design guidelines to address cohesive development and streetscape design standards, walkways and bikeways design to promote safe walking and biking, standards for design of park areas, and cultural facilities but will not address NRMP and Wildlife Habitat Areas design guidelines described above. A minimum of three public meeting/workshops will be held to establish the design guidelines.

## **18. Public Access**

**Policy 18.1:** The concept approval for the Signature Park will include a refined plan to address the linkage between the parks over the F and G Street channel. The design will ensure that the linkage between the two parks is easily accessed, obvious, and allows visitors to flow naturally and safely between the two parts of the park. A separate pedestrian bridge will be evaluated and, if necessary, a supplemental environmental review will be performed to address any necessary issues prior to the concept approval being forwarded to the Board of Port Commissioners.

**Policy 18.2:** Phase I Signature Park improvements (including development of Parcel S-2, within the Transition Buffer Areas and Limited Use zones of parcel SP1, and the fencing of the No Touch Buffer Area of Parcel SP1) will be completed prior to the issuance of Certificates of Occupancy for projects developed on either Parcel H-3 or H-23 and after any additional necessary environmental review. The public participation process for the design of the park will be completed prior to District Staff seeking Concept Approval from the Board of Port Commissioners.

## **19. Sweetwater and Otay District Public Park Requirements**

**Policy 19.1:** Sweetwater and Otay District Public Parks will meet the following minimum standards in addition to those described above:

- a) The parks will be Passive in nature and encourage Passive recreation, be low-impact and contain minimal permanent structures. Structures will be limited to single-story heights and will be limited in function to restrooms, picnic tables, shade structures and overlooks. The term "Passive" will mean that which emphasizes the open-space aspect of a park and which involves a low level of development, including picnic areas and trails. In contrast, active recreation is that which requires intensive development and includes programmable elements that involve cooperative or team activity, including, ball fields and skate parks.
- b) The parks will be constructed using low water-use ground cover alternatives where possible.
- c) Pedestrian and bike trails will be segregated where feasible. A meandering public trail will be provided along the entire length of the Bayfront. The meandering trail within the Sweetwater Park and adjacent to Buffer Areas will not be paved.
- d) The parks will not include athletic field amenities.
- e) No unattended food vending will be allowed.
- f) The parks will include enforcement signage that prohibits tenants, employees, residents, or visitors from feeding or encouraging feral cat colonies and prevents feral cat drop-off or abandonment of pets; and prohibits leash free areas near buffers.
- g) Due to their immediate adjacency to Wildlife Habitat Areas, the following restrictions will apply to parks located within the Sweetwater and Otay Districts:
  - (i) Such parks will be designated as Passive use parks and use of amplified sound equipment will be prohibited.
  - (ii) Reservations for group events and activities will be prohibited.

## **20. Circulation and Pedestrian Orientation**

**Policy 20.1:** Shoreline promenades shall be a minimum of 25 feet in width allowing both pedestrians and bicyclists and shall be constructed directly along the waterfront where feasible and maintained free of private encroachment around the Bayfront. Pathways and walking trails not proposed along the shoreline shall be a minimum width of 12 feet.

**Policy 20.2:** Provide a continuous open space system, fully accessible to the public, which would seamlessly connect the Sweetwater, Harbor, and Otay Districts through components such as a continuous shoreline promenade or "Baywalk" and a continuous bicycle path linking the parks and ultimately creating greenbelt linkages.

**Policy 20.3:** Create a meandering pedestrian trail constructed of natural material that is easily maintained and interwoven throughout the Signature Park. Create, as part of the E Street Extension, a pedestrian pathway/bridge to provide a safe route for pedestrians to walk and to transition from the Sweetwater District to the Harbor Park Shoreline Promenade and park in the Harbor District.

**Policy 20.4:** Segregate Pedestrian and bike trails where feasible. Provide a meandering public trail along the entire length of the Bayfront. Leave unpaved the meandering trail within the Sweetwater Park and adjacent to Buffer Areas.

**Policy 20.5:** Open spaces integrated into the hotels must include activating uses such as restaurants, outdoor sitting and dining areas and retail shops, which would be open to the public as well as hotel patrons.

**Policy 20.6:** Public access and other path-finding signage should be placed at strategic locations throughout the hotel complexes and to guide guests and visitors to and from public use areas, shops and restaurants, restrooms, and other facilities.

**Policy 20.7:** To help integrate all publicly accessible areas and provide convenience and low cost services for the general public, the ground floor of the hotel developments and associated outdoor areas should contain a variety of pedestrian-oriented amenities, which may include reasonably priced restaurants, newspaper stands, outdoor cafes with sit down and walkup service, informational kiosks, ATM's, public art or gift shops easily accessible to the public.

**Policy 20.8:** The design of the Resort Conference Center (H-3) development must provide a strong public interface with the adjacent Signature Park by including publicly accessible areas with convenience and low cost services for the general public. Specifically, on the west side of the site, the ground floor of the development and associated outdoor areas must include a variety of pedestrian-oriented amenities and activating uses, such as restaurants, outdoor cafes with sit down and walkup service, informational kiosks, ATMs, public art or gift shops easily accessible to the public. The RFP for the development of the Resort Conference Center (H-3) site will identify these requirements and will emphasize the need for establishing linkages to, from and through the site such that the public feels welcome on the site and encouraged to connect to public promenades and other public amenities in the park areas or along H Street and Marina Parkway. Other public amenities that may be provided at various locations around the hotel site include public wireless connectivity, drinking fountains, bike racks, horticultural interpretive labels on landscape elements, educational and historic plaques/displays, and dog drinking fountains. These elements represent public recreational opportunities and will encourage access to and around the site.

## **21. Visitor Serving Policies**

**Policy 21.1:** Overnight visitor-serving accommodations shall be encouraged and protected within the Chula Vista Bayfront Master Plan area.

**Policy 21.2:** Limited Use Overnight Visitor Serving Accommodations (i.e., fractional ownership condominium hotels and timeshares) shall be prohibited on District Tidelands.

**Policy 21.3:** Lower cost visitor and recreational facilities shall be protected, encouraged and provided where feasible. Specifically, a range of room types, sizes, and room prices should be provided in order to serve a variety of income ranges.

Where a new hotel or motel development would consist of entirely high cost overnight accommodations, after thorough consideration of a supply/demand analysis within the Chula Vista Bayfront Master Plan and South Bay area, in-lieu fees or comparable mitigation may be required as a condition of approval for a coastal development permit, to ensure a range of overnight accommodations are provided within the Chula Vista Bayfront Master Plan and South Bay area. High cost is defined as those hotels with daily room rates 25% higher than the statewide average for coastal areas.

The mitigation payment would be for providing funding for the establishment of lower cost overnight visitor accommodations within the City of Chula Vista or South San Diego County coastal area. The monies and accrued interest shall be used for the above-stated purpose, in consultation with the CCC Executive Director. Any development funded by this account will require review and approval by the Executive Director of the Coastal Commission and a coastal development permit.

**Policy 21.4:** If removal or conversion of lower or moderate cost overnight accommodations is proposed in the District, the inventory shall be replaced with units that are of comparable cost with the existing units to be removed or converted. The District shall proactively work with hotel/motel operators and offer incentives to maintain and renovate existing properties.

If replacement of lower or moderate cost units is not proposed (either on-site or elsewhere in District Tidelands or Chula Vista within five (5) miles of the coast), then the new development shall be required to pay, as a condition of approval for a coastal development permit, a mitigation payment to provide significant funding for the establishment of lower cost overnight visitor accommodations within Chula Vista, preferably, or within South San Diego County, for each of the low or moderate units removed/converted on a 1:1 basis.

**Policy 21.5:** Lower-cost RV camping uses shall be protected by maintaining at least an equivalent number of RV sites within the Chula Vista Bayfront Master Plan boundaries. Removal of the existing RV park for construction of a resort hotel and conference center (RCC) is proposed as part of the Chula Vista Bayfront Master Plan, with a replacement RV park to be constructed either in the Otay District (parcel O-3) or the Sweetwater District (parcel S-1). In the event that the replacement park cannot be opened to visitors prior to closing the existing RV park, an interim site with an equivalent number of RV sites shall be established and opened elsewhere within the Chula Vista Bayfront Master Plan area, at parcels S-1, H-23, or in the Otay District.

**Policy 21.6:** Public recreational opportunities, such as parks, open space, and other no-cost visitor serving amenities shall be provided.

**Policy 21.7:** Waterfront visitor-serving retail uses and public gathering spaces shall be provided.

**Policy 21.8:** Marinas within the planning area shall provide lower-cost visitor-serving boating opportunities and shall preserve a varied range of slip sizes. Prior to approval of any changes in the slip size or distribution, the District will undertake an updated comprehensive boater use, slip size, and slip distribution study which is no more than five (5) years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Bay as a whole. The District will continue to provide a mix of small, medium and large boat slips based on updated information from the comprehensive study with priority given to boats less than 25 feet in length and a goal of no net loss in number of slips within the Chula Vista Bayfront Master Plan area. Should future projects propose reducing the number or proportion of small slips for boats 25 feet or less within the Chula Vista marina, a Port Master Plan amendment will be required.

## **22. Funding and Community Benefits**

**Policy 22.1:** Funding for the implementation of the NRMP and for the enforcement and implementation measures shall be provided by the District and City. To meet these

obligations, the District and City will commit revenues or otherwise provide funding to the JPA formed pursuant to the California Marks-Roos Act, Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code. District and City will ensure the JPA is specifically charged to treat the financial requirements described this policy as priority expenditures that must be assured as project-related revenues are identified and impacts initiated. The District and City expressly acknowledge the funding commitments contemplated herein will include, but not be limited to, funding for personnel and overhead or contractor(s)/consultant(s) to implement and ensure the following functions and activities:

- a) On-site management and enforcement for parks and Wildlife Habitat Areas as necessary to enforce restrictions on human and Predator access regarding Wildlife Habitat Areas;
- b) Enforcement of mitigation measures including, but not limited to, trash collection, noise restrictions, removal of invasive plants, habitat restoration, and park use restrictions;
- c) Coordination, development, implementation and evaluation of effectiveness of education and mitigation programs, including implementation of NRMP;
- d) Evaluation of effectiveness of bird strike mitigation and design measures;
- e) Water quality protections; and
- f) Coordination of injured animal rehabilitation activities.

## **23. Views and Aesthetics**

**Policy 23.1:** Public views to the beach, lagoons, and along the shoreline as well as to other scenic resources from major public viewpoints, as identified by the "vista" icon on the Precise Plan for Planning District 7 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.

**Policy 23.2:** The impacts of proposed development on existing public views of scenic resources shall be assessed by the District or City prior to approval of proposed development or redevelopment.

**Policy 23.3:** Buildings and structures shall be sited to provide unobstructed view corridors from the nearest view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

**Policy 23.4:** Public views of the Bay and access along the waterfront shall be provided via a proposed "Baywalk" promenade. This pedestrian path will also connect to the Signature Park, and the pathway system within the Sweetwater District, ultimately linking the two districts and "enabling viewers to experience visual contact at close range with the Bay and marshlands."

**Policy 23.5:** Existing views to the water from the following view corridor roads shall be protected and enhanced: E Street, F Street, Bay Boulevard between E and F Streets, Marina Parkway, and G and L Streets (in the City of Chula Vista); as shall the new views of the Bay created from the H Street corridor. These protected views shall be denoted by the "vista" icons on the Precise Plan for Planning District 7.

**Policy 23.6:** Building setbacks and coordinated signage shall be provided along Marina Parkway.

**Policy 23.7:** Prior to approval of development in the Otay District, views of the Bayfront from Bay Boulevard shall be identified and preserved.

**Policy 23.8:** View corridors to the Bay shall be established on Marina Parkway between H and J Streets approximately every 500 feet as denoted by the "vista" icon on the Precise Plan for Planning District 7.

**Policy 23.9:** Landscaping shall be planted along Marina Parkway to frame and enhance this scenic corridor, as well as on E Street and Bay Boulevard, adjacent to the project site.

**Policy 23.10:** Bayfront Gateway Objective/Policies: Certain points of access to the Bayfront will, by use, become major entrances to the different parts of the area. A significant portion of the visitors' and users' visual impressions are influenced by conditions at these locations. Hence, special consideration should be given to roadway design, including signage and lighting, landscaping, the protection of public views towards the Bay, and the siting and design of adjoining structures. Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of certificates of occupancy for any projects within the District's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the District and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street. All Gateway plans must conform with the setback policies and height limits in the PMP.

**Policy 23.11:** The landscape designs and standards shall include a coordinated street furniture palette including waste containers and benches, to be implemented throughout the Bayfront at appropriate locations.

**Policy 23.12:** As a condition for issuance of coastal development permits, buildings fronting H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100-foot ROW width (curb-curb, building setbacks, and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Placement of trees should take into account potential view blockage at maturity, and, trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should be pruned to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach into view corridors, and to address the scale and massing impact, buildings shall step back at appropriate intervals or be angled to open up a broader view corridor at the ground plane to the extent feasible. All plans shall be subject to review and approval by the District. All future development proposals shall conform to District design guidelines and standards.

**Policy 23.13:** Prior to issuance of coastal development permits for projects within the District's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles, and to avoid the appearance or effect of "walling off" the Bayfront.

**Policy 23.14: Resort Conference Center (H-3) Development:** In addition to policies 23.12 and 23.13 above, development of the Resort Conference Center (H-3) site shall incorporate additional building setbacks and stepbacks to further reduce the visual impact of building massing and to further widen view corridors towards the bay. Minimum building setbacks of 50 feet from the H Street right-of-way shall be required to result in a 145 foot wide minimum view corridor width at grade level with minimum tower stepbacks of 75 feet from the H Street right-of-way to generally achieve a 170 foot wide view corridor width at tower level.

Exhibit 4 to this Plan illustrates the general design parameters for the Resort Conference Center (RCC) site. The bayward portion of the RCC site shall be devoted to a mix of public open space, public plazas, limited amounts of parking, and low-scale development with ground floor commercial recreation and visitor commercial uses. Upper floor conference center/hotel uses are allowed. The inland portion of Parcel H-3 will be developed with hotel and conference center structures.

Exhibit 4 shows a setback of an average of 100 feet from the E Street right-of-way on the west side of the site and 50 feet from the E Street right-of-way on the north side of the site. This "esplanade" setback shall be for the creation of publicly accessible areas such as pedestrian promenades, bicycle access ways, landscaping, street furniture, and other pedestrian friendly features. Various public amenities, such as shade structures, benches, or bus stops are allowed within the esplanade.

In addition to the esplanade, this bayward portion shall be developed with a mix of public open spaces and structures to a maximum height of 35 feet. All structures shall include retail or restaurant uses on the ground floor in a pedestrian-friendly specialty shopping "village" style. Conference rooms or other uses associated with the hotel or conference center may be located on the upper level. A minimum of 40% of this portion of the site at ground floor shall be open plaza, seating (including seating for cafés), public art, and landscaping. Uses such as vendor carts, bicycle rentals, etc., shall be permitted in this area.

Within these broad use parameters, flexibility in the specific design and layout of the site is permitted. In order to achieve a lively, pedestrian oriented development attractive to the public and welcoming to visitors, E Street could be shifted inland to allow the development of additional public esplanade-type uses on the bay side of the street, at the adjacent Harbor Park. Retail uses could also be expanded into the area designated esplanade, as long as these structures are designed to create visual interest and variety at a human scale. The boundary between the esplanade and the commercial retail shown on Exhibit 4 is intended to be illustrative only, and it is expected that the distinction between the areas will be meandering and visually appealing.

To ensure that pedestrians can cross between the park and the RCC safely and easily, pedestrian crossing distances shall be minimized where feasible, and crosswalks aligned with retail nodes and points of interest.

On the inland portion, the tallest buildings on Parcel H-3 will be located in the southern portion of the parcel with building heights decreasing towards the north and west. The foregoing will not be interpreted to preclude incorporating secondary and tertiary setbacks along public streets. Hotel structures shall be no more than a maximum height of 240 feet and the conference facility height is limited to a maximum of 120 feet. Design for the hotel structures on Parcel H-3 shall avoid east-west monolith massing and shall include architectural articulation. The hotel structures shall not result in lot coverage exceeding 30% of the inland portion of the parcel.

**Policy 23.15: Sweetwater District Lodging (S-1):** Sweetwater District Lodging (S-1): Development of the Sweetwater District Lodging (S-1) shall consist of low-scale, low profile, lower-cost overnight accommodations such as a campground and/or RV park. A mix of camping facilities is encouraged. Limited meeting rooms, retail stores, and food service associated with the development shall be permitted. No structures over 1 story within a maximum height of 25 feet shall be permitted. Proposed development shall take into account potential sea level rise when site plans are prepared. The development shall incorporate a setback from the E Street view corridor as shown in Exhibit 5, where no structures shall be permitted.

**Policy 23.16: Sweetwater District Mixed-Use Commercial Recreation/Marine Related Office Development (S-3):** Development of the Sweetwater District Mixed Use development (S-3) shall incorporate setbacks of 50 feet from E Street in order to reduce visual and shading impacts of building massing and to widen view corridors towards the Bay. Building heights are limited to 45 feet and shall be located in the northeastern portion of the parcel in order to ensure views from the Bay Boulevard to the Bay are preserved to the extent feasible. The development shall incorporate a setback from the F Street view corridor as shown in Exhibit 5, where no structures shall be permitted.

**Policy 23.17:** All building height limits listed herein are measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

## **24. Transit**

The Project's transportation system was developed to focus vehicular activity on the eastern edges of the property, near I-5 and its interchanges, by placing a majority of the common parking areas on the eastern properties, while designing for pedestrian connections and transit service. This will result in narrower, more pedestrian-friendly streets along the waterfront. In order to reduce traffic-related impacts within the Chula Vista Bayfront Master Plan area, the following transit policies shall be considered in the development of the Chula Vista Bayfront Master Plan:

**Policy 24.1:** The project shall be designed to encourage the use of alternate transportation by including the H Street transit center close to the rail line, bike and pedestrian pathways, water taxis, and a private employee parking shuttle.

**Policy 24.2:** The project shall include connections to the planned Bayshore Bikeway and provide an additional local bikeway loop that will be safer and more scenic as it is located closer to the water.

**Policy 24.3:** The District and City shall explore the operating and funding potential for a shuttle service that would link various destinations within the western portions of Chula Vista, including the Chula Vista Bayfront Master Plan area. Implementation of the Chula Vista Bayfront Shuttle is anticipated to include participation by commercial development within the Chula Vista Bayfront Master Plan area.

**Policy 24.4:** The Chula Vista Bayfront shuttle will service the Chula Vista Bayfront Master Plan area with a key focus on connecting general users to and from: downtown areas east of I-5, the resort conference center, the residential project, park areas, and existing trolley stops. The shuttle system shall be designed with the following design considerations:

- a) Ensure that it has fewer stops than a conventional bus and is located as close as possible to the major traffic generators.

- b) Plan the general route of the transit shuttle to travel along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third Avenue
- c) Plan the route to operate as a two-way loop with stops in both directions.
- d) Plan for shuttles to initially run every 15 minutes.
- e) Consider a private shuttle system to transport employees between the H-18 parking structure and the H-3 parcel in the Harbor District.

**Policy 24.5:** Shuttle service shall be phased concurrent with development. At a minimum, service shall be provided upon the issuance of Certificate of Occupancy for either the H-3 resort conference center hotel or the 500<sup>th</sup> residential unit. Additional stops shall be provided at the Signature Park, the Recreational Vehicle Park, the H-18 parking structure, and the Park in Otay District, as these uses are developed.

**Policy 24.6:** In the Harbor District, typical parking requirement standards for high intensity uses may be reduced if it can be demonstrated that the use will be adequately served by alternative transit.

**Policy 24.7:** In order to reduce transportation-related air quality impacts, the following items should be encouraged at the project-level planning phase:

- a) Limit idling time for commercial vehicles, including delivery and construction vehicles.
- b) Use low- or zero-emission vehicles, including construction vehicles.
- c) Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- d) Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
- e) Provide public transit incentives, such as free or low-cost monthly transit passes.
- f) For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.
- g) Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- h) Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

**Policy 24.8:** The District and the City shall participate in a multi-jurisdictional effort conducted by the California Department of Transportation (Caltrans) and San Diego Association of Governments (SANDAG) to assist in developing a detailed I-5 corridor-level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would reduce congestion management with Caltrans standards on the I-5 South corridor from the SR-54 interchange to the Otay River. Local funding sources identified in this Plan shall include fair-share

contributions related to private and/or public development based on nexus as well as other mechanisms.

## **25. In-water Activities**

**Policy 25.1:** Excess dredge material from within the project area shall be tested for beach compatibility and placed on local beaches if suitable.

**Policy 25.2:** Development in San Diego Bay waters shall be reviewed for potential impacts to open water (foraging) and eelgrass, including any direct (e.g., construction activity) and indirect (e.g., shading from structures or boats) impacts. Efforts must be made to maintain the eelgrass habitat available and improve water quality. No net loss of eelgrass meadows shall be permitted. Pre-construction and post-construction eelgrass surveys shall be prepared in full compliance with the "Southern California Eelgrass Mitigation Policy or any later revised policy adopted by the National Marine Fisheries Service. Any existing eelgrass impacted shall be replaced at a minimum 1.2:1 ratio, in accordance with the Southern California Eelgrass Mitigation Policy. In addition, impacts to open water habitat shall be assessed and mitigated.

**Policy 25.3:** Prior to commencement of any in water development that involves disturbance of the subtidal water bottom, surveys will be done of the project area and a buffer area to determine the presence of the invasive alga *Caulerpa taxifolia*. The survey protocol shall be prepared in consultation with the Regional Water Quality Control Board, the California Department of Fish and Game, and the National Marine Fisheries Service.

## **26. Signage**

**Policy 26.1:** Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views. Permitted monument signs shall not exceed eight feet in height. Free-standing pole or roof signs are prohibited. Permanent advertising signs and banners shall be prohibited in public beaches and beach parks.



AERIAL SOURCE: DIGITAL GLOBE, MARCH 2007

- National Wildlife Refuge (San Diego Bay Unit)\*
- Sweetwater Marsh National Wildlife Refuge\*
- City of Chula Vista LCP Open Space Land Use Designation
- City of Chula Vista S-4 100 ft. No-Touch Buffer
- CVBMP Boundary
- Proposed Navigation Channel

#### Port Master Plan - Planning District 7 Conservation Land and Water Designations

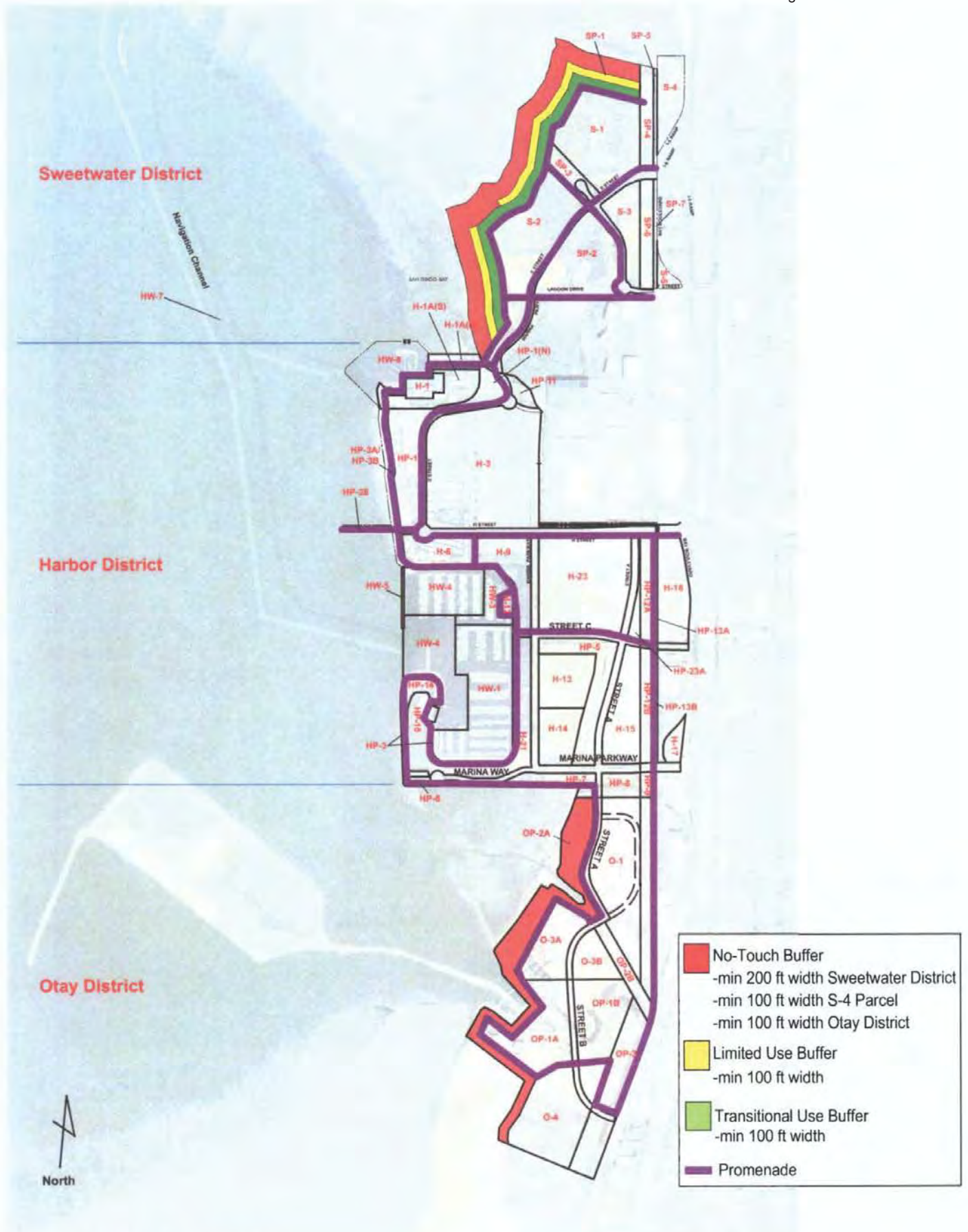
- Estuary
- Habitat Replacement
- Wetland

## Exhibit 1

### Wildlife Habitat Areas

(Defined by § 3.1 of the Chula Vista Bayfront Master Plan Settlement Agreement; the agreement prevails over any conflict with this exhibit.)

\*National Wildlife Refuge lands are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.



## Exhibit 2 – Buffer Areas

(Defined by § 4.1.3 and 4.1.4 of the Chula Vista Bayfront Master Plan Settlement Agreement; the agreement prevails over any conflict with this exhibit)

### EXHIBIT 3

Exhibit 3 outlines the methodologies for determining that the goals of the Energy Section are met. The Sample Worksheets are for illustration purposes, to provide a format which may be used both by Developments and by the City of Chula Vista's Building Department. Note that the Energy Section outlines requirements and approaches for projects which will be subject to future codes, regulations, tariffs, and technologies, all of which are subject to change. When clarifications are needed, they will be provided by the City of Chula Vista.

Baseline. The term "Baseline" refers to the amount of energy against which the energy reduction will be measured.

SAMPLE Worksheets. Sample worksheets are provided as suggested approaches. Actual worksheets for calculating the energy requirements should be coordinated with the City of Chula Vista Building Department.

Title 24 Path. Title 24 language refers to the "Standard Budget" and "Proposed Budget." The Whole Building Performance Method, which generates the Standard and Proposed Energy Budgets, is specifically for energy uses within a conditioned building, and does not include lighting which is in Interior Unconditioned Spaces or lighting which is outside. However, for the purposes of the Energy Section, this lighting energy will be added to the energy budgets for the conditioned building, and the combined energy uses will become the Baseline for the "Title 24 Path." Each of the various energy uses will be converted into Site kBTu, except for the final 5% energy reduction waiver allowed for Ongoing Measurement and Verification.

LEED Path. LEED language refers to the "Baseline Design" and "Proposed Design." The LEED Path Baseline is likely to be different and higher than the Title 24 Path Baseline because LEED counts all of the energy uses within the site boundary, some of which are not counted by Title 24. However, LEED is also likely to be better and more comprehensive in calculating overall energy performance features, such as district thermal plants, combined heat and power, natural ventilation, efficiencies in process loads, aggregating multiple buildings, and the benefits of renewable energy. Each of the various energy uses will be converted into dollars (\$), except for the final 5% energy reduction waiver allowed for Ongoing Measurement and Verification.

If the LEED Path is chosen, the Development may be subject to an additional fee to the City of Chula Vista for a 3rd party plan check by an experienced LEED reviewer acceptable to the City. Recognizing that LEED Templates may not be complete at the time of the initial Building Department submittals, draft Templates may be used, at the discretion of the reviewer.

Natural Ventilation. When using Natural Ventilation (NV) to qualify as an energy reduction feature, the Development may qualify for a waiver of up to 10% if at least 75% of the area that would normally be cooled relies solely on natural ventilation strategies to help maintain comfortable temperatures. Pro-rations are possible.

City of Chula Vista Sponsored Energy Efficiency Program. Refer to the appropriate City ordinances for details on this program.

Measurement and Verification. Each Development shall develop and implement an ongoing Measurement and Verification (M&V) Plan consistent with the International Performance Measurement and Verification Protocol (IPMVP) Volume III, Concepts and Options for Determining Energy Savings in New Construction, April 2003. The Development may choose either Option B or Option D. If the LEED Path is chosen, the M&V Plan should be consistent with Credit EAc5, except that LEED only requires one year of implementation, and the Energy Section of this Agreement requires M&V to be ongoing.

Demand Response Tariffs. Developments which enroll in SDG&E Demand Response rate tariff(s) which are designed to reduce the load on the electric grid during critical times may be awarded up to a 5% waiver.

## EXHIBIT 3

## SAMPLE Worksheet A: Title 24 Path

Name: Example Development

Description <sup>1</sup>	Source of Info (Attachments)	Input Standard	Input Proposed	Typical Units of Measure	Convert to Site kbtu	Standard = Baseline	Proposed	Units	Minimum % Reduction	Actual % Reduction
<b>15.2.1 MINIMUM EFFICIENCY</b>										
Title 24 Whole Building Performance	T24 UTIL-1, Part 1			Source TDV kbtu/sf-yr					15%	
<b>15.2.2 CALCULATE BASELINE AND REDUCTIONS</b>										
<b>A. Energy Uses</b>										
T24 Electricity	T24 UTIL-1, Part 2			Site KWH/year	3.413	-	-	kBtu		
T24 Gas	T24 UTIL-1, Part 2			Site Therms/year	100.000	-	-	kBtu		
T24 Lighting Outside and Uncond	Worksheet A-LTG	-	-	Site KWH/year	3.413	-	-	kBtu		
<b>A. Summary of Efficiency of End Uses</b>										
B. Renewable Energy Contributions						-	-	kBtu		
PV: within Development	CSI calculation or PV-Watts <sup>2</sup>	n/a		Site KWH output/year	3.413	n/a	-	kBtu		
PV: Credited from Project		n/a		Site KWH output/year	3.413	n/a	-	kBtu		
Solar Thermal: within Development	F-Chart or equal as appropriate	n/a		Site kbtu offset/year	1.000	n/a	-	kBtu		
Other		n/a		as appropriate		n/a				
<b>B. Combined Renewable Reductions</b>										
<b>C. Natural Ventilation</b>										
	Worksheet C						0% to 10%			
<b>D. Chula Vista Program Savings</b>										
Verified Electricity Savings	Confirm with Program Administrator	n/a		Site KWH	3.413		-	kBtu		
Verified Gas Savings		n/a		Site Therms	100.000		-	kBtu		
<b>D. CV Program Combined Reduction</b>										
<b>E. Ongoing Measure &amp; Verify</b>										
	Worksheet E						Required			
<b>F. Demand Response Tariff</b>										
	Worksheet F						0% to 5%			
<b>TOTAL REDUCTION FROM BASELINE (Must be at least 50% Reduction)</b>										<b>0.0%</b>

## NOTES TO WORKSHEET A

Note 1: If the Development includes more than one building, then use multiple Worksheets, or, add backup calculations or line items to this spreadsheet, as most appropriate.

Note 2: Final photovoltaic design and output information shall use industry standard software, including at least site location, array orientation, array tilt, and system efficiency. California Solar Initiative (CSI) rebate calculations and PV-Watts are examples of acceptable software.

## EXHIBIT 3

## Worksheet A-LTG: Lighting Outside and in Interior Unconditioned Spaces

Name: Example Development

Category <sup>1</sup>	Source of Info (Attachments)	T24 Allowed Watts	Proposed Watts	Occupancy	hours /day <sup>2</sup>	Days /year	Hours /year	Standard KWH/yr	Proposed KWH/yr
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
Specific Applications (Non-Tradable)	T24 OLTG Forms						-	-	-
Specific Applications (Non-Tradable)	T24 OLTG Forms						-	-	-
Specific Applications (Non-Tradable)	T24 OLTG Forms						-	-	-
Signs (Non-Tradable)	T24 OLTG Forms						-	-	-
Signs (Non-Tradable)	T24 OLTG Forms						-	-	-
<b>Totals (Subtotals are inputs to Worksheet A)</b>									-

## NOTES TO WORKSHEET A-LTG

Note 1: If more lines are needed, create a spreadsheet in similar format, and enter above, as appropriate.

Note 2: For average runtimes, use the hours in this chart, unless proposer demonstrates to the Bldg Department's satisfaction that a different value should be used.

## EXHIBIT 3

## SAMPLE Worksheet B: LEED Path

Name: Example Development

Description	Source of Info (Attachments)	Standard or Baseline	Proposed	Typical Units of Measure	Virtual Rate	Baseline	Proposed	Units	Minimum % Reduction	Actual % Reduction
<b>15.2.1 MINIMUM EFFICIENCY</b>										
Title 24 Whole Building Performance	T24 UTIL-1, Part 1			Source TDV kbtu/sf-yr					15%	
<b>15.2.2 CALCULATE BASELINE AND REDUCTIONS</b>										
A. Energy Costs: LEED Performance Rating Method (PRM) EAp2/c1 Letter Template										
Conditioned Building(s)		Included	Included							
Other energy uses on site		Included	Included							
Lighting: Outside and Uncond		Included	Included							
Onsite Renew Energy: Development	LEED EAp2/c1 Letter Template	Included	Included							
Campus Renew Energy: Project		Included	Included							
Other		Included	Included							
Natural Ventilation		May be included in LEED EAp2/c1, OR, use Worksheet C								
Electricity (Summary)	LEED EAp2/c1 Section 1.8 Summary <sup>1</sup>			kWh	#DIV/0!			Site \$		
Natural Gas (Summary)				therms	#DIV/0!			Site \$		
<b>A. Summary of Efficiency of Energy Costs</b>						\$ -	\$ -	Site \$		
<b>B. Combined Renewable Reductions</b>	Included in EAp2/c1 above									
<b>C. Natural Ventilation</b>	May be included in LEED EAp2/c1 above, OR, use Worksheet C									
Alternate:	Worksheet C						0% to 10%			
D. Chula Vista Program Savings										
Verified Electricity Savings	Confirm with Program Administrator			Site KWH	#DIV/0!		#DIV/0!	Site \$		
Verified Gas Savings				Site Therms	#DIV/0!		#DIV/0!	Site \$		
<b>D. CV Program Combined Reduction</b>										
<b>E. Ongoing Measure &amp; Verify</b>	LEED EAc5. See Worksheet E.						Required			
<b>F. Demand Response Tariff</b>	Worksheet F						0% to 5%			
<b>TOTAL REDUCTION FROM BASELINE (Must be at least 50% Reduction)</b>										<b>0.0%</b>

## NOTES TO WORKSHEET B

Note 1: LEED EAp2/c1 Letter Template: Section 1.8, "Energy Cost and Consumption by Energy Type - Performance Rating Method Compliance Table"

## EXHIBIT 3

## SAMPLE Worksheet C: Natural Ventilation

**Name: Example Development**

When using Natural Ventilation (NV) to qualify as an energy reduction feature for this Agreement, the Development may qualify for a waiver if at least 75% of the area that would normally cooled includes effective natural ventilation strategies to help maintain comfortable temperatures. A 5% waiver is granted if the area is also served by an energy or cooling system drawing energy from the grid. A 10% waiver is granted if the area is not served by an energy or cooling system drawing from the grid. The waiver may be prorated if the area is less than 75%. Final determination of normally cooled areas are at the discretion of the Building Department. For example, in CA Climate Zone 7, spaces such as warehouses and kitchens do not normally have electric cooling.

Two approaches are possible:

1. A Development may use a performance approach, such as macro-flow or Computational Fluid Dynamics (CFD) modeling, to design and confirm the maintenance of comfort using natural ventilation techniques.
2. As an alternate, the prescriptive calculations outlined in the Collaborative for High Performance Schools (CHPS) may be used. CHPS identifies an approach to achieving ventilation strategies which are likely to be effective in helping to maintain interior comfort when outside conditions are moderate. Even though the CHPS program targets school campuses, the approach is useful for many occupancies. It is publicly available at [www.chps.net](http://www.chps.net). Suggested references are from CHPS 2006 Volume II Best Practices Manual - Design, HVAC Guidelines, Sections TC 13 (Cross Ventilation), TC-14 (Stack Ventilation), and TC-15 (Ceiling Fans).

The designer should follow the CHPS guidelines. To satisfy the prescriptive approach, the following table may be used. Inlets and Outlets should each be at least 4% of the floor area of the space, totalling at least 8%. Ideally they are on opposite sides, but at a minimum may be on perpendicular walls. Inlets are to be on the side which is typically windward, and lower than outlets.

Space Name	Source of Cooling	Conditioned Floor Area (CFA)	Qualifying CFA	Performance or Prescriptive Calculation	Prescriptive: Inlet (Windward)			Prescriptive: Outlet (Leeward)			opposite or corner wall
					Area	Orientation	% CFA	Area	Orientation	% CFA	
Space A	NV with grid cooling										
Space B	NV with grid cooling										
Space C	NV with grid cooling										
<b>Subtotal:</b>			0								
Space D	NV only										
Space E	NV only										
Space F	NV only										
<b>Subtotal:</b>			0								
Other spaces	no NV										
<b>Total Normally Conditioned Floor Area</b>		-									

CFA: NV Only	Reduction
0%	0%
15%	2%
30%	4%
45%	6%
60%	8%
75%	10%

CFA: NV + grid	Reduction
0%	0%
15%	1%
30%	2%
45%	3%
60%	4%
75%	5%

CFA which is Naturally Ventilated, with Grid Cooling Energy Reduction Allowed	0
CFA Which is Naturally Ventilated Only Energy Reduction Allowed	0
<b>Combined Energy Reduction Allowed</b>	

EXHIBIT 3

SAMPLE Worksheet D: Chula Vista Energy Efficiency Program

Name: Example Development
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Refer to the appropriate City ordinances for details on this program, including, but not limited to:

City of Chula Vista Municipal Code Section 15.12 "Green Building Standards Ordinance"

City of Chula Vista Municipal Code Section 15.26.030 "Increase Energy Efficiency Ordinance"

EXHIBIT 3

SAMPLE Worksheet E: Ongoing Measurement & Verification (M&V)

Name: Example Development

Develop and implement a Measurement and Verification (M&V) Plan consistent with the International Performance Measurement and Verification Protocol (IPMVP) Volume III, Concepts and Options for Determining Energy Savings in New Construction, April 2003. The Development may choose either Option B or Option D.
M&V shall be on-going for the length of the lease.
Tenants shall have sub-meters for electricity. Sub-meters for gas and water should also be considered, but are not required.
The plan shall include a process for corrective action if energy performance goals are not achieved as planned. Refer to ASHRAE Guideline 14 for suggested ranges of discrepancy, appropriate to the meter, magnitude of energy uses, and overall plan.
If the LEED Path is chosen, the M&V Plan should be consistent with EAC5, except that LEED only requires one year of implementation, and the Energy Section of this Agreement requires M&V to be ongoing.

EXHIBIT 3

SAMPLE Worksheet F: Demand Response Tariffs

Name: Example Development

If the development chooses an SDG&E Demand Response tariff in which the customer has the option to manually or semi-automatically reduce electricity use when requested by the utility, then it will be awarded a 3 % waiver towards the overall energy reduction.

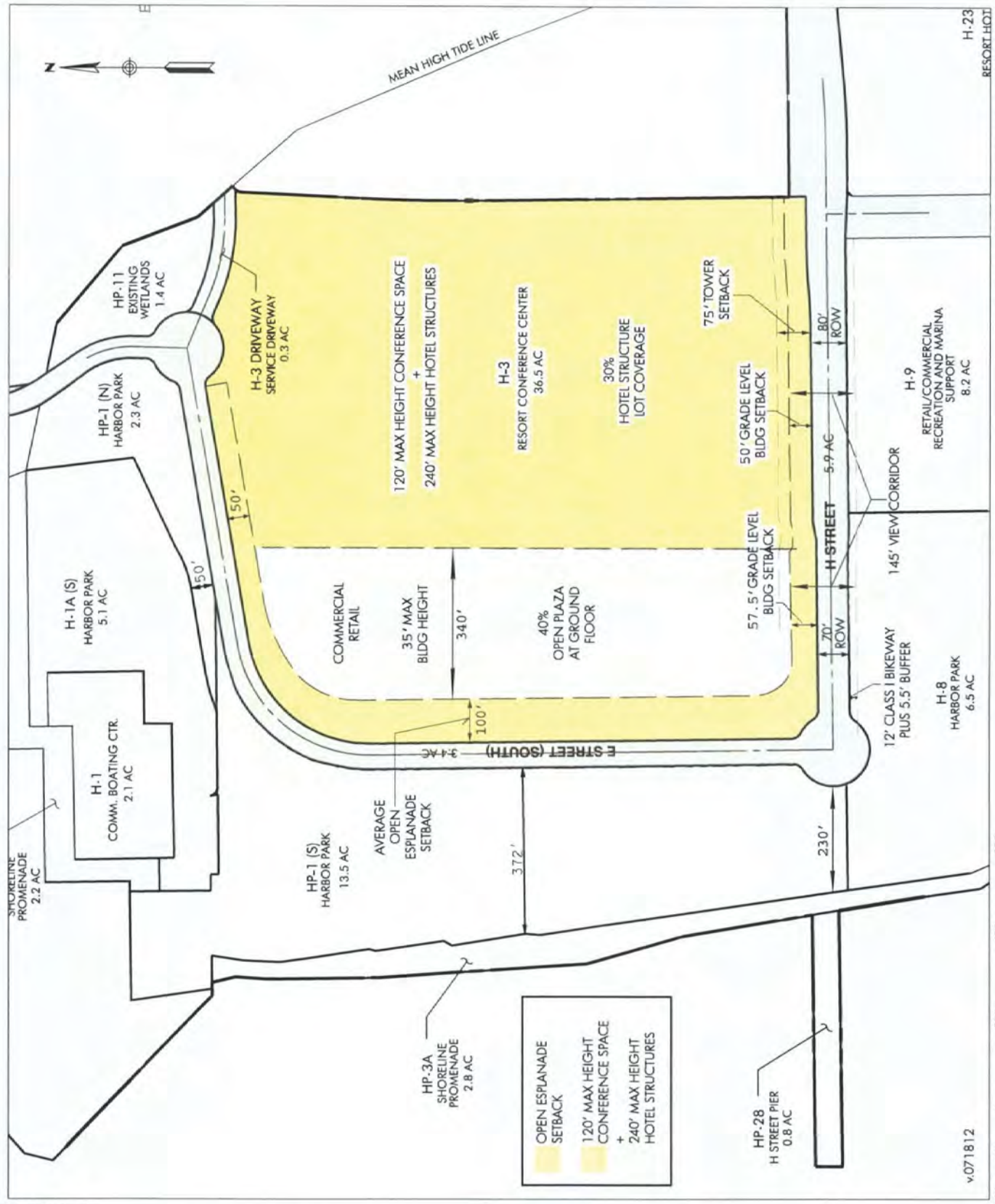
If the development chooses an SDG&E Demand Response tariff in which the utility can automatically reduce the customer's electricity use, then it will be awarded a 5 % waiver towards the overall energy reduction.

Meter(s)	Tariff	Manual or Semi-Automatic: Customer Controlled: 3%	Automatic, or Utility Controlled: 5%	% Reduction Awarded

EXHIBIT 3

Links for References used in EXHIBIT 3

Title 24 Building Energy Efficiency Standards	<a href="http://www.energy.ca.gov/title24/">www.energy.ca.gov/title24/</a>
Collaborative for High Performance Schools (CHPS)	
CHPS 2006 Volume II Best Practices Manual - Design	<a href="http://www.chps.net/dev/Drupal/node/31">www.chps.net/dev/Drupal/node/31</a>
IPMVP, Volume III, Concepts and Options for Determining Energy Savings in New Construction, April 2003.	<a href="http://www.evo-world.org">www.evo-world.org</a>
Leadership in Energy and Environmental Design (LEED™)	Products & Services / IPMVP / Applications Volume III
City of Chula Vista sponsored energy efficiency program	<a href="http://www.usgbc.org">www.usgbc.org</a>
Living Building Challenge	<a href="http://www.ilbi.org">www.ilbi.org</a>



\*Esplanade setback line intended to be illustrative only; distinction between esplanade and commercial retail is to be meandering and visually appealing.

Exhibit 4  
Resort Conference Center (H-3) Development

215 of 404  
217 of 406



# APPENDIX C

## *Public Access Plan*



*San Diego Unified Port District  
and  
City of Chula Vista*



*Chula Vista Bayfront Master Plan  
  
Public Access Program*

San Diego Unified Port District

Document No. **59408**

Filed **OCT 05 2012**

Office of the District Clerk

*August 2012*

*\*Certified by the California Coastal Commission*

## CHULA VISTA BAYFRONT MASTER PLAN PUBLIC ACCESS PROGRAM

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Contents:	1. Introduction and Statement of Purpose
	2. Public Access—Current Conditions
	3. Circulation Improvements
	4. Integration of the Bayshore Bikeway
	5. Public Transit Improvements
	6. Roadway Improvements
	7. Parking Allocations
	8. Summary

### 1. Introduction and Statement of Purpose

A fundamental goal of the California Coastal Act is the protection and maximization of public access to California's shoreline. In accordance with this goal, the Chula Vista Bayfront Master Plan (CVBMP) implements a Public Access Program (PAP) that ensures the public's right of access to the shoreline. The CVBMP PAP defines and implements an extensive multi-modal pedestrian, bicyclist, mass-transit and automobile-based system to provide a variety of free and low-cost Chula Vista waterfront public recreational opportunities for the residents and visitors of the region. The PAP is a supplemental document to the City of Chula Vista's (City) Local Coastal Program (LCP) and San Diego Unified Port District's (District) Port Master Plan (PMP) amendments for the CVBMP. The CVBMP improves the public's access to the shoreline by increasing pedestrian and bikeway connections, increasing public transportation connections, and improving circulation along the coast.

The CVBMP guides development within the Chula Vista Bayfront. Chula Vista's Bayfront lies within the Chula Vista Coastal Zone, an area that totals 1,345 acres. Of these 1,345 acres, 722 acres are within the City's jurisdiction and 536 acres are within the District's jurisdiction (see Exhibit 1, Chula Vista Coastal Zone).

## Exhibit 1 – Chula Vista Coastal Zone



## **2. Public Access—Current Conditions**

Currently, public access to Chula Vista's shoreline is limited. The only direct public access is located within the jurisdiction of the District. A boat launch, marina, and a park are located off of the westerly extension of J Street. Also on District property is a park and public beach located west of the Goodrich facility. Public access is also currently provided via a shuttle bus that serves the Chula Vista Nature Center, located on Gunpowder Point, and within the boundaries of the National Wildlife Refuge (NWR).

The types of land use that currently exist along the shoreline limit public access. Goodrich's major industrial/manufacturing facility, boat yards, SDG&E utility infrastructure, power plant operations, and undeveloped property all have resulted in very limited direct public access opportunities. Another key consideration is the environmental sensitivity of the shoreline within the Bayfront area, such as the National Wildlife Refuge. This results in limited or restricted access in some areas in order to preserve the habitat value of the shoreline itself. A significant objective of the CVBMP is to rectify this lack of public access while still preserving sensitive habitat.

## **3. Circulation Improvements**

Among the primary goals of the CVBMP is to increase pedestrian access to the shoreline. The CVBMP enhances pedestrian access within its developed and open space areas, and enhances pedestrian visual and physical access to the waterfront, through a comprehensive, continuous pedestrian circulation plan totaling approximately 54,000 linear feet (see Exhibit 2, Pedestrian Circulation Plan). Pedestrian access will be limited or prohibited where public safety issues and proximity to sensitive resource issues may arise. The CVBMP includes an approximately 8-acre shoreline promenade or baywalk, trails, and sidewalks with appropriate pedestrian-scale landscaping, lighting, and furniture. The pedestrian pathways will be constructed concurrently with adjoining or adjacent development within the districts, and shall be open prior to or concurrent with occupancy of the first use within each district, with the ultimate goal of continuous pedestrian access and linkages within the CVBMP area.

Exhibit 2 – Pedestrian Circulation Plan



Specific pedestrian circulation areas will also allow for bicycles, as described below. The specific design of the pedestrian pathways will depend on public safety issues, land use adjacency issues, and other factors. These factors, in turn, will determine the appropriate materials (i.e., pavement, decomposed granite, etc.) to be used for the pathways, and whether bicycles and other wheeled items, such as skateboards, will be allowed.

At the north end of the CVBMP in the Sweetwater District, a pedestrian pathway is proposed along the proposed extension of E Street into the Harbor District. Pedestrian access is also proposed west of F Street, within the proposed abandoned segment of F Street/Lagoon Drive. An approximately 12-foot-wide pedestrian trail is proposed along the western edge of the Sweetwater District. Other pedestrian paths will be located along the SDG&E transmission corridor, and along a proposed F Street that will link pedestrians at F Street to the Signature Park and pedestrian trail. Design of the pedestrian paths in the Sweetwater District will be sensitive to the paths' adjacency to sensitive resources at the F & G Street Marsh and the Sweetwater Marsh NWR.

In the Harbor District, or the central portion of the CVBMP, an approximately 12,000-linear-foot, 25- to 50-foot-wide shoreline promenade or baywalk is proposed along the entire shoreline, from the existing boatyard site south to the shoreline north of the J Street Marsh. The proposed extension of H Street is viewed as a significant physical and visual corridor for pedestrians, ultimately connecting the City to the waterfront, ending in a 60-foot-wide, 600-foot-long pier. Additional pedestrian paths will be located on E Street, J Street/Marina Parkway, proposed Street A, proposed Street C, and a pedestrian trail along the SDG&E transmission corridor. Pedestrian linkages to the waterfront will be provided within the proposed residential development, between the Bayside Park and marina retail development.

At the south end of the CVBMP, the Otay District includes pedestrian paths along Street A as it transitions from the Harbor District and along the western perimeter of the Otay District. A pedestrian trail is proposed along the SDG&E transmission corridor that would continue from the Harbor District through the Otay District. As in the Sweetwater District, design of the pedestrian paths within the Otay District will be sensitive to the paths' adjacency to sensitive resources at the J Street Marsh.

Planned improvements to pedestrian and bikeway networks all further the goal of increased public access to California's shoreline by not only facilitating circulation but also lessening reliance on personal vehicles to access the coast. Walking will be encouraged with the creation of pedestrian corridors of paseos, docks, promenades, and courtyards. An effort will be made to foster a system of interconnected bicycle routes throughout the City and the region. This will be aided by connections made with the Bayshore Bikeway. This regional bikeway network is intended to connect major bike trails throughout the region.

#### **4. Integration of the Bayshore Bikeway**

The Bayshore Bikeway is the result of a coordination of regional efforts. The goal of the Bayshore Bikeway is to provide a continuous bikeway system between National City and Imperial Beach. The CVBMP proposes a bikeway loop connecting the Bayshore Bikeway with the various activity centers and elements of the CVBMP. This Class I bike path is proposed along: the western edge of E Street in the Sweetwater and Harbor Districts within parcels and along the south side of H Street east to Marina Parkway; along the west side of Marina Parkway south to J Street; along the south side of J Street east to Bay Boulevard; and, along the west side of Street A and Street B in the Otay District southeast to Bay Boulevard. Due to right-of-way (ROW) constraints within the transition from the Sweetwater to the Harbor Districts, bicycle access along the E Street bridge would be provided within a 16-foot-wide multipurpose trail that will be shared with pedestrians. In addition, bicycle access along the portion of the E Street extension adjacent to the existing boatyard site will be provided within a 10-foot-wide buffer. The Bayfront Loop will re-join the Bayshore Bikeway at Bay Boulevard south of L Street.

The proposed extension of the Bayshore Bikeway along the frontage of the CVBMP will have a paved width of approximately 12 feet, and will allow for two-way bicycle travel, with minimal crossings of vehicular roadways. The alignment of the path will be routed to serve the proposed Resort Conference Center (RCC), new commercial harbor/marinas, and the commercial/residential areas. The specific alignment of the loop will be determined at the time that the project and roadways are designed. The proposed extension will be constructed as the CVBMP roadway improvements are constructed. The proposed extension will also connect to downtown Chula Vista via Class II bike lanes along the new F Street to the existing F Street overcrossing of I-5 (see Exhibit 3, Bayshore Bikeway).

### Exhibit 3 – Bayshore Bikeway



## 5. Public Transit Improvements

In addition to pedestrian and bikeway improvements, the CVBMP intends to make use of public transit in order to increase shoreline access. The increased utilization of public transit reflects two goals of the CVBMP: 1) maximize the two trolley stops adjacent to the Bayfront area and 2) provide future shuttle bus service to interconnect the Bayfront with the trolley stations and the adjacent community. Currently, there are two Trolley stations that serve the Bayfront: one at H Street and one at E Street. These two stations will be integrated into the greater transit network of the City and the region. In addition to the planned transit system, the City is developing a convenient, destination-oriented shuttle system within the City that links activity centers, recreation opportunities, and other appropriate important destinations. This system, known as the Chula Vista Bayfront Shuttle, will be environmentally friendly, affordable, and accessible. The Chula Vista Bayfront Shuttle would service the Master Plan area with a key focus on connecting general users to and from: downtown areas east of I-5; the resort conference center; the residential project; park areas; and, existing trolley stops. It would stop frequently along its entire route to provide a fast and convenient link between the high-density redevelopment areas in the City and Bayfront and the regional light rail trolley system. The shuttle would have fewer stops than a conventional bus, located as close as possible to the major traffic generators. In addition, a private shuttle system to transport employees between the H-18 parking structure and the H-3 parcel in the Harbor District will be considered.

Shuttle service shall be phased concurrent with development. At a minimum, service shall be provided upon the issuance of certificate of occupancy for either the H-3 resort conference center hotel or the 500th residential unit in the City of Chula Vista Bayfront. Implementation of the shuttle is anticipated to include participation by commercial development within the plan area. Additional stops shall be provided at the Signature Park, the Recreational Vehicle Park, the H-18 parking structure, and the Park in Otay District as these uses are developed.

The initial general route of the transit shuttle would be along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third

Avenue. Variations in the route near the E Street Trolley Station are also considered. The route would operate as a two-way loop with stops in both directions.

To initially encourage public use of the shuttle, shuttles would typically run every 15 minutes. After the shuttle service has been established, it may be prudent to reevaluate shuttle frequency based on the ridership that is achieved to determine changes in headways.

As shown in Exhibit 4, a minimum of four shuttle stops will initially be included within the Proposed Project area. Each of these stops is further described below:

- Stop #1 (Sweetwater Lodging/Nature Center): This stop is near the north end of the Master Plan area. Although development densities here are not especially high, this location is directly on the shuttle route, not otherwise served by transit, and would benefit from a direct, non-stop connection to the E Street Trolley Station.
- Stop #2 (RCC): This stop is located along E Street adjacent to the proposed RCC.
- Stop #3 (Marina): This stop is located near the Marina Parkway/Street C intersection and near the various uses in the marina. This station will be within a quarter-mile walking distance of the high-density residential component of the Master Plan.
- Stop #4 (Street A): This stop is located along Street A and will serve the hotel, retail, and cultural uses on site.

Increasing access to public transit options will increase the public's access to the shoreline.

## **6. Roadway Improvements**

In addition to the above discussion of circulation improvements, the CVBMP identifies a number of roadway improvements that will result in increased public access to the shoreline. Already, the I-5/SR 54 interchange has been completed and provides regional access to the Bayfront. However, the regional entries to the Bayfront are limited by the off-ramp configurations of Interstate 5 and the location of wetland resources.

Exhibit 4 – Chula Vista Bayfront Shuttle



- San Diego Trolley
- San Diego Trolley Stops
- Proposed Shuttle Route
- Proposed Shuttle Stops

At the present time, access is available at E Street, H Street, and J Street. One additional bridge at F Street provides a local connection to the east side of I-5 but no freeway on- or off-ramps are provided. The H Street ramps, because of their location, will primarily serve the Goodrich facilities. The J Street ramps primarily serve District lands and the marina westerly of Goodrich. J Street also serves as the termination of Marina Parkway. Marina Parkway will be the main street through the Bayfront and run from the J Street/Bay Boulevard intersection west toward the marina, then north-south parallel to the marina within the District's jurisdiction. Marina Parkway will be constructed as a divided roadway with a landscaped median. In addition, Bay Boulevard will be an improved frontage road serving the areas easterly of the railroad ROW. These proposed improvements are designed to increase access to the shoreline.

## **7. Parking Allocations**

Access to parking is paramount for allowing for public access to the shoreline. The CVBMP seeks to encourage public access to the shoreline by ensuring that adequate parking is provided. This includes parking for all public, park, and open spaces uses in the Bayfront. In general, sufficient parking will be required and incorporated into the private development of the Bayfront with some additional off-street and on-street public parking to serve the community parks and other open space resources to assure there is adequate public access to coastal resources. In the Harbor District, typical parking requirement standards for high intensity uses may be reduced if it can be demonstrated that the use will be adequately served by alternative transit. The implementation of restrictions on public parking, which would impede or restrict public access to beaches, trails or parklands, (including, but not limited to, the posting of "no parking" signs, red curbing, physical barriers, imposition of maximum parking time periods, and preferential parking programs) shall be prohibited.

By utilizing "shared parking" among uses that have predictable and opposite peak parking demands, increased public access is supported. The redevelopment of the Bayfront is meant to entice people to the shoreline. It is therefore imperative that parking is provided in an efficient manner, sharing spaces among uses when practical, and in a manner that does not intrude upon the scenic qualities of the Bayfront. Where feasible, public use of private parking facilities underutilized on weekends and holidays (i.e., office buildings) shall be permitted in all locations

within ¼ mile of the shoreline. Tables 1 through 4 detail parking requirements for the various phases of the project.

As illustrated in Tables 1 through 4, more than adequate parking will be provided for all phases of the project. In most cases parking provided is well above the parking required.

## **8. Summary**

The CVBMP implements a strategy for an extensive multi-modal pedestrian, bicyclist, mass-transit and automobile-based system. In addition, it provides a variety of inviting and low-cost public recreational opportunities for the residents and visitors of the Chula Vista waterfront. Overall, the CVBMP entices people to the shoreline by creating a vibrant Bayfront community that includes a mix of residential and commercial uses which is complemented in design by enhancing the public's access to the shoreline by increasing pedestrian, bikeway, and public transit connections.

**TABLE 1**  
**Phase I Parking Summary**

Phase	Parcel	Land Use	Intensity <sup>1</sup>	Rate <sup>2</sup>	Parking Required	Parking Provided	Provided - Required
<b>Sweetwater District</b>							
I	S-2	Signature Park	18.0 ac	12 : ac	216	216	0
I	SP-3	Nature Center Parking and Access Road	—	—	100	100	0
<b>Subtotal</b>					<b>316</b>	<b>316</b>	<b>0</b>
<b>Harbor District</b>							
I	H-3	Hotel	2,000 rm	1 : rm	2,000	2000	0
I	H-3	Hotel Restaurant	1,600 seats	0.11 : seats	176	200	24
I	H-3	Conference Center	415 ksf	1.6 : ksf	664	700	36
—	H-8/HP-1	Signature Park	18.0 ac	12 : ac	216	237	21
—	H-9	Existing Marina	—	—	241 (c)	241	0
I	H-13/H-14	Residential (d)	1,500 du	1.5 : du	2,250	2,300	50
I	H-17	Fire Station	2.0 ac	—	15	15	0
I	H-18	Interim Surface Parking	9.0 ac	—	0	1100	1100
I	H-21	Existing Marina	—	—	338 (c)	338	0
I	HP-3	50-Foot Baywalk	2.6 ac	4 : ac	11	0	-11
I	HP-7	Existing Marina View Park	6.6 ac	12 : ac	79	79	0
I	HP-15	Existing Bayfront Park (e)	10.1 ac	12 : ac	160	160	0
<b>Subtotal</b>					<b>6,150</b>	<b>7,370</b>	<b>1,220</b>
<b>TOTAL</b>					<b>6,466</b>	<b>7,686</b>	<b>1,220</b>

SOURCE: Kimley-Horn and Associates 2008.

rm = rooms; ac = acres; ksf = thousand square feet; du = dwelling units

<sup>1</sup>The intensity of each land use was provided by the Port of San Diego.

<sup>2</sup>The parking rate was provided by the Port of San Diego (Port 1991).

**TABLE 2**  
**Phase II Parking Summary**

Phase	Parcel	Land Use	Intensity <sup>1</sup>	Rate <sup>2</sup>	Parking Required	Parking Provided	Provided - Required
<b>Harbor District</b>							
II	H-9	Retail/Commercial Recreation	50 ksf	4 : ksf	200	203	3
—	H-9	Existing Marina	—	—	241 (c)	241	0
II	H-15	Mixed Use Office	210 ksf	3 : ksf	630	630	0
II	H-15	Visitor Hotel	250 rm	1.04 : rm	260	260	0
II	H-15	Retail	120 ksf	4 : ksf	480	480	0
II	H-15	General Office	90 ksf	3 : ksf	270	270	0
II	H-18	Interim Surface Parking	—	—	0	1,100	1,100
—	H-21	Existing Marina	—	—	338 (c)	338	0
II	H-23	Hotel	500 rm	1 : rm	500	400	-100
II	H-23	Cultural	100 ksf	1 : ksf	100	100	0
II	H-23	Retail	100 ksf	4 : ksf	400	300	-100
II	HP-03	50-Foot Baywalk	0.9 ac	4 : ac	3	0	-3
—	HP-07	Existing Marina View Park	6.6 ac	12 : ac	79	79	0
—	HP-15	Existing Bayfront Park (e)	10.1 ac	12 : ac	160	160	0
II	HP-28	H Street Pier	0.4 ac	12 : ac	5	0	-5
<b>Subtotal</b>					<b>3,666</b>	<b>4,561</b>	<b>895</b>
<b>TOTAL</b>					<b>3,666</b>	<b>4,561</b>	<b>895</b>

SOURCE: Kimley-Horn and Associates 2008.

rm = rooms; ac = acres; ksf = thousand square feet; du = dwelling units

<sup>1</sup>The intensity of each land use was provided by the Port of San Diego.

<sup>2</sup>The parking rate was provided by the Port of San Diego (Port 1991).

**TABLE 3**  
**Phase III Parking Summary**

Phase	Parcel	Land Use	Intensity <sup>1</sup>	Rate <sup>2</sup>	Parking Required	Parking Provided	Provided - Required
<b>Harbor District</b>							
—	H-9	Existing Marina	—	—	241(c)	241	0
III	H-18	Interim Surface Parking	9.0 ac	—	0	900	900
III	H-21	Retail/Commercial Recreation	150 ksf	4 : ksf	600	262	-338
—	H-21	Existing Marina	—	—	338 (c)	338	0
III	HP-3	50-Foot Baywalk	3.0 ac	4 : ac	12	0	-12
III	HP-15	Existing Bayfront Park (e)	10.1 ac	12 : ac	160	160	0
<b>Subtotal</b>					<b>1,351</b>	<b>1,901</b>	<b>550</b>
<b>Otay District</b>							
III	O-3A/O-3B	RV Park	236 du	1 : du	236	236	0
III	OP-1/OP-3	South Park/Open Space	51.0 ac	4 : ac	204	204	0
<b>Subtotal</b>					<b>440</b>	<b>440</b>	<b>0</b>
<b>TOTAL</b>					<b>1,791</b>	<b>2,341</b>	<b>550</b>

**TABLE 4**  
**Phase IV Parking Summary**

Phase	Parcel	Land Use	Intensity <sup>1</sup>	Rate <sup>2</sup>	Parking Required	Parking Provided	Provided - Required
<b>Sweetwater District</b>							
IV	S-1	Resort Hotel	750 rm	1 : rm	750	750	0
IV	S-3	Mixed Use Commercial	120 ksf	4 : ksf	480	480	0
IV	S-4	Office	120 ksf	3 : ksf	360	360	0
<b>Subtotal</b>					<b>1,590</b>	<b>1,590</b>	<b>0</b>
<b>Harbor District</b>							
IV	H-1A	Signature Park	5.0 ac	12 : ac	60	68	8
IV	H-1/HW-6	Community Boating Center	200 berth	0.7 : berth	180	180	0
IV	H-9	Reconfigured Marina	200 berth	0.7 : berth	140	220	80
IV	H-12	Restaurant	25 ksf	9.3 : ksf	233	0	-233
IV	H-12	Ferry Terminal	1 site	22 : site	22	0	-22
IV	H-18	Office/Parking	100 ksf	3 : ksf	300	2,450	2,150
IV	H-21	Reconfigured Marina	500 berth	0.7 : berth	350	350	0
IV	HP-3	50-Foot Baywalk	2.0 ac	4 : ac	8	0	-8
IV	HP-28	H Street Pier	0.4 ac	12 : ac	5	0	-5
<b>Subtotal</b>					<b>1,297</b>	<b>3,268</b>	<b>1,971</b>
<b>TOTAL</b>					<b>2,887</b>	<b>4,858</b>	<b>1,971</b>



# APPENDIX D

## *Biological Resources Survey Report*



March 27, 2015

8313-03

Mayra Medel  
San Diego Unified Port District  
3165 Pacific Highway  
San Diego, California 92112

***Subject: Biological Resources Survey Report for the E Street Realignment in Chula Vista, Chula Vista Bayfront Master Plan, California***

Dear Ms. Medel:

This biological resources survey report describes the existing biological conditions of the Sweetwater District parcel and the H-3 parcel within the Harbor District, located within the boundary of the Chula Vista Bayfront Master Plan (CVBMP) in Chula Vista, California. This report describes the results of vegetation mapping, rare plant survey, jurisdictional delineation, and focused surveys for burrowing owl (*Athene cunicularia*), coastal California gnatcatcher (*Polioptila californica californica*), northern harrier (*Circus cyaneus*), and Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) and discusses survey methods, vegetation communities and special-status biological resources present on site. This report was also prepared in accordance with the Chula Vista Bayfront Development Policies. Specifically, this report identifies the relevant conditions and policies that will help guide the development of the Chula Vista Bayfront and determines consistency with those policies.

Since completion of the Final Environmental Impact Report (FEIR) for the CVBMP in 2010, site conditions and elements of the project have changed. This biological resources survey report addresses some of the site updates within the Sweetwater District and H-3 parcels relating to the realignment of E Street.

## **1 PROJECT LOCATION**

The E Street Realignment study area is located west of Interstate 5, north of Lagoon Drive and Marina Parkway, and abuts the San Diego Bay in the City of Chula Vista, California (Figure 1). The CVBMP planning area incorporates three separate districts, but the E Street Realignment study area is restricted to the Sweetwater District and H-3 parcels within the Harbor District. Specifically, the study area is mapped in the northwest portion of Section 4 and the northeast portion of Section 5, Township 18 South, Range 2 West on the National City and Imperial Beach U.S. Geological Survey 7.5-minute quadrangle (Figure 2).

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## **2 REGULATORY CONTEXT**

This section describes the regulatory framework relevant for this project.

### **2.1 Federal**

The federal Endangered Species Act (FESA) of 1973 (16 U.S.C. 1531 et seq.), as amended, is administered by U.S. Fish and Wildlife Service (USFWS) for most plant and animal species, and by the National Oceanic and Atmospheric Administration–National Marine Fisheries Service for certain marine species. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. FESA defines an endangered species as “any species that is in danger of extinction throughout all or a significant portion of its range.” A threatened species is defined as “any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” Under FESA, it is unlawful to take any listed species; “take” is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”

FESA allows for the issuance of incidental take permits for listed species under Section 7, which is generally available for projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of habitat conservation plans on private property without any other federal agency involvement. Upon development of an habitat conservation plan, USFWS can issue incidental take permits for listed species.

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (ACOE) regulates the discharge of dredged and/or fill material into waters of the United States. The term “wetlands” (a subset of waters) is defined in 33 CFR 328.3(b) as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” In the absence of wetlands, the limits of ACOE jurisdiction in non-tidal waters, such as intermittent streams, extend to the ordinary high water mark, as defined in 33 CFR 328.3(e).

The Migratory Bird Treaty Act was originally passed in 1918 as four bilateral treaties, or conventions, for the protection of a shared migratory bird resource. The primary motivation for the international negotiations was to stop the “indiscriminate slaughter” of migratory birds by market hunters and others (16 U.S.C. 703–712). Each of the treaties protects selected species of birds and provides for closed and open seasons for hunting game birds.

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The Migratory Bird Treaty Act protects over 800 species of birds. Two species of eagles that are native to the United States, the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*), were granted additional protection within the United States under the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d) to prevent the species from becoming extinct.

## **2.2 State**

The California Department of Fish and Wildlife (CDFW) administers the California Endangered Species Act (CESA), which prohibits the take of plant and animal species designated by the Fish and Game Commission as endangered or threatened in the state of California. Under CESA Section 86, “take” is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA Section 2053 stipulates that state agencies may not approve projects that will “jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy.”

CESA defines an endangered species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” CESA defines a threatened species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the Commission as rare on or before January 1, 1985, is a threatened species.” A candidate species is defined as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list.” CESA does not list invertebrate species.

Section 2081(b) and (c) of the California Fish and Game Code authorizes take of endangered, threatened, or candidate species if take is incidental to otherwise lawful activity and if specific criteria are met. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed species that are also state-listed species. In certain circumstances, Section 2080.1 of CESA allows CDFW to adopt a federal incidental take statement or a 10(a) permit as its own, based on its findings that the federal permit adequately protects the species and

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is consistent with state law. A Section 2081(b) permit may not authorize the take of “Fully Protected” species and “specified birds” (California Fish and Game Code, Sections 3505, 3511, 4700, 5050, 5515, and 5517). If a project is planned in an area where a fully protected species or a specified bird occurs, an applicant must design the project to avoid take.

Pursuant to Section 1602 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. A Streambed Alteration Agreement is required for impacts to jurisdictional wetlands in accordance with Section 1602 of the California Fish and Game Code.

Section 2835 of the California Fish and Game Code allows the Department to authorize incidental take in a natural communities conservation plan (NCCP). Take may be authorized for identified species whose conservation and management is provided for in the NCCP, whether or not the species is listed as threatened or endangered under FESA or CESA, provided that the NCCP complies with the conditions established in Section 2081 of the California Fish and Game Code. The NCCP provides the framework for the San Diego Multiple Species Conservation Program (MSCP) plans.

## **2.3 California Coastal Act**

Under the California Coastal Act of 1976 (CCA), the California Coastal Commission (CCC) regulates the “coastal zone” and requires a coastal development permit for almost all development within this zone. The CCA also protects designated sensitive coastal areas by providing additional review and approvals for proposed actions in these areas. The CCA defines wetlands as “lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, swamps, mudflats, and fens” (California Public Resources Code, Section 30121). The CCA allows diking, filling, or dredging of wetlands for certain uses, such as restoration. The CCA also directs each city or county within the coastal zone to prepare a local coastal program for CCC certification (California Public Resources Code, Section 30500). Under this definition, the CCC takes jurisdiction over all wetlands (as defined by the presence of any one of the three ACOE criteria (i.e., using the Cowardin method)), and all land lower than the 4.5-foot contour.

## **2.4 Chula Vista MSCP Subarea Plan**

Due to the number of endangered species in the region, the State of California enacted the Natural Communities Conservation Planning Act, which promotes the development of regional conservation plans to ensure adequate protection of special-status species to such a degree that

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lead agencies participating under approved plans would not need to seek project-specific approval for pre-authorized take of listed species and/or their supporting habitats. Within southern San Diego County, a regional MSCP was developed in the mid-1990s that provided a framework for the development of individual subarea plans that would allow for participating municipalities and special districts to obtain take authorization through compliance with the MSCP. The H-3 parcels are located within the jurisdiction of the City of Chula Vista MSCP Subarea Plan (City of Chula Vista 2003).

## **2.5 Chula Vista Bayfront Development Policies**

As a condition of the Port Master Plan Amendment (PMPA) for the CVBMP, a series of development policies reflect “policies from adopted and approved plans, certified environmental documents, enforceable settlement agreements, required mitigation measures, and conditions included in the approval process” of the FEIR and PMPA (Port of San Diego 2012). The policy document “reflects all conditions and policies that will apply to and guide the development of the Bayfront” (Port of San Diego 2012). This biological resources survey report considers and reflects the relevant policies as described in the document.

## **2.6 CEQA**

The California Environmental Quality Act (CEQA) requires identification of a project’s potentially significant impacts on biological resources and ways that such impacts can be avoided, minimized, or mitigated. The act also provides guidelines and thresholds for use by lead agencies for evaluating the significance of proposed impacts.

### **2.6.1 Special-Status Plants and Wildlife**

The CEQA Guidelines define endangered animals or plants as species or subspecies whose “survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors” (14 CCR 15380(b)(1)). A rare animal or plant is defined in CEQA Guideline 15380(b)(2) as a species that, although not currently threatened with extinction, exists “in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or ... [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered ‘threatened’ as that term is used in the federal Endangered Species Act.” Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guideline 15380(c).

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For purposes of this impact analysis, species are considered sensitive if they are (1) listed or proposed for listing by state or federal agencies as threatened or endangered (CDFW 2014a, 2014b); (2) plant species with a California Rare Plant Rank (CRPR) (formerly CNPS List) of 1A, 1B, 2A, or 2B (CNPS 2014); (3) included on the City of Chula Vista's MSCP Subarea Plan list of species evaluated for coverage or list of narrow endemic plant species (City of Chula Vista 2003) (for lands within the City's jurisdiction); or (4) considered rare, endangered, or threatened by the California Natural Diversity Database (CDFW 2014b).

Some mammals and birds are protected by the state as fully protected species, as described in the California Fish and Game Code, Sections 4700 and 3511, respectively. Fully protected species may not be taken or possessed without a permit from the California Fish and Game Commission, and no permit is available for the incidental take of a fully protected species. Species considered state candidates for listing as threatened or endangered are subject to the taking prohibitions and provisions under CESA as if the species were listed.

## **2.6.2 Special-Status Vegetation Communities**

Section IV, Appendix G (Environmental Checklist Form) of the CEQA Guidelines (14 CCR 15000 et seq.) requires an evaluation of impacts to "any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game<sup>1</sup> or the U.S. Fish and Wildlife Service." For the purposes of this analysis, native vegetation communities identified as requiring mitigation under the MSCP are considered special status due to having been identified in a local and regional conservation plan.

## **3 METHODS**

Dudek conducted vegetation mapping, rare plant surveys, a jurisdictional delineation, and focused surveys for Belding's savannah sparrow, burrowing owl, and coastal California gnatcatcher for the E Street Realignment between March and June 2014. Surveys for the northern harrier were conducted in conjunction with other surveys, especially the surveys for the burrowing owl and Belding's savannah sparrow. Table 1 lists the dates, conditions, and survey focus for each survey performed.

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<sup>1</sup> Effective January 1, 2013, the California Department of Fish and Game (CDFG) changed its name to the California Department of Fish and Wildlife. In this document, references to guidance or documents prior to the official name change use CDFG, whereas references after the name change use CDFW. References in quoted material are not altered.

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**Table 1**  
**Schedule of Surveys**

Date	Hours	Personnel	Focus	Conditions
3/28/14	0710–1205	AMH	Belding's savannah sparrow surveys	58°F–66°F, overcast–clear, 1–3 mph wind
4/1/14	0800–1540	SCG	Burrowing owl	57°F–65°F, 100%–30% cc, 1–5 mph wind
4/2/14	0810–1530	SCG	Burrowing owl	61°F–67°F, 35%–10% cc, 1–3 mph wind
4/4/14	0630–1030	JDP	Belding's savannah sparrow surveys	49°F–68°F, 90% cc, 1–2 mph wind
4/14/14	0800–1630	VRJ, EAW	Vegetation mapping and jurisdictional delineation	64°F–68°F, 0% cc, 0–5 mph wind
4/18/14	0600–1130	JDP	Belding's savannah sparrow surveys	53°F–70°F, 100%–90% cc, 1–5 mph wind
4/24/14	0630–1030	JDP	Coastal California gnatcatcher	58°F–67°F, 10% cc; 0–4 mph wind
4/25/14	0630–1100	JDP	Belding's savannah sparrow surveys	57°F–64°F, 100% cc, 1–10 mph wind
4/29/14	0700–1100	EAW, SCG	Burrowing owl	67°F–76°F; 0% cc; 0–4 mph wind
4/29/14	0630–1030	JDP	Belding's savannah sparrow surveys	65°F–78°F, 0% cc, 1–2 mph wind
5/9/14	0630–0930	JDP	Coastal California gnatcatcher	57°F–67°F, 10%–0% cc, 0–4 mph wind
5/16/14	0730–1030	JDP	Coastal California gnatcatcher	68°F–80°F, 30%–20% cc, 0–3 mph wind
5/22/14	NR	ACT, KM	Rare plant survey	60°F–70°F; 75% cc – clear; 0–4 mph wind
5/27/14	0900–1430	SCG	Burrowing owl	63°F–77°F; 10%–20% cc; 0–3 mph wind
6/16/14	0800–NR	SCG	Burrowing owl	66°F; 5% cc; 0–2mph wind

**Notes:** ACT = Andy C. Thomson; AMH = Anita M. Hayworth, PhD; EAW = Emily A. Wier; KM = Kyle Matthews; JDP = Jeffrey D. Priest; SCG = Scott C. Gressard; VRJ = Vipul R. Joshi.

°F = degrees Fahrenheit; mph = miles per hour; cc = cloud cover; NR = not recorded.

### 3.1 Vegetation Community and Land Cover Mapping

Plant communities were mapped in the field directly onto a 100-scale (1 inch = 100 feet) color digital orthographic map of the property. These boundaries and locations were digitized by Dudek geographic information system (GIS) technician Amna Javed using ArcGIS software.

Vegetation community classifications used in this report follow Holland (1986), as revised by Oberbauer et al. (2008).

### 3.2 Flora

All native and naturalized plant species encountered on the project site were identified and recorded. Latin and common names for plant species with a CRPR follow the California Native Plant Society (CNPS) online *Inventory of Rare and Endangered Plants* (2013). For plant species

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without a CRPR, Latin names follow the *Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California* (Jepson Flora Project 2013), and common names follow the U.S. Department of Agriculture Natural Resources Conservation Service PLANTS Database (USDA 2013).

The potential for special-status plant and wildlife species to occur on the project site was evaluated based on site location, elevation, vegetation condition, vegetation/land covers, and soils present. Land covers on site were mapped in the field directly onto a 200-scale (1 inch = 200 feet) aerial base (Bing Maps 2014).

### **3.3 Fauna**

Dudek biologists walked the study area to identify and record all wildlife species, as detected during field surveys by sight, calls, tracks, scat, or other signs. In addition to species actually observed, expected wildlife usage of the site was determined according to known habitat preferences of regional wildlife species and knowledge of their relative distributions in the area. No trapping or focused surveys for nocturnal species was conducted. Latin and common names of animals follow Crother (2008) for reptiles and amphibians, American Ornithologists' Union (AOU 2012) for birds, Wilson and Reeder (2005) for mammals, North American Butterfly Association (NABA 2001) or San Diego Natural History Museum (SDNHM 2012) for butterflies, and Moyle (2002) for fish.

All wildlife species detected during the field surveys by sight, vocalizations, burrows, tracks, scat, and other signs were recorded. Binoculars (10 mm × 40 mm) were used to aid in the identification of observed wildlife.

#### **3.3.1 Belding's Savannah Sparrow**

A total of five focused surveys for the Belding's savannah sparrow were conducted within suitable coastal salt marsh habitat within the Sweetwater District parcel according to the California Department of Fish and Game (CDFG) protocol (CDFG 2001). Any savannah sparrows observations were recorded and mapped and digitized using ArcGIS.

#### **3.3.2 Burrowing Owl**

Protocol-level surveys for burrowing owl, a CDFW Species of Special Concern (SSC), were conducted in potentially suitable habitat types (e.g., grasslands, fallow agricultural fields) located throughout the project area. The surveys were conducted according to the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 2012), which provides guidance for conducting a habitat

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assessment as well as breeding and non-breeding season surveys. A total of four survey visits were conducted according to the CDFG 2012 schedule: at least one site visit between February 15 and April 15 and a minimum of three survey visits, at least 3 weeks apart, between April 15 and July 15, with at least one visit after June 15.

### **3.3.3 Coastal California Gnatcatcher**

Surveys for the federally threatened coastal California gnatcatcher (gnatcatcher) were conducted under the authorization of permit TE-840619 (permit-holder Jeff Priest) according to the schedule provided in Table 1. The survey followed the most current protocol established by the USFWS, *Coastal California Gnatcatcher (Poliophtila californica californica) Presence/Absence Survey Protocol, July 28, 1997* (USFWS 1997).

Suitable habitat within the project, including suitable coastal sage scrub habitat, was surveyed three times for the gnatcatcher. The selected route ensured complete coverage of all suitable habitat within the study area. A topographic map of the site (scale: 1 inch = 100 feet) overlaid with vegetation polygons was used for the survey. Weather conditions during surveys are provided in Table 1, and were suitable for detecting gnatcatcher. Binoculars were used to aid in detecting and identifying bird species. Taped gnatcatcher vocalizations were played frequently to elicit a response from the species, if present. The tape was played approximately every 50 to 100 feet within suitable habitat. When a gnatcatcher was detected, playing of the tape ceased in order to avoid harassment and the gnatcatcher location was recorded on the site map. In addition, all species observed within the project site during the focused gnatcatcher surveys were recorded.

### **3.3.4 Northern Harrier**

The surveys conducted for Belding's savannah sparrow and burrowing owl also included the detection of the nesting northern harrier (harrier) within the marshland habitats. There is currently no survey protocol for the harrier and the species is not listed by either the state or federal agencies; however, the agencies consider nesting of the species a rare occurrence. Nesting behavior was included, as were observation of a food pass from the male to the female; observations of territorial behavior, since the hunting females often search near the nest locations; and observations of young birds, which would indicate that a nest site is near. Breeding harriers are very aggressive and easily detected. Any nesting harriers observed were recorded and mapped.

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### **3.4 Jurisdictional Delineation**

A jurisdictional delineation was conducted within the project boundary to delineate areas under the jurisdiction of the CDFW, pursuant to Sections 1600–1603 of the California Fish and Game Code; under the jurisdiction of the ACOE, pursuant to Section 404 of the federal Clean Water Act; under jurisdiction of Regional Water Quality Control Board (RWQCB), pursuant to Clean Water Act Section 401 and the Porter-Cologne Water Quality Control Act; and under the jurisdiction of the CCC under the CCA. The delineation was further conducted consistent with Policies 2.2 and 2.3 of the Chula Vista Bayfront Development Policies guidance (Port of San Diego 2012). The ACOE-jurisdictional wetlands delineation was conducted in accordance with the *Corps of Engineers Wetlands Delineation Manual* (ACOE 1987), the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (ACOE 2008), and *Rapanos* guidance (ACOE and EPA 2008); hydrology, vegetation, and soils were examined at potential wetland sites and were recorded on wetland determination data forms.

A predominance of hydrophytic vegetation, where associated with a stream channel, was used to define CDFW-regulated riparian vegetation. The limits of areas under the jurisdiction of the RWQCB generally match those areas delineated as ACOE jurisdictional. However, stream channels with evidence of an ordinary high water mark that lack connectivity to waters of the United States may be considered to be under the jurisdiction of RWQCB and CDFW but not under the jurisdiction of ACOE. CCC jurisdiction was based on presence of any one of the three wetland criteria. ACOE jurisdiction over tidal wetlands, regardless of the presence/absence of indicators, extends to 18 inches above mean ordinary high tide elevation. Based on tide charts for the San Diego area, ordinary mean high tide was determined to be approximately 3 feet above mean sea level (amsl); therefore, ACOE's tidal wetlands jurisdiction extends to the 4.5-foot contour amsl (NOAA 2014). It is assumed that RWQCB and CCC also take jurisdiction over this tidal area. Additional wetlands jurisdiction may occur above the 4.5-foot contour, but would be based on presence of appropriate wetlands indicators. CDFW, under the Lake and Streambed Alteration program, does not regulate impacts to marine wetlands that are supported by tidal influences. The extent of wetland features was determined in the field by collecting data using a Global Positioning System (GPS) unit; the shapes were then transferred to a topographic base, and GIS coverage was created.

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## 4 RESULTS

### 4.1 Site Description

Topography within the project area ranges from sea level in the western portion of the site to approximately 30 feet amsl in the easternmost portion of the site. Soils on site include tidal flat; made land; Huerhuero loam, 2% to 9% slopes; and Huerhuero–Urban land complex, 2% to 9% slopes (USDA 2014). There are no streams or waters located within the study area included in the National Hydrography Dataset. Much of the site was previously used for agriculture and therefore has been subjected to continual perturbation and is currently disturbed. North of the study area is the Sweetwater Marsh National Wildlife Refuge, to the east is Interstate 5 and commercial and industrial businesses, and to the south is a marina and industrial uses. To the west is San Diego Bay.

### 4.2 Vegetation Communities and Land Covers

Four upland vegetation communities (plus two disturbed forms), two wetland vegetation communities, and six land cover types are present within the study area. Upland vegetation communities include Diegan coastal sage scrub (plus its disturbed form), Diegan coastal sage scrub: broom baccharis dominated (plus its disturbed form), Menzies' goldenbush scrub, and non-native grassland. Wetland vegetation communities include coastal salt marsh and mulefat scrub. Land cover types include beach, developed, disturbed land, eucalyptus woodland, ornamental, and open water. Acreages of vegetation communities and land covers are listed in Table 2 and their spatial distribution is depicted on Figures 3a and 3b.

**Table 2**  
**Acreages of Vegetation Communities and Land Covers**

<b>Vegetation Community / Land Cover</b>	<b>Holland Code</b>	<b>Acreage</b>
<i>Upland Vegetation Communities</i>		
Diegan coastal sage scrub	32510	10.6
Diegan coastal sage scrub: broom baccharis dominated	32530	2.5
Disturbed Diegan coastal sage scrub	32510	0.8
Disturbed Diegan coastal sage scrub: broom baccharis dominated	32530	13.1
Diegan coastal sage scrub: Isocoma dominated (Menzies' goldenbush scrub)	32510	1.3
Non-native grassland	42200	1.0
<i>Subtotal</i>		29.2
<i>Wetlands</i>		
Coastal salt marsh	52100	2.8

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**Table 2**  
**Acreages of Vegetation Communities and Land Covers**

Vegetation Community / Land Cover	Holland Code	Acreage
Mulefat scrub	63310	0.2
Subtotal		3.0
Land Cover Types		
Beach	64400	0.3
Developed	12000	51.6
Disturbed land	11300	95.6
Eucalyptus woodland	79100	1.0
Ornamental	12000	1.4
Open water	64110	0.3
Subtotal		150.4
Total		182.6 <sup>a</sup>

<sup>a</sup> Total may not sum due to rounding.

#### 4.2.1 Diegan Coastal Sage Scrub

According to Holland (1986), Diegan coastal sage scrub is composed of a variety of soft, low shrubs, characteristically dominated by drought-deciduous species such as California sagebrush (*Artemisia californica*), Eastern Mojave buckwheat (*Eriogonum fasciculatum*), and sages (*Salvia* sp.), with scattered evergreen shrubs, including lemonadeberry (*Rhus integrifolia*) and laurel sumac (*Malosma laurina*). It typically develops on xeric (dry) slopes.

Diegan coastal sage scrub and all its variants generally are recognized as special-status plant communities by federal, state, and local resource agencies. It supports a diversity of special-status plants and animals, and has been reduced by 75% to 80% of its historical coverage throughout Southern California. It is the focus of the current California Natural Communities Conservation Planning Program. Diegan coastal sage scrub is an MSCP Tier II vegetation community (County of San Diego 2010).

Within the Sweetwater District parcel, a man-made berm is planted with coastal sage scrub species, dominated by California sagebrush and California brittlebush (*Encelia californica*) with scattered Eastern Mojave buckwheat. Coastal sage scrub is also mapped adjacent to several of the roadways, dominated by Australian saltbush (*Atriplex canescens*). Areas mapped as disturbed coastal sage scrub contain approximately 20% cover of non-native species, including sweet fennel (*Foeniculum vulgare*), black mustard (*Brassica nigra*), broom baccharis (*Baccharis sarothroides*), and horehound (*Marrubium vulgare*).

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#### **4.2.2 Diegan Coastal Sage Scrub: Broom Baccharis Dominated**

Broom baccharis scrub is strongly dominated by broom baccharis, and supports other coastal scrub species, such as California sagebrush, Eastern Mojave buckwheat, and sages (Holland 1986). Broom baccharis scrub is an MSCP Tier II vegetation community (County of San Diego 2010). Within the study area, broom baccharis scrub is mostly a monotypic stand of broom baccharis, with scattered California brittlebush, Eastern Mojave buckwheat, and laurel sumac.

The disturbed form of broom baccharis scrub is characterized by more than 20% cover of non-native species, including Uruguayan pampas grass (*Cortaderia selloana*), black mustard, and sweet fennel.

#### **4.2.3 Menzies' Goldenbush Scrub**

Menzies' goldenbush scrub (Gray and Bramlet 1992) is a plant association that is dominated by coastal goldenbush (*Isocoma menziesii* var. *vernonioides*). It is not a plant community identified in Holland (1986) or Oberbauer et al. (2008) and would typically be included in the California sage scrub community for mapping purposes. It has been separated from California sage scrub in this report because it supports nearly monotypic patches of Menzies' goldenbush and appears most commonly alongside the edges of salt marsh habitat along the southern and northern boundaries of the project site.

Because this alliance is considered a sub-association of California sagebrush scrub, which is the obligate habitat type for the federally listed threatened coastal California gnatcatcher, it is considered a special-status vegetation community. Areas mapped as Menzies' goldenbush scrub within the study area are dominated by Menzies' goldenbush, along with scattered other species including sweet fennel and Australian saltbush. Menzies' goldenbush scrub is an MSCP Tier II vegetation community (County of San Diego 2010).

#### **4.2.4 Non-Native Grassland**

Non-native grassland is characterized by a mixture of weedy, introduced annuals, primarily grasses. It may occur where disturbance by maintenance (mowing, scraping, disking, spraying, etc.), repetitive fire, agriculture, or other mechanical disruptions have altered soils and removed native seed sources from areas formerly supporting native vegetation. Holland (1986) states that non-native grasslands have a sparse to dense cover of annual grasses that are typically 0.2–0.5 meter (0.7–1.6 feet) tall and can be up to 1 meter (3 feet) tall. Wildflowers are often associated with non-native grasslands, especially in years with favorable precipitation (Holland 1986).

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According to Holland (1986), grasses that occur in non-native grasslands include oats (*Avena* spp.), bromes (*Bromus* spp.), fescue (*Vulpia* spp.), and Italian ryegrass (*Lolium perenne* ssp. *multiflorum*). Forbs that commonly occur with these grasses include California poppy (*Eschscholzia californica*), filaree (*Erodium* spp.), goldfields (*Lasthenia* spp.), phacelias (*Phacelia* spp.), gillias (*Gilia* spp.), and baby blue-eyes (*Nemophila menziesii*). Non-native grassland also includes land that is used as pasture for grazing purposes. Grasses such as barley (*Hordeum* spp.) and wild oats may grow in these areas. This land has very few native species. Non-native grassland is an MSCP Tier III vegetation community (County of San Diego 2010).

Within the study area, cover of non-native grasses present include slender oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), compact brome (*Bromus madritensis*), mouse barley (*Hordeum murinum*), and smilgrass (*Stipa miliacea* var. *miliacea*).

#### **4.2.5 Coastal Salt Marsh**

Southern coastal salt marsh is described by Oberbauer et al. (2008) as a coastal community dominated by highly productive salt-tolerant hydrophytes. This vegetation community has a long growing season in the summer, and is found in sheltered areas of bays, lagoons, and estuaries (Holland 1986). Characteristic species include California seablite (*Suaeda californica*), pickleweed (*Salicornia* spp.), alkali seaheath (*Frankenia salina*), turtleweed (*Batis maritima*), and dwarf coastweed (*Amblyopappus pusillus*).

Coastal salt marsh within the project site is found along the coastline and in a depression in the central part of the site. This vegetation community is dominated by Parish's glasswort (*Arthrocnemum subterminale*), marsh jaumea (*Jaumea carnosa*), turtleweed, and saltgrass (*Distichlis spicata*). Scattered alkali seaheath and Lindley's saltbush (*Atriplex lindleyi*) are also present in this vegetation community. Southern coastal salt marsh is an MSCP Tier I vegetation community (County of San Diego 2010).

#### **4.2.6 Mulefat Scrub**

Mulefat scrub is an herbaceous riparian scrub dominated by mulefat (*Baccharis salicifolia*) that typically occurs along intermittent stream channels with generally coarse substrate and a moderate depth to the water table (Holland 1986). Frequent flooding and/or scouring apparently maintain this community in an early successional state. Characteristic plant species in this community include mulefat, Santa Barbara sedge (*Carex barbarae*), willows (*Salix* spp.), and giant stinging nettle (*Urtica holosericea*).

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Two small areas within the study area were mapped as mulefat scrub and are principally dominated by mulefat with other species, including tree tobacco (*Nicotiana glauca*) and broom baccharis, also present. Mulefat scrub is an MSCP Tier I vegetation community (County of San Diego 2010).

#### **4.2.7 Beach**

Beach habitat is described by Oberbauer et al. (2008) as sandy and/or cobbly habitats that line coastal strands, lagoons, lakes, or oceans. Beaches form from wave action, disturbance, and geologic processes. Most beaches are unvegetated, but may support sparse herbaceous species. Within the study area, beach habitat is mapped along the western boundary adjacent to the Pacific Ocean. Beach habitat is generally disturbed, and trash, debris, and concrete slabs are present. Beach habitat is not associated with an MSCP tier (County of San Diego 2010).

#### **4.2.8 Developed Land**

Urban/developed land refers to areas that have been constructed upon or disturbed so severely that native vegetation is no longer supported. Developed land includes areas with permanent or semi-permanent structures, pavement or hardscape, landscaped areas, and areas with a large amount of debris or other materials (Oberbauer et al. 2008). Developed areas are generally graded and compacted, sometimes covered with gravel road base or built, and have little to no vegetation present. Developed land is an MSCP Tier IV vegetation community (County of San Diego 2010).

Developed land within the study area includes paved roads, old rail tracks, parking lots, and compacted dirt paths and trails that support no vegetation. Developed land is located within the Sweetwater District and H-3 parcels.

#### **4.2.9 Disturbed Land**

Disturbed land is not described by either Holland (1986) or Oberbauer et al. (2008) but is utilized in this report to describe much of the study area. Disturbed land supports nearly complete vegetative cover of primarily non-native and invasive species. This habitat covers much of the study area and has little biological value. Disturbed land is dominated by fennel, black mustard, crown daisy (*Glebionis coronaria*), Maltese star-thistle (*Centaurea melitensis*), Australian saltbush, horehound, and Uruguayan pampas grass. In particular, the site was determined to support a thick layer of thatch that would essentially exclude many special-status species, including burrowing owl or special-status plant species, from being found throughout the site.

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Within this land cover type, there are scattered locations of native species, including broom baccharis and California brittlebush. However, these plants are found at too low a density (less than 10% cover) and over too small an area to be specifically incorporated into this habitat community as an identifying characteristic. Areas of dense native vegetation that were identified to provide greater biological value are specifically identified as a different habitat community in order to capture the varied biological makeup of the study area. Disturbed land is an MSCP Tier IV land cover type (County of San Diego 2010).

#### **4.2.10 Eucalyptus Woodland**

Although not recognized by Holland (1986) as a native plant community, eucalyptus woodland is a distinct “naturalized” vegetation type that is fairly widespread in Southern California and is considered a woodland habitat. It typically consists of monotypic stands of introduced Australian eucalyptus trees (*Eucalyptus* spp.). The understory is either depauperate or absent owing to shade and the possible allelopathic (toxic) properties of the eucalyptus leaf litter. Although eucalyptus woodlands are of limited value to most native plants and animals, they frequently provide nesting and perching sites for several raptor species. Eucalyptus woodland is an MSCP Tier IV vegetation community, indicating its low value for covered species under the MSCP (County of San Diego 2010).

One area is mapped as eucalyptus woodland within the study area, in the southern region of the Sweetwater District parcel. The woodland is dominated by eucalyptus, but some non-native pine trees (*Pinus* sp.) and palms (*Washingtonia robusta*) are also present.

#### **4.2.11 Ornamental**

Areas in the study area mapped as ornamental principally refer to areas where Athel tamarisk (*Tamarix aphylla*) was planted adjacent to roads and the business park. These areas of tamarisk are not associated with any riparian habitat or drainage areas, but contain large (more than 30-foot-tall) planted trees in the form of a windbreak. “Ornamental” also describes areas where non-native pines and scattered sycamores are planted along Bay Boulevard. Ornamental is not formally listed with an MSCP tier, but is considered a Tier IV land cover type due to its similarity to other disturbed and developed land covers (County of San Diego 2010).

#### **4.2.12 Floral Diversity**

A total of 99 species of native or naturalized vascular plants, 52 native (50%) and 52 non-native (50%), was recorded on the site (see Appendix A). The high percentage of non-native species is likely due to past uses of the site for agriculture and that much of the site is mapped as disturbed land.

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### 4.3 Special-Status Plant Species

Endangered, rare, or threatened plant species, as defined in Section 15380(b) of the CEQA Guidelines (14 CCR 15000 et seq.), are referred to as “special-status plant species” in this report and include endangered or threatened plant species recognized in the context of CESA and FESA (CDFW 2014a, 2014c), plant species with a CRPR 1 through 4 (CNPS 2014), and plant species covered under the Chula Vista MSCP Subarea Plan (City of Chula Vista 2003).

Special-status plant surveys were conducted within the study area to determine the presence or absence of plant species that are considered endangered, rare, or threatened under CEQA Guideline 15380 (14 CCR 15000 et seq.), as described in Section 3.2. Special-status plant species observed or with a high potential to occur within the study area are presented in Appendix B1. All species with a moderate or high potential to occur have been determined, through the focused survey, to be either present or absent. Special-status plant species known to occur in the surrounding region that are absent or with low potential to occur on site are presented in Appendix B2. The evaluation of each species’ potential to occur on site is based on the elevation, habitat, and soils present on site and Dudek’s knowledge of biological resources in the area and regional distribution of each species. A number of potentially occurring plant species are conspicuous (e.g., large, woody shrubs) and readily observed if present within an open and largely disturbed site. Due to low rainfall levels during the survey year, many annuals with potential to occur would likely not have bloomed. As a result, there are eight species that were considered to have a high potential to occur on site (but could likely be excluded from this list during a survey year with average rainfall or greater). Three special-status plant species were detected within the study area during the April 2014 survey: San Diego County viguiera (*Bahiopsis laciniata*), California box-thorn (*Lycium californicum*), and estuary seablite (*Suaeda esteroa*) (see Figure 3a).

#### 4.3.1 Species Observed on Site

##### San Diego County viguiera (*Bahiopsis laciniata*)

San Diego County viguiera is a shrub in the Asteraceae family. This species is found in chaparral and coastal scrub habitats throughout Orange and San Diego Counties in California, and in Baja California and Sonora, Mexico. This species is locally common but threatened by continuing development within the region. It blooms from February through June, and is found at elevations from 60 to 750 meters (200 to 2,460 feet) amsl (CNPS 2014).

A total of 25 individuals were mapped within the project area at the eastern periphery of the Sweetwater District parcel in disturbed broom baccharis scrub and non-native grassland.

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### **California box-thorn (*Lycium californicum*)**

California box-thorn is a shrub in the Solanaceae family. This species has a CRPR of 4.2. This species is found in coastal bluff scrub and coastal scrub habitats throughout much of Southern California and the Channel Islands, as well as Arizona, and into Baja California and Sonora, Mexico. California box-thorn blooms from March to August, and is found at ranges from 5 to 150 meters (16 to 500 feet) amsl (CNPS 2014). This species is currently threatened by development, and potentially by foot traffic and trail maintenance.

A total of 10 individuals were mapped throughout the project area. California box-thorn was primarily mapped on the periphery of coastal salt marsh habitats.

### **Estuary seablite (*Suaeda esteroa*)**

Estuary seablite is a perennial herb in the Chenopodiaceae family. This species has a CRPR of 1B.2, indicating that it is rare, threatened, or endangered in California and elsewhere, and is fairly endangered in California as it is restricted to coastal environments. This coastal species is found in coastal salt marshes and swamps at elevations from sea level to 15 feet (5 meters) amsl. The range of this species extends south from Ventura County to Baja California (CNPS 2014). This species is currently threatened by development and recreation.

A total of 85 individuals were mapped within the project area in areas mapped as coastal salt marsh, disturbed land, and adjacent to beach habitat.

### **4.3.2 Species with High Potential to Occur**

The following species were considered to have a high potential to occur within the study area based on the presence of suitable habitat, appropriate elevation, and favorable soil conditions. None of these species was observed during 2014 surveys. However, because these species are annuals that are reliant on seasonal rainfall for growth and there was very little rainfall during the 2013–2014 growing season, the absence of these species during the 2014 surveys cannot be considered conclusive. Considering this condition, the study area has been separated to evaluate these species' presence within different zones, including within the 100-foot buffer area and within the proposed redevelopment area. The study area includes a wide range of habitat quality, from disturbed land composed of non-native species to intact native vegetation communities. The areas where these species are considered to have a high potential to occur are along the western and northern boundaries of the study area, where there is some intact coastal salt marsh habitat. In contrast, they are expected to have a low to moderate potential to occur elsewhere.

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within the study area (which would be impacted by realignment of E Street), where most of the land is disturbed.

**Nuttall's acmispon (*Acmispon prostratus*)**

Nuttall's acmispon is an annual herb in the Fabaceae family. This species is found in coastal dune and coastal scrub habitats, generally with sandy soils. There are records for this species primarily in coastal San Diego County and south into Baja California (CNPS 2014). Nuttall's acmispon has a CRPR of 1B.1, indicating that it is rare, threatened, or endangered in California and elsewhere, and it is seriously endangered in California. CNPS (2014) lists threats to this species as development, encroachment by non-native plants, and naval operations at Silver Strand and Imperial Beaches. This species has a high potential to occur along the western and northern boundaries of the study area, but a low potential to occur in the E Street Realignment area.

**Coastal dunes milk-vetch (*Astragalus tener* var. *titi*)**

Coastal dunes milk-vetch is an annual herb in the Fabaceae family. This species is federally and state endangered, and has a CRPR of 1B.1. Coastal dunes milk-vetch is found in coastal habitats, including coastal bluff scrub, coastal dunes, and coastal prairie, often in areas of sandy soils or vernal mesic areas. There are fewer than 10 occurrences for this species, and it is threatened by urbanization, recreational activities, and non-native plants (CNPS 2014). This species has a high potential to occur along the western and northern boundaries of the study area, but a low potential to occur in the E Street Realignment area.

**South coast saltbush (*Atriplex pacifica*)**

South coast saltbush is an annual herb in the Chenopodiaceae family. This species has a CRPR of 1B.2, indicating that it is rare, threatened, or endangered in California and elsewhere, and it is fairly endangered in California. This species is found in coastal bluff scrub, coastal dunes, coastal scrub, and playa habitats along coastal California, south into Mexico, and even some occurrences in Arizona. However, this species is fairly rare throughout its range and many historical occurrences are likely extirpated (CNPS 2014). This species has a high potential to occur along the western and northern boundaries of the study area, but a moderate potential to occur in the E Street Realignment area.

**Orcutt's pincushion (*Chaenactis glabriuscula* var. *orcuttiana*)**

Orcutt's pincushion is an annual herb in the Asteraceae family, and it has a CRPR of 1B.1. This species is found in coastal habitats south of Ventura County, and into Baja California. Orcutt's

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pincushion is found in coastal bluff scrub and coastal dune habitats, and is threatened by development and recreation (CNPS 2014). This species has a high potential to occur along the western and northern boundaries of the study area, but a low potential to occur in the E Street Realignment area.

**Salt marsh bird's beak (*Chloropyron maritimum* ssp. *maritimum*)**

Salt marsh bird's beak is an annual herb hemiparasite in the Orobanchaceae family. This species is federally and state listed as endangered, and has a CRPR of 1B.2. This species is found in coastal California south of San Luis Obispo County and into Baja California. The salt marsh bird's beak is found in coastal dunes and coastal salt marshes and swamps (CNPS 2014). It is threatened by loss of salt marsh habitat, invasion of non-native plants, and other types of development. This species has a high potential to occur along the western and northern boundaries of the study area, but a low potential to occur in the E Street Realignment area.

**Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*)**

Coulter's goldfields is an annual herb in the Asteraceae family, and it has a CRPR of 1B.1. This species is found throughout Southern California south of San Luis Obispo and Kern Counties, with some scattered records from the Central Valley (Tehama, Tulare, and Yolo Counties). Coulter's goldfields is found in coastal salt marshes and swamps, playas, and vernal pools. This species is threatened by urbanization, agricultural development, road maintenance, foot traffic, and drought (CNPS 2014). This species has a high potential to occur along the western and northern boundaries of the study area, but a low potential to occur in the E Street Realignment area.

**Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*)**

Robinson's pepper-grass is an annual herb in the Brassicaceae family. This species has a CRPR of 4.3, indicating that it has a limited distribution (Watch List (WL)) but is not very endangered in California. Robinson's pepper-grass is found in coastal counties south of Santa Barbara County and into Baja California, as well as in Riverside and San Bernardino Counties, and on Santa Cruz Island. Robinson's pepper-grass is found in chaparral and coastal scrub habitats, and is threatened by development and possibly by invasion of non-native plants (CNPS 2014). This species has a high potential to occur along the western and northern boundaries of the study area, but a moderate potential to occur in the E Street Realignment area.

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### **Brand's phacelia (*Phacelia stellaris*)**

Brand's phacelia is an annual herb in the Boraginaceae family, and it has a CRPR of 1B.1. It was previously listed as a candidate for federal listing, but has since been removed from candidacy. This species is found in Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties, as well as in Baja California, Mexico. This species is found in coastal dunes and coastal scrub habitats, and is known from approximately 10 occurrences. Threats to Brand's phacelia include development and invasion of non-native plants (CNPS 2014). This species has a high potential to occur along the western and northern boundaries of the study area, but a low potential to occur in the E Street Realignment area.

## **4.4 Wildlife**

A total of 75 wildlife species, including coastal or oceanic species, grassland and upland species, and some urban-adapted species, were recorded within the site (Appendix C). Due to the diversity of habitat types on site, there is relatively high species diversity. Most species observed were birds, which reflect the extent of focused bird surveys that were conducted within the study area.

Focused surveys for coastal California gnatcatcher and burrowing owl were negative. Belding's savannah sparrow and northern harrier (foraging only) were found within the study area.

### **4.4.1 Special-Status Wildlife Species**

Endangered, rare, or threatened wildlife species, as defined in CEQA Guidelines, Section 15380(b) (14 CCR 15000 et seq.), are referred to as "special-status wildlife species" and, as used in this report, include (1) endangered or threatened wildlife species recognized in the context of CESA and FESA (CDFW 2014d); (2) California Species of Special Concern (SSC) and WL species, as designated by the CDFG (2011); (3) mammals and birds that are fully protected (FP) species, as described in the California Fish and Game Code, Sections 4700 and 3511; (4) Birds of Conservation Concern (BCC), as designated by the USFWS (2008); and (5) wildlife species covered under the Chula Vista MSCP Subarea Plan (City of Chula Vista 2003).

Special-status wildlife species observed in the study area or with high potential to occur are presented in Appendix D1. Special-status wildlife species known to occur in the surrounding region but absent or with low to moderate potential to occur on site are presented in Appendix D2. For each species listed, a determination is made regarding the potential for the species to occur on site based on information gathered during the literature review and site visits, including the location of the site, vegetation communities or land covers present, current site conditions, and past and present land use.

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Seven special-status wildlife species were detected within the project area: Belding's savannah sparrow, Cooper's hawk (*Accipiter cooperii*), osprey (*Pandion haliaetus*), northern harrier, Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), brown pelican (*Pelecanus occidentalis*), and double-crested cormorant (*Phalacrocorax auritus*). These species are described in further detail under Species Observed on Site; locations of special-status wildlife species observations are provided on Figures 3a and 3b.

There is no USFWS-designated critical habitat located within the study area. There is critical habitat for western snowy plover (*Charadrius alexandrinus nivosus*) located north of the study area, within the Sweetwater Marsh Wildlife Refuge.

#### **4.4.2 Species Observed on Site**

##### **Belding's savannah sparrow (*Passerculus sandwichensis beldingi*)**

Belding's savannah sparrow is a state endangered, MSCP covered, and County Group 1 species found in coastal salt marshes dominated by pickleweed in coastal Southern California and northern Baja California. This subspecies is nonmigratory, and nests in dense marsh vegetation, including pickleweed, shoregrass (*Distichlis littoralis*), and turtleweed. Habitat loss and fragmentation are a serious threat to these species, as there is very little to no dispersal between populations separated by even 0.25 mile (Unitt 2004).

Within the project area, a total of three pairs and one individual Belding's savannah sparrow were observed during focused surveys for this species. Two of the pairs were observed with juveniles. All Belding's savannah sparrow locations were mapped within the Sweetwater District parcel (Figure 3a).

##### **Brown pelican (*Pelecanus occidentalis californicus*)**

Brown pelican is a federally and state delisted, CDFW fully protected, County Group 2, and MSCP covered species. This species occurs in estuarine, marine subtidal, and marine pelagic waters along coastal California. The brown pelican feeds primarily on fish, and will occasionally consume crustaceans, carrion, and young of conspecifics (Zeiner et al. 1990). This species nests on the ground, commonly on the Channel Islands. Roosting areas are chosen for inaccessibility, and include offshore or mainland rock outcrops, mudflats, beaches, wharfs, and jetties.

Brown pelicans were observed flying over the project site on several survey visits. However, no breeding or nesting was observed on site. This species is not included on Figure 3a or 3b.

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### **California horned lark (*Eremophila alpestris actia*)**

The California horned lark is a CDFW WL species, and is found in open arid habitats year-round in San Diego County. Common habitats include the coastal strand, arid grasslands, and sandy deserts where there is open ground for foraging for insects and seeds. This species' distribution in coastal San Diego County is patchy, due to the general lack of habitat and threats from urban-adapted predators. Horned larks nest on the ground, but dig a small depression such that the nest is slightly below ground level (Unitt 2004). This nonmigratory subspecies is generally concentrated throughout coastal San Diego County, in Warner Valley, and in the Anza Borrego desert.

Within the project area, two pairs were observed within the H-3 parcel (see Figure 3b). Individuals were observed during the breeding season for this species, and were exhibiting nesting behavior.

### **Cooper's hawk (*Accipiter cooperii*)**

Cooper's hawk is a CDFW WL and County Group 1 species. This species is found throughout California in wooded areas. It inhabits live oak, riparian, deciduous, or other forest habitats near water. Nesting and foraging usually occur near open water or riparian vegetation. Nests are built in dense stands with moderate crown depths, usually in second-growth conifer or deciduous riparian areas. Cooper's hawks use patchy woodlands and edges with snags for perching while they are hunting for prey such as small birds, small mammals, reptiles, and amphibians within broken woodland and habitat edges (Zeiner et al. 1990).

One Cooper's hawk was observed foraging in the southwestern region of the Sweetwater District parcel (see Figure 3a). There are suitable nesting areas on site, including large eucalyptus trees.

### **Double-crested cormorant (*Phalacrocorax auritus*)**

Double-crested cormorant is a CDFW WL species and County Group 2 species. This species can be found both in coastal and inland habitats, including along fresh, salt, and estuarine waters. It is most common in coastal California south of San Luis Obispo. This species feeds primarily on fish, and will roost near water on rocks, islands, steep cliffs, trees, wharfs, jetties, and transmission lines (Zeiner et al. 1990). Perches generally are lacking in vegetative cover. This species is a year-round resident of San Diego County.

Double-crested cormorant was observed flying over the project site on several survey visits. However, no breeding or nesting was observed on site. This species is not included on Figure 3a or 3b.

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### **Osprey (*Pandion haliaetus*)**

Osprey is a CDFW WL and County Group 1 species. This species suffered regional decline due to pesticide poisoning during the middle of the twentieth century, but it has since rebounded and nesting pairs are once again found within San Diego County. There are non-migratory residents, which breed in San Diego County, as well as migratory individuals that are found within the County during winter months. This species is found near large water bodies, including lakes, ocean, estuaries, rivers, and marsh habitats. Ospreys build large stick nests, often on man-made structures, often near water bodies. The primary source of food for this species is fish (Unitt 2004).

One breeding pair has maintained a nest located between the Sweetwater District and H-3 parcels (see Figure 3b). Individual ospreys were observed foraging along the coast of the project site on multiple survey visits.

### **Northern harrier (*Circus cyaneus*)**

Northern harrier is a CDFW SSC, MSCP covered, and County Group 1 species. This species is widespread throughout North America, but is of regional concern in California and San Diego. Northern harriers use a wide variety of open habitats in California, including deserts, coastal sand dunes, pasturelands, croplands, dry plains, grasslands, estuaries, floodplains, and marshes. The species also forages over coastal sage scrub and other open scrub communities. Nesting areas are associated with marshes, pastures, grasslands, prairies, croplands, desert shrub-steppe, and riparian woodland (Smith et al. 2011).

Breeding generally occurs from March to May. Nests are located on the ground in patches of dense and tall vegetation, particularly wetlands and grasslands. Clutch size ranges from four to nine eggs that are incubated for 30 to 32 days (Cripe 2000; Davis and Niemela 2008; Smith et al. 2011). Chicks typically fledge at 4 to 5 weeks by making brief flights near the nest (Smith et al. 2011). Northern harrier is primarily threatened by extensive loss of habitat (Cripe 2000), including freshwater and estuarine wetland breeding habitat and grasslands (Smith et al. 2011).

One pair of northern harriers was observed foraging on site at different times and on different survey days. However, no breeding or nesting was observed on site. Because the species was observed using various parts of the site for foraging and was determined to not be nesting on site, this species is not included on Figure 3a or 3b.

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### **Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*)**

Southern California rufous-crowned sparrow is a CDFW WL, County Group 1, and MSCP covered species. It is found in sparse, mixed chaparral and coastal scrub habitats in Southern California. Another subspecies is found in Northern California. The Northern California subspecies inhabits steep, often rocky hillsides with grass and forbs (Zeiner et al. 1990).

One Southern California rufous-crowned sparrow was observed in coastal sage scrub habitat in the southwestern region of the Sweetwater District parcel (Figure 3a).

### **4.4.3 Species with Potential to Occur on Site**

#### **4.4.3.1 Invertebrates**

#### **Senile tiger beetle (*Cicindela senilis frosti*)**

Senile tiger beetle is a County Group 2 species. This species is found in coastal salt marshes, fresh and brackish lagoons, open patches of pickleweed, dried salt pans, and muddy alkali areas. There are few records of this species, but this species is found in Riverside, San Diego, Los Angeles, and Ventura Counties (CDFW 2014b). Populations were found at the San Dieguito River mouth in 1990, but it is unknown whether this population is extant (Kamoun 1996). This species has high potential to occur on site due to the presence of suitable salt marsh habitat, including open patches of pickleweed.

#### **Wandering skipper (*Panoquina errans*)**

Wandering skipper is a County Group 1 and MSCP covered species. Wandering skipper is exclusively coastal, and has been collected on ocean bluffs and other open areas near the ocean. The larval host plant is saltgrass (Orsak 1977). This species is found from Santa Barbara County south into Baja California and some parts of mainland Mexico (SBMNH n.d.).

This species has high potential to occur on site due to the presence of suitable salt marsh habitat, including the host plant saltgrass.

### **4.5 Jurisdictional Waters/Wetlands**

Table 3 and Figure 3a present existing ACOE, RWQCB, and CCC-jurisdictional resources within the Sweetwater District and H-3 parcels. Due to changes in site conditions since jurisdictional delineations were performed for the FEIR (Dudek 2010), the jurisdictional resources within the study area have changed.

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The results of the 2014 jurisdictional delineation, performed by Dudek, concluded that there are approximately 3.3 acres of jurisdictional wetlands and waters within the project site. This is composed of approximately 0.8 acre of ACOE, RWQCB, and CCC-jurisdictional wetlands; approximately 0.3 acre of ACOE, RWQCB, and CCC-jurisdictional waters; and 2.2 acres of wetlands under the jurisdiction of CCC only (see Table 3, Jurisdictional Wetland Delineation Summary). Since the project area is solely influenced by tides, with no lakes or streambeds running through the site, none of the wetlands or waters on site is under CDFW jurisdiction.

As described in Section 3.4, hydrology, vegetation, and soils were assessed at six data station locations (see Figure 3a) throughout the study area to determine the presence or absence of wetlands field indicators. Four soil mapping units were recorded within the project area; however, only one soil mapping unit is listed on the National Hydric Soils List for the San Diego County Area, California (USDA 2014): tidal flats.

**Table 3**  
**Jurisdictional Wetland Delineation Summary**

Jurisdiction	Vegetation Community	Acreage
ACOE, RWQCB, CCC wetlands	Coastal salt marsh	0.8
<i>ACOE, RWQCB, CCC Subtotal</i>		<i>0.8</i>
ACOE, RWQCB, CCC waters	Open water	0.3
<i>ACOE, RWQCB, CCC Subtotal</i>		<i>0.3</i>
CCC only wetlands	Coastal salt marsh	2.0
	Mulefat scrub	0.2
<i>CCC Subtotal</i>		<i>2.2</i>
<b>Total</b>		<b>3.3</b>

**Note:** Total may not sum due to rounding.

Results from the six data stations (Table 4) document that only one data station exhibited all three wetland field indicators. The data collected at each data station are included in Appendix E, on the ACOE's Wetland Determination Data Forms for the Arid West Region.

**Table 4**  
**Data Station Point Summary**

Data Station	Wetland Determination Field Indicators			Stream Association	Determination	Jurisdiction
	Vegetation	Hydric Soils	Hydrology			
1	✓	✓	✓	No	Wetland	ACOE, RWQCB, CCC
2	✓	None	None	No	Coastal wetland	CCC
3	✓	None	None	No	Coastal wetland	CCC

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**Table 4**  
**Data Station Point Summary**

Data Station	Wetland Determination Field Indicators			Stream Association	Determination	Jurisdiction
	Vegetation	Hydric Soils	Hydrology			
4	✓	None	None	No	Coastal wetland	CCC
5	✓	None	None	No	Coastal wetland	CCC
6	✓	None	None	No	Coastal wetland	CCC

Data Station 1 is located in a depressional salt flat, which contained evidence of wetland hydrology including salt crusts and surface soil cracks, and supported hydrophytic vegetation dominated by Parish's glasswort. Hydric soils, noted by the presence of a depleted matrix, were recorded. Based on the presence of all three hydrologic indicators, this area was mapped as a wetland under the jurisdiction of ACOE, RWQCB, and CCC. The depressional area is not associated with a lake, streambed, or other drainage course and is therefore not considered to be CDFW jurisdictional.

Data Stations 2, 3, and 4 are located in concentric rings of hydrophytic vegetation radiating outward from Data Station 1. Data Stations 2, 3, and 4 support hydrophytic vegetation: Data Station 2 supports chairmaker's bulrush (*Schoenoplectus americanus*), Data Station 3 supports saltgrass and Parish's glasswort, and Data Station 4 supports mulefat. However, neither wetland hydrology indicators nor hydric soils were recorded at these stations and therefore these areas are not ACOE/RWQCB wetlands. They are also not jurisdictional under CDFW regulations as they are not associated with a lake or stream channel. Therefore, the wetlands associated with Data Stations 2, 3, and 4 were mapped as wetlands under the jurisdiction of CCC only.

Data Stations 5 and 6 lack hydric soils and hydrology, but have hydrophytic vegetation present. Due to the lack of hydrology and hydric soils, these data points are not within an ACOE/RWQCB wetland or a water of the United States. They would not be jurisdictional under CDFW, as they are not associated with a lake or stream channel. Data Station 5 is located within mapped coastal salt marsh vegetation, and Data Station 6 is located within mulefat scrub; therefore, both are considered CCC wetland only.

Waters of the United States and wetlands are considered sensitive biological resources, and impacts to these resources are regulated by the ACOE, RWQCB, and CCC. In addition, wetlands within the City of Chula Vista's planning boundary are regulated under the City of Chula Vista's Wetlands Protection Program.

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## **Hydrophytic Vegetation**

Two vegetation communities within the study area support a predominance of hydrophytic vegetation: coastal salt marsh and mulefat scrub. These vegetation communities are described above.

## **Hydric Soils**

Soil test pits were dug in association with data stations. Hydric soils were mapped in association with Data Station 1, and included redox features (chemical reactions in which atoms have their oxidation state changed).

## **Wetland Hydrology**

A tidal channel is mapped adjacent to Marina Parkway at the southwestern edge of the Sweetwater District parcel. Waters flow in and out of the F and G Street Marsh and San Diego Bay. A salt pan, located in the middle of a coastal salt marsh vegetation community, exhibited wetland hydrology, including the presence of a salt crust and surface cracks.

## **Jurisdiction**

### ***ACOE Jurisdiction***

As described earlier in this report, the ACOE has jurisdiction over waters of the United States including wetlands, as outlined in Section 404 of the Clean Water Act. The tidal channel located adjacent to Marina Parkway at the southwestern edge of the Sweetwater District parcel is classified as an ACOE-jurisdictional non-wetland water of the United States due to the presence of hydric soils and a defined channel, but lack of hydrophytic vegetation. Areas lower than the mean ordinary high tide line along the western edge of the project are considered waters of the United States (i.e., San Diego Bay). In addition, the coastal salt marsh associated with Data Station 1 is under the jurisdiction of the ACOE. ACOE-jurisdictional areas are shown on Figure 3a.

### ***RWQCB Jurisdiction***

The RWQCB's jurisdiction corresponds with wetland and non-wetland waters of the United States. The tidal channel is considered a federal non-wetland water, as it connects with navigable waters (San Diego Bay and the Pacific Ocean). In addition, the waters along the bay and the coastal salt marsh associated with Data Station 1 are under the jurisdiction of the RWQCB. RWQCB-jurisdictional areas are shown on Figure 3a.

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### ***CDFW Jurisdiction***

The CDFW jurisdiction includes ephemeral, intermittent, and perennial watercourses (including dry washes) and lakes characterized by the presence of definable bed and banks and existing fish or wildlife resources. Due to the tidal nature of the study area and the lack of lakes or stream channels, there are no wetlands under the jurisdiction of CDFW within the study area.

### ***CCC Jurisdiction***

CCC-jurisdictional wetlands are defined by those areas that support at least one of the three wetland criteria. As such, all wetland vegetation communities (coastal salt marsh and mulefat scrub) are considered CCC-jurisdictional wetlands. In addition, the tidal channel (open water) and lands below the 4.5-foot contour along the bay are also considered CCC jurisdictional.

### ***Chula Vista MSCP Subarea Plan Jurisdiction***

In accordance with the Chula Vista MSCP Subarea Plan (City of Chula Vista 2003), impacts to wetlands must be avoided to the greatest extent practicable and minimized where impacts must occur. Wetlands mitigation ratios are provided in Table 5-6 of the MSCP Subarea Plan, and are proposed as mitigation for this project. For example, the mitigation ratio required for impacts to coastal salt marsh is 4:1.

## **4.6 Wildlife Corridors and Habitat Linkages**

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation; they may be continuous habitat or discrete habitat islands that function as steppingstones for wildlife dispersal.

The E Street Realignment study area is an important habitat linkage in southern San Diego County. This parcel connects with the Sweetwater River and Sweetwater National Wildlife Refuge (just north of the study area) and the mouth of the Otay River (south of the study area). The study area serves as a steppingstone between these two different rivers.

## **5 CONSISTENCY ANALYSIS WITH CHULA VISTA BAYFRONT DEVELOPMENT POLICIES**

This section is written to ensure that the results of biological resources surveys and analysis comply with all development policies identified for the CVBMP.

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**Table 5**  
**Consistency with Chula Vista Bayfront Development Policies**

<b>Policy Number</b>	<b>Policy Text</b>	<b>Consistency</b>
2.2	<p>Wetlands shall be defined and delineated consistent with the Coastal Act and the Coastal Commission Regulations, and shall include, but not be limited to, lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Any unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the PMP.</p> <p>Wetlands shall be further defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.</p>	Wetlands delineations conducted for this report complied with Policy 2.2. For more information, refer to Section 4.6.
2.3	Where the required initial site inventory indicates the presence or potential for wetland species or other wetland indicators, the District shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.	The wetlands delineation performed on April 14, 2014, and results presented in Section 4.6 ensure compliance with Policy 2.3.
2.5	<p>Where wetland fill or development impacts are permitted in wetlands in accordance with the Coastal Act and any applicable PMP policies, mitigation measures shall include creation of wetlands of the same type lost. Adverse impacts will be mitigated at a ratio of 4:1 for all types of wetland, and 3:1 for non-wetland riparian areas.</p> <p>Replacement of wetlands on-site or adjacent to the project site, within the same wetland system, shall be given preference over replacement off-site or within a different system. Areas subjected to temporary wetland impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or negative alterations to wetland hydrology.</p>	<p>Mitigation measures for impacts to wetlands are not included in this report, as the extent of potential impacts is not currently known.</p> <p>However, compliance with required mitigation measures will be laid out in the subsequent biological resources letter report, as requested by the District, and will comply with Policy 2.5.</p>

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**Table 5**  
**Consistency with Chula Vista Bayfront Development Policies**

<b>Policy Number</b>	<b>Policy Text</b>	<b>Consistency</b>
2.6	Wherever wetlands are identified, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50 feet in width from the upland edge of riparian habitat shall be established. In some unusual cases, smaller buffers may be appropriate, when conditions of the site as demonstrated in a site-specific biological survey, the nature of the proposed development, etc. show that a smaller buffer would provide adequate protection. In such cases, the California Department of Fish and Game (CDFG) must be consulted and agree that a reduced buffer is appropriate and the District, or Commission on appeal, must find that the development could not be feasibly constructed without a reduced buffer. However, in no case shall the buffer be less than 50 feet.	Appropriate wetland and riparian buffers, which comply with Policy 2.6, will be implemented as part of the proposed development footprint. Compliance with this policy will be laid out in the subsequent biological resources letter report, as requested by the District.
5.2	Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas and "Transition Buffer Areas" as that term is defined and described in Exhibit 2, with the exception of existing or necessary access points for required maintenance.	The E Street Realignment Project will comply with this policy, and further information will be laid out in the subsequent biological resources letter report, as requested by the District.
5.9	<p>"Environmentally sensitive habitat area" (ESHA) means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The following areas shall be considered ESHA, unless there is compelling site-specific evidence to the contrary:</p> <ul style="list-style-type: none"> <li>• Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.</li> <li>• Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.</li> <li>• Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.</li> <li>• Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated by the California Native Plant Society (CNPS) as 1b (Rare or endangered in California and elsewhere), such as Nuttall's scrub oak or "2" (rare, threatened or endangered in California but more common elsewhere), such as wart-stemmed Ceanothus.</li> </ul>	Designation of ESHA within the E Street Realignment study area will comply with Policy 5.9. Compliance with this policy will be laid out in the subsequent biological resources letter report, as requested by the District.
5.10	<p>New development shall be sited and designed to avoid impacts to ESHA. ESHA shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.</p> <p>Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. These uses include enhancement/restoration work, passive recreational parks and public access or recreational facilities such as trails and bike paths integrated into the natural environment and sited and designed to preserve, and be compatible with, native habitat.</p>	Realignment of E Street will be designed to avoid impacts to ESHA. Compliance with this will be outlined in the subsequent biological resources letter report, as requested by the District.

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**Table 5**  
**Consistency with Chula Vista Bayfront Development Policies**

<b>Policy Number</b>	<b>Policy Text</b>	<b>Consistency</b>
5.11	At the time of adoption of the Chula Vista Bayfront plan, the Coastal Sage Scrub on the berm in the S-1 and S-2 parcel areas and the non-native grasslands located in various locations within the Chula Vista Bayfront Master Plan were not identified as ESHA.	In accordance with Policy 5.11, the coastal sage scrub on the berm in the Sweetwater District parcel and the non-native grasslands will not be identified as ESHA.
5.12	In the 1-g parcel area, a pedestrian bridge is proposed to create a linkage over a tidal inlet associated with the F and G Street Marsh. Tidal habitats should be treated as ESHA and the bridge crossing must be designed to enhance the habitat values present and reduce erosion. This bridge span must be extended and the existing incised channel slope should be cut back, reducing the slope and then creating additional salt marsh habitat on the created floodplain. Site-specific studies to assess the extent and quality of natural resources at the site will be required at the time development is proposed.	Tidal habitats, including the tidal inlet, will be treated as ESHA, and the bridge crossing will be analyzed in further detail in the subsequent biological resources letter report, as requested by the District.
5.13	If located in or adjacent to ESHA, new development shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required. Sensitive species are those listed in any of three categories: federally listed, state listed or designated species of special concern or fully protected species, and CNPS categories 1B and 2.	This survey report fulfills the requirement for a biological resources inventory for the proposed project area and lands adjacent to ESHA.
5.14	Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.	Development will comply with this policy to minimize impacts to ESHA, and further information will be laid out in the subsequent biological resources letter report, as requested by the District.
5.15	All buffers around (non-wetland) ESHA shall be a minimum of 100 feet in width, or a lesser width may be approved by the District if findings are made that a lesser buffer would adequately protect the resource. However, in no case can the buffer size be reduced to less than 50 feet.	Development will comply with this policy to minimize impacts to ESHA, and further information will be laid out in the subsequent biological resources letter report, as requested by the District.
5.16	Public access-ways and trails are considered resource dependent uses. New access-ways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures including, but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.	Measures to protect ESHA will be laid out in the subsequent biological resources letter report, as requested by the District.

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**Table 5**  
**Consistency with Chula Vista Bayfront Development Policies**

<b>Policy Number</b>	<b>Policy Text</b>	<b>Consistency</b>
5.17	Modifications to required development standards that are not related to ESHA protection (street setbacks, height limits, etc.) shall be permitted where necessary to avoid or minimize impacts to ESHA.	Measures to protect ESHA will be laid out in the subsequent biological resources letter report, as requested by the District.
5.18	Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.	Measures to protect ESHA will be laid out in the subsequent biological resources letter report, as requested by the District.
5.19	Impacts to native habitat that does not constitute ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation for impacts to native habitat shall be provided at a 3:1 ratio.	Mitigation for project impacts will be analyzed in the subsequent biological resources letter report, as requested by the District, and will comply with Policy 5.19.

## **6 POTENTIAL MITIGATION REQUIREMENTS FOR IMPACTS TO VEGETATION COMMUNITIES**

Based on the mitigation ratios required for impacts to vegetation communities, as outlined in the MSCP, the mitigation requirements are summarized in Table 6. The vegetation communities that would require mitigation are also shown on Figures 4a and 4b. It should be noted that there are no sensitive vegetation communities that are present within the H-3 parcels, and thus, there is no mitigation required for impacts to the resources within these parcels.

**Table 6**  
**Mitigation Ratio**

<b>Vegetation Community/Land Cover</b>	<b>Holland Code</b>	<b>Based on Location of Mitigation as Inside Preserve/ Outside Preserve</b>
<i>Upland Vegetation Communities</i>		
Diegan coastal sage scrub*	32510	1:1 / 1.5:1
Diegan coastal sage scrub: broom baccharis dominated*	32530	1:1 / 1.5:1
Disturbed Diegan coastal sage scrub*	32510	1:1 / 1.5:1
Disturbed Diegan coastal sage scrub: broom baccharis dominated*	32530	1:1 / 1.5:1

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**Table 6**  
**Mitigation Ratio**

<b>Vegetation Community/Land Cover</b>	<b>Holland Code</b>	<b>Based on Location of Mitigation as Inside Preserve/ Outside Preserve</b>
Diegan coastal sage scrub: Isocoma dominated (Menzie's goldenbush scrub)*	32510	1:1 / 1.5:1
Non-native grassland*	42200	0.5:1 / 1:1
<i>Wetlands</i>		
Coastal salt marsh*	52100	4:1
Mulefat scrub*	63310	3:1
<i>Land Cover Types</i>		
Beach	64400	None
Developed	12000	None
Disturbed land	11300	None
Eucalyptus woodland	79100	None
Ornamental	12000	None
Open water*	64110	1:1

\* Signifies special-status vegetation community requiring mitigation per the Chula Vista MSCP Subarea Plan.

All impacts are outside the preserve area of the MSCP; therefore, the mitigation ratios that apply to impact areas inside the preserve are not provided in the Table 6. The mitigation ratios are per the Chula Vista MSCP Subarea Plan. The MMRP does not list mitigation ratios; thus, mitigation ratios would be considered consistent with the MSCP.

If you have any questions regarding the contents of this report, please contact me at 760.479.4241.

Sincerely,



Anita M. Hayworth, PhD  
Senior Project Manager/Senior Biologist

Att.: *Figures 1–4b*  
*Appendices A–E*

cc: *Carey Fernandes, Dudek*  
*Emily Wier, Dudek*

*Ms. Mayra Medel*

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## 7 REFERENCES

14 CCR 15000–15387 and Appendix A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

16 U.S.C. 668–668d. Bald and Golden Eagle Protection Act.

16 U.S.C. 703–712. Migratory Bird Treaty Act, as amended.

16 U.S.C. 1531–1544. Endangered Species Act, as amended.

33 CFR 328.1–328.5. Definition of Waters of the United States.

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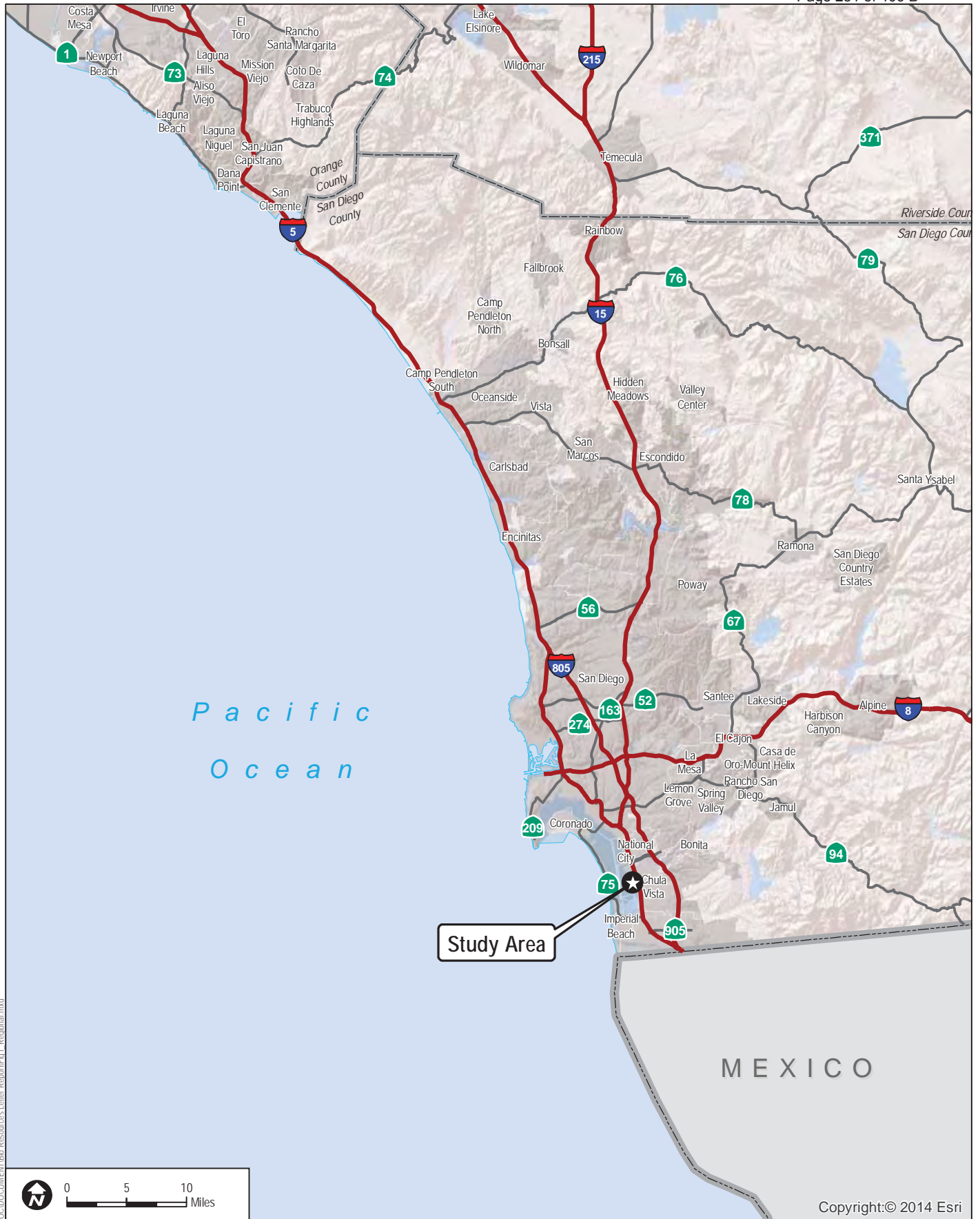
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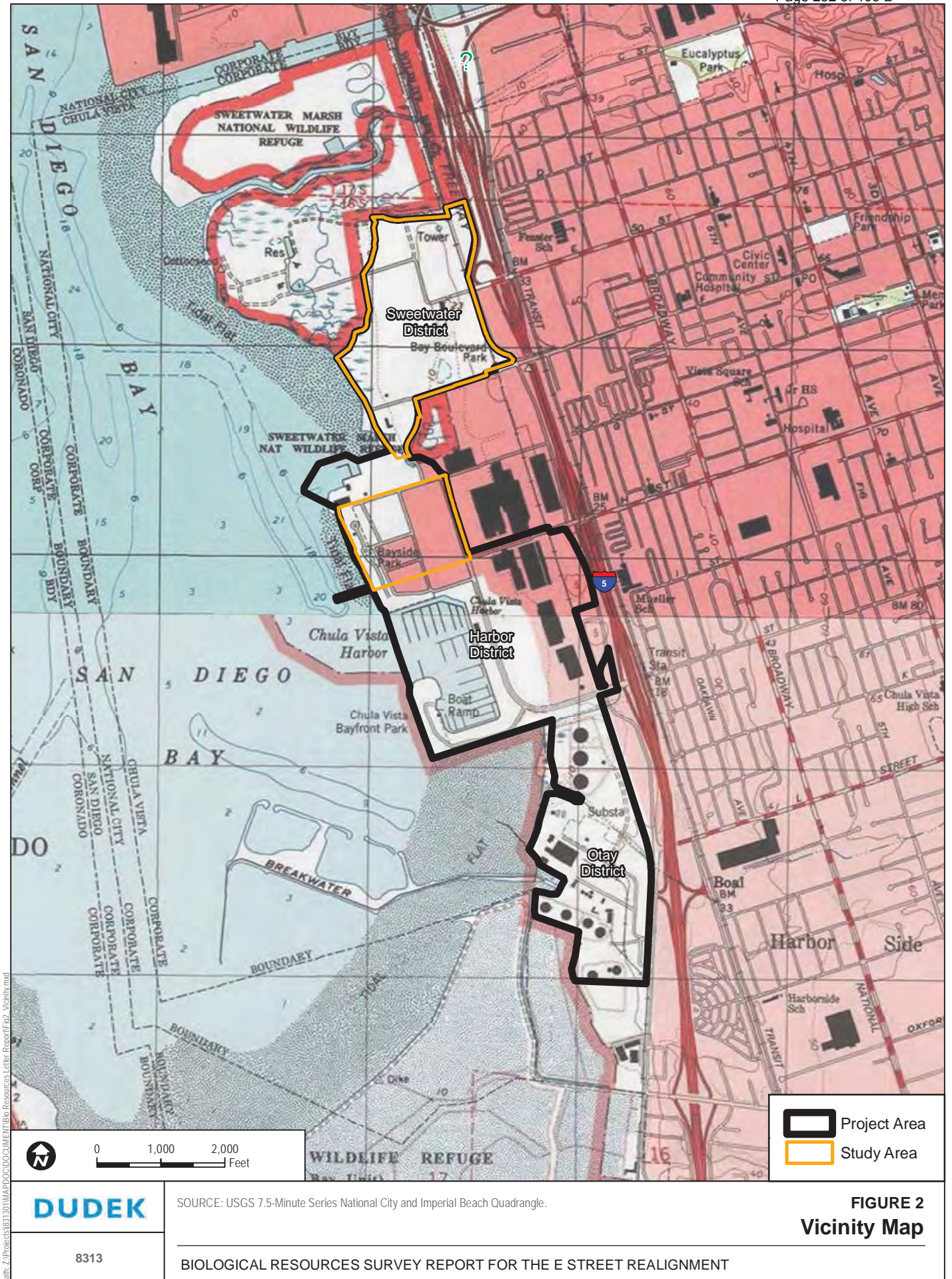
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**DUDEK**

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**FIGURE 1**  
**Regional Map**

BIOLOGICAL RESOURCES SURVEY REPORT FOR THE E STREET REALIGNMENT









Path: J:\Projects\4331\01\MapDocs\FIGURE 4a\BBS\BBS.mxd



**DUDEK**

SOURCE: ESRI 2014, RBF Consulting 2014

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BIOLOGICAL RESOURCES SURVEY REPORT FOR THE E STREET REALIGNMENT

**FIGURE 4b**  
**Biological Resources Requiring Mitigation**

# **APPENDIX A**

## *Plant Compendium*



## APPENDIX A Plant Compendium

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### VASCULAR SPECIES

#### DICOTS

##### ***ADOXACEAE—MUSKROOT FAMILY***

*Sambucus nigra*—black elderberry

##### ***AIZOACEAE—FIG-MARIGOLD FAMILY***

- \* *Aptenia cordifolia*—heartleaf iceplant
- \* *Mesembryanthemum crystallinum*—common iceplant
- \* *Mesembryanthemum nodiflorum*—slenderleaf iceplant
- Sesuvium verrucosum*—verrucose seapurslane

##### ***AMARANTHACEAE—AMARANTH FAMILY***

- \* *Amaranthus albus*—prostrate pigweed

##### ***ANACARDIACEAE—SUMAC OR CASHEW FAMILY***

- Malosma laurina*—laurel sumac
- Rhus integrifolia*—lemonade sumac
- \* *Schinus terebinthifolius*—Brazilian peppertree

##### ***APIACEAE—CARROT FAMILY***

- Apiastrum angustifolium*—mock parsley
- \* *Foeniculum vulgare*—sweet fennel

##### ***APOCYNACEAE—DOGBANE FAMILY***

*Asclepias fascicularis*—Mexican whorled milkweed

##### ***ASTERACEAE—SUNFLOWER FAMILY***

- Ambrosia psilostachya*—Cuman ragweed
- Artemisia californica*—coastal sagebrush
- Baccharis pilularis*—coyotebrush
- Baccharis salicifolia*—mulefat
- Baccharis sarothroides*—desertbroom
- Bahiopsis laciniata*—San Diego County viguiera
- \* *Centaurea melitensis*—Maltese star-thistle
- Chaenactis macrantha*—bighead dustymaiden
- Encelia californica*—California brittlebush
- \* *Glebionis coronaria*—crowndaisy
- \* *Hedypnois cretica*—Cretanweed

## APPENDIX A (Continued)

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*Isocoma menziesii* var. *vernonioides*—Menzies' goldenbush

*Jaumea carnosa*—marsh jaumea

\* *Lactuca serriola*—prickly lettuce

*Pseudognaphalium canescens*—Wright's cudweed

\* *Silybum marianum*—blessed milkthistle

\* *Sonchus asper* ssp. *asper*—spiny sowthistle

\* *Sonchus oleraceus*—common sowthistle

*Xanthium strumarium*—rough cocklebur

### **BATACEAE—SALTWORT FAMILY**

*Batis maritima*—turtleweed

### **BORAGINACEAE—BORAGE FAMILY**

*Heliotropium curassavicum*—salt heliotrope

### **BRASSICACEAE—MUSTARD FAMILY**

\* *Brassica nigra*—black mustard

\* *Cakile maritima*—European searocket

\* *Hirschfeldia incana*—shortpod mustard

\* *Raphanus sativus*—cultivated radish

\* *Sisymbrium irio*—London rocket

### **CHENOPODIACEAE—GOOSEFOOT FAMILY**

*Arthrocnemum subterminale*—Parish's glasswort

*Atriplex canescens*—fourwing saltbush

*Atriplex lentiformis*—big saltbush

\* *Atriplex lindleyi*—Lindley's saltbush

\* *Atriplex prostrata*—triangle orache

\* *Atriplex semibaccata*—Australian saltbush

*Atriplex watsonii*—Watson's saltbush

\* *Bassia hyssopifolia*—fivehorn smotherweed

\* *Chenopodium album*—lambsquarters

\* *Chenopodium murale*—nettleleaf goosefoot

*Salicornia pacifica*—Pacific swampfire

\* *Salsola tragus*—prickly Russian thistle

*Suaeda esteroa*—estuary seablite

*Suaeda nigra*—Mojave seablite

### **CLEOMACEAE—CLEOME FAMILY**

*Isomeris arborea*—bladderpod spiderflower

## APPENDIX A (Continued)

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### **CONVOLVULACEAE—MORNING-GLORY FAMILY**

*Cressa truxillensis*—spreading alkaliweed

### **CUCURBITACEAE—GOURD FAMILY**

*Cucurbita foetidissima*—Missouri gourd

### **FABACEAE—LEGUME FAMILY**

- \* *Acacia cyclops*—coastal wattle
- \* *Acacia redolens*—bank catclaw
- Astragalus tricarlinatus*—triple-ribbed milk-vetch
- \* *Melilotus albus*—yellow sweetclover

### **FRANKENIACEAE—FRANKENIA FAMILY**

*Frankenia salina*—alkali seaheath

### **GERANIACEAE—GERANIUM FAMILY**

- \* *Erodium botrys*—longbeak stork's bill
- \* *Erodium cicutarium*—redstem stork's bill

### **LAMIACEAE—MINT FAMILY**

- \* *Marrubium vulgare*—horehound
- Salvia clevelandii*—fragrant sage
- Salvia mellifera*—black sage

### **MALVACEAE—MALLOW FAMILY**

- Malacothamnus fasciculatus*—Mendocino bushmallow
- \* *Malva neglecta*—common mallow

### **MYRTACEAE—MYRTLE FAMILY**

- \* *Eucalyptus* sp.—eucalyptus

### **OLEACEAE—OLIVE FAMILY**

- \* *Olea europaea*—olive

### **ONAGRACEAE—EVENING PRIMROSE FAMILY**

*Epilobium canum*—hummingbird trumpet

### **PAPAVERACEAE—POPPY FAMILY**

*Canbya candida*—white pygmy-poppy

### **PLUMBAGINACEAE—LEADWORT FAMILY**

*Limonium californicum*—marsh rosemary

## APPENDIX A (Continued)

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### **POLYGONACEAE—BUCKWHEAT FAMILY**

- Eriogonum fasciculatum*—Eastern Mojave buckwheat
- \* *Polygonum aviculare* ssp. *depressum*—prostrate knotweed
- \* *Rumex crispus*—curly dock

### **ROSACEAE—ROSE FAMILY**

*Heteromeles arbutifolia*—toyon

### **SALICACEAE—WILLOW FAMILY**

*Salix lasiolepis*—arroyo willow

### **SIMMONDSIACEAE—JOJOBA FAMILY**

*Simmondsia chinensis*—jojoba

### **SOLANACEAE—NIGHTSHADE FAMILY**

- Lycium andersonii*—water jacket
- Lycium californicum*—California box-thorn
- \* *Nicotiana glauca*—tree tobacco

### **TAMARICACEAE—TAMARISK FAMILY**

- \* *Tamarix aphylla*—Athel tamarisk
- \* *Tamarix ramosissima*—saltcedar

### **VERBENACEAE—VERVAIN FAMILY**

*Verbena lasiostachys*—western vervain

## GYMNOSPERMS AND GNETOPHYTES

### **PINACEAE—PINE FAMILY**

- \* *Pinus* sp. —pine

## MONOCOTS

### **AGAVACEAE—AGAVE FAMILY**

*Yucca gloriosa*—Spanish dagger

### **ARECACEAE—PALM FAMILY**

- \* *Phoenix canariensis*—Canary Island date palm
- \* *Washingtonia robusta*—Washington fan palm

### **ASPARAGACEAE—ASPARAGUS FAMILY**

- \* *Asparagus asparagoides*—African asparagus fern

## APPENDIX A (Continued)

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### **CYPERACEAE—SEDGE FAMILY**

*Schoenoplectus americanus*—chairmaker's bulrush

### **POACEAE—GRASS FAMILY**

- \* *Arundo donax*—giant reed
- \* *Avena barbata*—slender oat
- \* *Bromus diandrus*—ripgut brome
- \* *Bromus madritensis*—compact brome
- \* *Cortaderia selloana*—Uruguayan pampas grass
- \* *Cynodon dactylon*—Bermudagrass
- Distichlis littoralis*—shoregrass
- Distichlis spicata*—saltgrass
- Elymus triticoides*—beardless wildrye
- \* *Hordeum murinum*—mouse barley
- \* *Paspalum dilatatum*—dallisgrass
- Stipa lepida*—foothill needlegrass
- \* *Stipa miliacea* var. *miliacea*—smilgrass

### **TYPHACEAE—CATTAIL FAMILY**

*Typha latifolia*—broadleaf cattail

- \* Signifies non-native species

## APPENDIX A (Continued)

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# **APPENDIX B1**

## ***Sensitive Plant Species Detected or Potentially Occurring On the Project Site***



## APPENDIX B1

### Sensitive Plant Species Detected or Potentially Occurring On The Project Site

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Acmispon prostratus</i> Nuttall's acrispon	None/None / None	1B.1	Coastal dunes, coastal scrub; sandy/ annual herb/ March–June/ 0–30	No	High	Suitable coastal scrub habitat on site. Site is within this species' elevation range.
<i>Astragalus tener</i> var. <i>titi</i> Coastal dunes milk- vetch	FE/ SE/ MSCP	1B.1	Coastal bluff scrub, coastal dunes, coastal prairie; mesic, often vernal mesic/ annual herb/ March–May/ < 170	No	High	Suitable coastal habitats on site and mesic conditions. Site is within this species' elevation range.
<i>Atriplex pacifica</i> South Coast Saltbush	None/None /None	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, playas/ annual herb/ March–October/ < 500	No	High	Suitable coastal scrub habitats on site. Site is within this species' elevation range.
<i>Bahiopsis laciniata</i> San Diego County viguiera	None/None /None	4.2	Chaparral, coastal scrub/ shrub/ February– June/ 196–2,460	Yes	Present	A total of 25 individuals were mapped within the project area.
<i>Chaenactis</i> <i>glabriuscula</i> var. <i>orcuttiana</i> Orcutt's pincushion	None/None /None	1B.1	Coastal bluff scrub, coastal dunes/ annual herb/ January–August/ 10–330	No	High	Suitable coastal scrub habitat on site. Site is within species' elevation range.
<i>Chloropyron maritimum</i> ssp. <i>maritimum</i> Salt marsh bird's beak	FE/SE/ None	1B.2	Coastal dunes, marshes and swamps; coastal salt/ annual herb/ May–October/ 0–93	No	High	Suitable coastal salt marsh habitat on site. Site is within species' elevation range.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's goldfields	None/None /None	1B.1	Saltwater marsh and swamps, playas, vernal pools/ annual herb/ February–June/ <4,000	No	High	Suitable saltwater marsh habitat on site. Site is within species' elevation range.
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson's pepper- grass	None/None / None	4.3	Chaparral, coastal scrub/ annual herb/ January–July/ < 2,900	No	High	Suitable coastal scrub habitat on site. Site is within species' elevation range.
<i>Lycium californicum</i> California box-thorn	None/None / None	4.2	Coastal bluff scrub, coastal scrub/ shrub/March–August/ 15–450	Yes	Present	A total of 10 individuals were mapped within the project area.

## APPENDIX B1 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Phacelia stellaris</i> Brand's phacelia	None/None / None	1B.1	Coastal dunes, coastal scrub/ annual herb/ March–June/ <1,300	No	High	Suitable coastal scrub habitat on site. Site is within species' elevation range.
<i>Suaeda esteroa</i> Estuary seablite	None/None / None	1B.2	Coastal salt marshes and swamps/ perennial herb/ May–October (January)/ < 20	Yes	Present	A total of 85 individuals were mapped within the project area.

**Source:** List based on a search of all plant species found in the CNDDDB and CNPS databases for the National City quadrangle and the seven surrounding U.S. Geological Service (USGS) quadrangles conducted in June 2013. All species are found within the Project sites bioregion or regions defined by the geographic subdivisions of California in the Jepson Flora Project (2013). The project site is located in the Peninsular Ranges within the California Floristic Province.

**Notes:** ft amsl = feet above mean sea level

**Status Key**

**Federal:**

FE: Federally listed as endangered

FT: Federally listed as threatened

**State:**

SE: State listed as endangered

ST: State listed as threatened

SR: State listed as rare

**Other:**

MSCP: MSCP covered species for the southwestern portion of San Diego County

CRPR: California Rare Plant Rank

1A (formerly List 1A): Plants Presumed Extinct in California

1B (formerly List 1B): Plants Rare, Threatened, or Endangered in California and Elsewhere

2 (formerly List 2): Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

3 (formerly List 3): Plants About Which We Need More Information – A Review List

4 (formerly List 4): Plants of Limited Distribution – A Watch List

0.1–Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)

0.2–Fairly threatened in California (20–80% occurrences threatened/moderate degree and immediacy of threat)

0.3–Not very threatened in California (<20% of occurrences threatened /low degree and immediacy of threat or no current threats known).

## **APPENDIX B2**

### ***Sensitive Plant Species Not Expected to Occur on the Project Site***



## APPENDIX B2

### Sensitive Plant Species Not Expected to Occur on the Project Site

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Acanthomintha ilicifolia</i> San Diego thorn-mint	FT/ SE/ MSCP	1B.1	Chaparral, coastal scrub, valley and foothill grassland, vernal pools; clay/ annual herb/ April–June/ 30–3,150	No	Not expected to occur	Suitable coastal scrub habitat on site but no suitable clay soils. Site is barely within this species' elevation range.
<i>Adolphia californica</i> California adolphia	None/None /None	2.1	Chaparral, coastal scrub, valley and foothill grassland; clay/ deciduous shrub/ December– May/ 150–2,430	No	Absent	Suitable coastal scrub habitat on site but no suitable clay soils. Site is below this species' elevation range. Would have been observed if present.
<i>Agave shawii</i> var. <i>shawii</i> Shaw's agave	None/None /MSCP	2.1	Coastal bluff scrub, coastal scrub/ leaf succulent/ September–May/ 30–250	No	Absent	Suitable coastal scrub habitat on site. Site is barely within this species' elevation range. Would have been observed if present.
<i>Ambrosia chenopodiifolia</i> San Diego bur-sage	None/ None None	2.1	Coastal scrub/ shrub/ April–June/ 180–500	No	Absent	Suitable coastal scrub habitat on site. Site is below this species' elevation range. Would have been observed if present.
<i>Ambrosia monogyra</i> Singlewhorl burrobush	None/None / None	2.2	Chaparral, Sonoran desert scrub; sandy/ shrubs/ August–November/ 30–1,650	No	Absent	No suitable chaparral habitat on site. Site is barely within this species' elevation range. Would have been observed if present.
<i>Ambrosia pumila</i> Dwarf burr ambrosia	FE/ None/ MSCP	1B.1	Chaparral, coastal scrub, valley and foothill grassland, vernal pools; often disturbed, sometimes alkaline/ rhizomatous herb/ May– October/ 60–1,360	No	Low	Suitable coastal scrub habitat on site. Site is below species' elevation range.
<i>Aphanisma blitoides</i> Aphanisma	None/None /None	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub; sandy/ annual herb/ March–June/ <1,000	No	Low	Suitable coastal scrub habitat on site but no sandy soils. Site is within this species' elevation range.
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i> Del Mar manzanita	FE/ None/ MSCP	1B.1	Maritime chaparral; sandy/ evergreen shrub/ December–June/ < 1,200	No	Absent	No suitable maritime chaparral habitat or sandy soils. Site is within this species' elevation range. Would have been observed if present.
<i>Arctostaphylos otayensis</i> Otay manzanita	None/None /MSCP	1B.2	Chaparral, dismontane woodland; metavolcanic/ evergreen shrub/ January– March/ 900–5,600	No	Absent	No suitable chaparral habitat or metavolcanic soils on site. Site is below this species' elevation range. Would have been observed if present.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Artemisia palmeri</i> San Diego sawewort	None/None /None	4.2	Chaparral, coastal scrub, riparian forest, scrub, and woodland; sandy, mesic/ deciduous shrub/ May–September/ 50–3,000	No	Absent	Suitable coastal scrub habitat and mesic conditions found on site, but no sandy soils present. Site is below this species' elevation range. Would have been observed if present.
<i>Astragalus deanei</i> Dean's milk-vetch	None/None /None	1B.1	Chaparral, coastal scrub, riparian forest / perennial herb/ February–May/ 250–2,200	No	Low	Suitable coastal scrub habitat on site. Site is below this species' elevation range.
<i>Atriplex coulteri</i> Coulter's saltbush	None/None /None	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland; alkaline or clay/ perennial herb/ March–October/ 10– 1,500	No	Absent	Suitable coastal scrub habitats on site but no alkaline or clay soils present. Site is within this species' elevation range. Would have been observed if present.
<i>Bergerocactus emoryi</i> Golden-spined cereus	None/None /None	2.2	Closed-cone conifer forest, chaparral, coastal scrub; sandy/ shrub/ May–June/ 10–1,300	No	Absent	Suitable coastal scrub habitats on site but no sandy soils present. Site is within this species' elevation range. Would have been observed if present.
<i>Bloomeria clevelandii</i> San Diego goldenstar	None/None /MSCP	1B.1	Chaparral, coastal scrub, valley and foothill grassland, vernal pools; clay/ perennial bulbiferous herb/ April–May/ 164–1,526	No	Low	Suitable coastal scrub habitat on site but no clay soils. Site is below this species' elevation range.
<i>Brodiaea orcuttii</i> Orcutt's brodiaea	None/None /MSCP	1B.1	Closed-cone conifer forest, chaparral, cismontane woodland, meadows and seeps, valley and foothill grassland, vernal pools; mesic, clay, sometimes serpentine/ bulbiferous herb/ May–July/ 100–5,550	No	Absent	No suitable habitat on site and no suitable clay or serpentine soils present. Site is below this species' elevation range.
<i>California (=Erodium) macrophylla</i> Round-leaved filaree	None/None /None	1B.1	Cismontane woodland, valley and foothill grassland; clay / annual herb/ March–May/ 50–4,000	No	Low	No suitable woodland or grassland habitat on site and no suitable clay soils. Site is below this species' elevation range.
<i>Calochortus dunnii</i> Dunn's mariposa lily	None/ SR/ MSCP	1B.2	Closed-cone conifer forest, chaparral; gabbroic or metavolcanic/ bulbiferous herb/ April–June/ 1,250–6,000	No	Absent	No suitable forest or chaparral habitat on site and no suitable gabbroic or metavolcanic soils present. Site is below this species' elevation range.
<i>Camissoniopsis</i> [=Camissonia] lewisii Lewis's evening primrose	None/None /None	3	Coastal bluff scrub, cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland; sandy or clay/ annual herb/ March–May (June) / <1,000	No	Moderate	Suitable coastal scrub habitat on site but no sandy or clay soils present. Site is within this species' elevation range.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Ceanothus cyaneus</i> Lakeside ceanothus	None/None /MSCP	1B.2	Closed-cone conifer forest, chaparral/ evergreen shrub/ April–June/ 770–2,500	No	Absent	No suitable forest or chaparral habitat on site. Site is below this species' elevation range. Would have been observed if present.
<i>Ceanothus olayensis</i> Olay Mountain ceanothus	None/None /None	1B.2	Chaparral; metavolcanic or gabbroic/ evergreen shrub / January–April/ 2,000–3,600	No	Absent	No suitable chaparral habitat on site. Site is below this species' elevation range. Would have been observed if present.
<i>Ceanothus verrucosus</i> Wart-stemmed ceanothus	None/None /MSCP	2.2	Chaparral/ evergreen shrub/ December–May/ < 1,250	No	Absent	No suitable chaparral habitat on site. Site is within this species' elevation range. Would have been observed if present.
<i>Centromadia</i> [= <i>Hemizonia pungens</i> ssp. <i>laevis</i> ] Smooth tarplant	None/None /None	1B.1	Chenopod scrub, meadows and seeps, playas, riparian woodland, valley and foothill grassland; alkaline/ annual herb/ April– September/ < 1,580	No	Moderate	Suitable playa habitat found on site but no alkaline soils. Site is within this species' elevation range.
<i>Chorizanthe orcuttiana</i> Orcutt's chorizanthe	FE/ SE/ None	1B.1	Maritime chaparral, closed-cone conifer forest, coastal scrub/ annual herb/ March– May/ < 400	No	Moderate	Suitable coastal scrub habitat on site. Site is within species' elevation range.
<i>Chorizanthe polygonoides</i> var. <i>longispina</i> Long-spined spineflower	None/None /None	1B.2	Chaparral, coastal scrub, meadows and seeps, valley and foothill grassland; often clay/ annual herb/ April–July/ 100–5,000	No	Low	Suitable coastal scrub habitat on site. Site is below species' elevation range
<i>Clarkia delicata</i> Delicate clarkia	None/None /None	1B.2	Chaparral, cismontane woodland/ annual herb/ April–June/ 770–3,300	No	Low	No suitable chaparral or woodland habitat on site. Site is below species' elevation range.
<i>Clinopodium chandleri</i> San Miguel savory	None/None /None	1B.2	Chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland; rocky, gabbroic or metavolcanic/ perennial shrub/ March–July/ 395–3,525	No	Absent	Suitable coastal scrub habitat on site but no suitable rocky, gabbroic or metavolcanic soils. Site is below species' elevation range. Would have been observed if present.
<i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i> Summer-holly	None/None /None	1B.2	Chaparral, cismontane woodland/ evergreen shrubs/ April–June/ 100–1,800	No	Absent	No suitable chaparral or woodland habitat on site. Site is below species' elevation range. Would have been observed if present.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Corethrogyne flaginifolia</i> var. <i>incana</i> San Diego sand aster	None/None /None	1B.1	Chaparral, coastal bluff scrub, coastal scrub/ perennial herb/ June–September/ 10–380	No	Moderate	Suitable coastal scrub habitat on site. Site is within species' elevation range. Would have been observed if present.
<i>Corethrogyne flaginifolia</i> var. <i>linifolia</i> Del Mar Mesa sand aster	None/None /MSCP	1B.1	Coastal bluff scrub, maritime chaparral (openings), coastal scrub; sandy/ perennial herb/ May–September/ 10–380	No	Moderate	Suitable coastal scrub habitat on site but no sandy soils present. Site is within species' elevation range.
<i>Cylindropuntia californica</i> var. <i>californica</i> Snake cholla	None/None /MSCP	1B.1	Chaparral, coastal scrub/ perennial stem succulent/ April–May/ 100–490	No	Absent	Suitable coastal scrub habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Deinandra</i> [= <i>Hemizonia</i> ] <i>conjugens</i> Otay tarplant	FT/ SE/ MSCP	1B.1	Coastal scrub, valley and foothill grassland; clay/ annual herb/ May–June/ 80–1,000	No	Low	Suitable coastal scrub habitat on site but no clay soils. Site is below species' elevation range.
<i>Dicranostegia orcuttiana</i> Orcutt's bird's-beak	None/None /None	2B.1	Coastal scrub/ annual herb/ April–July/ 30– 1,150	No	High	Suitable coastal scrub habitat on site. Site is barely within species' elevation range.
<i>Dudleya attenuata</i> ssp. <i>orcuttii</i> Orcutt's dudleya	None/None /None	2.1	Coastal bluff scrub, chaparral, coastal scrub; rocky or gravelly/ perennial herb/ May–July/ < 165	No	Moderate	Suitable coastal scrub habitat on site although no suitable rocky or gravelly soils are present. Site is within species' elevation range.
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i> Blochman's dudleya	None/None /None	1B.1	Chaparral, coastal bluff scrub, coastal scrub, valley and foothill grassland, rocky; often clay or serpentine/ perennial herb/ April–June/ 15–1,500	No	Low	Suitable coastal scrub habitat on site but no suitable clay/serpentine soils on site. Site is within species' elevation range.
<i>Dudleya brevifolia</i> Short-leaved dudleya	None/ SE/ MSCP	1B.1	Maritime chaparral (openings), coastal scrub, Torrey sandstone/ perennial herb/ April/ 100–800	No	Low	Suitable coastal scrub on site but no sandstone soils. Site is below species' elevation range.
<i>Dudleya variegata</i> Variegated dudleya	None/None /MSCP	1B.2	Chaparral, dismontane woodland, coastal scrub, valley and foothill grassland, vernal pools; clay/ perennial herb/ April–June/ < 1,900	No	Low	Suitable coastal scrub habitat on site but no clay soils. Site is within species' elevation range.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Dudleya viscida</i> Sticky dudleya	None/None /MSCP	1B.2	Coastal bluff scrub, chaparral, coastal scrub; rocky/ perennial herb/ May–June/ 30–1,800	No	Low	Suitable coastal scrub habitat on site but no rocky soils. Site is barely within species' elevation range.
<i>Ericameria palmeri</i> ssp. <i>palmeri</i> Palmer's goldenbush	None/None /None	2.2	Chaparral, coastal scrub; mesic/ evergreen shrub/ (July) September–November/ 100– 2,000	No	Absent	Suitable coastal scrub habitat on site and mesic conditions are often present. Site is below species' elevation range. Would have been observed if present.
<i>Eryngium aristulatum</i> var. <i>parishii</i> San Diego button- celery	FE/ SE/ MSCP	1B.1	Coastal scrub, valley and foothill grassland, vernal pools, mesic/annual-perennial herb/ April–June/ 60–2,000	No	Moderate	Suitable coastal scrub habitat on site and mesic conditions are often present. Site is below species' elevation range.
<i>Euphorbia misera</i> Cliff spurge	None/None /None	2.2	Coastal bluff scrub, coastal scrub, Mojavean desert scrub: rocky/ shrub/ December– August/ 30–1,650	No	Absent	Suitable coastal scrub habitat on site but no rocky soils present. Site is barely within species' elevation range. Would have been observed if present.
<i>Ferocactus viridescens</i> San Diego barrel cactus	None/None /MSCP	2.1	Chaparral, coastal scrub, valley and foothill grassland, vernal pools/ perennial stem succulent/ May–June/ < 1,500	No	Absent	Suitable coastal scrub habitat on site. Site is within species' elevation range. Would have been observed if present.
<i>Frankenia palmeri</i> Palmer's frankenia	None/None /None	2.1	Coastal dunes, coastal saltwater marsh and swamps, playas/ perennial herb/ May–July/ < 30	No	Moderate	Suitable coastal saltwater marsh habitat present. Site is within species' elevation range. Would have been observed if present.
<i>Fremontodendron</i> <i>mexicanum</i> Mexican flannelbush	FE/ SR/ None	1B.1	Closed-cone conifer forest, chaparral, dismontane woodland; gabbroic, melavolcanic, or serpentinite/ evergreen shrub/ March–June/ 30–2,400	No	Absent	No suitable forest/woodland or chaparral habitat and no suitable soils. Site is barely within species' elevation range. Would have been observed if present.
<i>Galium proliferum</i> Desert bedstraw	None/None /None	2B.2	Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland; rocky, carbonate/ annual herb/ March–June/ 3,900–5,350	No	Absent	No suitable habitat on site and no suitable rocky/carbonate soils. Site is below species' elevation range.
<i>Geothallus tuberosus</i> Campbell's liverwort	None/None /None	1B.1	Coastal scrub (mesic), vernal pools: soil/ ephemeral liverwort/ NA/ 30–2,000	No	Moderate	Suitable coastal scrub and mesic conditions present. Site is barely within species' elevation range.
<i>Githopsis diffusa</i> ssp. <i>filicaulis</i> Mission Canyon bluecup	None/None /None	3.1	Chaparral (mesic, disturbed areas)/ annual herb/ April–June/ 1,500–2,300	No	Low	No suitable chaparral habitat although mesic conditions present. Site is below species' elevation range.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Harpagonella palmeri</i> Palmer's grapplinghook	None/None /None	4.2	Chaparral, coastal scrub, valley and foothill grassland; clay/ annual herb/ March–May/ 60–3,100	No	Moderate	Suitable coastal scrub habitats on site but no clay soils. Site is below species' elevation range.
<i>Hesperocyparis</i> [=Cupressus] forbesii Tecate cypress	None/None /None	1B.1	Closed-cone coniferous forest, chaparral; clay, gabbroic, or metavolcanic/ perennial evergreen tree/ 260–4,920	No	Absent	No suitable chaparral or forest habitats and no suitable soils. Site is below species' elevation range. Would have been observed if present.
<i>Heterotheca sessiliflora</i> ssp. <i>sessiliflora</i> Beach goldenaster	None/None /None	1B.1	Coastal dunes, coastal scrub, coastal chaparral/ annual herb/ July–November/ < 35	No	Moderate	Suitable coastal scrub habitat on site. Site is within species' elevation range. Would have been observed if present.
<i>Horkelia truncata</i> Ramona horkelia	None/None /None	1B.3	Chaparral, cismontane woodland, clay, gabbroic/ perennial herb/ May–June/ 1,300– 4,300	No	Not expected to occur	No suitable habitat on site and no clay or gabbroic soils. Site is below species' elevation range.
<i>Hosackia crassifolia</i> var. <i>olayensis</i> Otay Mountain lotus	None/None /None	1B.1	Chaparral; metavolcanic, often in disturbed areas/ perennial herb/ May–August/ 1,250– 3,300	No	Low	No suitable habitat or soils on site. Site is below species' elevation range.
<i>Isocoma menziesii</i> var. <i>decumbens</i> Decumbent goldenbush	None/None /None	1B.2	Chaparral, coastal scrub (sandy, often disturbed areas)/ shrub/ April–November/ 30– 450	No	Absent	Suitable coastal scrub habitat on site but no sandy soils. Site is barely within species' elevation range. Would have been observed if present. Other common variety ( <i>vernonioides</i> ) present on site.
<i>Iva hayesiana</i> San Diego marsh-elder	None/None /None	2.2	Marshes and swamps, playas/ perennial herb/ April–November/ 30–1,650	No	Moderate	Suitable coastal marsh habitat on site. Site is barely within species' elevation range. Would have been observed if present.
<i>Lepechinia ganderi</i> Gander's pitcher sage	None/None /MSCP	1B.3	Closed-cone conifer forest, chaparral, coastal scrub, valley and foothill grassland; gabbroic or metvolcanic/ shrub/ June–July/ 1,000–3,300	No	Low	Suitable coastal scrub habitat on site but no suitable soils present. Site is below species' elevation range.
<i>Leptosyne maritima</i> Sea dahlia	None/None /None	2.B2	Coastal bluff scrub, coastal scrub/ perennial herb/ March–May/ 15–450	No	Moderate	Suitable coastal scrub habitat on site. Site is within species' elevation range. Would have been observed if present.
<i>Mobergia calciculiformis</i> Light gray lichen	None/None /None	3	Coastal scrub; cobbles/ lichen/ NA/ 20	No	Moderate	Suitable coastal scrub habitat on site. Site is within species' elevation range. Would be expected in intact, undisturbed habitats.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Monardella hypoleuca</i> ssp. <i>lanata</i> Felt-leaved monardella	None/None /MSCP	1B.2	Chaparral, dismontane woodland/ rhizomatous herb/ June–August/ 1,000–3,600	No	Low	No suitable habitat on site. Site is below species' elevation range.
<i>Monardella stoneana</i> Jennifer's monardella	None/None /None	1B.2	Closed-cone coniferous forest, chaparral, coastal scrub, riparian scrub; usually rocky intermittent streambeds/ perennial herb/ June–September/ 30–2,600	No	Low	Suitable coastal scrub habitat on site but no rocky intermittent streambeds. Site is barely within species' elevation range.
<i>Monardella viminea</i> Willow monardella	FE/ SE/ MSCP	1B.1	Chaparral, coastal scrub, riparian forest, woodland, and scrub; alluvial ephemeral washes/ perennial herb/ June–August/ 160–750	No	Low	Suitable coastal scrub habitat on site, but no alluvial ephemeral washes. Site is below species' elevation range.
<i>Myosurus minimus</i> ssp. <i>apus</i> Little mouse-tail	None/None /None	3.1	Vernal pools, valley and foothill grassland; alkaline/ annual herb/ March–June/ 60–2,100	No	Low	No suitable habitat on site. Site is below species' elevation range.
<i>Nama stenocarpum</i> Mud nama	None/None /None	2.2	Marshes and swamps, lake margins, riverbanks/ annual–perennial herb/ January– July/ 15–1,650	No	Moderate	Suitable marsh habitat on site. Site is within species' elevation range.
<i>Navarretia fossalis</i> Spreading navarretia	FT/ None/ MSCP	1B.1	Chenopod scrub, shallow freshwater marshes and swamps, playas, vernal pools/ annual herb/ April–June/ 100–4,300	No	Low	Suitable marsh habitat on site, but no swamps, playas or vernal pools. Site is below species' elevation range.
<i>Navarretia prostrata</i> Prostrate navarretia	None/None /None	1B.1	Coastal scrub, meadows and seeps, valley and foothill grassland (alkaline), vernal pools; mesic/annual herb/ April–July/ 50–2,300	No	Low	Suitable coastal scrub habitat on site and mesic conditions are present, but no vernal pools. Site is below species' elevation range.
<i>Nemacaulis denudata</i> var. <i>denudata</i> Coast woolly-heads	None/None /None	1B.2	Coastal dunes/ annual herb/ April– September/ < 330	No	Moderate	No coastal dune habitat on site. Site is within species' elevation range.
<i>Nemacaulis denudata</i> var. <i>gracilis</i> Slender woolly-heads	None/None /None	2.2	Coastal dunes, desert dunes, Sonoran desert scrub/ annual herb/ (March)April–May/ 160– 1,300	No	Low	No suitable habitat on site. Site is below species' elevation range.
<i>Orcuttia californica</i> California Orcutt grass	FE/ SE/ MSCP	1B.1	Vernal pools/ annual herb/ April–August/ 50– 2,200	No	Low	No vernal pools on site. Site is below species' elevation range.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Ornithostaphylos oppositifolia</i> Baja California birdbush	None/ SE/ None	2.1	Chaparral/ evergreen shrub/ January–April/ 180–2,600	No	Absent	No chaparral habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Orobancha parishii</i> ssp. <i>brachyloba</i> Short-lobed broom-rape	None/None /None	4.2	Coastal bluff scrub, coastal dunes, coastal scrub; sandy/ perennial herb parasitic/ April–October/ <1,000	No	Low	Suitable coastal scrub habitat on site but no sandy soils present. Site is within species' elevation range.
<i>Pinus torreyana</i> spp. <i>torreyana</i> Torrey pine	None/None /MSCP	1B.2	Closed-cone conifer forest, chaparral; sandstone/ evergreen tree/ NA/ 250–550	No	Absent	No suitable habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Pogogyne abramsii</i> San Diego mesa mint	FE/ SE/ MSCP	1B.1	Vernal pools/ annual herb/ May–July/ 300–650	No	Low	No vernal pools on site. Site is below species' elevation range.
<i>Pogogyne nudiuscula</i> Otay Mesa mint	FE/ SE/ MSCP	1B.1	Vernal pools/ annual herb/ May–July/ 300–620	No	Low	No vernal pools on site. Site is below species' elevation range.
<i>Quercus dumosa</i> Nuttall's scrub oak	None/None /None	1B.1	Chaparral, coastal scrub, closed-cone coniferous forest; sandy, clay loam/ evergreen shrub/ February–April/ 50–1,300	No	Absent	Suitable coastal scrub habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Ribes viburnifolium</i> Santa Catalina Island currant	None/None /None	1B.2	Chaparral, cismontane woodland/ evergreen shrub/ February–April/ 100–1,000	No	Absent	No suitable habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Rosa minutifolia</i> Small-leaved rose	None/ SE/ MSCP	2.1	Chaparral, coastal scrub/ deciduous shrub/ January–June/ 490–525	No	Absent	Suitable coastal scrub habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Salvia munzii</i> Munz's sage	None/None /None	2.2	Chaparral, coastal scrub/ evergreen shrub/ February–April/ 400–3,500	No	Absent	Suitable coastal scrub habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Senecio aphanactis</i> Chaparral ragwort	None/None /None	2.2	Chaparral, cismontane woodland, coastal scrub; sometimes alkaline/ annual herb/ January–April/ 50–2,630	No	Moderate	Suitable coastal scrub habitat on site. Site is below species' elevation range.
<i>Sphaerocarpos drewei</i> Bottle liverwort	None/None /None	1B.1	Chaparral, coastal scrub; openings, soil/ ephemeral liverwort/ NA/ 300–1,970	No	Low	Suitable coastal scrub habitat on site. Site is below species' elevation range.

## APPENDIX B2 (Continued)

Scientific Name Common Name	Status Federal/ State/ Other	CRPR	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (ft amsl)	Observed on Site?	Determi nation	Status on Site or Potential to Occur
<i>Sternodia durantifolia</i> Purple stemodia	None/None /None	2.1	Sonoran desert scrub; often mesic, sandy/ perennial herb / January–December/ 600– 1,000	No	Low	No suitable scrub habitat on site although mesic conditions present. Site is below species' elevation range.
<i>Stylocline citroleum</i> Oil neststraw	None/None /None	1B.1	Chenopod scrub, coastal scrub, valley and foothill grassland; clay/ annual herb/ March– April / 165–1,300	No	Low	Suitable coastal scrub habitat on site. Site is within species' elevation range.
<i>Suaeda californica</i> California seablite	None/ SE/ None	1B.1	Coastal salt marshes and swamps/ perennial evergreen shrub/ July–October/ 0–45	No	Moderate	Suitable coastal salt marsh habitat on site. Site is within species' elevation range. Would have been observed if present.
<i>Tetracoccus dioicus</i> Parry's tetracoccus	None/None /MSCP	1B.2	Chaparral, coastal scrub/ deciduous shrub/ April–May/ 550–3,300	No	Low	Suitable coastal scrub habitat on site. Site is below species' elevation range. Would have been observed if present.
<i>Texosporium sancti- jacobi</i> Woven-spored lichen	None/None / None	3	Chaparral openings; on soil, small mammal pellets, dead twigs, and on <i>Selaginella</i> / crustose lichen terrestrial/ 950–2,165	No	Low	No suitable chaparral habitat on site. Site is below species' elevation range.

**Source:** List based on a search of all plant species found in the CNRDB and CNPS databases for the National City quadrangle and the seven surrounding U.S. Geological Service (USGS) quadrangles conducted in June 2013. All species are found within the Project sites bioregion or regions defined by the geographic subdivisions of California in the Jepson Flora Project (2013). The project site is located in the Peninsular Ranges within the California Floristic Province.

**Notes:** ft amsl = feet above mean sea level; NA = not applicable

**Status Key:**

**Federal:**

FE: Federally listed as endangered

FT: Federally listed as threatened

**State:**

SE: State-listed as endangered

ST: State-listed as threatened

SR: State-listed as rare

**Other:**

MSCP: MSCP Plan covered species for the southwestern portion of San Diego County

CRPR: California Rare Plant Rank

1A (formerly List 1A): Plants Presumed Extinct in California

1B (formerly List 1B): Plants Rare, Threatened, or Endangered in California and Elsewhere

2 (formerly List 2): Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

3 (formerly List 3): Plants about Which We Need More Information – A Review List

APPENDIX B2 (Continued)

- 4 (formerly List 4): Plants of Limited Distribution – A Watch List
  - 0.1–Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
  - 0.2–Fairly threatened in California (20%–80% occurrences threatened/moderate degree and immediacy of threat)
  - 0.3–Not very threatened in California (<20% of occurrences threatened /low degree and immediacy of threat or no current threats known).

# **APPENDIX C**

## ***Wildlife Compendium***



## APPENDIX C Wildlife Compendium

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### BIRD

#### BLACKBIRDS, ORIOLES AND ALLIES

##### ***ICTERIDAE—BLACKBIRDS***

- Icterus bullockii*—Bullock’s oriole
- Sturnella neglecta*—Western meadowlark
- Icterus cucullatus*—Hooded oriole

### BUSHTITS

##### ***AEGITHALIDAE—LONG-TAILED TITS AND BUSHTITS***

- Psaltiriparus minimus*—Bushtit

### CORMORANTS

##### ***PHALACROCORACIDAE—CORMORANTS***

- Phalacrocorax auritus*—Double-crested cormorant

### EMBERIZINES

##### ***EMBERIZIDAE—EMBERIZIDS***

- Chondestes grammacus*—Lark sparrow
- Melospiza melodia*—Song sparrow
- Melospiza crissalis*—California towhee
- Passerculus sandwichensis beldingi*—Belding’s savannah sparrow
- Zonotrichia leucophrys*—White-crowned sparrow
- Aimophila ruficeps canescens*—Southern California rufous-crowned sparrow

### FALCONS

##### ***FALCONIDAE—CARACARAS AND FALCONS***

- Falco sparverius*—American kestrel

### FINCHES

##### ***FRINGILLIDAE—FRINGILLINE AND CARDUELINE FINCHES AND ALLIES***

- Carpodacus mexicanus*—House finch
- Spinus psaltria*—Lesser goldfinch

## APPENDIX C (Continued)

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### FLYCATCHERS

#### ***TYRANNIDAE—TYRANT FLYCATCHERS***

- Sayornis nigricans*—Black phoebe
- Sayornis saya*—Say's phoebe
- Tyrannus verticalis*—Western kingbird
- Tyrannus vociferans*—Cassin's kingbird

### HAWKS

#### ***ACCIPITRIDAE—HAWKS, KITES, EAGLES, AND ALLIES***

- Accipiter cooperii*—Cooper's hawk
- Buteo jamaicensis*—Red-tailed hawk
- Buteo lineatus*—Red-shouldered hawk
- Circus cyaneus*—Northern harrier
- Pandion haliaetus*—Osprey

### HERONS AND BITTERNS

#### ***ARDEIDAE—HERONS, BITTERNS, AND ALLIES***

- Ardea alba*—Great egret
- Ardea herodias*—Great blue heron
- Egretta thula*—Snowy egret

### HUMMINGBIRDS

#### ***TROCHILIDAE—HUMMINGBIRDS***

- Calypte anna*—Anna's hummingbird
- Calypte costae*—Costa's hummingbird

### JAYS, MAGPIES AND CROWS

#### ***CORVIDAE—CROWS AND JAYS***

- Corvus brachyrhynchos*—American crow
- Corvus corax*—Common raven

### LARKS

#### ***ALAUDIDAE—LARKS***

- Eremophila alpestris*—Horned lark

## APPENDIX C (Continued)

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### MOCKINGBIRDS AND THRASHERS

#### ***MIMIDAE—MOCKINGBIRDS AND THRASHERS***

*Mimus polyglottos*—Northern mockingbird

### PELICANS

#### ***PELECANIDAE—PELICANS***

*Pelecanus occidentalis*—Brown pelican

### PIGEONS AND DOVES

#### ***COLUMBIDAE—PIGEONS AND DOVES***

*Zenaida macroura*—Mourning dove

\* *Columba livia*—Rock pigeon (rock dove)

### SHOREBIRDS

#### ***RECURVIROSTRIDAE—STILTS AND AVOCETS***

*Recurvirostra americana*—American avocet

#### ***CHARADRIIDAE—LAPWINGS AND PLOVERS***

*Charadrius vociferus*—Killdeer

#### ***SCOLOPACIDAE—SANDPIPERS, PHALAROPES, AND ALLIES***

*Calidris mauri*—Western sandpiper

*Calidris minutilla*—Least sandpiper

*Limnodromus scolopaceus*—Long-billed dowitcher

*Limosa fedoa*—Marbled godwit

*Numenius americanus*—Long-billed curlew

*Numenius phaeopus*—Whimbrel

*Tringa semipalmata*—Willet

### STARLINGS AND ALLIES

#### ***STURNIDAE—STARLINGS***

\* *Sturnus vulgaris*—European starling

### SWALLOWS

#### ***HIRUNDINIDAE—SWALLOWS***

*Hirundo rustica*—Barn swallow

## APPENDIX C (Continued)

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*Petrochelidon pyrrhonota*—Cliff swallow  
*Stelgidopteryx serripennis*—Northern rough-winged swallow

### SWIFTS

#### ***APODIDAE—SWIFTS***

*Aeronautes saxatalis*—White-throated swift

### TERNs AND GULLS

#### ***LARIDAE—GULLS, TERNS, AND SKIMMERS***

*Larus* sp.—Gull species  
*Larus californicus*—California gull  
*Thalasseus elegans*—Elegant tern  
*Hydroprogne caspia*—Caspian tern

### THRUSHES

#### ***TURDIDAE—THRUSHES***

*Sialia mexicana*—Western bluebird

### WATERFOWL

#### ***ANATIDAE—DUCKS, GEESE, AND SWANS***

*Anas americana*—American wigeon  
*Anas platyrhynchos*—Mallard  
*Branta bernicla*—Brant  
*Oxyura jamaicensis*—Ruddy duck

### WOOD WARBLERS AND ALLIES

#### ***PARULIDAE—WOOD-WARBLERS***

*Geothlypis trichas*—Common yellowthroat  
*Setophaga coronata*—Yellow-rumped warbler

### WRENS

#### ***TROGLODYTIDAE—WRENS***

*Cistothorus palustris*—Marsh wren  
*Thryomanes bewickii*—Bewick's wren

## APPENDIX C (Continued)

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### WRENTITS

#### ***TIMALIIDAE—BABBLERS***

*Chamaea fasciata*—Wrentit

### INVERTEBRATE

#### BUTTERFLIES

#### ***LYCAENIDAE—BLUES, HAIRSTREAKS, AND COPPERS***

*Strymon melinus*—Gray hairstreak

*Brephidium exile*—Western pygmy-blue

#### ***NYMPHALIDAE—BRUSH-FOOTED BUTTERFLIES***

*Danaus gilippus*—Queen

*Vanessa annabella*—West coast lady

#### ***PIERIDAE—WHITES AND SULFURS***

*Pieris rapae*—Cabbage white

### MAMMAL

#### CANIDS

#### ***CANIDAE—WOLVES AND FOXES***

*Canis latrans*—Coyote

#### HARES AND RABBITS

#### ***LEPORIDAE—HARES AND RABBITS***

*Sylvilagus bachmani*—Brush rabbit

#### POCKET GOPHERS

#### ***GEOMYIDAE—POCKET GOPHERS***

*Thomomys bottae*—Botta's pocket gopher

#### RATS AND MICE

#### ***MURIDAE—RATS AND MICE***

\* *Rattus norvegicus*—Brown rat

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**APPENDIX C (Continued)**

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**SQUIRRELS*****SCIURIDAE—SQUIRRELS***

*Spermophilus(Otospermophilus) beecheyi*—California ground squirrel

**REPTILE****LIZARDS*****PHRYNOSOMATIDAE—IGUANID LIZARDS***

*Sceloporus occidentalis*—Western fence lizard

*Uta stansburiana*—Common side-blotched lizard

\* Signifies non-native species

# **APPENDIX D1**

## ***Special-Status Wildlife Species Observed in Project Area or with High Potential to Occur***



## APPENDIX D1

### Special-Status Wildlife Species Observed in Project Area or with High Potential to Occur

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis for Determination
<i>Birds</i>					
<i>Accipiter cooperii</i> (nesting) Cooper's hawk	None/WL/ MSCP	Dense stands of live oak, riparian deciduous, forest habitats near water frequently used. Breeds in southern Sierra Nevada foothills, New York Mts., Owens Valley, other local areas in Southern California, 0–2,700 m amsl <sup>(2)</sup> .	Yes	High (nesting); Present (non-breeding)	Species detected onsite, although breeding status could not be confirmed. Suitable trees located within eucalyptus woodland, tamarisk groves, and sycamores onsite for nesting. Suitable foraging habitat over non-native grassland and coastal sage scrub habitats. Species found in the vicinity. The nearest CNDDB record for this species is 6.2 miles southwest of the study area, within the Tijuana River Valley.
<i>Aimophila ruficeps canescens</i> Southern California rufous-crowned sparrow	None/WL/ MSCP	Sparse mixed chaparral and coastal scrub habitats (especially coastal sage) in Southern California on slopes of Transverse and Coastal ranges, north to Los Angeles County, and northwestern Baja California. Found on steep, rocky hillides with grass and forb patches, and grassy slopes with low shrub cover, if rock outcrops are present <sup>(2, 4)</sup> .	Yes	Present	Species detected within coastal scrub habitats in southern region of the northern parcel. Breeding could not be confirmed but would be presumed breeding due to detection during breeding bird season. Species found in the vicinity. The nearest CNDDB record for this species is 6.2 miles southeast of the study area.
<i>Circus cyaneus</i> (nesting) Northern harrier	None/SSC/ MSCP	Open wetlands (nesting), pasture, old fields, dry uplands, grasslands, rangelands, coastal sage scrub. Resident of northeastern plateau and coastal areas; less common resident in Central Valley. Breeds at marsh edge in shrubby vegetation in Central Valley and Sierra Nevada (0–1,700 m amsl), and northeastern California (up to 800 m amsl) <sup>(2)</sup> .	Yes	Present (nesting and non-breeding)	Pair observed foraging over the site on almost every site visit. Species found in the vicinity. Was not detected breeding during this nesting season. It has been detected onsite in past surveys within the site and was assumed that it could be nesting. The nearest CNDDB record for this species is 6.2 miles southwest of the study area, within the Tijuana River Valley.

## APPENDIX D1 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis for Determination
<i>Eremophila alpestris</i> actia California horned lark	None/WL/None	Open habitats, grassland, rangeland, shortgrass prairie, montane meadows, coastal plains, fallow grain fields south of Humboldt County in Coast Ranges, in San Joaquin Valley except extreme southern end <sup>(2, 4)</sup> .	Yes	Observed	Pairs observed nesting in the H-3 parcel. The species is relatively opportunistic for foraging. Species found in the vicinity. The nearest CNDDDB record for this species is 8.9 miles northeast of the study area.
<i>Pandion haliaetus</i> (nesting; rarely breeds in San Diego) Osprey	None/ WL/None	Large waters (lakes, reservoirs, rivers) supporting fish; usually near forest habitats (primarily ponderosa pine through mixed conifer), but widely observed along the coast. Breeds from Cascade Ranges south to Lake Tahoe and along northwest coast. Uncommon breeder along southern Colorado River. Uncommon along coast of Southern California <sup>(2)</sup> .	Yes	Present (nesting, non-breeding)	Osprey pair nesting at southeast corner of Sandpiper Way and G Street. This nesting location has been documented in the past, and is located in the top of a utility pole. Osprey individuals also observed foraging over the project area. Species found in the vicinity. The nearest CNDDDB record for this species is 6.8 miles northwest of the study area in the San Diego Bay.
<i>Passerculus sandwichensis beldingi</i> Belding's savannah sparrow	None/SE/ MSCP	Scattered southern coastal wetlands in southwestern California <sup>(2)</sup> .	Yes	Present (nesting and non-breeding)	Observed foraging and nesting within the site. Family groups were observed as well. Species found in the vicinity. The nearest CNDDDB record for this species is located within the study area, within the Sweetwater District parcel.
<i>Pelecanus occidentalis californicus</i> (nesting colony and communal roosts) Brown pelican (California)	(FD)/(SD), FP/ MSCP	Open sea, large water bodies, coastal bays and harbors, estuarine, marine subtidal, and marine pelagic waters along coast and breeds on Channel Islands <sup>(2)</sup> .	Yes	Low (nesting) Present (non-breeding)	Expected to forage within the San Diego Bay and to fly over the site. Not expected to nest within the study area. Species found in the vicinity. The nearest CNDDDB record for this species is 7.5 miles northwest of the study area in the San Diego Bay.
<i>Phalacrocorax auritus</i> (nesting colony) Double-crested cormorant	None/WL/None	Lakes, rivers, reservoirs, estuaries, ocean; nests in tall trees, rock ledges on cliffs, rugged slopes. Resident along coast and inland waters. Common August to May at Salton Sea and Colorado River reservoirs, also found south of San Luis Obispo County and Central Valley <sup>(2)</sup> .	Yes	Low (nesting) Present (non-breeding)	Expected to forage within the San Diego Bay and observed flying over the site. Not expected to nest within the study area. Species found in the vicinity. The nearest CNDDDB record for this species is 8.9 miles northeast of the study area.

## APPENDIX D1 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis for Determination
<i>Invertebrates</i>					
<i>Cicindela senilis frossi</i> Senile tiger beetle	None/None/None	Coastal salt marshes; fresh/brackish lagoons, open patches of Salicornia, dried salt pans, muddy alkali area. Records in Riverside, San Diego, Los Angeles, Ventura Counties <sup>(4, 6)</sup>	No	High	Suitable salt marsh habitat onsite including open patches of Salicornia. Species found in the vicinity. The nearest CNDDB record for this species is 6.9 miles southwest of the study area in the Tijuana River Valley.
<i>Panoquina errans</i> Wandering salt marsh skipper	None/None/MSCP	Salt marsh from Los Angeles to Baja California, Mexico. Host plant <i>Distichlis spicata</i> in salt marshes or near beaches, mouths of rivers <sup>(4)</sup> .	No	High	Suitable salt marsh habitat and host plant found onsite. Species found in the vicinity. The nearest CNDDB record for this species is 5.0 miles southwest of the study area along the coast.

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## APPENDIX D1 (Continued)

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**Notes:** m amsl = meters above mean sea level

**Status Key:**

**Federal Designations:**

(FD) Federally delisted; monitored for 5 years

**State Designations:**

SSC California Special Concern Species  
FP California Department of Fish and Wildlife Fully Protected Species  
WL California Department of Fish and Wildlife Watch List Species  
SE State Listed as Endangered  
(SD) State Delisted

**Other Designations:**

MSCP Covered under the Chula Vista MSCP Subarea Plan.

<sup>a</sup>For the purposes of determination of potential to occur on site, vicinity = within 9-quad search of National City quadrangle.

## **APPENDIX D2**

### ***Sensitive Wildlife Species Not Expected to Occur in Project Area***



## APPENDIX D2

### Sensitive Wildlife Species Not Expected to Occur in Project Area

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Amphibians</i>					
<i>Anaxyrus californicus</i> Arroyo toad	FE/SSC/ MSCP	Washes, arroyos, sandy riverbanks, riparian areas with willows, sycamores, oaks cottonwoods. Requires exposed sandy stream sides with stable terraces to burrow with scattered vegetation and calm pools with sandy/gravel bottoms for breeding. Found west of desert in coastal areas from upper Salinas River in San Luis Obispo Co. to northwestern Baja California; 0–900 m amsl <sup>(1)</sup> .	No	Absent	No suitable creeks, streams or pools on site to support this species. Species found in the vicinity. The nearest CNDDDB record for this species is 9.8 miles northeast of the study area.
<i>Spea hammondi</i> Western spadefoot	None/SSC/None	Sandy/gravelly soils within mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Breeds in rain pools that do not have bullfrogs, fish, or crayfish. Found throughout Great Valley and foothills south of Redding, throughout South Coast Ranges in Southern California south of Transverse Mountains and west of Peninsular Mountains; 0–1,365 m amsl <sup>(1)</sup> .	No	Absent	No suitable creeks, streams or pools on site to support this species. Species found in the vicinity. The nearest CNDDDB record for this species is 6.2 miles southwest of the study area.
<i>Reptiles</i>					
<i>Anniella pulchra</i> ( <i>pulchra</i> ) Silvery legless lizard	None/SSC/None	Moist habitats. Loose soils with plant cover, beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, stream terraces with sycamores, cottonwoods, or oaks. Found under surface objects such as rocks, boards, driftwood, logs, leaf litter; 0–1,799 m amsl <sup>(1)</sup> .	No	Low	Soils generally too compact and clayey for this species although beach habitat and corresponding sandy soils present. Species found in the vicinity. The nearest CNDDDB record for this species is 86.0 miles south of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Aspidoscelis hyperythra beldingi</i> Belding's orange- throated whiptail	None/SSC (for full species)/ MSCP	Coastal sage scrub, chamise-redshank chaparral, mixed chaparral, valley-foothill hardwood especially in areas with summer fog. Found from Santa Ana River (Orange County) and near Colton (San Bernardino County), west of Peninsular Ranges, south throughout Baja California; 0–610 m amsl <sup>(1, 2)</sup> .	No	Low	Moderately suitable coastal sage scrub on site. However, the coastal sage scrub on site was part of a restoration project and is fairly limited in acreage. Species found in the vicinity. The nearest CNDDB record for this species is 2.5 miles northeast of the study area.
<i>Aspidoscelis tigris stejnegeri</i> Coastal western whiptail	None/None/None	Variety of habitats, primarily hot and dry open areas with sparse foliage – chaparral, woodland, riparian. Occurs in coastal Southern California, west of Peninsular Ranges and south of Transverse Ranges, north to Ventura County; 0– 2,130 m amsl <sup>(1)</sup> .	No	Low	Vegetation on site is generally too dense for this species. Moderately suitable coastal scrub habitat on site however it is limited in acreage. Species found in the vicinity. The nearest CNDDB record for this species is 6.6 miles northeast of the study area.
<i>Chelonia mydas</i> Green sea turtle	FT/None/None	Reefs, bays, inlets, other shallow waters with marine grass and algae. Open beaches required for nesting <sup>(4)</sup> .	No	Low	High potential for this species to occur within San Diego Bay. However, would not be expected to nest within study area due to trash and concrete on beaches, and small amount of available beach habitat. Species found in the vicinity. The nearest CNDDB record for this species is within San Diego Bay, less than 0.5 miles from the study area.
<i>Crotalus ruber ruber</i> Northern red diamond rattlesnake	None/SSC/None	Arid scrub, coastal chaparral, oak and pine woodlands, rocky grassland, cultivated areas, rocky areas, dense vegetation. Occurs along coastal San Diego County to the eastern slopes of the mountains and north through western Riverside County into southernmost San Bernardino County; 0–900 m amsl <sup>(1, 2)</sup> .	No	Low	No suitable arid scrub habitats located within study area. Species found in the vicinity. The nearest CNDDB record for this species is 4.6 miles southeast of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Diadophis punctatus similis</i> San Diego ring- necked snake	None/None/None	Prefers moist habitats, including wet meadows, rocky hillsides, gardens, farmlands, grassland, chaparral, mixed coniferous forests, woodlands. Found mainly in San Diego County along the coast and into the Peninsular Range and into southwestern San Bernardino County <sup>(1)</sup> .	No	Low	No suitable moist habitats on site. Site is generally too coastal to support this species. Species found in the vicinity. The nearest CNDDB record for this species is 7.4 miles northeast of the study area.
<i>Lichanura trivirgata</i> Rosy boa	None/None/None	Arid scrublands, semi-arid shrublands, rocky shrublands, rocky deserts, canyons, other rocky areas, riparian areas, desert and chaparral areas. Occurs throughout Southern California from the coast to the Mojave and Colorado Deserts. Prefer areas with moderate to dense vegetation and rocky cover <sup>(1, 2)</sup> .	No	Low	No suitable arid habitats on site. Site is generally too coastal to support this species. Species found in the vicinity. The nearest CNDDB record for this species is 6.0 miles southeast of the study area.
<i>Phrynosoma blainvillii</i> Blainville's horned lizard	None/SSC/ MSCP	Areas of sandy soil and low vegetation in valleys, foothills, semiarid mountains, grasslands, chaparral, woodland, coniferous forest, sandy areas. Often found near ant hills and in lowlands along sandy washes with scattered shrubs and along dirt roads. Occurs along the Pacific coast from the Baja California border west of the deserts and the Sierra Nevada, north to the Bay Area, and inland to Shasta Reservoir; 0–2,483 m amsl <sup>(1)</sup> .	No	Low	No suitable sandy soils within study area with exception of sandy beaches. Site is generally too coastal to support this species. Species found in the vicinity. The nearest CNDDB record for this species is 3.2 miles south of the study area.
<i>Plestiodon skiltonianus interparietalis</i> Coronado skink	None/SSC/None	Grassland, woodlands, pine forests, chaparral, especially open sunny areas (e.g., clearings, edges of creeks) and rocky areas near streams with lots of vegetation. Also found in areas away from water. Occurs in inland Southern California south through the north Pacific coast region of northern Baja California <sup>(1)</sup> .	No	Low	No suitable habitat or streams on site for this species. Species found in the vicinity. The nearest CNDDB record for this species is 5.0 miles south of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Salvadora hexalepis virgulata</i> Coast patch-nosed snake	None/SSC/None	Semi-arid brushy areas and chaparral in canyons, rocky hillsides, plains from northern Carrizo Plains south through coastal zone, south and west of the deserts into coastal northern Baja California; below sea level to 2,130 m amsl <sup>(1)</sup> .	No	Low	No suitable arid habitats or chaparral on site. Site is generally too coastal to support this species. Species found in the vicinity. The nearest CNDDDB record for this species is 12.9 miles southeast of the study area.
<i>Thamnophis hammondi</i> Two-striped garter snake	None/SSC/None	Associated with permanent or semi-permanent bodies of water in a variety of habitats: rocky areas, oak woodland, chaparral, brushland, coniferous forest. Found on Diablo Range, South Coast and Transverse Ranges, and Santa Catalina Island; 0–2,400 m amsl <sup>(1,2)</sup> .	No	Low	No suitable water bodies located within the study area. One stream flows through site but has strong tidal influences that would exclude this species. Species found in the vicinity. The nearest CNDDDB record for this species is 5.6 miles south of the study area.
<b>Birds</b>					
<i>Agelaius tricolor</i> (colony) Tricolored Blackbird	BCC/SSC/ MSCP	Breeds in emergent wetland with tall, dense cattails or tules; willow, blackberry, tall herb thickets. Feeds in grassland and cropland habitats. Found throughout Central Valley and coastal areas south of Sonoma County <sup>(2)</sup> .	No	Very low (nesting and non-breeding)	No suitable emergent wetland habitat found on site. Wetland habitat on site is dominated by <i>Atriplex</i> and <i>Distichlis</i> . Species found in the vicinity. The nearest CNDDDB record for this species is 8.9 miles northeast of the study area.
<i>Ammodramus savannarum</i> (nesting) Grasshopper sparrow	None/SSC/None	Dry, dense grasslands, especially with a variety of grasses and tall forbs, scattered shrubs for singing perches. Summer resident and breeder in foothills and lowlands west of Cascade–Sierra Nevada crest from Mendocino and Trinity Counties south to San Diego County. In Southern California, occurs on hillsides and mesas in coastal areas; breeds up to 1,500 m amsl <sup>(2)</sup> .	No	Low (nesting and non-breeding)	No suitable dense grasslands on site. Species found in the vicinity. The nearest CNDDDB record for this species is 17.1 miles northeast of the study area.
<i>Artemisospiza belli</i> Bell's sparrow (Includes nominate form of species [Amphisipiza belli belli])	BCC/WL/None	Occurs in low, dense stands of shrubs; chaparral dominated by chamise; coastal scrub dominated by sage. Coast Ranges from Northern California to northwestern Baja California, western slope of Sierra Nevada <sup>(2)</sup> . Nominate form of species designated as special-status.	No	Moderate (nesting and non-breeding)	Limited amount of coastal scrub habitats found on site. Most habitat areas are very isolated and lack connectivity with larger habitat patches. Species found in the vicinity. The nearest CNDDDB record for this species is 9.1 miles northeast of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Athene cunicularia</i> burrow sites and some wintering sites) Burrowing owl	BCC/SSC/ MSCP	Open, dry grassland and desert habitats; grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats throughout the state, 0–1,600 m amsl <sup>(2)</sup> .	No	Very low (burrowing sites or wintering sites)	Focused surveys per burrowing owl protocol were negative. Much of the site is dominated by non-native weedy species that limit burrowing and soils generally too clayey. Species found in the vicinity. Has been recorded in the southern portion of the Chula Vista Bayfront Master Plan area as an assumed breeding occurrence. The species has also been detected farther south as a wintering occurrence. The nearest CNDDB record for this species is 2.3 miles north of the study area.
<i>Buteo swainsoni</i> (nesting) Swainson's hawk	BCC/ST/ MSCP	Forages in grasslands or suitable grain or alfalfa fields or livestock pastures; breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savanna in Central Valley <sup>(2)</sup> .	No	Absent (nesting); Moderate (non-breeding)	No suitable habitat on site for this species. Grasslands on site are quite limited. Species found in the vicinity. The nearest CNDDB record for this species is 6.6 miles northeast of the study area.
<i>Campylorhynchus brunneicapillus sandiegensis</i> Coastal cactus wren (San Diego & Orange Counties only)	BCC/SSC/ MSCP	Southern cactus scrub, maritime succulent scrub, cactus thickets in coastal sage scrub. In arid parts of westward-draining slopes of Southern California <sup>(2)</sup> .	No	Low (nesting and non-breeding).	No suitable cactus patches found on site. Coastal sage scrub on site is generally limited. Species found in the vicinity. The nearest CNDDB record for this species is 2.8 miles east of the study area.
<i>Charadrius alexandrinus nivosus</i> (nesting) Western snowy plover	FT (Pacific coastal population), BCC (non-listed subspecies)/SSC (coastal and interior populations)/ MSCP	Sandy marine and estuarine shores. Nests on these habitats and salt pond levees. Nesting areas in Salton Sea, Mono Lake, shores of alkali lakes of northeastern California, Central Valley, and southeastern deserts <sup>(2)</sup> .	No	Moderate (nesting and non-breeding)	Sandy beaches are present on site but are generally limited in width, and are covered in debris and concrete. Would be expected to nest elsewhere in the San Diego Bay. Species found in the vicinity. The nearest CNDDB record for this species is less than 0.5 miles from the study area, located in the Sweetwater Marsh.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Coccyzus americanus occidentalis</i> (nesting) Western yellow billed cuckoo	FC, BCC/SE/None	Dense, wide riparian woodlands and forest with well-developed understories. Valley foothill and desert riparian habitats scattered throughout California – Colorado River, Sacramento and Owens Valleys, South Fork of the Kern River, Santa Ana River, and Amargosa River <sup>(2)</sup> .	No	Very low (nesting and non-breeding)	No suitable riparian woodlands/forest found on site. The nearest CNDDDB record for this species is 4.4 miles east of the study area.
<i>Empidonax traillii eximius</i> (nesting) Southwestern willow flycatcher	FE/SE/ MSCP	Riparian obligate – Riparian woodlands along streams and rivers with mature, dense tree or shrub cover where surface water or soil moisture present; may nest in habitats variable in dominant plant species (both native and exotic). In California, breeding range includes southern California; from near sea level in California to more than 2,600 m amsl in Arizona/SW Colorado <sup>(5)</sup> .	No	Very low (nesting and non-breeding)	No suitable riparian woodlands/forest found on site. Species found in the vicinity. The nearest CNDDDB record for this species is 8.9 miles northeast of the study area.
<i>Falco mexicanus</i> (nesting) Prairie falcon	BCC/WL/None	Grassland, savannas, rangeland, agriculture, desert scrub, alpine meadows; nest on cliffs or bluffs. Southeastern deserts northwest through Central Valley and along inner Coast Ranges and Sierra Nevada <sup>(2)</sup> .	No	Absent (nesting) Low (non-breeding)	Suitable open habitats and grassland habitat found on site. However, site may be too disturbed and urbanized to support this species. No suitable nesting substrates. Species found in the vicinity. The nearest CNDDDB record for this species is 12.4 miles north of the study area.
<i>Falco peregrinus anatum</i> (nesting) American peregrine falcon	(FD), BCC/(SD), FP/ MSCP	Nests in woodland, forest, coastal habitats along coast north of Santa Barbara and in Sierra Nevada, and other mountains of Northern California. Winters in Central Valley, and is found in other riparian areas and coastal/inland wetlands <sup>(2)</sup> .	No	Absent (nesting); Low (non-breeding)	No suitable nesting habitat found on site but may forage on site within open habitats and grassland habitat found on site. Species found in the vicinity. The nearest CNDDDB record for this species is 6.7 miles northwest of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Icteria virens</i> (nesting) Yellow-breasted chat	None/SSC/None	Dense, relatively wide riparian woodlands and thickets of willows, vine tangles and dense brush. Coastal California, foothills of Sierra Nevada. Breeds locally on coast in Southern California and very locally inland, at elevations up to 1,450 m amsl in valley foothill riparian, and up to 2,050 m amsl east of Sierra Nevada in desert riparian habitats <sup>(2)</sup> .	No	Very low (nesting and non- breeding)	No suitable riparian woodlands/forest found on site. Species found in the vicinity. The nearest CNDDDB record for this species is 6.8 miles southeast of the study area.
<i>Ixobrychus exilis</i> (nesting) Least bittern	BCC/SSC/None	Dense emergent wetland vegetation, sometimes interspersed with woody vegetation and open water. Nests in emergent wetlands. Common summer resident at Salton Sea and Colorado River. Breeds locally in Owens Valley and Mojave Desert and uncommon in emergent wetlands of cattails and tules in San Diego County and Sacramento and San Joaquin Valleys <sup>(2)</sup> .	No	Very low (nesting and non- breeding)	No suitable emergent wetland habitat found on site. Wetland habitat on site is dominated by <i>Atriplex</i> and <i>Distichlis</i> . Species found in the vicinity. The nearest CNDDDB record for this species is 16.5 miles northeast of the study area.
<i>Laterallus jamaicensis coturniculus</i> California black rail	BC/ST, FP/None	Saline, brackish, and fresh emergent wetlands mostly in central coastal California <sup>(2)</sup> .	No	Very low (nesting and non- breeding)	No suitable emergent wetland habitat found on site. Wetland habitat on site is dominated by <i>Atriplex</i> and <i>Distichlis</i> . Species found in the vicinity. The nearest CNDDDB record for this species is less than 0.5 miles north of the study area in the Sweetwater Marsh.
<i>Poliophtila californica californica</i> Coastal California gnatcatcher	FT/SSC/ MSCP	Coastal sage scrub, coastal sage scrub–chaparral mix, coastal sage scrub–grassland ecotone, riparian in late summer. Found from eastern Orange and southwestern Riverside Counties south through coastal foothills of San Diego County <sup>(2)</sup> .	No	Very low (nesting and non- breeding)	Focused surveys for this species were negative. Moderately suitable coastal sage scrub on site although limited in size and relatively isolated. Species found in the vicinity. The nearest CNDDDB record for this species is 4.0 miles east of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Rallus longirostris levipes</i> Light-footed clapper rail	FE/SE, FP/ MSCP	Coastal saline emergent wetlands along southern California from Santa Barbara County to San Diego County <sup>(2)</sup> .	No	Very low (nesting and non-breeding)	No suitable emergent wetland habitat found on site. Wetland habitat on site is dominated by <i>Atriplex</i> and <i>Distichlis</i> . Species found in the vicinity. The species is known to occur within nearby areas where suitable habitat is present. The nearest CNDDB record for this species is within marsh habitat surrounding the Sweetwater District parcel to the north and south.
<i>Setophaga petechia brewsteri</i> [Aestiva group] (nesting) Yellow warbler (California)	BCC/SSC/None	Nests in lowland and foothill riparian woodlands; montane chaparral, open ponderosa pine, mixed conifer habitats up to 2,500 m amsl; winters in a variety of habitats. Breeds from coast range in Del Norte County, east to Modoc Plateau, south to Santa Barbara and Ventura Counties, western slope of Sierra Nevada south to Kern County; also breeds in ranges in San Diego County <sup>(2)</sup> .	No	Very low (nesting and non-breeding)	No suitable riparian woodlands/forest found on site. Species found in the vicinity. The nearest CNDDB record for this species is 8.9 miles northeast of the study area.
<i>Sternula antillarum browni</i> (nesting colony) California least tern	FE/SE, FP/ MSCP	Breeding colonies located in marine and estuarine shores in southern California, and in San Francisco Bay in abandoned salt ponds and estuarine shores. Feeds in nearby waters. Are migratory to California <sup>(2)</sup> .	No	Moderate (nesting and non-breeding)	Sandy beaches on site but are generally limited in width, and are covered in debris and concrete. Would be expected to nest elsewhere in the San Diego Bay. Species found in the vicinity. The nearest CNDDB record for this species is less than 0.5 miles north of the Sweetwater District parcel in the Sweetwater Marsh. Additional CNDDB records are from the Salt Works south of the site.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Vireo bellii pusillus</i> (nesting) Least Bell's vireo	FE/SE/, MSCP	Willows and low, dense valley foothill riparian habitat and lower portions of canyons; along western edge of deserts in desert riparian habitat, 0–600 m amsl. Found in San Benito and Monterey Counties and coastal Southern California from Santa Barbara County south <sup>(2)</sup> .	No	Very low (nesting and non-breeding)	No suitable riparian woodlands/forest found on site. Species found in the vicinity. One individual male was heard calling outside of the project area, in the northwestern corner near Sweetwater Marsh. The nearest CNDDDB record for this species is 1.8 miles northeast of the study area.
<b>Mammals</b>					
<i>Antrozous pallidus</i> Pallid bat	None/SSC/ WBWG:H	Grasslands, shrublands, woodlands, forests; most common in open dry habitats with rocky outcrops for roosting. Found throughout low elevations of California, except for high Sierra Nevada and northwestern corner of the state south to Mendocino County <sup>(2)</sup> .	No	No roosting potential; Moderate foraging potential	Moderately suitable open habitats for foraging. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDDB record for this species is 1.5 miles east of the study area.
<i>Chaetodipus californicus femoralis</i> Dulzura pocket mouse	None/SSC/None	Occurs in a variety of habitats including coastal scrub, chaparral, and grasslands. Micro habitat includes grass–chaparral edges <sup>(6)</sup> .	No	Very low	Limited coastal scrub habitat on site. Species found in the vicinity. The nearest CNDDDB record for this species is 13.8 miles north of the study area.
<i>Chaetodipus fallax</i> Northwestern San Diego pocket mouse	None/SSC (full species)/None	Occurs in coastal scrub, chaparral, grasslands, sagebrush, and similar habitats in western San Diego County. Micro habitat includes sandy, herbaceous areas, usually in association with rocks or coarse gravel <sup>(6)</sup> .	No	Very low	Limited coastal scrub habitat on site. Soil generally too clayey to support fossorial species. Species found in the vicinity. The nearest CNDDDB record for this species is 4.6 miles south of the study area.
<i>Choeronycteris mexicana</i> Mexican long-tongued bat	None/SSC/ WBWG:M	Desert and montane riparian, desert succulent scrub, desert scrub, and piñon–uniper woodland. Roosts in caves, mines, and buildings. Summer resident in San Diego County <sup>(2)</sup> .	No	No roosting potential; Very low foraging potential	No suitable desert habitats on site. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDDB record for this species is 1.8 miles west of the study area near Silver Strand.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Corynorhinus townsendii pallescens</i> Townsend's big-eared bat	None/SSC/ WBWG:H	Mesic habitats, gleans from brush or trees or feeds along habitat edges. Found in all habitats but subalpine and alpine throughout California <sup>(2)</sup> .	No	No roosting potential; Moderate foraging potential	Moderately suitable open mesic habitats for foraging. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 11.1 miles northeast of the study area.
<i>Euderma maculatum</i> Spotted bat	None/SSC/ WBWG:H	Foothills, mountains, desert regions of Southern California including arid deserts, grasslands, mixed conifer forests. Roosts in rock crevices, cliffs. Feeds over water and along washes <sup>(2)</sup> .	No	No roosting potential; No foraging potential	No suitable habitat on site. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 18.2 miles northwest of the study area.
<i>Eumops perotis californicus</i> Greater western mastiff bat	None/SSC/ WBWG:H	Occurs in many open, semi-arid to arid habitats including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, and more. Roosts in crevices in cliff faces, high buildings, trees, and tunnels <sup>(6)</sup> .	No	No roosting potential; Moderate foraging potential	Moderately suitable open habitats for foraging. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 3.5 miles south of the study area.
<i>Lasionycteris noctivagans</i> Silver haired bat	None/None/ WBWG:M	Coastal and montane coniferous forests, valley foothill woodland, pinyon-juniper woodland, and valley foothill and montane riparian habitat below 2,750 m amsl (9,000 ft amsl) <sup>(2)</sup> .	No	No roosting potential; No foraging potential	No suitable forest or riparian habitat on site. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 6.2 miles north of the study area.
<i>Lasiurus blossevillii</i> Western red bat	None/SSC/ WBWG:H	Prefers edges with trees for roosting and open areas for foraging. Roosts in woodlands and forests. Forages over grasslands, shrublands, woodlands, forests, and croplands. Found south of Shasta County to Mexican border, and west of the Sierra Nevada/Cascade crest. In winter, occupies coastal regions and lowlands south of San Francisco Bay <sup>(2)</sup> .	No	No roosting potential; Moderate foraging potential	Moderately suitable open habitats for foraging. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 8.1 miles northwest of the study area.
<i>Lasiurus cinereus</i> Hoary bat	None/SSC/ WBWG:M	Winters along coast and in Southern California, and breeds inland and north of winter range. Found in woodland and forest habitats with medium to large trees and dense foliage <sup>(2)</sup> .	No	No roosting potential; No foraging potential	No suitable forest or woodland habitat on site. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 3.8 miles south of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Lasiurus xanthinus</i> Western yellow bat	None/SSC/ WBWG:H	Valley foothill riparian, desert riparian, desert wash, and palm oasis habitats south of Los Angeles and San Bernardino Counties <sup>(2)</sup> .	No	No roosting potential; No foraging potential	No suitable riparian or desert habitat found on site. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 7.0 miles north of the study area.
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	None/SSC/None	Arid habitats with open ground; grasslands, coastal sage scrub, agriculture, disturbed areas, rangelands in Southern California <sup>(2,4)</sup> .	No	Low	No suitable open arid habitats on site. Grassland habitat is limited on site. Is known to occur within areas as the south end of the South Bay. Species found in the vicinity. The nearest CNDDB record for this species is 5.6 miles northeast of the study area.
<i>Myotis ciliolabrum</i> Western small-footed myotis	None/None/ WBWG:M	Occurs in a wide variety of habitats, primarily in arid wooded and brushy uplands near water. In coastal California it occurs from Contra Costa County south to the Mexican border; occurs in the Sierra Nevada and Great Basin and desert habitats from Modoc to Kern and San Bernardino Counties. Found from sea level to at least 2,700 m amsl <sup>(2)</sup> .	No	No roosting potential; Low foraging potential	No suitable arid wooded or scrub upland habitats on site. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 10.5 miles southeast of the study area.
<i>Myotis evotis</i> Long-eared myotis	None/None/ WBWG:M	Roosts in buildings, crevices, under bark, and snags. Caves used as night roosts. Feeds along habitat edges, in open habitats, and over water. Occurs primarily along entire coast and in Sierra Nevada, Cascades, and Great Basin; at 0–2,700 m amsl <sup>(2)</sup> .	No	No roosting potential; Low foraging potential	Suitable open habitats on site but no freshwater habitats for foraging. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 10.5 miles northeast of the study area.
<i>Myotis yumanensis</i> Yuma myotis	None /None/ WBWG:LM	Closely tied to open water which is used for foraging; open forests and woodlands are optimal habitat throughout California, 0–3,300 m amsl <sup>(2)</sup> .	No	No roosting potential; Low foraging potential	No freshwater habitats, or open forests/woodlands on site for foraging. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDB record for this species is 5.3 miles northeast of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	None/SSC/None	Joshua tree, pinyon-juniper, mixed and chamise-redshank chaparral, sagebrush, and most desert habitats. Found south of San Luis Obispo County to San Diego County and San Bernardino and Riverside Counties, 0–2,600 m amsl <sup>(2,4)</sup> .	No	Absent	No suitable habitat on site. Site generally too coastal for this species. Species found in the vicinity. The nearest CNDDDB record for this species is 6.9 miles southeast of the study area.
<i>Nyctinomops femorosacus</i> Pocketed free-tailed bat	None/SSC/ WBWG:M	Rocky desert areas with high cliffs or rock outcrops. Pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, palm oasis in Riverside, San Diego, Imperial Counties <sup>(2)</sup> .	No	No roosting potential; No foraging potential	No suitable desert habitat on site for this species. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDDB record for this species is 1.2 miles east of the study area.
<i>Nyctinomops macrotis</i> Big free-tailed bat	None/SSC/ WBWG:MH	Rugged, rocky canyons in Riverside, Los Angeles, and San Diego Counties, but scattered records across California to Oakland <sup>(2,6)</sup> .	No	No roosting potential; No foraging potential	No suitable canyon habitat on site for this species. No suitable roosting areas identified on site. Species found in the vicinity. The nearest CNDDDB record for this species is 6.8 miles north of the study area.
<i>Perognathus longimembris pacificus</i> Pacific pocket mouse	FE/SSC/None	Coastal dunes, river alluvium, coastal sage scrub with firm sandy soils; along immediate coast in San Diego, Orange, and Los Angeles Counties <sup>(4,6)</sup> .	No	Absent	Beach habitat on site is limited and likely does not provide firm sandy soils needed. Species found in the vicinity. The nearest CNDDDB record for this species is 5.6 miles southwest of the study area.
<i>Taxidea taxus</i> American badger	None/SSC/ MSCP	Dry, open treeless areas, grasslands, coastal sage scrub, especially with friable soils throughout California <sup>(2)</sup> .	No	Low	No suitable habitat on site for this species. Soils are generally not friable. Species found in the vicinity. The nearest CNDDDB record for this species is 6.5 miles southeast of the study area.
<i>Invertebrates</i>					
<i>Branchinecta sandiegonensis</i> San Diego fairy shrimp	FE/None/ MSCP	Small, shallow vernal pools, occasionally ditches and road cuts in coastal mesa system of Southern California and Baja California <sup>(4)</sup> .	No	Absent	No vernal pools found on site. Species found in the vicinity. The nearest CNDDDB record for this species is 3.5 miles southwest of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Callophrys</i> [= <i>Mitoura</i> ] <i>thornei</i> Thorne's hairstreak butterfly	None/None/ MSCP	Tecate cypress on chaparral-covered dry rocky slopes, Otay Mountain <sup>(4)</sup> .	No	Absent	No suitable habitat or host plant found on site. Species found in the vicinity. The nearest CNDDDB record for this species is 10.0 miles northeast of the study area.
<i>Cicindela gabbii</i> Western tidal flat tiger beetle	None/None/None	Estuaries and mudflats; generally on dark-colored mud; occasional on dry saline flats of estuaries or mouth of river, Orange and San Diego Counties <sup>(6)</sup> .	No	Absent	No estuary or mudflat habitat found on site. Species found in the vicinity. The nearest CNDDDB record for this species is 4.0 miles north of the study area.
<i>Cicindela hirticollis</i> <i>gravid</i> Hairy-necked tiger beetle	None/None/None	Clean, dry, light-colored sand in upper zone of the beach dunes, close to non-brackish water along coastal California <sup>(6)</sup> .	No	Low	Suitable beach habitat on site but no dunes. Beach is covered with debris and concrete which would likely exclude this species. Species found in the vicinity. The nearest CNDDDB record for this species is 2.2 miles west of the study area.
<i>Cicindela latesignata</i> <i>latesignata</i> Sandy beach tiger beetle	None/None/None	Inhabited the Southern California coastline, from La Jolla north to the Orange County line. Occupied saline mudflats and moist sandy spots in estuaries of small streams in the lower zone. Has not been observed in 20 years <sup>(4)</sup> .	No	Absent	Site is south of species' known range. No saline mudflats within the study area. Species found in the vicinity. The nearest CNDDDB record for this species is 2.6 miles north of the study area.
<i>Coelus globosus</i> Globose dune beetle	None/None/None	Fore dunes, sand hummocks, back dunes along immediate coast. Larvae, adults spend time under vegetation or debris from Santa Cruz south to Ventura County. Possibly extirpated in San Diego and other coastal counties <sup>(4)</sup> .	No	Low	Suitable beach habitat on site but no dunes. Beach is covered with debris and concrete which would likely exclude this species. Species found in the vicinity. The nearest CNDDDB record for this species is 4.2 miles northwest of the study area.
<i>Danaus plexippus</i> Monarch butterfly	None/None/None	Overwinters in eucalyptus groves from San Francisco south to northern Baja California <sup>(4)</sup> .	No	Moderate	Suitable eucalyptus woodland located in southwestern are of site although site has not been identified as a known overwintering location for monarch. Species found in the vicinity. The nearest CNDDDB record for this species is 1.1 miles northeast of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Euphydryas editha quino</i> Quino checkerspot butterfly	FE/None/ MSCP (Chula Vista Subarea)/XERCES:C	Sparsely vegetated hilltops, ridgelines, occasionally rocky outcrops; host plant <i>Plantago erecta</i> and nectar plants must be present, San Diego and Riverside Counties <sup>(4)</sup> .	No	Absent	No suitable habitat for this species on site. Host plant not observed. Species found in the vicinity. The nearest CNDDB record for this species is 9.0 miles southeast of the study area.
<i>Helminthoglypta traskii coelata</i> ( <i>Helminthoglypta coelata</i> ) Peninsular Range shoulderband snail (Mesa shoulderband snail)	None/ None/None	Coastal San Diego County <sup>(6)</sup> .	No	Moderate	Site is located within range of this species. Not much is known about this species' habitat preferences. Species found in the vicinity. The nearest CNDDB record for this species is 14.1 miles northwest of the study area.
<i>Lycaena hermes</i> Hermes copper	FC/None/None	Coastal sage scrub, southern mixed chaparral supporting at least 5% cover of host plant <i>Rhamnus crocea</i> . Adults visit <i>Eriogonum fasciculatum</i> and <i>Helianthus gracilentus</i> . On well-drained hillsides and canyon bottoms, coastal San Diego County south to Santo Tomas, Baja California <sup>(4)</sup> .	No	Absent	Although host plant <i>Eriogonum fasciculatum</i> is found on site, no larval host plant <i>Rhamnus crocea</i> is found within coastal sage scrub habitat on site. The nearest CNDDB record for this species is 9.1 miles northeast of the study area.
<i>Melitta californica</i> A mellitid bee	None/None/None	Desert regions of SW Arizona, SE California, and Baja California, Mexico. Also collected from Torrey Pines, San Diego County <sup>(6)</sup> .	No	Low	Site is outside of species' known range. Species found in the vicinity. The nearest CNDDB record for this species is 5.5 miles northwest of the study area.
<i>Streptocephalus woofoni</i> Riverside fairy shrimp	FE/None/ MSCP	Deep, long-lived vernal pools, vernal pool-like seasonal ponds, stock ponds; warm water pools that have low to moderate dissolved solids; in patches of grassland or agriculture interspersed in coastal sage scrub vegetation in Southern California <sup>(4)</sup> .	No	Absent	No suitable vernal pools on site. Species found in the vicinity. The nearest CNDDB record for this species is 6.7 miles southeast of the study area.

## APPENDIX D2 (Continued)

Scientific Name / Common Name	Status (Federal/ State/ Other)	Habitat Preferences / Requirements	Verified on Site (Direct/Indirect Evidence)	Potential to Occur on Site	Factual Basis For Determination <sup>(a)</sup>
<i>Tryonia imitator</i> ( <i>Mimic tryonia</i> ) California brackishwater snail	None/None/None	Coastal lagoons, herbaceous wetlands, brackish salt marshes: distributed among semi-continuous estuarine habitats along coast <sup>(4)</sup> .	No	Moderate	Suitable salt marsh habitat on site although water is likely ephemeral which may exclude this species. Species found in the vicinity. The nearest CNDDB record for this species is 5.8 miles southwest of the study area.

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**Notes:** m amsl = meters above mean sea level; ft amsl = feet above mean sea level

### Status Key:

#### Federal Designations:

- BCC U.S. Fish and Wildlife Service: Birds of Conservation Concern
- FC Candidate for federal listing as threatened or endangered
- (FD) Federally delisted: monitored for 5 years
- FE Federally listed endangered
- FT Federally listed as threatened

APPENDIX D2 (Continued)

FPT Federally proposed threatened

State Designations:

- SSC California Special Concern Species
- FP California Department of Fish and Wildlife Fully Protected Species
- WL California Department of Fish and Wildlife Watch List Species
- SE State listed as endangered
- ST State listed as threatened
- (SD) State delisted

Other Designations:

- WBWG:H Western Bat Working Group: High Priority
- WBWG:M Western Bat Working Group: Medium Priority
- WBWG:MH Western Bat Working Group: Medium-High Priority
- XERCES:CI Xerces Society – Critically Endangered
- MSCP Covered under the Chula Vista MSCP Subarea Plan.

For the purposes of determination of potential to occur on site, vicinity = within 9-quadrant search of National City quadrangle.

# **APPENDIX E**

## ***Wetland Determination Data Form***



**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Chula Vista Bayfront Master Plan City/County: Chula Vista Sampling Date: 4-14-14  
 Applicant/Owner: Port of San Diego State: CA Sampling Point: DS-1  
 Investigator(s): Vipul R. Joshi, Emily A. Wier Section, Township, Range: Section 5, Township 18 South, Range 2 West  
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Convex Slope (%): 1%  
 Subregion (LRR): C - Mediterranean California Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	Is the Sampled Area within a Wetland? Yes <input checked="" type="radio"/> No <input type="radio"/>
Hydric Soil Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
Wetland Hydrology Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	
Remarks: <u>Data Station located within a depressional area surrounded by concentric rings of hydrophytic vegetation.</u>			

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b> Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)  Total Number of Dominant Species Across All Strata: <u>1</u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0 %</u> (A/B)																								
1.																												
2.																												
3.																												
4.																												
Total Cover: <u>      </u> %				<b>Prevalence Index worksheet:</b> <table border="1"> <thead> <tr> <th>Total % Cover of:</th> <th>Multiply by:</th> <th></th> </tr> </thead> <tbody> <tr><td>OBL species</td><td>x 1 =</td><td><u>0</u></td></tr> <tr><td>FACW species</td><td>x 2 =</td><td><u>140</u></td></tr> <tr><td>FAC species</td><td>x 3 =</td><td><u>0</u></td></tr> <tr><td>FACU species</td><td>x 4 =</td><td><u>0</u></td></tr> <tr><td>UPL species</td><td>x 5 =</td><td><u>0</u></td></tr> <tr><td>Column Totals:</td><td><u>70</u> (A)</td><td><u>140</u> (B)</td></tr> <tr><td colspan="2">Prevalence Index = B/A =</td><td><u>2.00</u></td></tr> </tbody> </table>	Total % Cover of:	Multiply by:		OBL species	x 1 =	<u>0</u>	FACW species	x 2 =	<u>140</u>	FAC species	x 3 =	<u>0</u>	FACU species	x 4 =	<u>0</u>	UPL species	x 5 =	<u>0</u>	Column Totals:	<u>70</u> (A)	<u>140</u> (B)	Prevalence Index = B/A =		<u>2.00</u>
Total % Cover of:	Multiply by:																											
OBL species	x 1 =	<u>0</u>																										
FACW species	x 2 =	<u>140</u>																										
FAC species	x 3 =	<u>0</u>																										
FACU species	x 4 =	<u>0</u>																										
UPL species	x 5 =	<u>0</u>																										
Column Totals:	<u>70</u> (A)	<u>140</u> (B)																										
Prevalence Index = B/A =		<u>2.00</u>																										
Sapling/Shrub Stratum																												
1.																												
2.																												
3.																												
4.																												
5.																												
Total Cover: <u>      </u> %																												
Herb Stratum				<b>Hydrophytic Vegetation Indicators:</b> <input checked="" type="checkbox"/> Dominance Test is >50% <input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup> <input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present.																								
1. <i>Arthrocnemum subterminale</i>	<u>70</u>	<u>Yes</u>	<u>FACW</u>																									
2.																												
3.																												
4.																												
5.																												
6.																												
7.																												
8.																												
Total Cover: <u>70 %</u>																												
Woody Vine Stratum																												
1.																												
2.																												
Total Cover: <u>      </u> %																												
% Bare Ground in Herb Stratum <u>30 %</u>	% Cover of Biotic Crust <u>      </u> %																											

**Hydrophytic Vegetation Present?** Yes ☒ No ☐

Remarks: Data station located in monotypic stand of Arthrocnemum subterminale near edge of salt pans.

## SOIL

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features			Loc <sup>2</sup>	Texture <sup>3</sup>	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>			
0-10"	7.5YR 3/2	100					Clay loam	
10-18"	7.5YR 3/3	100					Silty clay loam	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix.    <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.<sup>3</sup>Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- |  |  |
|--|--|
| <input type="checkbox"/> Histosol (A1)                           | <input type="checkbox"/> Sandy Redox (S5)                |
| <input type="checkbox"/> Histic Epipedon (A2)                    | <input type="checkbox"/> Stripped Matrix (S6)            |
| <input type="checkbox"/> Black Histic (A3)                       | <input type="checkbox"/> Loamy Mucky Mineral (F1)        |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                   | <input type="checkbox"/> Loamy Gleyed Matrix (F2)        |
| <input type="checkbox"/> Stratified Layers (A5) ( <b>LRR C</b> ) | <input checked="" type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> 1 cm Muck (A9) ( <b>LRR D</b> )         | <input type="checkbox"/> Redox Dark Surface (F6)         |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)       | <input type="checkbox"/> Depleted Dark Surface (F7)      |
| <input type="checkbox"/> Thick Dark Surface (A12)                | <input type="checkbox"/> Redox Depressions (F8)          |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                | <input type="checkbox"/> Vernal Pools (F9)               |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)                |  |

**Indicators for Problematic Hydric Soils:<sup>4</sup>**

- ☐ 1 cm Muck (A9) (**LRR C**)
- ☐ 2 cm Muck (A10) (**LRR B**)
- ☐ Reduced Vertic (F18)
- ☐ Red Parent Material (TF2)
- ☐ Other (Explain in Remarks)

<sup>4</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?**    Yes ☒    No ☐

Remarks: Depleted matrix present.

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (any one indicator is sufficient)

- |  |  |
|--|--|
| <input type="checkbox"/> Surface Water (A1)                            | <input checked="" type="checkbox"/> Salt Crust (B11)                   |
| <input type="checkbox"/> High Water Table (A2)                         | <input type="checkbox"/> Biotic Crust (B12)                            |
| <input type="checkbox"/> Saturation (A3)                               | <input type="checkbox"/> Aquatic Invertebrates (B13)                   |
| <input type="checkbox"/> Water Marks (B1) ( <b>Nonriverine</b> )       | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                    |
| <input type="checkbox"/> Sediment Deposits (B2) ( <b>Nonriverine</b> ) | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) ( <b>Nonriverine</b> )    | <input type="checkbox"/> Presence of Reduced Iron (C4)                 |
| <input checked="" type="checkbox"/> Surface Soil Cracks (B6)           | <input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)    |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)     | <input type="checkbox"/> Other (Explain in Remarks)                    |
| <input type="checkbox"/> Water-Stained Leaves (B9)                     |  |

**Secondary Indicators (2 or more required)**

- ☐ Water Marks (B1) (**Riverine**)
- ☐ Sediment Deposits (B2) (**Riverine**)
- ☐ Drift Deposits (B3) (**Riverine**)
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Thin Muck Surface (C7)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)

**Field Observations:**Surface Water Present?    Yes ☐    No ☒    Depth (inches): \_\_\_\_\_Water Table Present?    Yes ☐    No ☒    Depth (inches): \_\_\_\_\_Saturation Present?    Yes ☐    No ☒    Depth (inches): \_\_\_\_\_  
(includes capillary fringe)**Wetland Hydrology Present?**    Yes ☒    No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No water present, but salt crust and surface soil cracks present.

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Chula Vista Bayfront Master Plan City/County: Chula Vista Sampling Date: 4-14-14  
 Applicant/Owner: Port of San Diego State: CA Sampling Point: DS-2  
 Investigator(s): Vipul R. Joshi, Emily A. Wier Section, Township, Range: Section 5, Township 18 South, Range 2 West  
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Convex Slope (%): <10%  
 Subregion (LRR): C - Mediterranean California Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<b>Is the Sampled Area within a Wetland?</b>
Hydric Soil Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
Wetland Hydrology Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
Remarks: <u>Data Station located within a depressional area surrounded by concentric rings of hydrophytic vegetation.</u>			

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b>			
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)			
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)			
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0 %</u> (A/B)			
4. _____	_____	_____	_____				
Total Cover: _____ %							
<b>Sapling/Shrub Stratum</b>				<b>Prevalence Index worksheet:</b>			
1. <i>Schoenoplectus americanus</i>	90	Yes	OBL	Total % Cover of:		Multiply by:	
2. _____	_____	_____	_____	OBL species	90	x 1 =	90
3. _____	_____	_____	_____	FACW species	_____	x 2 =	0
4. _____	_____	_____	_____	FAC species	_____	x 3 =	0
5. _____	_____	_____	_____	FACU species	1	x 4 =	4
Total Cover: <u>90 %</u>				UPL species	_____	x 5 =	0
<b>Herb Stratum</b>				Column Totals:	91	(A)	94 (B)
1. <i>Heliotropium curassavicum</i>	1	No	FACU	Prevalence Index = B/A = <u>1.03</u>			
2. _____	_____	_____	_____	<b>Hydrophytic Vegetation Indicators:</b>			
3. _____	_____	_____	_____	<input checked="" type="checkbox"/> Dominance Test is >50%			
4. _____	_____	_____	_____	<input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup>			
5. _____	_____	_____	_____	<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)			
6. _____	_____	_____	_____	<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)			
7. _____	_____	_____	_____	<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present.			
8. _____	_____	_____	_____				
Total Cover: <u>1 %</u>							
<b>Woody Vine Stratum</b>				<b>Hydrophytic Vegetation Present?</b>			
1. _____	_____	_____	_____	Yes <input checked="" type="radio"/> No <input type="radio"/>			
2. _____	_____	_____	_____				
Total Cover: _____ %							
% Bare Ground in Herb Stratum _____ %		% Cover of Biotic Crust _____ %					

Remarks: Data station located adjacent to Arthrocnemum subterminale and Atriplex canescens.

# SOIL

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features			Loc <sup>2</sup>	Texture <sup>3</sup>	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>			
0-18"	10YR 4/3	100					Clay loam	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix. <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

<sup>3</sup>Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- |  |   |
|--|---|
| <input type="checkbox"/> Histic Epipedon (A2)              | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Black Histic (A3)                 | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Hydrogen Sulfide (A4)             | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Stratified Layers (A5) (LRR C)    | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR D)            | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Thick Dark Surface (A12)          | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)          | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)          | <input type="checkbox"/> Vernal Pools (F9)          |

**Indicators for Problematic Hydric Soils:<sup>4</sup>**

- ☐ 1 cm Muck (A9) (LRR C)  
☐ 2 cm Muck (A10) (LRR B)  
☐ Reduced Vertic (F18)  
☐ Red Parent Material (TF2)  
☐ Other (Explain in Remarks)

<sup>4</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.

**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?** Yes ☐ No ☒

Remarks: No hydric soils present.

# HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (any one indicator is sufficient)

- |  |  |
|--|--|
| <input type="checkbox"/> Surface Water (A1)                        | <input type="checkbox"/> Salt Crust (B11)                              |
| <input type="checkbox"/> High Water Table (A2)                     | <input type="checkbox"/> Biotic Crust (B12)                            |
| <input type="checkbox"/> Saturation (A3)                           | <input type="checkbox"/> Aquatic Invertebrates (B13)                   |
| <input type="checkbox"/> Water Marks (B1) (Nonriverine)            | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                    |
| <input type="checkbox"/> Sediment Deposits (B2) (Nonriverine)      | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) (Nonriverine)         | <input type="checkbox"/> Presence of Reduced Iron (C4)                 |
| <input type="checkbox"/> Surface Soil Cracks (B6)                  | <input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)    |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Other (Explain in Remarks)                    |
| <input type="checkbox"/> Water-Stained Leaves (B9)                 |  |

**Secondary Indicators (2 or more required)**

- ☐ Water Marks (B1) (Riverine)  
☐ Sediment Deposits (B2) (Riverine)  
☐ Drift Deposits (B3) (Riverine)  
☐ Drainage Patterns (B10)  
☐ Dry-Season Water Table (C2)  
☐ Thin Muck Surface (C7)  
☐ Crayfish Burrows (C8)  
☐ Saturation Visible on Aerial Imagery (C9)  
☐ Shallow Aquitard (D3)  
☐ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_

Water Table Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_

Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): \_\_\_\_\_

**Wetland Hydrology Present?** Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Data station located on margin of salt flat within a depressional basin. Adjacent areas have cracked soils and salt crusts.

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Chula Vista Bayfront Master Plan City/County: Chula Vista Sampling Date: 4-14-14  
 Applicant/Owner: Port of San Diego State: CA Sampling Point: DS-3  
 Investigator(s): Vipul R. Joshi, Emily A. Wier Section, Township, Range: Section 5, Township 18 South, Range 2 West  
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): None Slope (%): 0%  
 Subregion (LRR): C - Mediterranean California Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<b>Is the Sampled Area within a Wetland?</b>	Yes <input type="radio"/> No <input checked="" type="radio"/>
Hydric Soil Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Wetland Hydrology Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Remarks:				

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b>	
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC:	<u>2</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata:	<u>2</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC:	<u>100.0 %</u> (A/B)
4. _____	_____	_____	_____		
Total Cover: _____ %					
<b>Sapling/Shrub Stratum</b>				<b>Prevalence Index worksheet:</b>	
1. _____				Total % Cover of:	Multiply by:
2. _____				OBL species <u>85</u>	x 1 = <u>85</u>
3. _____				FACW species <u>15</u>	x 2 = <u>30</u>
4. _____				FAC species _____	x 3 = <u>0</u>
5. _____				FACU species _____	x 4 = <u>0</u>
Total Cover: _____ %				UPL species _____	x 5 = <u>0</u>
<b>Herb Stratum</b>				Column Totals:	<u>100</u> (A) <u>115</u> (B)
1. <i>Distichlis spicata</i>	<u>85</u>	Yes	OBL	Prevalence Index = B/A = <u>1.15</u>	
2. <i>Arthrocnemum subterminale</i>	<u>15</u>	Yes	FACW		
3. <i>Foeniculum vulgare</i>	<u>2</u>	No			
4. <i>Sonchus asper</i>	<u>1</u>	No			
5. <i>Xanthium strumarium</i>	<u>1</u>	No			
6. _____					
7. _____					
8. _____					
Total Cover: <u>104 %</u>					
<b>Woody Vine Stratum</b>				<b>Hydrophytic Vegetation Indicators:</b>	
1. _____				<input checked="" type="checkbox"/> Dominance Test is >50%	
2. _____				<input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup>	
Total Cover: _____ %				<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)	
% Bare Ground in Herb Stratum _____ %	% Cover of Biotic Crust _____ %			<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)	
Remarks:				<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="radio"/> No <input type="radio"/>	

## SOIL

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features			Loc <sup>2</sup>	Texture <sup>3</sup>	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>			
0-12"	7.5YR 4/3	100					Sandy clay loam	
12-18"	5YR 3/4	100					Sandy loam	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix. <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.<sup>3</sup>Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- |  |   |
|--|---|
| <input type="checkbox"/> Histosol (A1)                           | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Histic Epipedon (A2)                    | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Black Histic (A3)                       | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                   | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> Stratified Layers (A5) ( <b>LRR C</b> ) | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input type="checkbox"/> 1 cm Muck (A9) ( <b>LRR D</b> )         | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)       | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Thick Dark Surface (A12)                | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                | <input type="checkbox"/> Vernal Pools (F9)          |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)                |   |

**Indicators for Problematic Hydric Soils:<sup>4</sup>**

- ☐ 1 cm Muck (A9) (**LRR C**)
- ☐ 2 cm Muck (A10) (**LRR B**)
- ☐ Reduced Vertic (F18)
- ☐ Red Parent Material (TF2)
- ☐ Other (Explain in Remarks)

<sup>4</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?** Yes ☐ No ☒

Remarks: No hydric soils present.

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (any one indicator is sufficient)

- |  |  |
|--|--|
| <input type="checkbox"/> Surface Water (A1)                            | <input type="checkbox"/> Salt Crust (B11)                              |
| <input type="checkbox"/> High Water Table (A2)                         | <input type="checkbox"/> Biotic Crust (B12)                            |
| <input type="checkbox"/> Saturation (A3)                               | <input type="checkbox"/> Aquatic Invertebrates (B13)                   |
| <input type="checkbox"/> Water Marks (B1) ( <b>Nonriverine</b> )       | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                    |
| <input type="checkbox"/> Sediment Deposits (B2) ( <b>Nonriverine</b> ) | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) ( <b>Nonriverine</b> )    | <input type="checkbox"/> Presence of Reduced Iron (C4)                 |
| <input type="checkbox"/> Surface Soil Cracks (B6)                      | <input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)    |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)     | <input type="checkbox"/> Other (Explain in Remarks)                    |
| <input type="checkbox"/> Water-Stained Leaves (B9)                     |  |

**Secondary Indicators (2 or more required)**

- ☐ Water Marks (B1) (**Riverine**)
- ☐ Sediment Deposits (B2) (**Riverine**)
- ☐ Drift Deposits (B3) (**Riverine**)
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Thin Muck Surface (C7)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)

**Field Observations:**Surface Water Present? Yes ☐ No ☒

Depth (inches): \_\_\_\_\_

Water Table Present? Yes ☐ No ☒

Depth (inches): \_\_\_\_\_

Saturation Present? Yes ☐ No ☒  
(includes capillary fringe)

Depth (inches): \_\_\_\_\_

**Wetland Hydrology Present?** Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No wetland hydrology indicators present. Data station is located adjacent to, and at higher elevation (approx 6-12 inches) than the salt flats (DS -1 and -2).

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Chula Vista Bayfront Master Plan City/County: Chula Vista Sampling Date: 4-14-14  
 Applicant/Owner: Port of San Diego State: CA Sampling Point: DS-4  
 Investigator(s): Vipul R. Joshi, Emily A. Wier Section, Township, Range: Section 5, Township 18 South, Range 2 West  
 Landform (hillslope, terrace, etc.): Margin of depression Local relief (concave, convex, none): Flat Slope (%): 1-2%  
 Subregion (LRR): C - Mediterranean California Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<b>Is the Sampled Area within a Wetland?</b>	Yes <input type="radio"/> No <input checked="" type="radio"/>
Hydric Soil Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Wetland Hydrology Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Remarks:				

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b>	
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC:	<u>1</u> (A)
2. _____				Total Number of Dominant Species Across All Strata:	<u>1</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC:	<u>100.0 %</u> (A/B)
4. _____					
Total Cover:	<u>    </u> %				
<b>Sapling/Shrub Stratum</b>				<b>Prevalence Index worksheet:</b>	
1. <i>Baccharis salicifolia</i>	<u>100</u>	<u>Yes</u>	<u>FAC</u>	Total % Cover of:	Multiply by:
2. <i>Foeniculum vulgare</i>	<u>10</u>	<u>No</u>		OBL species	x 1 = <u>0</u>
3. <i>Baccharis pilularis</i>	<u>1</u>	<u>No</u>		FACW species	x 2 = <u>0</u>
4. _____				FAC species	<u>100</u> x 3 = <u>300</u>
5. _____				FACU species	x 4 = <u>0</u>
Total Cover:	<u>111 %</u>			UPL species	x 5 = <u>0</u>
<b>Herb Stratum</b>				Column Totals:	<u>100</u> (A) <u>300</u> (B)
1. <i>Heliotropium curassavicum</i>	<u>1</u>	<u>No</u>		Prevalence Index = B/A = <u>3.00</u>	
2. _____				<b>Hydrophytic Vegetation Indicators:</b>	
3. _____				<input checked="" type="checkbox"/> Dominance Test is >50%	
4. _____				<input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup>	
5. _____				<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)	
6. _____				<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)	
7. _____				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present.	
8. _____					
Total Cover:	<u>1 %</u>			<b>Hydrophytic Vegetation Present?</b>	
<b>Woody Vine Stratum</b>				Yes <input checked="" type="radio"/> No <input type="radio"/>	
1. _____					
2. _____					
Total Cover:	<u>    </u> %				
% Bare Ground in Herb Stratum <u>    </u> %	% Cover of Biotic Crust <u>    </u> %				
Remarks:					

## SOIL

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features			Loc <sup>2</sup>	Texture <sup>3</sup>	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>			
0-12"	7.5YR 4/3	100					Clay	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix. <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.<sup>3</sup>Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- ☐ Histosol (A1)  
☐ Histic Epipedon (A2)  
☐ Black Histic (A3)  
☐ Hydrogen Sulfide (A4)  
☐ Stratified Layers (A5) (**LRR C**)  
☐ 1 cm Muck (A9) (**LRR D**)  
☐ Depleted Below Dark Surface (A11)  
☐ Thick Dark Surface (A12)  
☐ Sandy Mucky Mineral (S1)  
☐ Sandy Gleyed Matrix (S4)

- ☐ Sandy Redox (S5)  
☐ Stripped Matrix (S6)  
☐ Loamy Mucky Mineral (F1)  
☐ Loamy Gleyed Matrix (F2)  
☐ Depleted Matrix (F3)  
☐ Redox Dark Surface (F6)  
☐ Depleted Dark Surface (F7)  
☐ Redox Depressions (F8)  
☐ Vernal Pools (F9)

**Indicators for Problematic Hydric Soils:<sup>4</sup>**

- ☐ 1 cm Muck (A9) (**LRR C**)  
☐ 2 cm Muck (A10) (**LRR B**)  
☐ Reduced Vertic (F18)  
☐ Red Parent Material (TF2)  
☐ Other (Explain in Remarks)

<sup>4</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?** Yes ☐ No ☒

Remarks: No hydric soils present.

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (any one indicator is sufficient)

- ☐ Surface Water (A1)  
☐ High Water Table (A2)  
☐ Saturation (A3)  
☐ Water Marks (B1) (**Nonriverine**)  
☐ Sediment Deposits (B2) (**Nonriverine**)  
☐ Drift Deposits (B3) (**Nonriverine**)  
☐ Surface Soil Cracks (B6)  
☐ Inundation Visible on Aerial Imagery (B7)  
☐ Water-Stained Leaves (B9)  
☐ Salt Crust (B11)  
☐ Biotic Crust (B12)  
☐ Aquatic Invertebrates (B13)  
☐ Hydrogen Sulfide Odor (C1)  
☐ Oxidized Rhizospheres along Living Roots (C3)  
☐ Presence of Reduced Iron (C4)  
☐ Recent Iron Reduction in Plowed Soils (C6)  
☐ Other (Explain in Remarks)

**Secondary Indicators (2 or more required)**

- ☐ Water Marks (B1) (**Riverine**)  
☐ Sediment Deposits (B2) (**Riverine**)  
☐ Drift Deposits (B3) (**Riverine**)  
☐ Drainage Patterns (B10)  
☐ Dry-Season Water Table (C2)  
☐ Thin Muck Surface (C7)  
☐ Crayfish Burrows (C8)  
☐ Saturation Visible on Aerial Imagery (C9)  
☐ Shallow Aquitard (D3)  
☐ FAC-Neutral Test (D5)

**Field Observations:**Surface Water Present? Yes ☐ No ☒

Depth (inches): \_\_\_\_\_

Water Table Present? Yes ☐ No ☒

Depth (inches): \_\_\_\_\_

Saturation Present? Yes ☐ No ☒  
(includes capillary fringe)

Depth (inches): \_\_\_\_\_

**Wetland Hydrology Present?** Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Upper margin of salt marsh (DS-1, -2, and -3) adjacent to open field with gentle slope toward the mulefat polygon.

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Chula Vista Bayfront Master Plan City/County: Chula Vista Sampling Date: 4-14-14  
 Applicant/Owner: Port of San Diego State: CA Sampling Point: DS-5  
 Investigator(s): Vipul R. Joshi, Emily A. Wier Section, Township, Range: Section 5, Township 18 South, Range 2 West  
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): Concave Slope (%): <10%  
 Subregion (LRR): C - Mediterranean California Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<b>Is the Sampled Area within a Wetland?</b>	Yes <input type="radio"/> No <input checked="" type="radio"/>
Hydric Soil Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Wetland Hydrology Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Remarks:				

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b>			
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A)			
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>2</u> (B)			
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0 %</u> (A/B)			
4. _____	_____	_____	_____				
Total Cover: <u>      </u> %							
<b>Sapling/Shrub Stratum</b>				<b>Prevalence Index worksheet:</b>			
1. _____	_____	_____	_____	Total % Cover of: _____ Multiply by: _____			
2. _____	_____	_____	_____	OBL species	<u>50</u>	x 1 =	<u>50</u>
3. _____	_____	_____	_____	FACW species	<u>50</u>	x 2 =	<u>100</u>
4. _____	_____	_____	_____	FAC species	_____	x 3 =	<u>0</u>
5. _____	_____	_____	_____	FACU species	_____	x 4 =	<u>0</u>
Total Cover: <u>      </u> %				UPL species	_____	x 5 =	<u>0</u>
<b>Herb Stratum</b>				Column Totals:	<u>100</u>	(A)	<u>150</u> (B)
1. <i>Arthrocnemum subterminale</i>	<u>50</u>	Yes	FACW	Prevalence Index = B/A = <u>1.50</u>			
2. <i>Jaumea carnosa</i>	<u>50</u>	Yes	OBL				
3. <i>Batis maritima</i>	<u>20</u>						
4. <i>Chenopodium murale</i>	<u>3</u>						
5. _____	_____	_____	_____				
6. _____	_____	_____	_____				
7. _____	_____	_____	_____				
8. _____	_____	_____	_____				
Total Cover: <u>123</u> %							
<b>Woody Vine Stratum</b>				<b>Hydrophytic Vegetation Indicators:</b>			
1. _____	_____	_____	_____	<input checked="" type="checkbox"/> Dominance Test is >50%			
2. _____	_____	_____	_____	<input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup>			
Total Cover: <u>      </u> %				<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)			
% Bare Ground in Herb Stratum <u>      </u> %			% Cover of Biotic Crust <u>      </u> %	<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)			
Remarks:				<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="radio"/> No <input type="radio"/>			

## SOIL

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features			Loc <sup>2</sup>	Texture <sup>3</sup>	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>			
0-16"	10 YR 3/3	50					Sandy loam	
	10 YR 4/3	50					Sandy loam	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix.    <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.<sup>3</sup>Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- |  |   |
|--|---|
| <input type="checkbox"/> Histosol (A1)                           | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Histic Epipedon (A2)                    | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Black Histic (A3)                       | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                   | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> Stratified Layers (A5) ( <b>LRR C</b> ) | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input type="checkbox"/> 1 cm Muck (A9) ( <b>LRR D</b> )         | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)       | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Thick Dark Surface (A12)                | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                | <input type="checkbox"/> Vernal Pools (F9)          |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)                |   |

**Indicators for Problematic Hydric Soils:<sup>4</sup>**

- ☐
- 1 cm Muck (A9) (
- LRR C**
- )
- 
- ☐
- 2 cm Muck (A10) (
- LRR B**
- )
- 
- ☐
- Reduced Vertic (F18)
- 
- ☐
- Red Parent Material (TF2)
- 
- ☐
- Other (Explain in Remarks)

<sup>4</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?** Yes ☐ No ☒

Remarks: Trash located within soil profile, most likely trash from bay, indicating that the data station is located within the boundary of the ordinary mean high tide.

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (any one indicator is sufficient)

- |  |  |
|--|--|
| <input type="checkbox"/> Surface Water (A1)                            | <input type="checkbox"/> Salt Crust (B11)                              |
| <input type="checkbox"/> High Water Table (A2)                         | <input type="checkbox"/> Biotic Crust (B12)                            |
| <input type="checkbox"/> Saturation (A3)                               | <input type="checkbox"/> Aquatic Invertebrates (B13)                   |
| <input type="checkbox"/> Water Marks (B1) ( <b>Nonriverine</b> )       | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                    |
| <input type="checkbox"/> Sediment Deposits (B2) ( <b>Nonriverine</b> ) | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) ( <b>Nonriverine</b> )    | <input type="checkbox"/> Presence of Reduced Iron (C4)                 |
| <input type="checkbox"/> Surface Soil Cracks (B6)                      | <input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)    |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)     | <input type="checkbox"/> Other (Explain in Remarks)                    |
| <input type="checkbox"/> Water-Stained Leaves (B9)                     |  |

**Secondary Indicators (2 or more required)**

- ☐
- Water Marks (B1) (
- Riverine**
- )
- 
- ☐
- Sediment Deposits (B2) (
- Riverine**
- )
- 
- ☐
- Drift Deposits (B3) (
- Riverine**
- )
- 
- ☐
- Drainage Patterns (B10)
- 
- ☐
- Dry-Season Water Table (C2)
- 
- ☐
- Thin Muck Surface (C7)
- 
- ☐
- Crayfish Burrows (C8)
- 
- ☐
- Saturation Visible on Aerial Imagery (C9)
- 
- ☐
- Shallow Aquitard (D3)
- 
- ☐
- FAC-Neutral Test (D5)

**Field Observations:**Surface Water Present? Yes ☐ No ☒

Depth (inches): \_\_\_\_\_

Water Table Present? Yes ☐ No ☒

Depth (inches): \_\_\_\_\_

Saturation Present? Yes ☐ No ☒  
(includes capillary fringe)

Depth (inches): \_\_\_\_\_

**Wetland Hydrology Present?** Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Data station located approximately 2 feet above sea level in pickleweed (*Arthrocnemum subterminale*).

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Chula Vista Bayfront Master Plan City/County: Chula Vista Sampling Date: 4-14-14  
 Applicant/Owner: Port of San Diego State: CA Sampling Point: DS-6  
 Investigator(s): Vipul R. Joshi, Emily A. Wier Section, Township, Range: Section 5, Township 18 South, Range 2 West  
 Landform (hillslope, terrace, etc.): Downslope from parking lot Local relief (concave, convex, none): Concave Slope (%): 1%  
 Subregion (LRR): C - Mediterranean California Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐  
 Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	Is the Sampled Area within a Wetland?	Yes <input type="radio"/> No <input checked="" type="radio"/>
Hydric Soil Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Wetland Hydrology Present?	Yes <input type="radio"/>	No <input checked="" type="radio"/>		
Remarks: Mulefat scrub located adjacent to a paved parking lot. Site likely fed by runoff from parking lot.				

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b>			
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)			
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)			
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0 %</u> (A/B)			
4. _____	_____	_____	_____				
Total Cover: _____ %							
<b>Sapling/Shrub Stratum</b>				<b>Prevalence Index worksheet:</b>			
1. <i>Baccharis salicifolia</i>	100	Yes	FAC	Total % Cover of: _____ Multiply by: _____			
2. <i>Baccharis pilularis</i>	20	No		OBL species _____ x 1 = <u>0</u>			
3. _____	_____	_____	_____	FACW species _____ x 2 = <u>0</u>			
4. _____	_____	_____	_____	FAC species <u>100</u> x 3 = <u>300</u>			
5. _____	_____	_____	_____	FACU species _____ x 4 = <u>0</u>			
Total Cover: <u>120%</u>				UPL species _____ x 5 = <u>0</u>			
<b>Herb Stratum</b>				Column Totals: <u>100</u> (A) <u>300</u> (B)			
1. _____	_____	_____	_____	Prevalence Index = B/A = <u>3.00</u>			
2. _____	_____	_____	_____	<b>Hydrophytic Vegetation Indicators:</b>			
3. _____	_____	_____	_____	<input checked="" type="checkbox"/> Dominance Test is >50%			
4. _____	_____	_____	_____	<input checked="" type="checkbox"/> Prevalence Index is ≤3.0 <sup>1</sup>			
5. _____	_____	_____	_____	<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)			
6. _____	_____	_____	_____	<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)			
7. _____	_____	_____	_____	<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present.			
8. _____	_____	_____	_____				
Total Cover: _____ %				<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="radio"/> No <input type="radio"/>			
<b>Woody Vine Stratum</b>							
1. _____	_____	_____	_____				
2. _____	_____	_____	_____				
Total Cover: _____ %							
% Bare Ground in Herb Stratum _____ %	% Cover of Biotic Crust _____ %						

Remarks:

## SOIL

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features			Loc <sup>2</sup>	Texture <sup>3</sup>	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>			
0-12"	10 YR 3/3	95					Silty clay loam	
	10 YR 5/1	5					Silty clay loam	Found within 10-12" layer

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix. <sup>2</sup>Location: PL=Pore Lining, RC=Root Channel, M=Matrix.<sup>3</sup>Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- |  |   |
|--|---|
| <input type="checkbox"/> Histosol (A1)                           | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Histic Epipedon (A2)                    | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Black Histic (A3)                       | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                   | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> Stratified Layers (A5) ( <b>LRR C</b> ) | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input type="checkbox"/> 1 cm Muck (A9) ( <b>LRR D</b> )         | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)       | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Thick Dark Surface (A12)                | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                | <input type="checkbox"/> Vernal Pools (F9)          |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)                |   |

**Indicators for Problematic Hydric Soils:<sup>4</sup>**

- ☐
- 1 cm Muck (A9) (
- LRR C**
- )
- 
- ☐
- 2 cm Muck (A10) (
- LRR B**
- )
- 
- ☐
- Reduced Vertic (F18)
- 
- ☐
- Red Parent Material (TF2)
- 
- ☐
- Other (Explain in Remarks)

<sup>4</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present.**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?** Yes ☐ No ☒

Remarks: Not sufficient percentage of redox features to be considered F8 (Redox Depressions)

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (any one indicator is sufficient)

- |  |  |
|--|--|
| <input type="checkbox"/> Surface Water (A1)                            | <input type="checkbox"/> Salt Crust (B11)                              |
| <input type="checkbox"/> High Water Table (A2)                         | <input type="checkbox"/> Biotic Crust (B12)                            |
| <input type="checkbox"/> Saturation (A3)                               | <input type="checkbox"/> Aquatic Invertebrates (B13)                   |
| <input type="checkbox"/> Water Marks (B1) ( <b>Nonriverine</b> )       | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                    |
| <input type="checkbox"/> Sediment Deposits (B2) ( <b>Nonriverine</b> ) | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3) ( <b>Nonriverine</b> )    | <input type="checkbox"/> Presence of Reduced Iron (C4)                 |
| <input type="checkbox"/> Surface Soil Cracks (B6)                      | <input type="checkbox"/> Recent Iron Reduction in Plowed Soils (C6)    |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)     | <input type="checkbox"/> Other (Explain in Remarks)                    |
| <input type="checkbox"/> Water-Stained Leaves (B9)                     |  |

**Secondary Indicators (2 or more required)**

- ☐
- Water Marks (B1) (
- Riverine**
- )
- 
- ☐
- Sediment Deposits (B2) (
- Riverine**
- )
- 
- ☐
- Drift Deposits (B3) (
- Riverine**
- )
- 
- ☐
- Drainage Patterns (B10)
- 
- ☐
- Dry-Season Water Table (C2)
- 
- ☐
- Thin Muck Surface (C7)
- 
- ☐
- Crayfish Burrows (C8)
- 
- ☐
- Saturation Visible on Aerial Imagery (C9)
- 
- ☐
- Shallow Aquitard (D3)
- 
- ☐
- FAC-Neutral Test (D5)

**Field Observations:**Surface Water Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_Water Table Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_Saturation Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_  
(includes capillary fringe)**Wetland Hydrology Present?** Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No wetland hydrology indicators present.

# APPENDIX E

## *2018 Traffic Memo*



5620 Friars Road • San Diego, California 92110-2596 • (619) 291-0707 • Fax (619) 291-4165 • [rickengineering.com](http://rickengineering.com)

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**SAN DIEGO RIVERSIDE ORANGE SACRAMENTO SAN JOSE VISALIA YUBA**

Ms. Linda Scott  
March 12, 2018  
Page 2 of 2

Ramps/Bay Boulevard is anticipated to operate at LOS E for the PM peak hour. The intersection can be improved to LOS D by rephasing the traffic signal from the current east-west split phasing to permissive phasing with a protected left in the westbound direction. This rephasing can be accommodated with the widening of E Street, west of Bay Boulevard to a 2 lane Class III Collector (Mitigation Measure 4.2-1).

#### Potential Impacts

With the construction of E Street, west of Bay Boulevard as a 2 lane Class III Collector, and a traffic signal modification at the intersection of E Street at I-5 SB Ramps/Bay Boulevard as described above, the studied intersections are anticipated to operate at an acceptable capacity level for the Costa Vista RV Resort phase of development.

#### Conclusion

Parcel S-1 was analyzed as a Phase IV project in the CVBMP Traffic Impact Analysis. Mitigation Measures 4.2-24, 4.2-25, 4.2-26, 4.2-27, 4.2-28, 4.2-29, and 4.2-30 are written to apply to Phase IV projects (see Attachment 4 for the mitigation measures). However, now that Parcel S-1 is proposed to be developed in Phase I, and based on the findings of this analysis, the proposed development of the Costa Vista RV Park on Parcel S-1 does not trigger the corresponding impacts identified in the Final Environmental Impact Report as 4.2-39, 4.2-40, 4.2-41, 4.2-42, 4.2-43, 4.2-44, and 4.2-45. Therefore, Mitigation Measures 4.2-24, 4.2-25, 4.2-26, 4.2-27, 4.2-28, 4.2-29, and 4.2-30 are not triggered by the development of the Costa Vista RV Park and Phase I improvements in the Sweetwater District.

Should you have any questions or require additional information, please don't hesitate to contact me at (619) 291-0707, or [bstephenson@rickengineering.com](mailto:bstephenson@rickengineering.com).

Sincerely,

RICK ENGINEERING COMPANY



Brian R. Stephenson, P.E., T.E., P.T.O.E.  
Associate

K:\Files\15939\text\15939n.002.docx

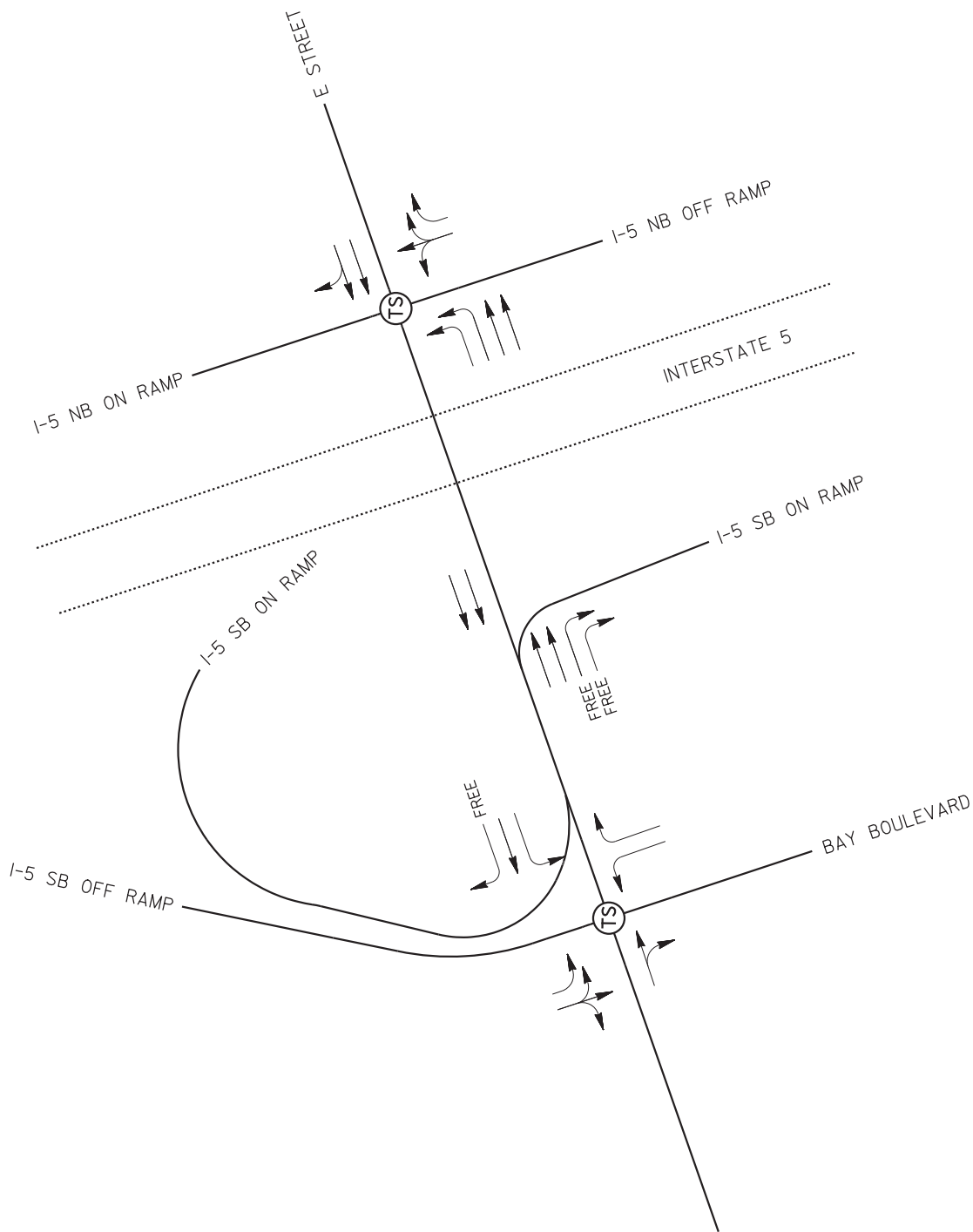
Attachments

cc: Mr. Kevin Gibson, Rick Engineering Company

## **Attachment 1**

### Exhibits

LEGEND  
(TS) = TRAFFIC SIGNAL



NTS

5620 FRIARS ROAD  
SAN DIEGO, CA 92110  
619.291.0707  
(FAX) 619.291.4165



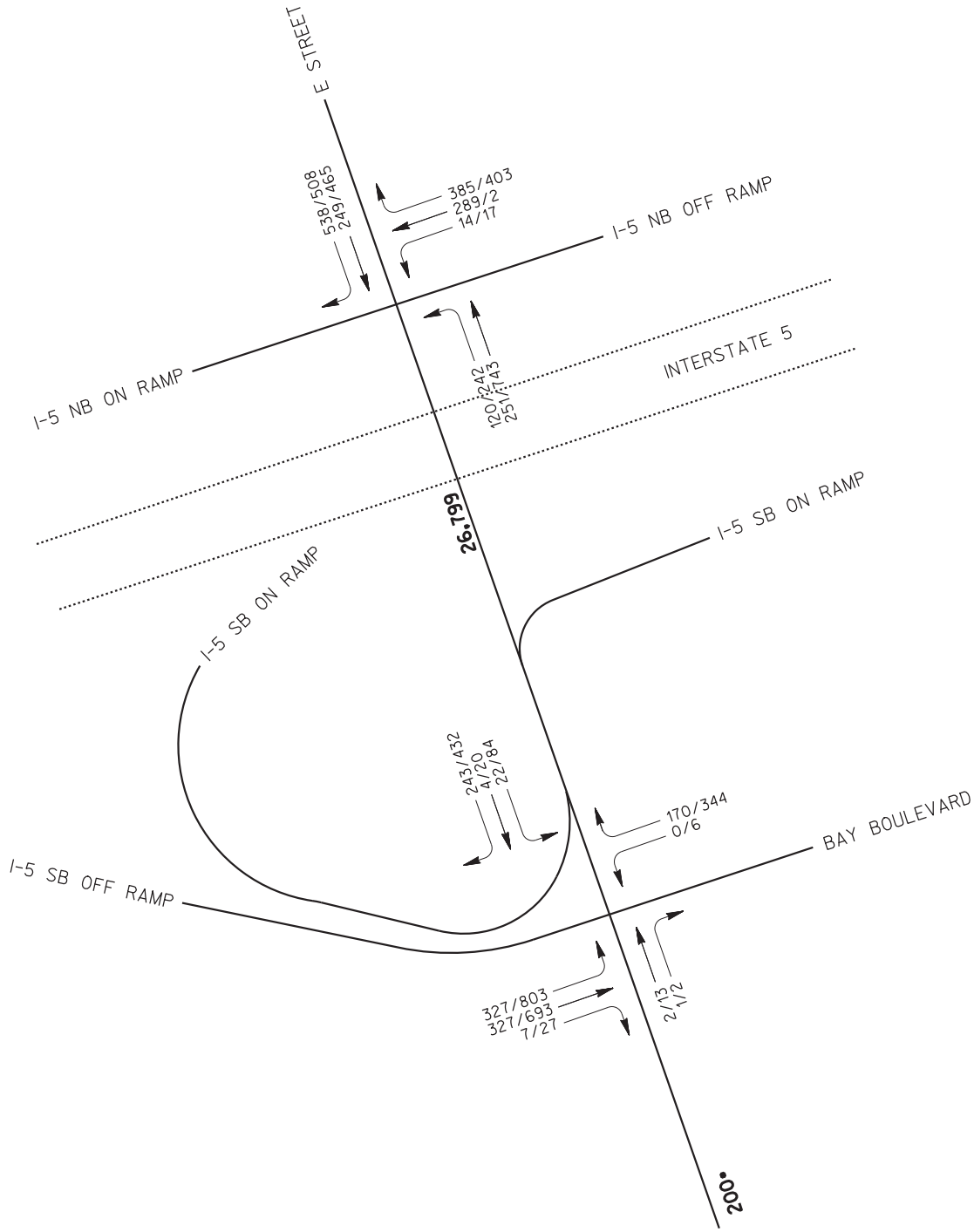
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302 of 406

# EXHIBIT 1 COSTA VISTA RV RESORT EXISTING CONDITIONS

LEGEND  
 XXXX/XXXX = AM/PM PEAK HR  
 XXXX = ADT  
 XXXX\* = ESTIMATED ADT



NTS



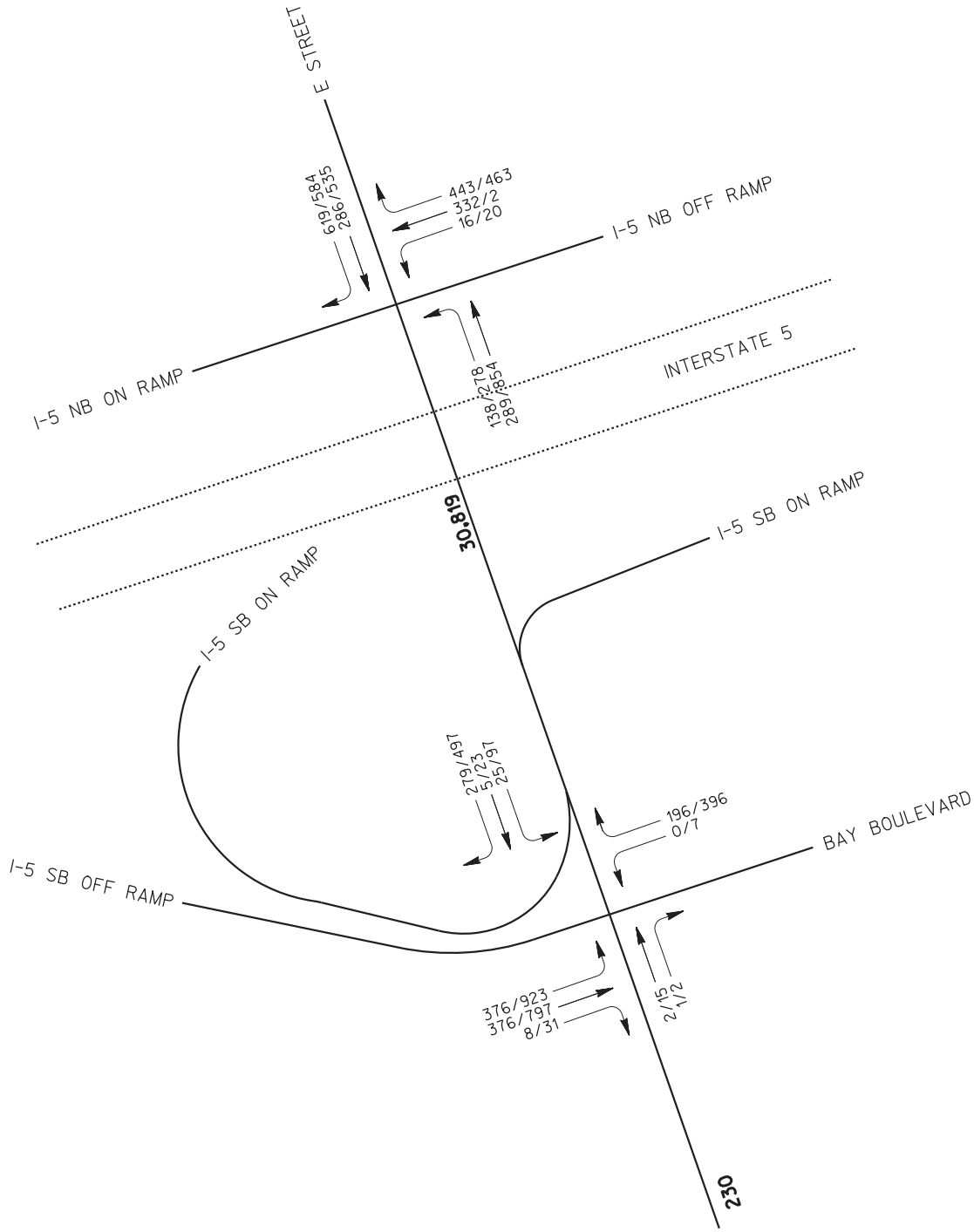
5620 FRIARS ROAD  
 SAN DIEGO, CA 92110  
 619.291.0707  
 (FAX) 619.291.4165

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# EXHIBIT 2 COSTA VISTA RV RESORT EXISTING TRAFFIC VOLUME

LEGEND  
 XXXX/XXXX = AM/PM PEAK HR  
 XXXX = ADT



NTS



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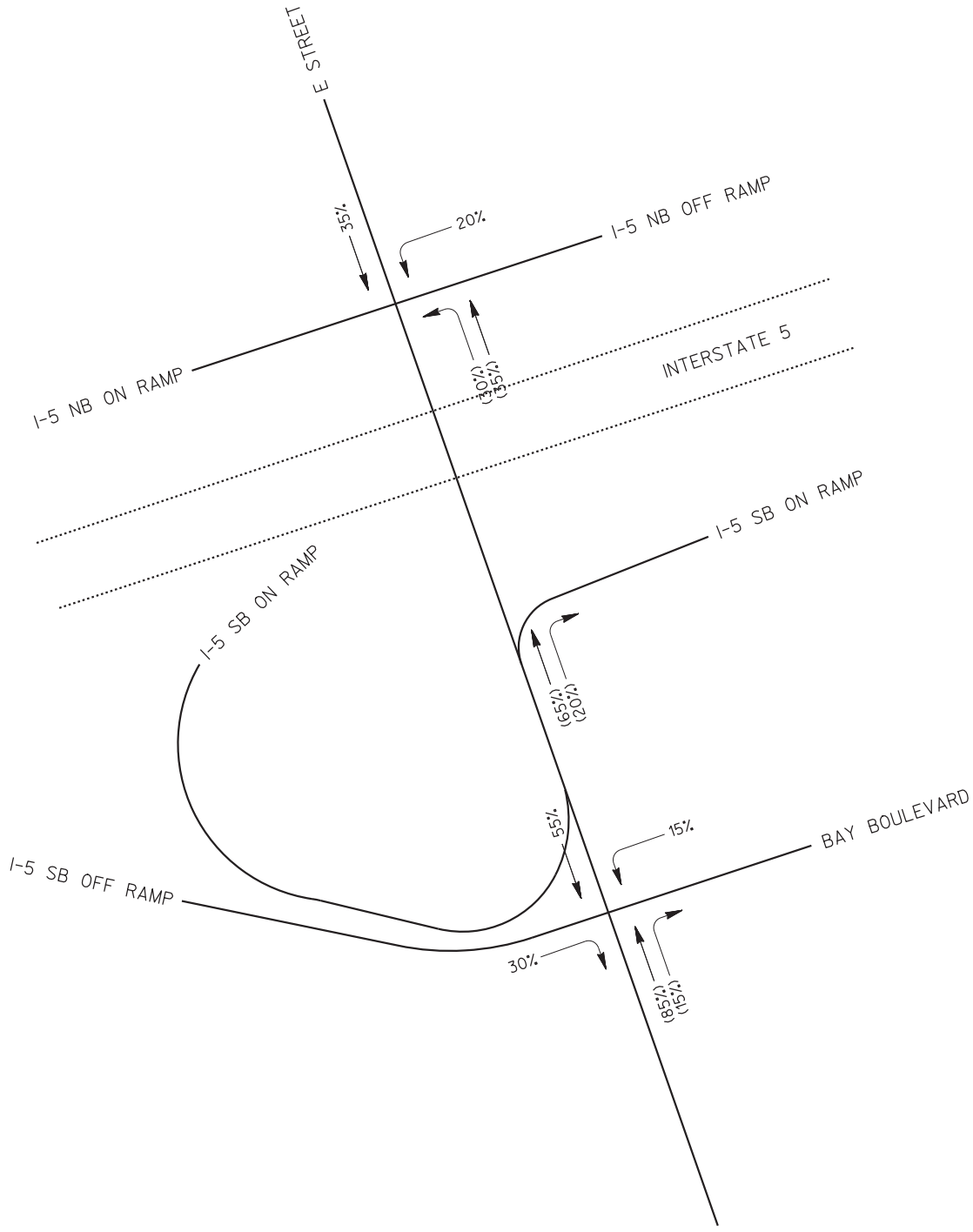
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 364 of 406

# EXHIBIT 3 COSTA VISTA RV RESORT EXISTING + BACKGROUND TRAFFIC VOLUME

LEGEND  
XX = INBOUND  
(XX) = OUTBOUND



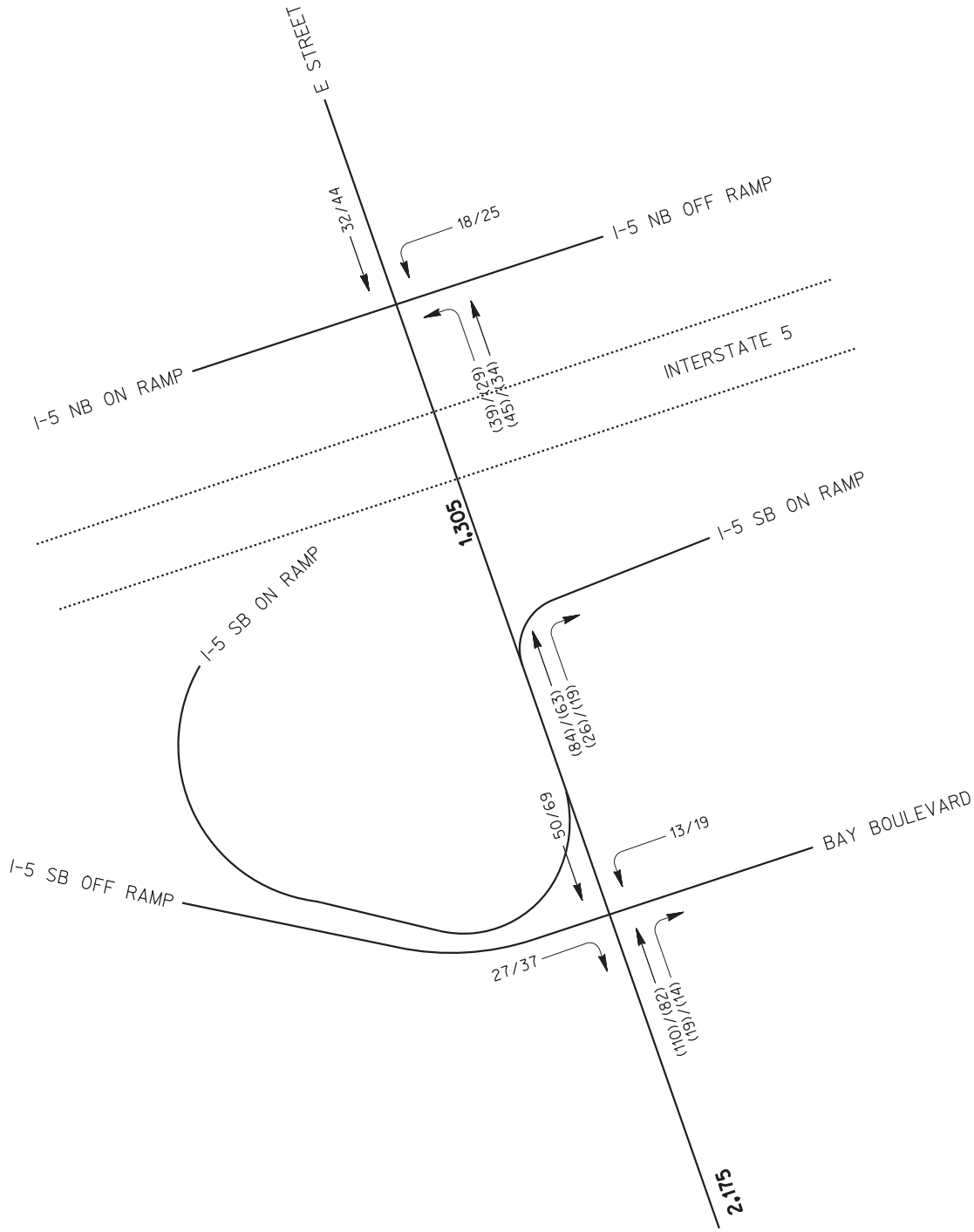
# EXHIBIT 4 COSTA VISTA RV RESORT TRIP DISTRIBUTION

5620 FRIARS ROAD  
SAN DIEGO, CA 92110  
619.291.0707  
(FAX) 619.291.4165



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LEGEND	XX/XX = AM/PM INBOUND
	(XX)/(XX) = AM/PM OUTBOUND
	XXXX = ADT



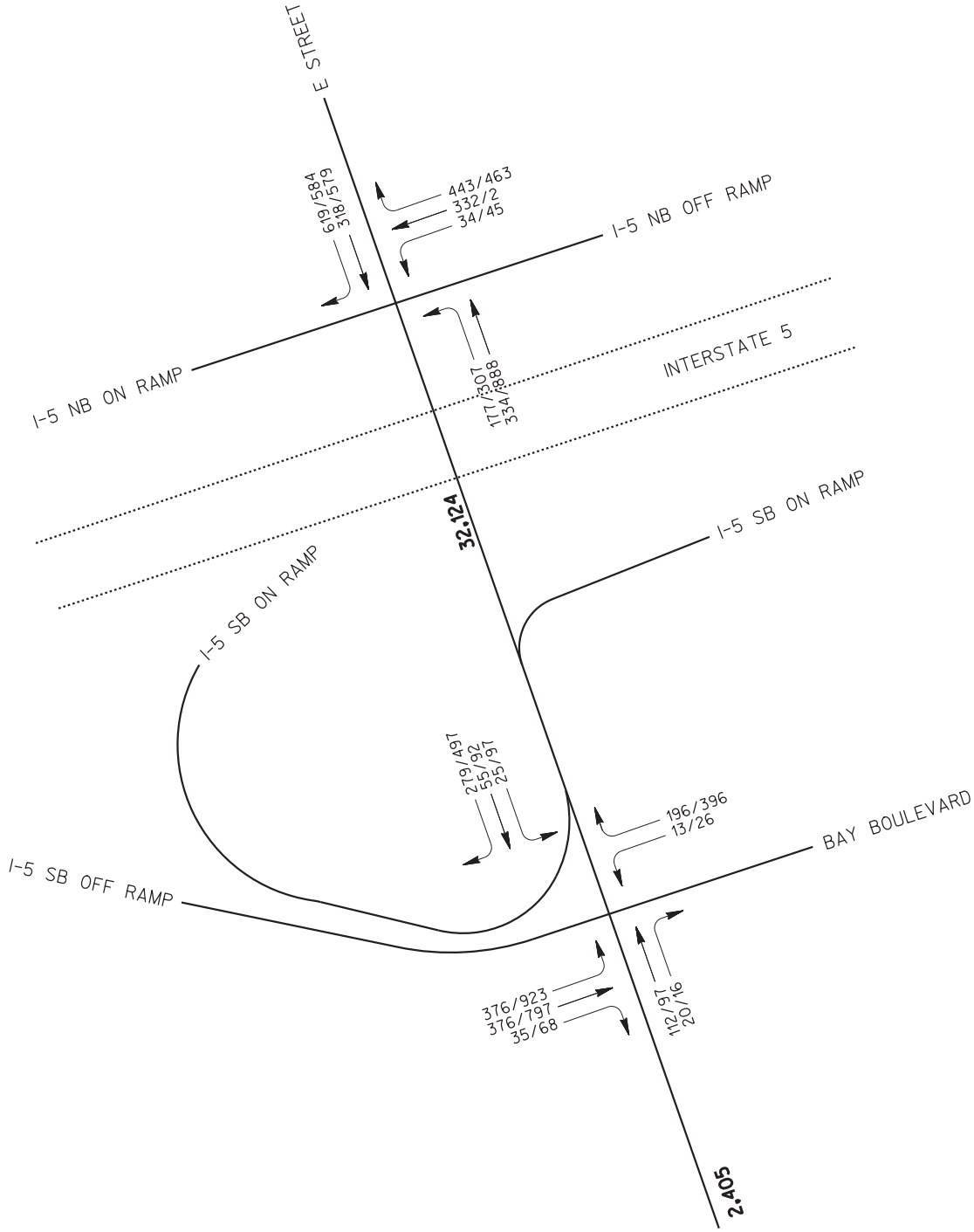
# EXHIBIT 5 COSTA VISTA RV RESORT PROJECT TRIPS

5620 FRIARS ROAD  
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619.291.0707  
(FAX) 619.291.4165



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LEGEND  
XXXX/XXXX = AM/PM PEAK HR  
XXXX = ADT



NTS



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# EXHIBIT 6 COSTA VISTA RV RESORT EXISTING + BACKGROUND + PROJECT TRAFFIC VOLUME

## **Attachment 2**

### **Trip Generation**



5620 Friars Road  
San Diego, CA 92110-2596

Tel: (619) 291-0707  
Fax: (619) 291-4165

Date 2/26/18  
Job No. 15939-Q  
Page 1 of 1  
Done By BRS  
Checked By \_\_\_\_\_

### Trip Generation

<u>Parcel</u>	<u>Use</u>	<u>Independent Variable</u>	<u>ADT</u>	<u>Am</u>			<u>Pm</u>		
				<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
S-1	RV Park	255 stalls	1,275	31	71	102	84	56	140
S-2	Signature Park	18 ac	900	59	58	117	41	40	81
SP-3	Existing parking for Discovery Center - to be relocated								
<u>Total :</u>			2,175	90	129	219	125	96	221

Note: Trip Generation calculated based on SANDAG's (Not So) Best Guide of Vehicular Traffic Generation Rates for the San Diego Region. "Mobile Home" use utilized for RV Park, and "City Park" use utilized for Signature Park, which is consistent with the trip generation methodology used in the Chula Vista Bayfront Master Plan Traffic Impact Analysis, prepared by Kinley-Horn and Associates, Inc. in March 2008.

(NOT SO)

BRIEF GUIDE OF VEHICULAR TRAFFIC GENERATION RATES  
FOR THE SAN DIEGO REGION

APRIL 2002



401 B Street, Suite 800  
San Diego, California 92101  
(619) 699-1900 • Fax (619) 699-1950

NOTE: This listing only represents a *guide* of average, or estimated, traffic generation "driveway" rates and some very general trip data for land uses (emphasis on acreage and building square footage) in the San Diego region. These rates (both local and national) are subject to change as future documentation becomes available, or as regional sources are updated. For more specific information regarding traffic data and trip rates, please refer to the San Diego Traffic Generators manual. *Always check with local jurisdictions for their preferred or applicable rates.*

LAND USE	TRIP CATEGORIES (PRIMARY:DIVERTED:PASS-BY)*	ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (DRIVEWAY)	HIGHEST PEAK HOUR % (plus IN:OUT ratio) Between 6:00-9:30 A.M. Between 3:00-6:30 P.M.	TRIP LENGTH (Miles)*
AGRICULTURE (Open Space) .....	[80:18:2]	2/acre**		10.8
AIRPORT .....	[78:20:2]			12.5
Commercial General Aviation Heliports		60/acre, 100/flight, 70/1000 sq. ft.*** 6/acre, 2/flight, 6/based aircraft*** 100/acre**	5% (6:4) 9% (7:3) 8% (5:5) 15% (5:5)	
AUTOMOBILES				
Car Wash				
Automatic Self-serve		900/silo, 600/acre** 100/washstall**	4% (5:5) 4% (5:5)	8% (5:5) 8% (5:5)
Gasoline .....	[21:51:28]			2.8
with/Food Mart		160/vehicle fueling space**	7% (5:5)	8% (5:5)
with/Food Mart & Car Wash		155/vehicle fueling space**	8% (5:5)	7% (5:5)
Older Service Station Design		150/vehicle fueling space, 900/station**	7% (5:5)	9% (5:5)
Sales (Jewelry & Repair)		50/1000 sq. ft., 300/acre, 60/service stall**	5% (7:3)	8% (4:6)
Auto Repair Center		20/1000 sq. ft., 400/acre, 20/service stall**	8% (7:3)	11% (4:6)
Auto Parts Sales		60/1000 sq. ft.**	4%	10%
Quick Lube		40/service stall**	7% (6:4)	10% (5:5)
Tire Store		25/1000 sq. ft., 30/service stall**	7% (6:4)	11% (5:5)
CEMETERY		5/acre*		
CHURCH (or Synagogue) .....	[64:25:11]	9/1000 sq. ft., 30/acre** (quadruple rates for Sunday, or days of assembly)	5% (6:4)	8% (5:5)
COMMERCIAL/RETAIL*				
Super Regional Shopping Center (More than 80 acres, more than 800,000 sq. ft., w/usually 3+ major stores)		35/1000 sq. ft., 400/acre*	4% (7:3)	10% (5:5)
Regional Shopping Center .....	[54:35:11]	50/1000 sq. ft., 500/acre*	4% (7:3)	9% (5:5)
(40-80 acres, 400,000-800,000 sq. ft., w/usually 2+ major stores)				5.2
Community Shopping Center .....	[47:31:22]	80/1000 sq. ft., 700/acre**	4% (6:4)	10% (5:5)
(15-40 acres, 125,000-400,000 sq. ft., w/usually 1 major store, detached restaurant(s), grocery and drugstore)				3.6
Neighborhood Shopping Center (Less than 15 acres, less than 125,000 sq. ft., w/usually grocery & drugstore, cleaners, beauty & barber shop, & fast food services)		120/1000 sq. ft., 1200/acre**	4% (6:4)	10% (5:5)
Commercial Shops .....	[45:40:15]			
Specialty Retail/Strip Commercial		40/1000 sq. ft., 400/acre*	3% (6:4)	9% (5:5)
Electronics Superstore		50/1000 sq. ft.**	10%	10% (5:5)
Factory Outlet		40/1000 sq. ft.**	3% (7:3)	9% (5:5)
Supermarket		150/1000 sq. ft., 2000/acre**	4% (7:3)	10% (5:5)
Drugstore		90/1000 sq. ft.**	4% (6:4)	10% (5:5)
Convenience Market (15-16 hours)		500/1000 sq. ft.**	8% (5:5)	8% (5:5)
Convenience Market (24 hours)		700/1000 sq. ft.**	7% (5:5)	7% (5:5)
Convenience Market (w/gasoline pumps)		850/1000 sq. ft., 550/vehicle fueling space**	6% (5:5)	7% (5:5)
Discount Club		60/1000 sq. ft., 600/acre**	1% (7:3)	9% (5:5)
Discount Store		60/1000 sq. ft., 600/acre**	3% (6:4)	8% (5:5)
Furniture Store		6/1000 sq. ft., 100/acre**	4% (7:3)	9% (5:5)
Lumber Store		30/1000 sq. ft., 150/acre**	4% (6:4)	9% (5:5)
Home Improvement Superstore		40/1000 sq. ft.**	4% (6:4)	8% (5:5)
Hardware/Paint Store		60/1000 sq. ft., 600/acre**	2% (6:4)	9% (5:5)
Garden Nursery		40/1000 sq. ft., 90/acre**	3% (6:4)	10% (5:5)
Mixed Use: Commercial (w/supermarket)/Residential		110/1000 sq. ft., 2000/acre* (commercial only) 5/dwelling unit, 200/acre* (residential only)	3% (6:4) 9% (3:7)	9% (5:5) 13% (6:4)
EDUCATION				
University (4 years) .....	[91:9:0]	2.4/student, 100 acre*	10% (8:2)	9% (3:7)
Junior College (2 years) .....	[92:7:1]	1.2/student, 24/1000 sq. ft., 120/acre**	12% (8:2)	9% (6:4)
High School .....	[75:19:6]	1.3/student, 15/1000 sq. ft., 60/acre**	20% (7:3)	10% (4:6)
Middle/Junior High .....	[63:25:12]	1.4/student, 12/1000 sq. ft., 50/acre**	30% (6:4)	9% (4:6)
Elementary .....	[57:25:10]	1.6/student, 14/1000 sq. ft., 90/acre**	32% (6:4)	9% (4:6)
Day Care .....	[28:58:14]	5/child, 80/1000 sq. ft.**	17% (5:5)	18% (5:5)
FINANCIAL*	[35:42:23]			3.4
Bank (Walk-In only)		150/1000 sq. ft., 1000/acre**	4% (7:3)	8% (4:6)
with Drive-Through		200/1000 sq. ft., 1500/acre*	5% (6:4)	10% (5:5)
Drive-Through only		250 (125 one-way)/lane*	3% (5:5)	13% (5:5)
Savings & Loan		60/1000 sq. ft., 600/acre**	2%	9%
Drive-Through only		100 (50 one-way)/lane**	4%	15%
HOSPITAL .....	[73:25:2]			8.3
General		20/bed, 25/1000 sq. ft., 250/acre*	8% (7:3)	10% (4:6)
Convalescent/Nursing		3/bed**	7% (6:4)	7% (4:6)
INDUSTRIAL				
Industrial/Business Park (commercial included) .....	[79:19:2]	16/1000 sq. ft., 200/acre**	12% (8:2)	12% (2:8)
Industrial Park (no commercial)		8/1000 sq. ft., 90/acre**	11% (9:1)	12% (2:8)
Industrial Plant (multiple shifts) .....	[92:5:3]	10/1000 sq. ft., 120/acre*	14% (8:2)	15% (3:7)
Manufacturing/Assembly		4/1000 sq. ft., 50/acre**	19% (9:1)	20% (2:8)
Warehousing		5/1000 sq. ft., 60/acre**	13% (7:3)	15% (4:6)
Storage		2/1000 sq. ft., 0.2/acre*	6% (5:5)	9% (5:5)
Science Research & Development		8/1000 sq. ft., 80/acre*	16% (9:1)	14% (1:9)
Landfill & Recycling Center		6/acre	11% (5:5)	10% (4:6)

(OVER)

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, San Luis Obispo, Solana Beach, Vista and County of San Diego.

ADVISORY/LIAISON MEMBERS: California Department of Transportation, County Water Authority, U.S. Department of Defense, S.D. Unified Port District and Tijuana/Baja California.

LAND USE	TRIP CATEGORIES (PRIMARY:DIVERTED:PASS-BY)*	ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (DRIVEWAY)	HIGHEST PEAK HOUR % (plus IN:OUT ratio) Between 6:00-9:30 A.M. Between 3:00-6:30 P.M.		TRIP LENGTH (Miles) <sup>1</sup>
LIBRARY	[44:44:12]	50/1000 sq. ft., 400/acre**	2% (7:3)	10% (5:5)	3.4
LODGING	[58:38:4]	10/occupied room, 300/acre 9/occupied room, 200/acre* 8/occupied room, 100/acre* 7/occupied room**	6% (6:4) 8% (4:6) 5% (6:4) 0% (4:6)	8% (6:4) 9% (6:4) 7% (4:6) 9% (6:4)	7.6
MILITARY	[82:16:2]	2.5/military & civilian personnel*	9% (9:1)	10% (2:8)	11.2
OFFICE					
Standard Commercial Office (less than 100,000 sq. ft.)	[77:19:4]	20/1000 sq. ft., 300/acre*	14% (9:1)	13% (2:8)	8.8
Large (High-Rise) Commercial Office (more than 100,000 sq. ft., 6+ stories)	[82:15:3]	17/1000 sq. ft., 600/acre*	13% (9:1)	14% (2:8)	10.0
Office Park (400,000+ sq. ft.)		12/1000 sq. ft., 200/acre**	13% (9:1)	13% (2:8)	
Single Tenant Office		14/1000 sq. ft., 180/acre*	15% (9:1)	15% (2:8)	8.8
Corporate Headquarters		7/1000 sq. ft., 110/acre*	17% (9:1)	16% (1:9)	
Government (Civic Center)	[50:34:16]	30/1000 sq. ft.**	9% (9:1)	12% (3:7)	6.0
Post Office					
Central/Walk-In Only		90/1000 sq. ft.**	5%	7%	
Community (not including mail drop lane)		200/1000 sq. ft., 1300/acre*	6% (6:4)	9% (5:5)	
Community (w/mail drop lane)		300/1000 sq. ft., 2000/acre**	7% (5:5)	10% (5:5)	
Mail Drop Lane only		1500/1500 one-way/lane*	7% (5:5)	12% (5:5)	
Department of Motor Vehicles		180/1000 sq. ft., 900/acre**	6% (6:4)	10% (4:6)	
Medical-Dental	[60:30:10]	50/1000 sq. ft., 500/acre*	6% (8:2)	11% (3:7)	6.4
PARKS	[66:28:6]				
City (developed w/meeting rooms and sports facilities)		50/acre*	13% (5:5)	9% (5:5)	5.4
Regional (developed)		20/acre*			
Neighborhood/County (undeveloped)		5/acre (add for specific sport uses). 6/picnic site**			
State (average 1000 acres)		1/acre, 10/picnic site**			
Amusement (Theme)		60/acre, 130/acre (summer only)**			
San Diego Zoo		115/acre*		8% (6:4)	
Sea World		80/acre*			
RECREATION					
Beach, Ocean or Bay	[52:39:9]	600/1000 ft. shoreline, 60/acre*			6.3
Beach, Lake (fresh water)		50/1000 ft. shoreline, 5/acre*			
Bowling Center		30/1000 sq. ft., 300/acre, 30/lane**	7% (7:3)	11% (4:6)	
Campground		4/campsite**	4%	8%	
Golf Course		7/acre, 40/hole, 700/course**	7% (8:2)	9% (3:7)	
Driving Range only		70/acre, 14/tee box*	7% (7:3)	9% (5:5)	
Marinas		4/berth, 20/acre**	7% (3:7)	7% (6:4)	
Multi-purpose (miniature golf, video arcade, batting cage, etc.)		90/acre	7%	6%	
Racquetball/Health Club		30/1000 sq. ft., 300/acre, 40/court*	6% (6:4)	9% (6:4)	
Tennis Courts		16/acre, 30/court**	5%	11% (5:5)	
Sports Facilities					
Outdoor Stadium		50/acre, 0.2/seat*			
Indoor Arena		30/acre, 0.1/seat*			
Racetrack		40/acre, 0.6/seat*			
Theaters (multiplex w/matinee)	[66:17:17]	80/1000 sq. ft., 18/seater, 360/seater*	10%	8% (6:4)	6.1
RESIDENTIAL	[86:11:3]				
Estate, Urban or Rural (average 1-2 DU/acre)		12/dwelling unit**	8% (3:7)	10% (7:3)	7.9
Single Family Detached (average 3-6 DU/acre)		10/dwelling unit**	8% (3:7)	10% (7:3)	
Condominium (or any multi-family 6-20 DU/acre)		8/dwelling unit**	8% (2:8)	10% (7:3)	
Apartment (or any multi-family units more than 20 DU/acre)		6/dwelling unit**	6% (2:8)	9% (7:3)	
Military Housing (off-base, multi-family) (less than 6 DU/acre)		8/dwelling unit	7% (3:7)	9% (6:4)	
(6-20 DU/acre)		6/dwelling unit	7% (3:7)	9% (6:4)	
Mobile Home					
Family		5/dwelling unit, 40/acre*	8% (3:7)	11% (6:4)	
Adults Only		3/dwelling unit, 20/acre*	9% (3:7)	10% (6:4)	
Retirement Community		4/dwelling unit**	8% (4:6)	7% (6:4)	
Congregate Care Facility		2.5/dwelling unit**	9% (6:4)	8% (5:5)	
RESTAURANT*	[51:37:12]				
Quality		100/1000 sq. ft., 3/seater, 500/acre**	1% (6:4)	8% (7:3)	4.7
Sit-down, high turnover		160/1000 sq. ft., 6/seater, 1000/acre**	8% (5:5)	8% (6:4)	
Fast Food (w/drive-through)		650/1000 sq. ft., 20/seater, 3000/acre**	7% (5:5)	7% (5:5)	
Fast Food (without drive-through)		700/1000 sq. ft.**	8% (6:4)	7% (5:5)	
Deli/Caterers (7am-4pm)		150/1000 sq. ft., 11/seater*	9% (6:4)	3% (3:7)	
TRANSPORTATION					
Bus Depot		25/1000 sq. ft.**			
Truck Terminal		10/1000 sq. ft., 7/bay, 80/acre**	9% (4:6)	8% (5:5)	
Waterport/Marine Terminal		170/berth, 12/acre**			
Transit Station (Light Rail w/parking)		300/acre, 2 <sup>1/2</sup> /parking space (4/occupied)**	14% (7:3)	15% (3:7)	
Park & Ride Lots		400/acre (600/paved acre), 5/parking space (8/occupied)**	14% (7:3)	15% (3:7)	

\* Primary source: San Diego Traffic Generators.

\*\* Other sources: 111 Trip Generation Report (1981 edition), Trip Generation Rates (other agencies and publications), various SANDAG & CALTRANS studies, reports and estimates.

† Trip category percentage ratios are daily from local household surveys, often cannot be applied to very specific land uses, and do not include non-resident drivers.

(detail SANDAG Analysis of Trip Diversion, revised November, 1990).

PRIMARY - trip directly between origin and primary destination.

DIVERTED - linked trip (having one or more stops along the way to a primary destination) whose distance compared to direct distance  $\geq 1$  mile.

PASS-BY - undiverted or diverted  $< 1$  mile.

<sup>1</sup> Trip lengths are average weighted for all trips to and from general land use site. (All trips system-wide average length = 6.9 miles)

<sup>2</sup> Fitted curve equation:  $\ln(1) = 0.507 \ln(d) + 0.945$  }  $d$  = total trips,  $n$  = 1,000 sq. ft.

<sup>3</sup> Fitted curve equation:  $\ln(1) = 0.756 \ln(d) + 3.950$  }

<sup>4</sup> Fitted curve equation:  $1 = -2.169 \ln(d) + 12.85$  }  $d$  = trips/DU,  $d$  = density (DU/acre), DU = dwelling unit

<sup>5</sup> Suggested PASS-BY (undiverted or diverted  $< 1$  mile) percentages for trip rate reductions only during P.M. peak period (based on combination of local data review and other sources\*\*).

**COMMERCIAL/RETAIL**

Regional Shopping Center 20%

Community 30%

Neighborhood 40%

Specialty Retail/Strip Commercial (other) 10%

Supermarket 40%

Convenience Market 12%

Discount Club/Store 30%

**FINANCIAL**

Bank 25%

**ALTERNATIVE**

Gasoline Station 12%

**RESTAURANT**

Quality 10%

Sit-down high turnover 20%

Fast Food 40%

<sup>6</sup> Trip Reductions - In order to help promote regional "smart growth" policies, and acknowledge San Diego's expanding mass transit system, consider vehicle trip rate reductions (with proper documentation and necessary adjustments for peak periods). The following are some examples:

[1] A 5% daily trip reduction for land uses with transit access or near transit stations accessible within 1/4 mile.

[2] Up to 10% daily trip reduction for mixed-use developments where residential and commercial retail are combined (demonstrate mode split of walking trips to replace vehicular trips).

## **Attachment 3**

### Capacity Analysis

**Table 1**  
**Capacity Analysis Results**






















Intersection	Scenario															
	Existing			Existing + Background			Existing + Background + Project			Existing + Background + Project (mitigated)						
	AM Peak Hour		PM Peak Hour	AM Peak Hour		PM Peak Hour	AM Peak Hour		PM Peak Hour	AM Peak Hour		PM Peak Hour				
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)				
E Street at I-5 SB Ramps/Bay Boulevard	C	26.5	C	25.8	C	24.5	D	46.1	C	26.3	E	61.6	C	23.5	D	49.8
E Street at I-5 NB Ramps	C	21	B	15.7	C	22.7	B	17.1	C	24.6	C	27.3	C	24.5	C	27.5

# Existing Conditions - AM Peak Hour

## 1: Bay Boulevard/I-5 SB Off Ramp & E Street

# HCM Signalized Intersection Capacity Analysis

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	2	1	22	4	243	0	0	170	327	327	7
Future Volume (vph)	0	2	1	22	4	243	0	0	170	327	327	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0			4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00			1.00	0.95	0.95	
Frt		0.95		1.00	1.00	0.85			0.85	1.00	1.00	
Flt Protected		1.00		0.95	1.00	1.00			1.00	0.95	1.00	
Satd. Flow (prot)		1779		1770	1863	1583			1583	1681	1756	
Flt Permitted		1.00		0.95	1.00	1.00			1.00	0.95	1.00	
Satd. Flow (perm)		1779		1770	1863	1583			1583	1681	1756	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	2	1	24	4	264	0	0	185	355	355	8
RTOR Reduction (vph)	0	1	0	0	0	0	0	0	174	0	1	0
Lane Group Flow (vph)	0	2	0	24	4	264	0	0	11	319	398	0
Turn Type		NA		Split	NA	Free	Perm		Perm	Split	NA	
Protected Phases		5		6	6					4	4	
Permitted Phases						Free	3		3			
Actuated Green, G (s)		1.2		40.6	40.6	90.0			5.5	26.7	26.7	
Effective Green, g (s)		1.2		40.6	40.6	90.0			5.5	26.7	26.7	
Actuated g/C Ratio		0.01		0.45	0.45	1.00			0.06	0.30	0.30	
Clearance Time (s)		4.0		4.0	4.0				4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0				3.0	3.0	3.0	
Lane Grp Cap (vph)		23		798	840	1583			96	498	520	
v/s Ratio Prot		0.00		0.01	0.00					0.19	c0.23	
v/s Ratio Perm						c0.17			0.01			
v/c Ratio		0.09		0.03	0.00	0.17			0.12	0.64	0.77	
Uniform Delay, d1		43.9		13.7	13.6	0.0			40.0	27.5	28.8	
Progression Factor		1.00		0.66	0.70	1.00			1.00	1.00	1.00	
Incremental Delay, d2		1.6		0.1	0.0	0.2			0.5	2.8	6.6	
Delay (s)		45.5		9.1	9.5	0.2			40.5	30.3	35.5	
Level of Service		D		A	A	A			D	C	D	
Approach Delay (s)		45.5			1.1			40.5			33.2	
Approach LOS		D			A			D			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			26.5			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.41									
Actuated Cycle Length (s)			90.0			Sum of lost time (s)			16.0			
Intersection Capacity Utilization			41.7%			ICU Level of Service			A			
Analysis Period (min)			15									


















c Critical Lane Group

## Existing Conditions - AM Peak Hour

## HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp &amp; E Street

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	120	251	0	0	249	538	14	289	385	0	0	0
Future Volume (vph)	120	251	0	0	249	538	14	289	385	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.90			0.97	0.85			
Flt Protected	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (prot)	3433	3539			3176			1721	1504			
Flt Permitted	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (perm)	3433	3539			3176			1721	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	130	273	0	0	271	585	15	314	418	0	0	0
RTOR Reduction (vph)	0	0	0	0	181	0	0	9	247	0	0	0
Lane Group Flow (vph)	130	273	0	0	675	0	0	387	104	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	7.9	54.0			42.1			26.7	26.7			
Effective Green, g (s)	7.9	54.0			42.1			26.7	26.7			
Actuated g/C Ratio	0.09	0.60			0.47			0.30	0.30			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	301	2123			1485			510	446			
v/s Ratio Prot	c0.04	0.08			c0.21							
v/s Ratio Perm								0.22	0.07			
v/c Ratio	0.43	0.13			0.45			0.76	0.23			
Uniform Delay, d1	38.9	7.8			16.2			28.7	23.9			
Progression Factor	0.73	0.54			1.00			1.00	1.00			
Incremental Delay, d2	0.9	0.1			1.0			6.4	0.3			
Delay (s)	29.2	4.3			17.2			35.1	24.2			
Level of Service	C	A			B			D	C			
Approach Delay (s)		12.3			17.2			30.0			0.0	
Approach LOS		B			B			C			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			21.0				HCM 2000 Level of Service		C			
HCM 2000 Volume to Capacity ratio			0.56									
Actuated Cycle Length (s)			90.0				Sum of lost time (s)		13.3			
Intersection Capacity Utilization			62.5%				ICU Level of Service		B			
Analysis Period (min)			15									






















c Critical Lane Group

# Existing Conditions - PM Peak Hour

## 1: Bay Boulevard/I-5 SB Off Ramp & E Street

# HCM Signalized Intersection Capacity Analysis

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	13	2	84	20	432	6	0	344	803	693	27
Future Volume (vph)	0	13	2	84	20	432	6	0	344	803	693	27
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0	4.0		4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00	1.00		1.00	0.95	0.95	
Frt		0.98		1.00	1.00	0.85	1.00		0.85	1.00	0.99	
Flt Protected		1.00		0.95	1.00	1.00	0.95		1.00	0.95	1.00	
Satd. Flow (prot)		1831		1770	1863	1583	1770		1583	1681	1752	
Flt Permitted		1.00		0.95	1.00	1.00	0.45		1.00	0.95	1.00	
Satd. Flow (perm)		1831		1770	1863	1583	837		1583	1681	1752	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	14	2	91	22	470	7	0	374	873	753	29
RTOR Reduction (vph)	0	2	0	0	0	0	0	0	337	0	1	0
Lane Group Flow (vph)	0	14	0	91	22	470	7	0	37	786	868	0
Turn Type		NA		Split	NA	Free	Perm		Perm	Split	NA	
Protected Phases		5		6	6					4	4	
Permitted Phases						Free	3		3			
Actuated Green, G (s)		2.9		13.6	13.6	90.0	8.9		8.9	48.6	48.6	
Effective Green, g (s)		2.9		13.6	13.6	90.0	8.9		8.9	48.6	48.6	
Actuated g/C Ratio		0.03		0.15	0.15	1.00	0.10		0.10	0.54	0.54	
Clearance Time (s)		4.0		4.0	4.0		4.0		4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0		3.0		3.0	3.0	3.0	
Lane Grp Cap (vph)		58		267	281	1583	82		156	907	946	
v/s Ratio Prot		0.01		0.05	0.01					0.47	c0.50	
v/s Ratio Perm						c0.30	0.01		0.02			
v/c Ratio		0.24		0.34	0.08	0.30	0.09		0.24	0.87	0.92	
Uniform Delay, d1		42.5		34.2	32.8	0.0	36.9		37.4	17.9	18.9	
Progression Factor		1.00		0.88	0.89	1.00	1.00		1.00	1.00	1.00	
Incremental Delay, d2		2.2		3.2	0.5	0.4	0.5		0.8	8.7	13.3	
Delay (s)		44.7		33.1	29.6	0.4	37.3		38.2	26.6	32.2	
Level of Service		D		C	C	A	D		D	C	C	
Approach Delay (s)		44.7			6.6			38.2			29.6	
Approach LOS		D			A			D			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			25.8			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.75									
Actuated Cycle Length (s)			90.0			Sum of lost time (s)			16.0			
Intersection Capacity Utilization			75.9%			ICU Level of Service			D			
Analysis Period (min)			15									


















c Critical Lane Group

## Existing Conditions - PM Peak Hour

## HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp &amp; E Street

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	242	743	0	0	465	508	17	2	403	0	0	0
Future Volume (vph)	242	743	0	0	465	508	17	2	403	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.92			0.86	0.85			
Flt Protected	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (prot)	3433	3539			3262			1521	1504			
Flt Permitted	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (perm)	3433	3539			3262			1521	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	263	808	0	0	505	552	18	2	438	0	0	0
RTOR Reduction (vph)	0	0	0	0	163	0	0	189	205	0	0	0
Lane Group Flow (vph)	263	808	0	0	894	0	0	41	23	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	12.1	71.6			55.5			9.1	9.1			
Effective Green, g (s)	12.1	71.6			55.5			9.1	9.1			
Actuated g/C Ratio	0.13	0.80			0.62			0.10	0.10			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	461	2815			2011			153	152			
v/s Ratio Prot	c0.08	0.23			c0.27							
v/s Ratio Perm								0.03	0.02			
v/c Ratio	0.57	0.29			0.44			0.27	0.15			
Uniform Delay, d1	36.5	2.4			9.1			37.4	36.9			
Progression Factor	1.24	0.32			1.00			1.00	1.00			
Incremental Delay, d2	1.0	0.2			0.7			1.0	0.5			
Delay (s)	46.2	0.9			9.8			38.3	37.4			
Level of Service	D	A			A			D	D			
Approach Delay (s)		12.1			9.8			37.9			0.0	
Approach LOS		B			A			D			A	
Intersection Summary												
HCM 2000 Control Delay			15.7		HCM 2000 Level of Service				B			
HCM 2000 Volume to Capacity ratio			0.44									
Actuated Cycle Length (s)			90.0		Sum of lost time (s)				13.3			
Intersection Capacity Utilization			56.5%		ICU Level of Service				B			
Analysis Period (min)			15									






















c Critical Lane Group

# Existing + Background - AM Peak Hour

## 1: Bay Boulevard/I-5 SB Off Ramp & E Street

# HCM Signalized Intersection Capacity Analysis

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	2	1	25	5	279	0	0	196	376	376	8
Future Volume (vph)	0	2	1	25	5	279	0	0	196	376	376	8
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0			4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00			1.00	0.95	0.95	
Frt		0.95		1.00	1.00	0.85			0.85	1.00	1.00	
Flt Protected		1.00		0.95	1.00	1.00			1.00	0.95	1.00	
Satd. Flow (prot)		1779		1770	1863	1583			1583	1681	1757	
Flt Permitted		1.00		0.95	1.00	1.00			1.00	0.95	1.00	
Satd. Flow (perm)		1779		1770	1863	1583			1583	1681	1757	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	2	1	27	5	303	0	0	213	409	409	9
RTOR Reduction (vph)	0	1	0	0	0	0	0	0	200	0	1	0
Lane Group Flow (vph)	0	2	0	27	5	303	0	0	13	368	458	0
Turn Type		NA		Split	NA	Free	Perm		Perm	Split	NA	
Protected Phases		5		6	6					4	4	
Permitted Phases						Free	3		3			
Actuated Green, G (s)		1.2		36.3	36.3	90.0			5.5	31.0	31.0	
Effective Green, g (s)		1.2		36.3	36.3	90.0			5.5	31.0	31.0	
Actuated g/C Ratio		0.01		0.40	0.40	1.00			0.06	0.34	0.34	
Clearance Time (s)		4.0		4.0	4.0				4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0				3.0	3.0	3.0	
Lane Grp Cap (vph)		23		713	751	1583			96	579	605	
v/s Ratio Prot		0.00		0.02	0.00					0.22	c0.26	
v/s Ratio Perm						c0.19			0.01			
v/c Ratio		0.09		0.04	0.01	0.19			0.14	0.64	0.76	
Uniform Delay, d1		43.9		16.3	16.1	0.0			40.0	24.8	26.2	
Progression Factor		1.00		0.76	0.81	1.00			1.00	1.00	1.00	
Incremental Delay, d2		1.6		0.1	0.0	0.2			0.6	2.3	5.4	
Delay (s)		45.5		12.4	13.1	0.2			40.6	27.0	31.6	
Level of Service		D		B	B	A			D	C	C	
Approach Delay (s)		45.5			1.4			40.6			29.6	
Approach LOS		D			A			D			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			24.5				HCM 2000 Level of Service			C		
HCM 2000 Volume to Capacity ratio			0.46									
Actuated Cycle Length (s)			90.0				Sum of lost time (s)		16.0			
Intersection Capacity Utilization			46.0%				ICU Level of Service		A			
Analysis Period (min)			15									


















c Critical Lane Group

## Existing + Background - AM Peak Hour

## HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp &amp; E Street

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	138	289	0	0	286	619	16	332	443	0	0	0
Future Volume (vph)	138	289	0	0	286	619	16	332	443	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.90			0.97	0.85			
Flt Protected	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (prot)	3433	3539			3176			1719	1504			
Flt Permitted	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (perm)	3433	3539			3176			1719	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	150	314	0	0	311	673	17	361	482	0	0	0
RTOR Reduction (vph)	0	0	0	0	162	0	0	9	268	0	0	0
Lane Group Flow (vph)	150	314	0	0	822	0	0	451	132	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	7.7	51.0			39.3			29.7	29.7			
Effective Green, g (s)	7.7	51.0			39.3			29.7	29.7			
Actuated g/C Ratio	0.09	0.57			0.44			0.33	0.33			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	293	2005			1386			567	496			
v/s Ratio Prot	c0.04	0.09			c0.26							
v/s Ratio Perm								0.26	0.09			
v/c Ratio	0.51	0.16			0.59			0.79	0.27			
Uniform Delay, d1	39.4	9.3			19.3			27.4	22.1			
Progression Factor	0.75	0.61			1.00			1.00	1.00			
Incremental Delay, d2	1.3	0.1			1.9			7.6	0.3			
Delay (s)	30.9	5.8			21.1			34.9	22.4			
Level of Service	C	A			C			C	C			
Approach Delay (s)		13.9			21.1			29.1			0.0	
Approach LOS		B			C			C			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			22.7									HCM 2000 Level of Service C
HCM 2000 Volume to Capacity ratio			0.66									
Actuated Cycle Length (s)			90.0									Sum of lost time (s) 13.3
Intersection Capacity Utilization			70.2%									ICU Level of Service C
Analysis Period (min)			15									






















c Critical Lane Group

# Existing + Background - PM Peak Hour

## 1: Bay Boulevard/I-5 SB Off Ramp & E Street

# HCM Signalized Intersection Capacity Analysis

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	15	2	97	23	497	7	0	396	923	797	31
Future Volume (vph)	0	15	2	97	23	497	7	0	396	923	797	31
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0	4.0		4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00	1.00		1.00	0.95	0.95	
Frt		0.98		1.00	1.00	0.85	1.00		0.85	1.00	0.99	
Flt Protected		1.00		0.95	1.00	1.00	0.95		1.00	0.95	1.00	
Satd. Flow (prot)		1835		1770	1863	1583	1770		1583	1681	1752	
Flt Permitted		1.00		0.95	1.00	1.00	0.43		1.00	0.95	1.00	
Satd. Flow (perm)		1835		1770	1863	1583	801		1583	1681	1752	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	16	2	105	25	540	8	0	430	1003	866	34
RTOR Reduction (vph)	0	2	0	0	0	0	0	0	386	0	1	0
Lane Group Flow (vph)	0	16	0	105	25	540	8	0	44	903	999	0
Turn Type		NA		Split	NA	Free	Perm		Perm	Split	NA	
Protected Phases		5		6	6					4	4	
Permitted Phases						Free	3		3			
Actuated Green, G (s)		2.9		13.7	13.7	90.0	9.3		9.3	48.1	48.1	
Effective Green, g (s)		2.9		13.7	13.7	90.0	9.3		9.3	48.1	48.1	
Actuated g/C Ratio		0.03		0.15	0.15	1.00	0.10		0.10	0.53	0.53	
Clearance Time (s)		4.0		4.0	4.0		4.0		4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0		3.0		3.0	3.0	3.0	
Lane Grp Cap (vph)		59		269	283	1583	82		163	898	936	
v/s Ratio Prot		0.01		0.06	0.01					0.54	c0.57	
v/s Ratio Perm						c0.34	0.01		0.03			
v/c Ratio		0.27		0.39	0.09	0.34	0.10		0.27	1.01	1.07	
Uniform Delay, d1		42.5		34.4	32.8	0.0	36.5		37.2	20.9	20.9	
Progression Factor		1.00		0.91	0.95	1.00	1.00		1.00	1.00	1.00	
Incremental Delay, d2		2.5		3.6	0.5	0.5	0.5		0.9	31.4	49.1	
Delay (s)		45.0		35.1	31.6	0.5	37.1		38.1	52.3	70.1	
Level of Service		D		D	C	A	D		D	D	E	
Approach Delay (s)		45.0			7.1			38.1			61.7	
Approach LOS		D			A			D			E	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			46.1			HCM 2000 Level of Service			D			
HCM 2000 Volume to Capacity ratio			0.87									
Actuated Cycle Length (s)			90.0			Sum of lost time (s)			16.0			
Intersection Capacity Utilization			85.3%			ICU Level of Service			E			
Analysis Period (min)			15									


















c Critical Lane Group

## Existing + Background - PM Peak Hour

## HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp &amp; E Street

03/01/2018






















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	278	854	0	0	535	584	20	2	463	0	0	0
Future Volume (vph)	278	854	0	0	535	584	20	2	463	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.92			0.86	0.85			
Flt Protected	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (prot)	3433	3539			3262			1522	1504			
Flt Permitted	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (perm)	3433	3539			3262			1522	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	302	928	0	0	582	635	22	2	503	0	0	0
RTOR Reduction (vph)	0	0	0	0	178	0	0	161	161	0	0	0
Lane Group Flow (vph)	302	928	0	0	1039	0	0	104	101	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	12.6	68.9			52.3			11.8	11.8			
Effective Green, g (s)	12.6	68.9			52.3			11.8	11.8			
Actuated g/C Ratio	0.14	0.77			0.58			0.13	0.13			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	480	2709			1895			199	197			
v/s Ratio Prot	c0.09	0.26			c0.32							
v/s Ratio Perm								0.07	0.07			
v/c Ratio	0.63	0.34			0.55			0.52	0.51			
Uniform Delay, d1	36.5	3.4			11.6			36.5	36.4			
Progression Factor	1.21	0.35			1.00			1.00	1.00			
Incremental Delay, d2	1.1	0.1			1.1			2.5	2.3			
Delay (s)	45.2	1.3			12.7			39.0	38.7			
Level of Service	D	A			B			D	D			
Approach Delay (s)		12.1			12.7			38.8			0.0	
Approach LOS		B			B			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay		17.1			HCM 2000 Level of Service			B				
HCM 2000 Volume to Capacity ratio		0.56										
Actuated Cycle Length (s)		90.0			Sum of lost time (s)			13.3				
Intersection Capacity Utilization		63.3%			ICU Level of Service			B				
Analysis Period (min)		15										

c Critical Lane Group

Ex + Background + Project - AM Peak Hour  
1: Bay Boulevard/I-5 SB Off Ramp & E Street

## HCM Signalized Intersection Capacity Analysis

03/01/2018


















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	112	20	25	55	279	13	0	196	376	376	35
Future Volume (vph)	0	112	20	25	55	279	13	0	196	376	376	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0	4.0		4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00	1.00		1.00	0.95	0.95	
Frt		0.98		1.00	1.00	0.85	1.00		0.85	1.00	0.99	
Flt Protected		1.00		0.95	1.00	1.00	0.95		1.00	0.95	1.00	
Satd. Flow (prot)		1824		1770	1863	1583	1770		1583	1681	1742	
Flt Permitted		1.00		0.95	1.00	1.00	0.46		1.00	0.95	1.00	
Satd. Flow (perm)		1824		1770	1863	1583	856		1583	1681	1742	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	122	22	27	60	303	14	0	213	409	409	38
RTOR Reduction (vph)	0	8	0	0	0	0	0	0	192	0	3	0
Lane Group Flow (vph)	0	136	0	27	60	303	14	0	21	368	485	0
Turn Type		NA		Split	NA	Free	Perm		Perm	Split	NA	
Protected Phases		5		6	6					4	4	
Permitted Phases						Free	3		3			
Actuated Green, G (s)		11.8		22.4	22.4	90.0	8.7		8.7	31.1	31.1	
Effective Green, g (s)		11.8		22.4	22.4	90.0	8.7		8.7	31.1	31.1	
Actuated g/C Ratio		0.13		0.25	0.25	1.00	0.10		0.10	0.35	0.35	
Clearance Time (s)		4.0		4.0	4.0		4.0		4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0		3.0		3.0	3.0	3.0	
Lane Grp Cap (vph)		239		440	463	1583	82		153	580	601	
v/s Ratio Prot		c0.07		0.02	0.03					0.22	c0.28	
v/s Ratio Perm						c0.19	0.02		0.01			
v/c Ratio		0.57		0.06	0.13	0.19	0.17		0.13	0.63	0.81	
Uniform Delay, d1		36.7		25.8	26.2	0.0	37.3		37.2	24.7	26.7	
Progression Factor		1.00		0.59	0.59	1.00	1.00		1.00	1.00	1.00	
Incremental Delay, d2		3.1		0.2	0.4	0.2	1.0		0.4	2.3	7.8	
Delay (s)		39.8		15.5	16.0	0.2	38.3		37.6	27.0	34.5	
Level of Service		D		B	B	A	D		D	C	C	
Approach Delay (s)		39.8			3.7			37.7			31.3	
Approach LOS		D			A			D			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			26.3									
HCM 2000 Volume to Capacity ratio			0.53									
Actuated Cycle Length (s)			90.0									
Intersection Capacity Utilization			50.6%									
Analysis Period (min)			15									

c Critical Lane Group

# Ex + Background + Project - AM Peak Hour HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp & E Street

03/01/2018






















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	177	334	0	0	318	619	34	332	443	0	0	0
Future Volume (vph)	177	334	0	0	318	619	34	332	443	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.90			0.98	0.85			
Flt Protected	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (prot)	3433	3539			3189			1722	1504			
Flt Permitted	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (perm)	3433	3539			3189			1722	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	192	363	0	0	346	673	37	361	482	0	0	0
RTOR Reduction (vph)	0	0	0	0	160	0	0	8	273	0	0	0
Lane Group Flow (vph)	192	363	0	0	859	0	0	462	137	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	8.3	50.7			38.4			30.0	30.0			
Effective Green, g (s)	8.3	50.7			38.4			30.0	30.0			
Actuated g/C Ratio	0.09	0.56			0.43			0.33	0.33			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	316	1993			1360			574	501			
v/s Ratio Prot	c0.06	0.10			c0.27							
v/s Ratio Perm								0.27	0.09			
v/c Ratio	0.61	0.18			0.63			0.80	0.27			
Uniform Delay, d1	39.3	9.6			20.2			27.3	22.0			
Progression Factor	1.25	0.45			1.00			1.00	1.00			
Incremental Delay, d2	2.8	0.2			2.2			8.1	0.3			
Delay (s)	51.9	4.5			22.5			35.4	22.3			
Level of Service	D	A			C			D	C			
Approach Delay (s)		20.9			22.5			29.3			0.0	
Approach LOS		C			C			C			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay		24.6			HCM 2000 Level of Service			C				
HCM 2000 Volume to Capacity ratio		0.70										
Actuated Cycle Length (s)		90.0			Sum of lost time (s)			13.3				
Intersection Capacity Utilization		73.2%			ICU Level of Service			D				
Analysis Period (min)		15										

c Critical Lane Group

Ex + Background + Project - PM Peak Hour  
1: Bay Boulevard/I-5 SB Off Ramp & E Street

## HCM Signalized Intersection Capacity Analysis

03/01/2018


















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	97	16	97	92	497	26	0	396	923	797	68
Future Volume (vph)	0	97	16	97	92	497	26	0	396	923	797	68
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0	4.0		4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00	1.00		1.00	0.95	0.95	
Frt		0.98		1.00	1.00	0.85	1.00		0.85	1.00	0.99	
Flt Protected		1.00		0.95	1.00	1.00	0.95		1.00	0.95	1.00	
Satd. Flow (prot)		1828		1770	1863	1583	1770		1583	1681	1742	
Flt Permitted		1.00		0.95	1.00	1.00	0.20		1.00	0.95	1.00	
Satd. Flow (perm)		1828		1770	1863	1583	369		1583	1681	1742	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	105	17	105	100	540	28	0	430	1003	866	74
RTOR Reduction (vph)	0	4	0	0	0	0	0	0	230	0	2	0
Lane Group Flow (vph)	0	118	0	105	100	540	28	0	200	903	1038	0
Turn Type		NA		Split	NA	Free	Perm		Perm	Split	NA	
Protected Phases		5		6	6					4	4	
Permitted Phases						Free	3		3			
Actuated Green, G (s)		13.8		16.0	16.0	150.0	20.2		20.2	84.0	84.0	
Effective Green, g (s)		13.8		16.0	16.0	150.0	20.2		20.2	84.0	84.0	
Actuated g/C Ratio		0.09		0.11	0.11	1.00	0.13		0.13	0.56	0.56	
Clearance Time (s)		4.0		4.0	4.0		4.0		4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0		3.0		3.0	3.0	3.0	
Lane Grp Cap (vph)		168		188	198	1583	49		213	941	975	
v/s Ratio Prot		c0.06		c0.06	0.05					0.54	c0.60	
v/s Ratio Perm						0.34	0.08		c0.13			
v/c Ratio		0.70		0.56	0.51	0.34	0.57		0.94	0.96	1.06	
Uniform Delay, d1		66.1		63.6	63.3	0.0	60.8		64.3	31.4	33.0	
Progression Factor		1.00		0.83	0.83	1.00	1.00		1.00	1.00	1.00	
Incremental Delay, d2		12.6		9.9	7.7	0.5	15.1		44.1	19.9	47.7	
Delay (s)		78.7		62.6	60.1	0.5	75.9		108.3	51.3	80.7	
Level of Service		E		E	E	A	E		F	D	F	
Approach Delay (s)		78.7			17.3			106.4			67.1	
Approach LOS		E			B			F			E	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			61.6									HCM 2000 Level of Service E
HCM 2000 Volume to Capacity ratio			0.95									
Actuated Cycle Length (s)			150.0									Sum of lost time (s) 16.0
Intersection Capacity Utilization			89.2%									ICU Level of Service E
Analysis Period (min)			15									

c Critical Lane Group

# Ex + Background + Project - PM Peak Hour HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp & E Street

03/01/2018





















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	307	888	0	0	579	584	45	2	463	0	0	0
Future Volume (vph)	307	888	0	0	579	584	45	2	463	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.92			0.88	0.85			
Flt Protected	0.95	1.00			1.00			0.99	1.00			
Satd. Flow (prot)	3433	3539			3273			1539	1504			
Flt Permitted	0.95	1.00			1.00			0.99	1.00			
Satd. Flow (perm)	3433	3539			3273			1539	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	334	965	0	0	629	635	49	2	503	0	0	0
RTOR Reduction (vph)	0	0	0	0	89	0	0	122	151	0	0	0
Lane Group Flow (vph)	334	965	0	0	1175	0	0	155	126	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	19.8	120.0			96.2			20.7	20.7			
Effective Green, g (s)	19.8	120.0			96.2			20.7	20.7			
Actuated g/C Ratio	0.13	0.80			0.64			0.14	0.14			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	453	2831			2099			212	207			
v/s Ratio Prot	c0.10	0.27			c0.36							
v/s Ratio Perm								0.10	0.08			
v/c Ratio	0.74	0.34			0.56			0.73	0.61			
Uniform Delay, d1	62.6	4.1			15.0			62.0	60.8			
Progression Factor	1.15	0.24			1.00			1.00	1.00			
Incremental Delay, d2	2.1	0.1			1.1			12.3	5.0			
Delay (s)	74.2	1.1			16.1			74.3	65.9			
Level of Service	E	A			B			E	E			
Approach Delay (s)		19.9			16.1			70.1			0.0	
Approach LOS		B			B			E			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay		27.3			HCM 2000 Level of Service			C				
HCM 2000 Volume to Capacity ratio		0.61										
Actuated Cycle Length (s)		150.0			Sum of lost time (s)			13.3				
Intersection Capacity Utilization		66.7%			ICU Level of Service			C				
Analysis Period (min)		15										

c Critical Lane Group

Ex + Bkgd + Proj (mit) - AM Peak Hour  
1: Bay Boulevard/I-5 SB Off Ramp & E Street

## HCM Signalized Intersection Capacity Analysis

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	112	20	25	55	279	13	0	196	376	376	35
Future Volume (vph)	0	112	20	25	55	279	13	0	196	376	376	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0	4.0		4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00	1.00		1.00	0.95	0.95	
Frt		0.98		1.00	1.00	0.85	1.00		0.85	1.00	0.99	
Flt Protected		1.00		0.95	1.00	1.00	0.95		1.00	0.95	1.00	
Satd. Flow (prot)		1824		1770	1863	1583	1770		1583	1681	1742	
Flt Permitted		1.00		0.95	1.00	1.00	1.00		1.00	0.95	1.00	
Satd. Flow (perm)		1824		1770	1863	1583	1863		1583	1681	1742	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	122	22	27	60	303	14	0	213	409	409	38
RTOR Reduction (vph)	0	8	0	0	0	0	0	0	149	0	3	0
Lane Group Flow (vph)	0	136	0	27	60	303	14	0	64	368	485	0
Turn Type		NA		Prot	NA	Free	Perm		Over	Split	NA	
Protected Phases		2		1	6				1	4	4	
Permitted Phases						Free	3					
Actuated Green, G (s)		12.8		27.1	43.9	90.0	2.7		27.1	31.4	31.4	
Effective Green, g (s)		12.8		27.1	43.9	90.0	2.7		27.1	31.4	31.4	
Actuated g/C Ratio		0.14		0.30	0.49	1.00	0.03		0.30	0.35	0.35	
Clearance Time (s)		4.0		4.0	4.0		4.0		4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0		3.0		3.0	3.0	3.0	
Lane Grp Cap (vph)		259		532	908	1583	55		476	586	607	
v/s Ratio Prot		c0.07		0.02	0.03				0.04	0.22	c0.28	
v/s Ratio Perm						c0.19	0.01					
v/c Ratio		0.53		0.05	0.07	0.19	0.25		0.13	0.63	0.80	
Uniform Delay, d1		35.8		22.3	12.2	0.0	42.7		22.9	24.4	26.4	
Progression Factor		1.00		0.58	0.48	1.00	1.00		1.00	1.00	1.00	
Incremental Delay, d2		1.9		0.1	0.1	0.2	2.4		0.6	2.1	7.3	
Delay (s)		37.7		13.2	6.0	0.2	45.1		23.5	26.5	33.7	
Level of Service		D		B	A	A	D		C	C	C	
Approach Delay (s)		37.7			2.0			24.8			30.6	
Approach LOS		D			A			C			C	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			23.5			HCM 2000 Level of Service			C			
HCM 2000 Volume to Capacity ratio			0.53									
Actuated Cycle Length (s)			90.0			Sum of lost time (s)			16.0			
Intersection Capacity Utilization			50.6%			ICU Level of Service			A			
Analysis Period (min)			15									


















c Critical Lane Group

## Ex + Bkgd + Proj (mit) - AM Peak Hour

## HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp &amp; E Street

03/01/2018






















												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	177	334	0	0	318	619	34	332	443	0	0	0
Future Volume (vph)	177	334	0	0	318	619	34	332	443	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.90			0.98	0.85			
Flt Protected	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (prot)	3433	3539			3189			1722	1504			
Flt Permitted	0.95	1.00			1.00			1.00	1.00			
Satd. Flow (perm)	3433	3539			3189			1722	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	192	363	0	0	346	673	37	361	482	0	0	0
RTOR Reduction (vph)	0	0	0	0	160	0	0	8	273	0	0	0
Lane Group Flow (vph)	192	363	0	0	859	0	0	462	137	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	8.3	50.7			38.4			30.0	30.0			
Effective Green, g (s)	8.3	50.7			38.4			30.0	30.0			
Actuated g/C Ratio	0.09	0.56			0.43			0.33	0.33			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	316	1993			1360			574	501			
v/s Ratio Prot	c0.06	0.10			c0.27							
v/s Ratio Perm								0.27	0.09			
v/c Ratio	0.61	0.18			0.63			0.80	0.27			
Uniform Delay, d1	39.3	9.6			20.2			27.3	22.0			
Progression Factor	1.16	0.56			1.00			1.00	1.00			
Incremental Delay, d2	2.8	0.2			2.2			8.1	0.3			
Delay (s)	48.6	5.5			22.5			35.4	22.3			
Level of Service	D	A			C			D	C			
Approach Delay (s)		20.4			22.5			29.3			0.0	
Approach LOS		C			C			C			A	
Intersection Summary												
HCM 2000 Control Delay			24.5		HCM 2000 Level of Service				C			
HCM 2000 Volume to Capacity ratio			0.70									
Actuated Cycle Length (s)			90.0		Sum of lost time (s)				13.3			
Intersection Capacity Utilization			73.2%		ICU Level of Service				D			
Analysis Period (min)			15									

c Critical Lane Group

Ex + Bkgd + Proj (mit) - PM Peak Hour  
1: Bay Boulevard/I-5 SB Off Ramp & E Street

HCM Signalized Intersection Capacity Analysis

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	97	16	97	92	497	26	0	396	923	797	68
Future Volume (vph)	0	97	16	97	92	497	26	0	396	923	797	68
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0		4.0	4.0	4.0	4.0		4.0	4.0	4.0	
Lane Util. Factor		1.00		1.00	1.00	1.00	1.00		1.00	0.95	0.95	
Frt		0.98		1.00	1.00	0.85	1.00		0.85	1.00	0.99	
Flt Protected		1.00		0.95	1.00	1.00	0.95		1.00	0.95	1.00	
Satd. Flow (prot)		1828		1770	1863	1583	1770		1583	1681	1742	
Flt Permitted		1.00		0.95	1.00	1.00	0.42		1.00	0.95	1.00	
Satd. Flow (perm)		1828		1770	1863	1583	784		1583	1681	1742	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	105	17	105	100	540	28	0	430	1003	866	74
RTOR Reduction (vph)	0	4	0	0	0	0	0	0	233	0	2	0
Lane Group Flow (vph)	0	118	0	105	100	540	28	0	197	903	1038	0
Turn Type		NA		Prot	NA	Free	Perm		Over	Split	NA	
Protected Phases		2		1	6				1	4	4	
Permitted Phases						Free	3					
Actuated Green, G (s)		14.4		18.8	37.2	150.0	9.5		18.8	91.3	91.3	
Effective Green, g (s)		14.4		18.8	37.2	150.0	9.5		18.8	91.3	91.3	
Actuated g/C Ratio		0.10		0.13	0.25	1.00	0.06		0.13	0.61	0.61	
Clearance Time (s)		4.0		4.0	4.0		4.0		4.0	4.0	4.0	
Vehicle Extension (s)		3.0		3.0	3.0		3.0		3.0	3.0	3.0	
Lane Grp Cap (vph)		175		221	462	1583	49		198	1023	1060	
v/s Ratio Prot		c0.06		0.06	0.05				c0.12	0.54	c0.60	
v/s Ratio Perm						0.34	c0.04					
v/c Ratio		0.68		0.48	0.22	0.34	0.57		1.00	0.88	0.98	
Uniform Delay, d1		65.5		61.0	44.8	0.0	68.3		65.6	24.8	28.4	
Progression Factor		1.00		1.12	0.92	1.00	1.00		1.00	1.00	1.00	
Incremental Delay, d2		9.9		6.2	0.9	0.5	15.1		63.1	9.1	22.5	
Delay (s)		75.5		74.7	42.3	0.5	83.4		128.7	33.9	51.0	
Level of Service		E		E	D	A	F		F	C	D	
Approach Delay (s)		75.5			16.6			125.9			43.1	
Approach LOS		E			B			F			D	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			49.8			HCM 2000 Level of Service				D		
HCM 2000 Volume to Capacity ratio			0.92									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)			16.0			
Intersection Capacity Utilization			89.2%			ICU Level of Service			E			
Analysis Period (min)			15									


















c Critical Lane Group

## Ex + Bkgd + Proj (mit) - PM Peak Hour

## HCM Signalized Intersection Capacity Analysis

## 2: I-5 NB Off Ramp/I-5 NB On Ramp &amp; E Street

03/01/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	307	888	0	0	579	584	45	2	463	0	0	0
Future Volume (vph)	307	888	0	0	579	584	45	2	463	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.3			5.3			4.0	4.0			
Lane Util. Factor	0.97	0.95			0.95			0.95	0.95			
Frt	1.00	1.00			0.92			0.88	0.85			
Flt Protected	0.95	1.00			1.00			0.99	1.00			
Satd. Flow (prot)	3433	3539			3273			1539	1504			
Flt Permitted	0.95	1.00			1.00			0.99	1.00			
Satd. Flow (perm)	3433	3539			3273			1539	1504			
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	334	965	0	0	629	635	49	2	503	0	0	0
RTOR Reduction (vph)	0	0	0	0	89	0	0	122	151	0	0	0
Lane Group Flow (vph)	334	965	0	0	1175	0	0	155	126	0	0	0
Turn Type	Prot	NA			NA		Perm	NA	Perm			
Protected Phases	5	2			6			8				
Permitted Phases							8		8			
Actuated Green, G (s)	19.8	120.0			96.2			20.7	20.7			
Effective Green, g (s)	19.8	120.0			96.2			20.7	20.7			
Actuated g/C Ratio	0.13	0.80			0.64			0.14	0.14			
Clearance Time (s)	4.0	5.3			5.3			4.0	4.0			
Vehicle Extension (s)	3.0	3.0			3.0			3.0	3.0			
Lane Grp Cap (vph)	453	2831			2099			212	207			
v/s Ratio Prot	c0.10	0.27			c0.36							
v/s Ratio Perm								0.10	0.08			
v/c Ratio	0.74	0.34			0.56			0.73	0.61			
Uniform Delay, d1	62.6	4.1			15.0			62.0	60.8			
Progression Factor	0.92	1.63			1.00			1.00	1.00			
Incremental Delay, d2	2.6	0.1			1.1			12.3	5.0			
Delay (s)	59.9	6.8			16.1			74.3	65.9			
Level of Service	E	A			B			E	E			
Approach Delay (s)		20.5			16.1			70.1			0.0	
Approach LOS		C			B			E			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			27.5									HCM 2000 Level of Service C
HCM 2000 Volume to Capacity ratio			0.61									
Actuated Cycle Length (s)			150.0									Sum of lost time (s) 13.3
Intersection Capacity Utilization			66.7%									ICU Level of Service C
Analysis Period (min)			15									

c Critical Lane Group

## **Attachment 4**

### **FEIR Mitigation Measures**

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>4.2: Traffic and Circulation</b>		
<b>Significant Impact 4.2-1:</b> Development of the project components without adequate access and frontage would result in a significant impact related to roadway design.	<p><b>Mitigation Measure 4.2-1</b></p> <p>Prior to the issuance of any certificates of occupancy for any development on H-3 in Phase I, the Port or Port tenant, as appropriate, shall:</p> <ul style="list-style-type: none"> <li>Construct H Street west of Marina Parkway as a 2-lane Class III Collector</li> <li>Construct E Street as a <del>two</del>2-lane Class III Collector along Parcel H-3. This would provide a connection to Lagoon Drive via Marina Parkway.</li> <li>Construct a traffic signal at H Street and <del>Gaylord</del> RCC Truck Driveway.</li> </ul> <p>Prior to the issuance of building permits for any development on H-13 or H-14 in Phase I, the applicant shall:</p> <ul style="list-style-type: none"> <li>Rebuild that portion of Marina Parkway fronting H-13 and H-14 between <del>E Street</del> Sandpiper Way and J Street as a <del>three</del>3-lane Class II Collector with excess ROW used for pedestrian facilities, or secure such construction to the satisfaction to the City engineer. Frontage improvements for the remaining segments of Marina Parkway J Street and Sandpiper Way will be constructed in conjunction with the development of the adjacent parcels to these frontages in subsequent phases.</li> <li>Construct Street A north of J Street would be constructed as a <del>two</del>2-lane Class III Collector, or secure such construction to the satisfaction of the City Engineer.</li> </ul>	Less than significant
<b>Significant Impact 4.2-2:</b> The Phase I roadway segment of Lagoon Drive/F Street (Marina Parkway to Bay Boulevard) will experience congested LOS F conditions and will require mitigation.	<p><b>Mitigation Measure 4.2-2</b></p> <p>Prior to the issuance of any certificates of occupancy for any development on H-3 in Phase I, Port or Port tenants, as appropriate, shall construct H Street from I-5 to Marina Parkway as a four-lane Major Street. <u>This mitigation is provided in lieu of widening of F Street due to environmental constraints associated with the widening of F Street in the vicinity of the F&amp;G Street Marsh. At the completion of the H Street extension, the Port or Port tenants, as appropriate, shall also restrict access along the segment of Lagoon Drive/F Street (between Parcel H-3 and the BF Goodrich access on F Street) to emergency vehicle access only. This mitigation would reduce Significant Impact 4.2-2, 4.2-4, 4.2-6, 4.2-7, and 4.2-11 to below a level of significance.</u></p>	Less than significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-3:</b> The Phase I roadway segment of H Street (west of Marina Parkway) will experience congested LOS F conditions and will require mitigation.	<b>Mitigation Measure 4.2-3</b> Prior to the issuance of any certificates of occupancy for any development on H-3 in Phase I, Port or Port tenants, as appropriate, shall widen H Street west of Marina Parkway from a <del>2</del> <sup>two</sup> -lane Class III Collector to a <del>3</del> <sup>three</sup> -lane Class II Collector. This mitigation would reduce Significant Impact 4.2-3 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-4:</b> The Phase I roadway segment of Marina Parkway (Lagoon Drive to G Street) will experience congested LOS F conditions and will require mitigation.	<b>See Mitigation Measure 4.2-2 above.</b>	Less than significant
<b>Significant Impact 4.2-5:</b> The Phase I roadway segment of Bay Boulevard (E Street to F Street) will experience congested LOS F conditions and will require mitigation.	<b>Mitigation Measure 4.2-4</b> Prior to the issuance of certificates of occupancy for development on H-3 and building permits for any development on H-13 or H-14 in Phase I, the Port, Port tenants, or applicant, as appropriate, shall widen Bay Boulevard between E Street and F Street from a <del>two</del> <sup>2</sup> -lane Class III Collector to a <del>two</del> <sup>2</sup> -lane Class II Collector, or secure such widening to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-5 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-6:</b> The intersection of E Street and I-5 Southbound off-ramps will be characterized by LOS F conditions during PM peak hours under Phase I Baseline Plus Project conditions, resulting in direct project impacts that would require mitigation.	<b>See Mitigation Measure 4.2-2 above.</b>	Less than significant
<b>Significant Impact 4.2-7:</b> The intersection of F Street and Bay Boulevard will be characterized by LOS F conditions during PM peak hours under Phase I Baseline Plus Project conditions, resulting in direct project impacts that would require mitigation.	<b>See Mitigation Measure 4.2-2 above.</b>	Less than significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-8:</b> The intersection of J Street and Bay Boulevard will be characterized by LOS F conditions during both AM and PM peak hours under Phase I Baseline Plus Project conditions, resulting in direct project impacts that would require mitigation.	<b>Mitigation Measure 4.2-5</b> Prior to the issuance of building permits for any development on H-13 or H-14 in Phase I, the applicant shall construct a traffic signal at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-8 and 4.2-14 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-9:</b> The intersection of L Street and Bay Boulevard will be characterized by LOS F conditions during both AM and PM peak hours under Phase I Baseline Plus Project conditions, resulting in direct project impacts that would require mitigation.	<b>Mitigation Measure 4.2-6</b> Prior to the issuance of certificates of occupancy for development on H-3 or building permits <u>for any development on H-13 or H-14</u> <del>for any development</del> in Phase I, the Port, Port tenants, or applicants, as appropriate, shall construct a traffic signal at the intersection of L Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-9 and 4.2-15 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-10:</b> The intersection of I-5 southbound ramps and Bay Boulevard will be characterized by LOS F conditions during PM peak hours under Phase I Baseline Plus Project conditions, resulting in direct project impacts that would require mitigation.	<b>Mitigation Measure 4.2-7</b> Prior to the issuance of certificates of occupancy for development on H-3 or building permits on H-13 or H-14 <del>for any development</del> in Phase I, the Port, Port tenants, or applicants, as appropriate, shall construct a traffic signal at the intersection of I-5 southbound ramps and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-10 and 4.2-16 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-11:</b> The intersection of J Street and Marina Parkway will be characterized by LOS E conditions during PM peak hours under Phase I Baseline Plus Project conditions, resulting in direct project impacts that would require mitigation.	<b>See Mitigation Measure 4.2-2 above.</b>	Less than significant
<b>Significant Impact 4.2-12:</b> The addition of Phase I traffic would result in a direct project impact to the freeway segment of I-5 between SR-54 and E Street, resulting in LOS F during both AM and PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-8</b> The following mitigation measure would reduce, but not eliminate, project impacts on Interstate 5, as identified in <del>(Implementation of Mitigation Measure 4.2-11 would mitigate</del> Significant Impacts 4.2-12, 4.2-17, 4.2-18, 4.2-29, 4.2-30, 4.2-35 through, 4.2-37, and 4.2-46 through, 4.2-50 <sub>FF</sub> , but not to below a level of significance.)	Significant and unmitigated

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
	<p>The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources and phasing that would reduce congestion <del>management</del> with Caltrans standards on the I-5 South corridor from the SR-54 interchange to the Otay River (the "I-5 South Corridor") (hereafter referred to as the "Plan"). Local funding sources identified in the Plan shall include fair share contributions related to private and/or public development based on nexus as well as other mechanisms. The Plan required by this mitigation shall include the following:</p> <ol style="list-style-type: none"> <li>The responsible entities (the Entities) included in this effort will include, but may not be limited to, the City, other cities along I-5, the Port, SANDAG, and Caltrans. Other entities will be included upon the concurrence of the foregoing Entities.</li> <li>The Plan will identify physical and operational improvements to I-5 adjacent to the project area, relevant arterial roads and transit facilities (the Improvements), that are focused on regional impacts and specific transportation impacts from the project, and will also identify the fair share responsibilities of each Entity for the construction and financing for each Improvement. The Plan will include an implementation element that includes each Entity's responsibilities and commitment to mitigate the impacts created by Phases I, II, III and IVall phases of the Proposed Project.</li> <li>The Plan will set forth a timeline and other agreed upon relevant criteria for implementation of each Improvement.</li> <li>The Plan will identify the total estimated design and construction cost for each Improvement and the responsibility of each Entity for both implementation and funding of such costs.</li> <li>The Plan will include the parameters for any agreed upon fair-share funding to be implemented, that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law.</li> <li>In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.</li> </ol>	

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
	<p>g) The Port shall seek adoption of the Plan before the Port Board of Commissioners and the City shall seek adoption of the Plan before the City Council upon the completion of the multijurisdictional effort to develop the Plan. The Port and the City shall report, to their respective governing bodies regarding the progress made to develop the Plan within six 6 months of the first meeting of the entities. Thereafter, the Port and the City shall report at least annually regarding the progress of the Plan, for a period of not less than five years, which may be extended at the request of the City Council and/or Board of Commissioners.</p> <p>h) The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan.</p> <p>i) Prior to issuance of certificates of occupancy or building permits for any development of individual projects within the Chula Vista Bayfront Master Plan, the Port and the City shall require project applicants to make their fair share contribution toward mitigation of cumulative freeway impacts within the City's portion of the I-5 South Corridor by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.</p> <p>The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of mitigation measure.</p> <p>However, because implementation of the physical improvements needed to reduce significant impact to the affected freeway segments is within the jurisdiction and control of Caltrans and not the Port or the City, the Port and the City cannot ensure that the necessary improvements will be constructed as needed. Accordingly, the Proposed Project's impacts to freeway segments are considered significant and unmitigated.</p>	
<p><b>Significant Impact 4.2-13:</b> The intersection of H Street and <del>Gaylord</del> RCC Driveway will be characterized by LOS E conditions during the PM peak hours as a result of Phase I conditions with closure of F Street, extension of H Street, and partial extension of E Street, and will require mitigation.</p>	<p><b>Mitigation Measure 4.2-9</b></p> <p>Prior to the issuance of certificates of occupancy for any development on H-3 in Phase I, the Port or Port tenant, as appropriate, shall construct a westbound lane along H Street/<del>RCC</del> <del>Gaylord</del> Driveway, which would result in widening H Street west of Marina Parkway to a three-lane Class II Collector. This mitigation would reduce Significant Impact 4.2-13 to below a level of significance.</p>	Less than significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-14:</b> The intersection of J Street and Bay Boulevard will be characterized by LOS F conditions during the PM peak hours as a result of Phase I conditions with closure of F Street, extension of H Street and partial extension of E Street, and will require mitigation.	See Mitigation Measure 4.2-5 above.	Less than significant
<b>Significant Impact 4.2-15:</b> The intersection of L Street and Bay Boulevard will be characterized by LOS F conditions during both the AM and PM peak hours as a result of Phase I conditions with closure of F Street, extension of H Street and partial extension of E Street, and will require mitigation.	See Mitigation Measure 4.2-6 above.	Less than significant
<b>Significant Impact 4.2-16:</b> The intersection of the I-5 southbound ramps and Bay Boulevard will be characterized by LOS F conditions during the PM peak hours as a result of Phase I conditions with closure of F Street, extension of H Street and partial extension of E Street, and will require mitigation.	See Mitigation Measure 4.2-7 above.	Less than significant
<b>Significant Impact 4.2-17:</b> The addition of Phase I traffic with the closure of F Street, extension of H Street, and partial extension of E Street would result in a direct project impact to the freeway segment of I-5 from SR-54 to E Street, resulting in LOS F during AM peak hours northbound with the project and PM peak hours southbound, with or without the project, and would require mitigation.	See Mitigation Measure 4.2-8 above.	Significant and unmitigated

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-18:</b> The addition of Phase I traffic with the closure of F Street, extension of H Street, and partial extension of E Street would result in a direct project impact to the freeway segment of I-5 from E Street to H Street, resulting in LOS F during both AM and PM peak hours in both directions, with or without the project. This impact would require mitigation.	<b>See Mitigation Measure 4.2-8 above.</b>	Significant and unmitigated
<b>Significant Impact 4.2-19:</b> The E Street and H Street intersections affected by an at-grade trolley crossing would experience additional delay along the arterial and at adjacent intersections from between 17 and 40 seconds per vehicle (depending on the direction and time of day), causing a deterioration in the LOS by at least one level.	<p><b>Mitigation Measure 4.2-10</b> The following mitigation measure would reduce, but not eliminate impacts at intersections of E Street and H Street associated with trolley delays, as identified in Significant Impact 4.2-19. Prior to issuance of certificates of occupancy for Parcel H-3 or building permits for any development within the City, the Port and the City shall require project applicants to make their fair share contribution toward mitigation of intersection impacts at H Street and E Street within the City's jurisdiction by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.</p> <p>The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of mitigation measure.</p> <p>However, because implementation of the physical improvements needed to reduce the significant impacts to the affected intersections will require funding from other sources in addition to the WTDIF, such as local, state and federal funds, and such funding is not certain or under the control of the Port or the City, the Port and the City cannot ensure that the necessary improvements will be constructed as needed or that they will be constructed within any known time schedule. Accordingly, the Proposed Project's impacts to the E Street and H Street intersections affected by an at-grade trolley crossing are considered significant and unmitigated.</p>	Significant and unmitigated

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-20:</b> Development of Phase II components without adequate roadway access and frontage would result in a significant impact.	<b>Mitigation Measure 4.2-11</b> Prior to the issuance of certificates of occupancy for development on Parcel H-23 in Phase I, the Port, or Port tenant, or applicant, as appropriate, shall construct Street A between H Street to Street C as a two-lane Class III Collector, and shall construct Street C between Marina Parkway and Street A as a two-lane Class II Collector. Implementation of this mitigation measure would reduce Significant Impact 4.2-20 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-21:</b> The Phase II roadway segment of H Street (Street A to I-5 ramps) will experience congested LOS F conditions and will require mitigation.	<b>Mitigation Measure 4.2-12</b> Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between Street A and I-5 Ramps to a <u>five</u> -lane Major Street, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-21 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-22:</b> The Phase II roadway segment of J Street (Street A to Bay Boulevard to I-5 ramps) would experience congested LOS D conditions and would require mitigation.	<b>Mitigation Measure 4.2-13</b> Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall widen J Street between Street A to I-5 Ramps to a <u>six</u> -lane Major Street, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-22 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-23:</b> The Phase II roadway segment of Street A (Street C to J Street) would experience congested LOS F conditions and would require mitigation.	<b>Mitigation Measure 4.2-14</b> Prior to the issuance of certificates of occupancy for any development in Phase II of the <del>development</del> , the Port, Port tenant, or applicant, as appropriate, shall widen Street A between Street C and J Street to a <u>four</u> -lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-23 to below a level of significance.	Less than significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-24:</b> As a result of Phase II conditions, the intersection of H Street and Gaylord Drive would be characterized by LOS E conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-15</b> Prior to the issuance of certificates of occupancy for any development in Phase II of the development, the Port, Port tenant, or applicant, as appropriate, shall construct a traffic signal and add an exclusive left-turn lane at each approach at the intersection of H Street and RCGaylord Drive, or secure such construction to the satisfaction of the City Engineer. The traffic signal and left-turn lanes shall be built to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-24 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-25:</b> As a result of Phase II conditions, the intersection of J Street and Bay Boulevard would be characterized by LOS E conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-16</b> Prior to the issuance of certificates of occupancy for any development in Phase II of the development, the Port, Port tenant, or applicant, as appropriate, shall construct a westbound and eastbound through lane along J Street at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-25 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-26:</b> As a result of Phase II conditions, the intersection of H Street and Street A would be characterized by LOS F conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-17</b> Prior to the issuance of certificates of occupancy for any development in Phase II of the development, the Port, Port tenant, or applicant, as appropriate, shall construct a traffic signal at the intersection of H Street and Street A, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-26 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-27:</b> As a result of Phase II conditions, the intersection of J Street and Marina Parkway would be characterized by LOS F conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-18</b> Prior to the issuance of certificates of occupancy for any development in Phase II of the development, the Port, Port tenant, or applicant, as appropriate, the developer shall construct a traffic signal at the intersection of J Street and Marina Parkway, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-27 to below a level of significance.	Less than significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-28:</b> As a result of Phase II conditions, the intersection of J Street and Street A would be characterized by LOS F conditions during both AM and PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-19</b> Prior to the issuance of certificates of occupancy for any development in Phase II of the development, the Port, Port tenant, or applicant, as appropriate, shall construct a traffic signal at the intersection of J Street and Street A and add an exclusive westbound right-turn lane along J Street and an exclusive southbound right-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The traffic signal and turning lanes shall operate and be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-28 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-29:</b> The addition of Phase II traffic would result in a direct project impact to the freeway segment of I-5 from SR-54 to E Street, resulting in LOS F during both AM and PM peak hours in both directions, with or without the project. This impact would require mitigation.	<b>See Mitigation Measure 4.2-8 above.</b>	Significant and unmitigated
<b>Significant Impact 4.2-30:</b> The addition of Phase II traffic would result in a direct project impact to the freeway segment of I-5 from E Street to F Street, resulting in LOS F during both AM and PM peak hours in both directions, with or without the project. This impact would require mitigation.	<b>See Mitigation Measure 4.2-8 above.</b>	Significant and unmitigated
<b>Significant Impact 4.2-31:</b> Development of Phase III components without adequate roadway access and frontage would result in a significant impact.	<b>Mitigation Measure 4.2-20</b> Prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, or applicant, as appropriate shall construct the segment of Street A that would continue south from J Street, connecting to the proposed Street B in the Otay District, as a two-lane Class III Collector. In addition, prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, as appropriate shall construct the segment of Street B that would connect to the proposed Street A, bridge over the Telegraph Canyon Creek Channel, and continue south to Bay Boulevard, as a 2-lane Class III Collector. This mitigation would reduce Significant Impact 4.2-31 to below a level of significance	

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-32:</b> As a result of Phase III conditions, the Street A roadway segment from H Street to Street C would experience congested LOS D conditions and would require mitigation.	<b>Mitigation Measure 4.2-21</b> Prior to the issuance of certificates of occupancy for any development in Phase III <del>of the development</del> , the Port, Port tenants, or applicant, as appropriate, shall widen Street A between H Street and Street C to a <del>four</del> 4-lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-32 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-33:</b> As a result of Phase III conditions, the intersection of J Street and Bay Boulevard would be characterized by LOS E conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-22</b> Prior to the issuance of certificates of occupancy for any development in Phase III <del>of the development</del> , the Port, Port tenants, or applicant, as appropriate, shall construct an exclusive eastbound right-turn lane along J Street at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The turning lane shall be built to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-33 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-34:</b> As a result of Phase III conditions, the intersection of J Street and I-5 northbound ramps would be characterized by LOS E conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-23</b> Prior to the issuance of certificates of occupancy for any development in Phase III of the development, the Port, Port tenant, or applicant, as appropriate, shall construct an exclusive westbound right-turn lane along J Street at the intersection of J Street and I-5 <del>at the intersection of J Street and I-5 northbound NB</del> ramps, or secure such construction to the satisfaction of the City Engineer. The turning lane shall be built to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-34 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-35:</b> The addition of Phase III traffic would result in a direct project impact to the freeway segment of I-5 from SR-54 to E Street, resulting in LOS F in both directions, with or without the project. This impact would require mitigation.	<b>See Mitigation Measure 4.2-8 above.</b>	Significant and unmitigated
<b>Significant Impact 4.2-36:</b> The addition of Phase III traffic would result in a direct project impact to the freeway segment of I-5 from E Street to H Street, resulting in LOS F in both directions, with or without the project. This impact would require mitigation.	<b>See Mitigation Measure 4.2-8 above.</b>	Significant and unmitigated

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-37:</b> The addition of Phase III traffic would result in a direct project impact to the freeway segment of I-5 from H Street to J Street, resulting in LOS F in both directions, with or without the project. This impact would require mitigation.	<b>See Mitigation Measure 4.2-8 above.</b>	Significant and unmitigated
<b>Significant Impact 4.2-38:</b> Without additional improvements to H Street, conditions on H Street from Street A to I-5 would degrade to LOS F.	<b>Mitigation Measure 4.2-24</b> Prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, or applicant, as appropriate, shall construct E Street from the <del>RCC Gateway</del> Driveway to Bay Boulevard as a two-lane Class III Collector. This mitigation would reduce Significant Impact 4.2-38 to below a level of significance	Less than significant
<b>Significant Impact 4.2-39:</b> Development of Phase IV components without adequate roadway access and frontage would result in a significant impact.	<b>Mitigation Measure 4.2-25</b> Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a new F Street segment between the proposed terminus of the existing F Street and the proposed E Street extension, ending at the SP-3 Chula Vista Nature Center parking lot, as a two-lane Class III collector street, which shall also contain a Class II bike lane on both sides of the street. This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.	Less than significant
<b>Significant Impact 4.2-40:</b> As a result of Phase IV conditions, the E Street roadway segment from F Street to Bay Boulevard would experience congested LOS F conditions and would require mitigation.	<b>Mitigation Measure 4.2-26</b> (Implementation of Mitigation Measure 4.2-30 <del>26</del> would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.) Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port, Port tenant, or applicant, as appropriate, shall widen E Street between F Street and Bay Boulevard to a <del>four</del> -lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. Also, the widening of this segment of E Street would facilitate the flow of project traffic on Bay Boulevard between E Street to F Street.	Less than significant
<b>Significant Impact 4.2-41:</b> As a result of Phase IV conditions, the Bay Boulevard roadway segment from E Street to F Street would experience congested LOS D conditions and would require mitigation.	<b>See Mitigation Measure 4.2-26 above.</b>	Less than Significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-42:</b> As a result of Phase IV conditions, the H Street segment from I-5 to Broadway will experience congested LOS F conditions and would require mitigation.	<b>Mitigation Measure 4.2-27</b> Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-42 to below a level of significance. The off-site traffic improvements described in this mitigation measure for direct traffic impacts would create secondary traffic impacts. Improvements associated with these secondary impacts would be required as a result of cumulative and growth-related traffic overall, of which the Proposed Project would be a component. The Western Chula Vista TDF identifies these improvements in a cumulative context and attributes fair share contributions according to the impact. Therefore, the Proposed Project would be responsible for a fair share contribution and would not be solely responsible for implementation of necessary secondary impact improvements	Less than significant
<b>Significant Impact 4.2-43:</b> Under Phase IV Plus Project conditions, the intersection of E Street and Bay Boulevard would be characterized by LOS F conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-28</b> Prior to the issuance of certificates of occupancy for any development in Phase IV <del>of the development</del> , the Port, Port tenant, or applicant, as appropriate, shall construct an eastbound through lane and an exclusive eastbound right-turn lane along E Street at the intersection of E Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-43 <del>to</del> to below a level of significance.	Less than significant
<b>Significant Impact 4.2-44:</b> Under Phase IV Plus Project conditions, the intersection of J Street and Bay Boulevard would be characterized by LOS E conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-29</b> Prior to the issuance of certificates of occupancy for any development in Phase IV <del>of the development</del> , the Port, Port tenant, or applicant, as appropriate, shall construct an exclusive southbound right-turn lane along Bay Boulevard at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-44 <del>to</del> to below a level of significance.	Less than significant
<b>Significant Impact 4.2-45:</b> Under Phase IV Plus Project conditions, the intersection of J Street and Street A would be characterized by LOS F conditions during PM peak hours and would require mitigation.	<b>Mitigation Measure 4.2-30</b> Prior to the issuance of certificates of occupancy for any development in Phase IV <del>of the development</del> , the Port, Port tenant, or applicant, as appropriate, shall construct a dual southbound left-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-45 <del>to</del> to below a level of significance.	Less than significant

## 1.0

## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>Significant Impact 4.2-46:</b> The addition of Phase IV traffic would result in a direct project impact to the freeway segment of I-5 from SR-54 to E Street, resulting in LOS F in both directions during both AM and PM peak hours, with or without the project. This impact would require mitigation.	See Mitigation Measure 4.2-8 above.	Significant and unmitigated
<b>Significant Impact 4.2-47:</b> The addition of Phase IV traffic would result in a direct project impact to the freeway segment of I-5 from E Street to H Street, resulting in LOS F in both directions during both AM and PM peak hours, with or without the project. This impact would require mitigation.	See Mitigation Measure 4.2-8 above.	Significant and unmitigated
<b>Significant Impact 4.2-48:</b> The addition of Phase IV traffic would result in a direct project impact to the freeway segment of I-5 from H Street to J Street, resulting in LOS F in both directions during both AM and PM peak hours, with or without the project. This impact would require mitigation.	See Mitigation Measure 4.2-8 above.	Significant and unmitigated
<b>Significant Impact 4.2-49:</b> The addition of Phase IV traffic would result in a direct project impact to the freeway segment of I-5 from J Street to L Street, resulting in LOS F in both directions during both AM and PM peak hours, with or without the project. This impact would require mitigation.	See Mitigation Measure 4.2-8 above.	Significant and unmitigated
<b>Significant Impact 4.2-50:</b> The addition of Phase IV traffic would result in a direct project impact to the freeway segment of I-5 from L Street to Palomar Street, resulting in LOS F in both directions during both AM and PM peak hours, with or without the project. This impact would require mitigation.	See Mitigation Measure 4.2-8 above.	Significant and unmitigated

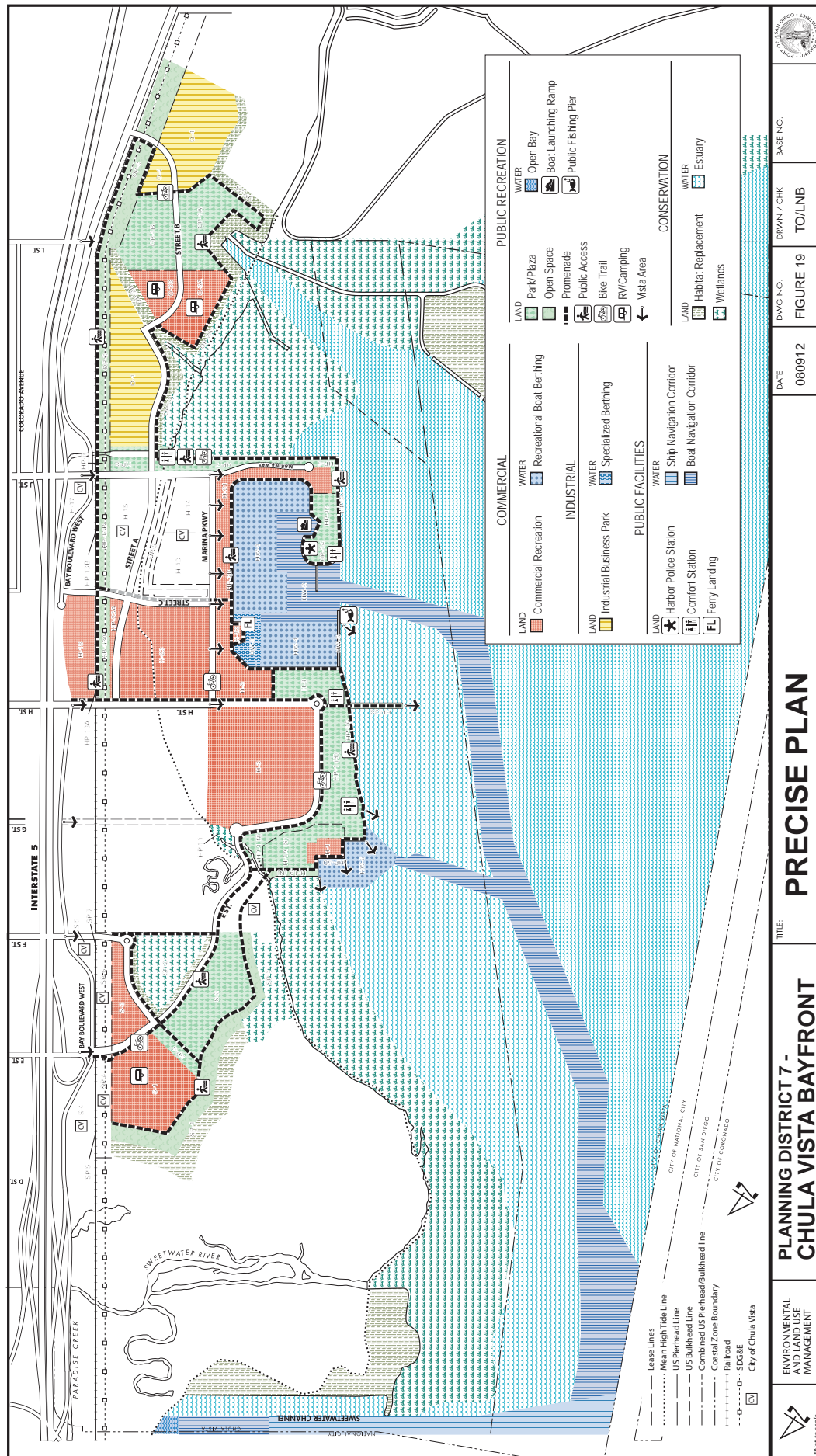
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## Executive Summary

TABLE 1-9 (Cont.)

Impact	Mitigation	Significance After Mitigation
<b>4.3: Parking</b> There were no significant impacts to parking identified for the Proposed Project.	<b>No mitigation is required.</b>	N/A
<b>4.4 AESTHETICS/VISUAL QUALITY</b>		
<b>Significant Impact 4.4-1:</b> The Pacifica Residential and Retail project will change the scale and character of the waterfront as the proposed buildings exceed the scale of the existing waterfront development. A moderate impact to the character of the view scene would result and would be considered significant under CEQA guidelines.	No feasible mitigation beyond redesign of the project as identified as a project alternative would reduce this impact to view quality. See <i>Chapter 5, Alternatives</i> , for a discussion of design options that would allow for an overall reduction in height and bulk of the proposed towers.	Significant and unmitigated
<b>Significant Impact 4.4-2:</b> The amount of blockage caused by the Pacifica project would be substantial, especially at the south end where views of the water exist. The Pacifica development will result in a moderate impact to view quality, which would be considered significant under CEQA guidelines.	No feasible mitigation beyond redesign of the project as identified as a project alternative would reduce this impact to view quality. See <i>Chapter 5, Alternatives</i> , for a discussion of design options that would allow for an overall reduction in height and bulk of the proposed towers.	Significant and unmitigated
<b>Significant Impact 4.4-3:</b> The Proposed Project would affect the view of the western tideland's/water's edge from the Sweetwater Marsh NWR, which is a regionally important public viewing scene. This would be a significant impact on view quality.	<b>Mitigation Measure 4.4-1</b> (Mitigation Measure 4.4-1 would mitigate Significant Impacts 4.4-3, 4.4-4, 4.4-5, 4.4-7, and 4.4-8 to below a level of significance.) <b>Port:</b> <b>A. View Protection:</b> As a condition for issuance of Coastal Development Permits, buildings fronting <del>the</del> H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100-foot ROW width (curb-curb, building setbacks, and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Visual elements above <del>six</del> 6 feet in height shall be prohibited in this zone if the feature would reduce visibility by more than 10 percent. Placement of trees should take into account potential view blockage. This mitigation should not be interpreted to not allow tree masses; however, trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should be pruned <del>up</del> to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach into view corridors, and to address the scale and massing impact, buildings shall	Less than significant







# COSTA VISTA RV PARK

## 50% DESIGN DEVELOPMENT PACKAGE



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AS INDICATED	

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50% DESIGN DEVELOPMENT

CHULA VISTA, CA

COSTA VISTA RV RESORT



**TUCKER SADLER**  
1620 5th Ave. Suite 200 San Diego, Ca 92101  
(P) 619. 236. 1662 (F) 619. 236. 9265



**SUN COMMUNITIES**









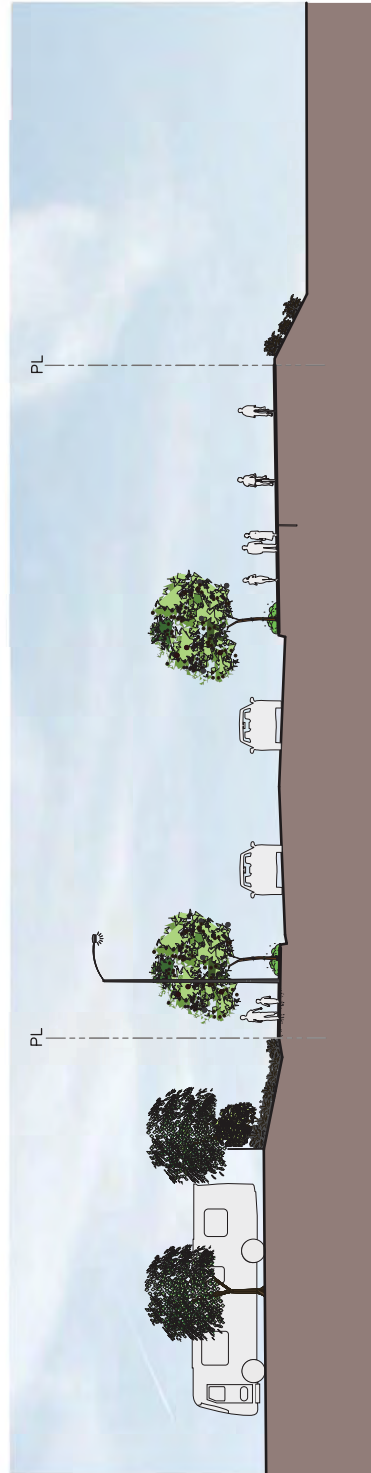
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E STREET

BIKE PATH

BUFFER

S-3



S-1

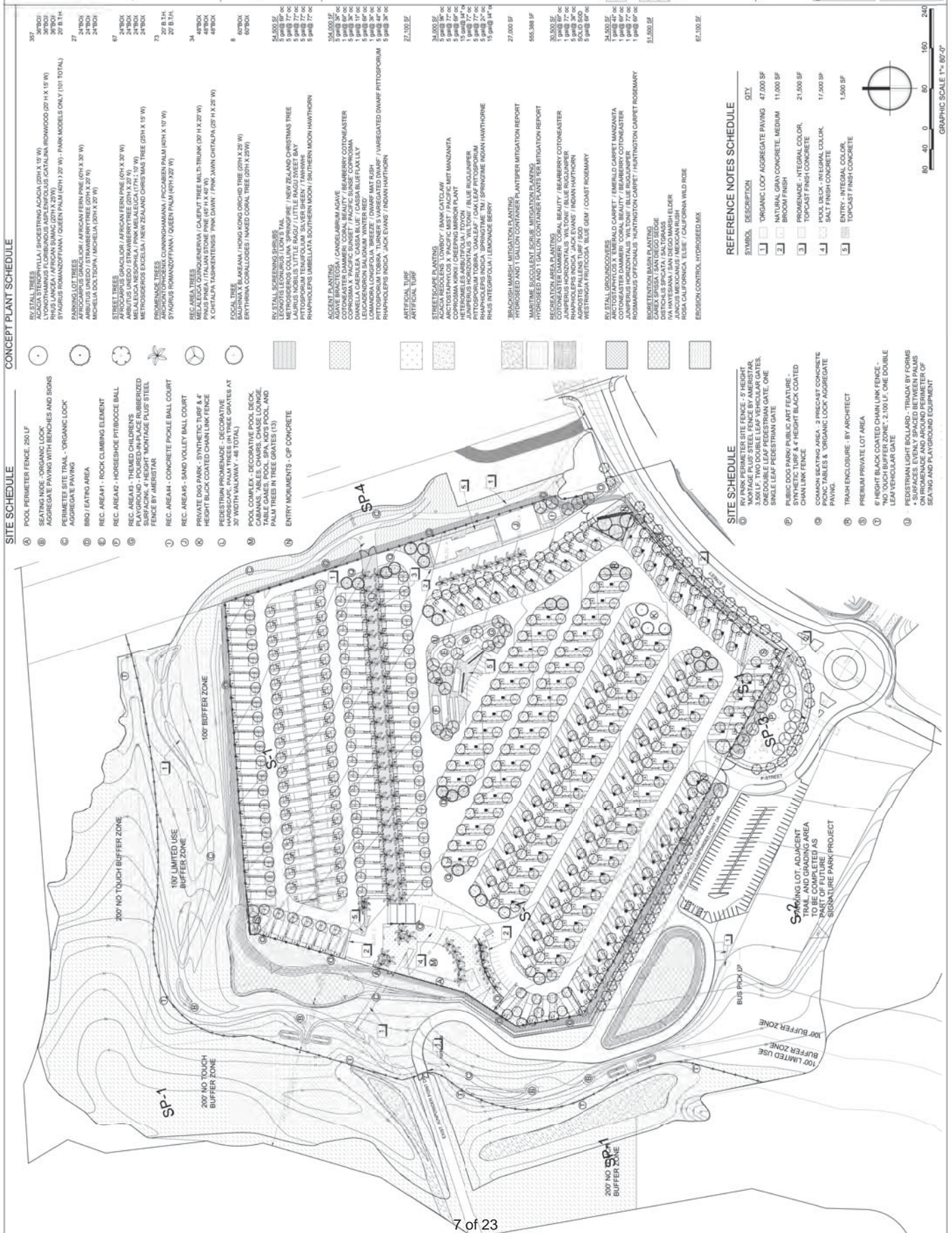
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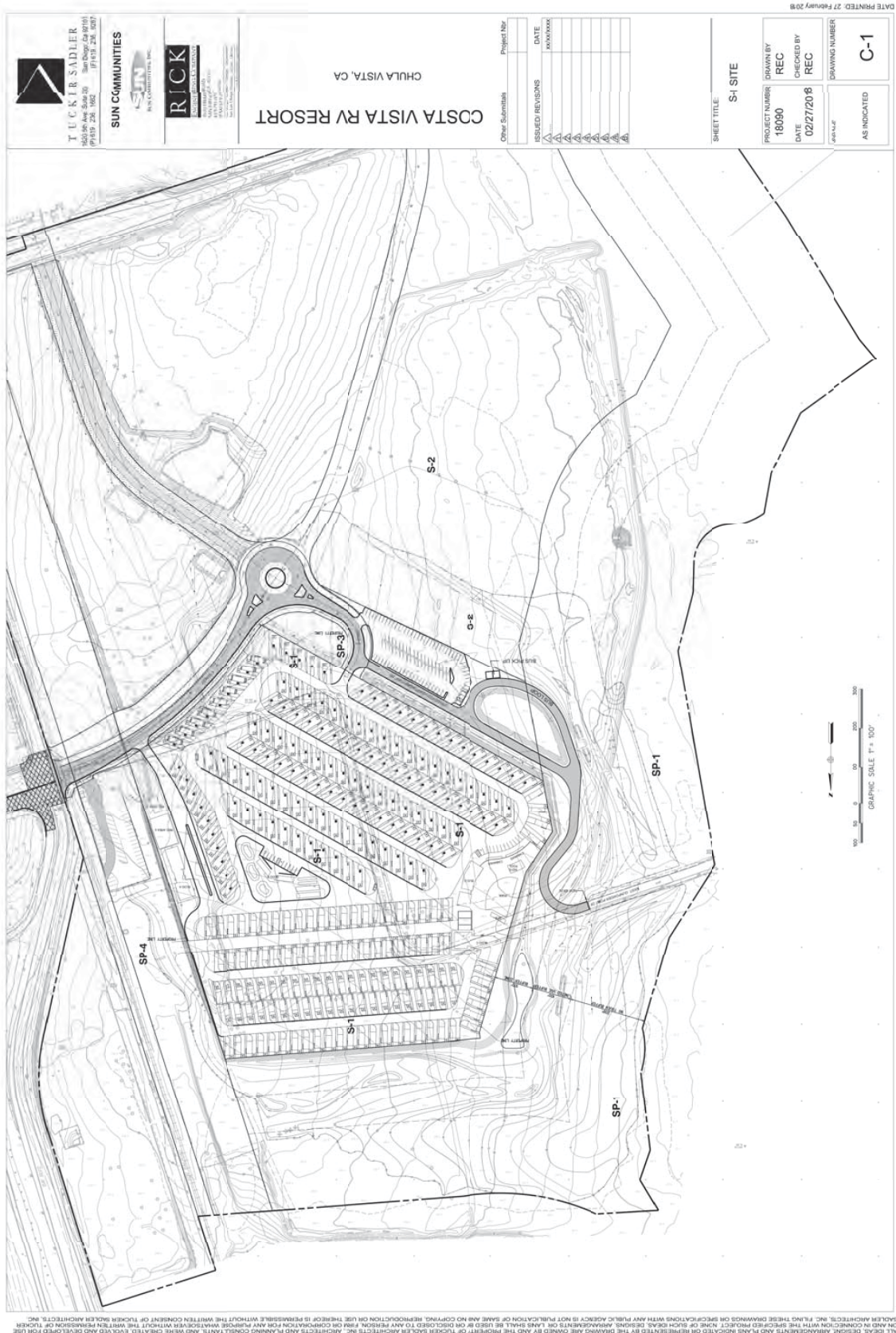
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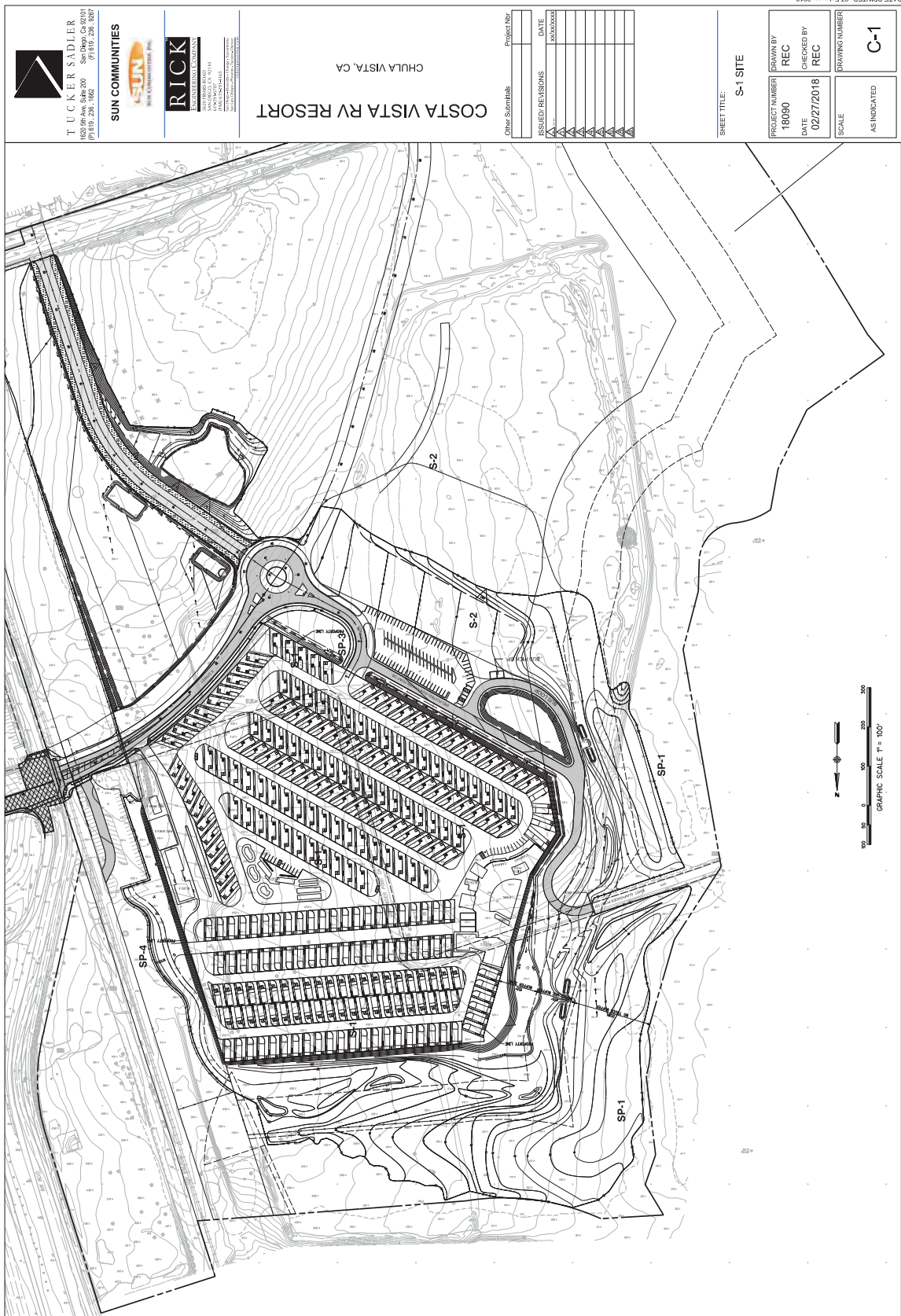
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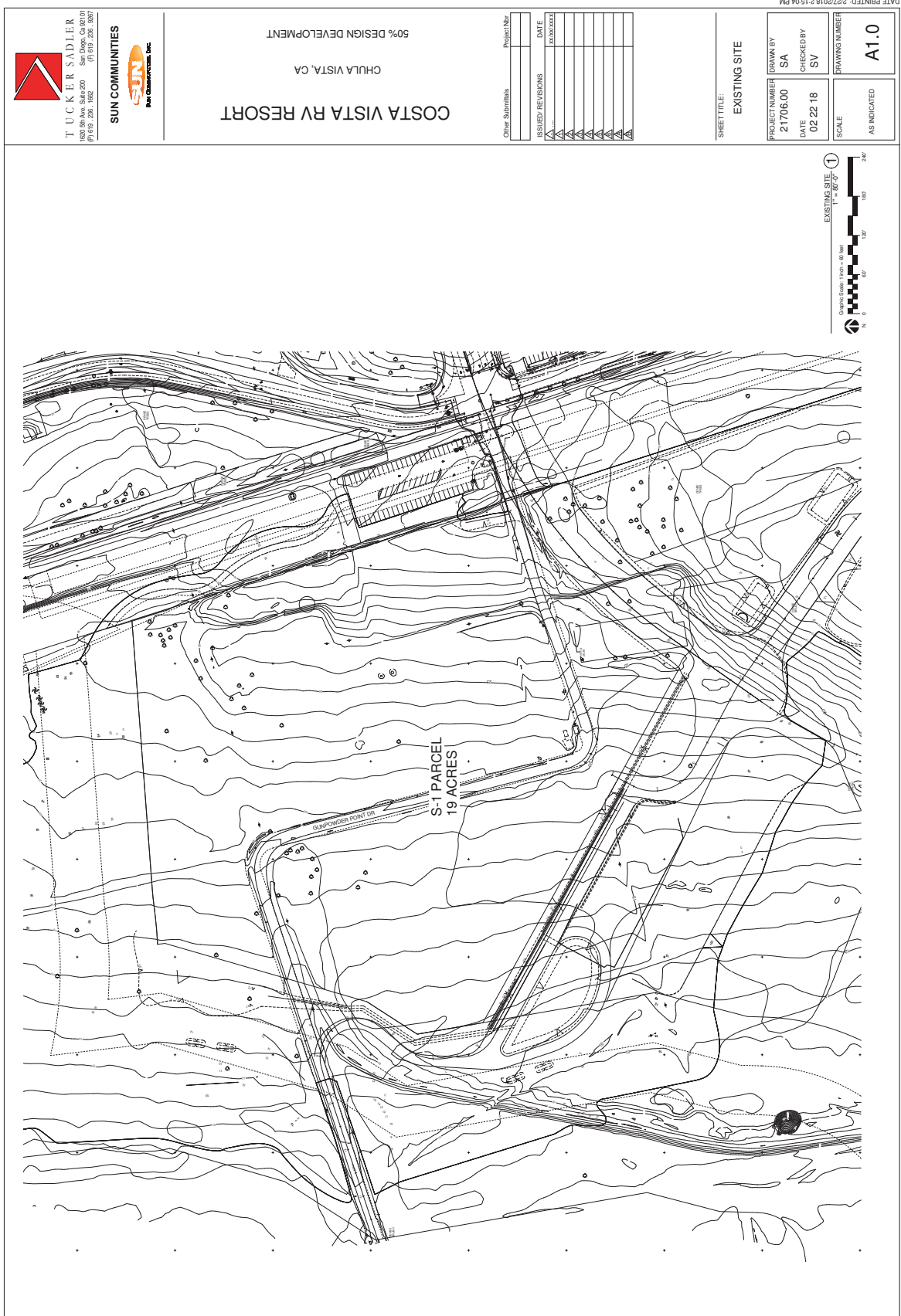




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**TUCKER SADLER**  
1820 5th Ave, Suite 200 San Diego, CA 92101  
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**SUN COMMUNITIES**  
Real Estate Services, Inc.

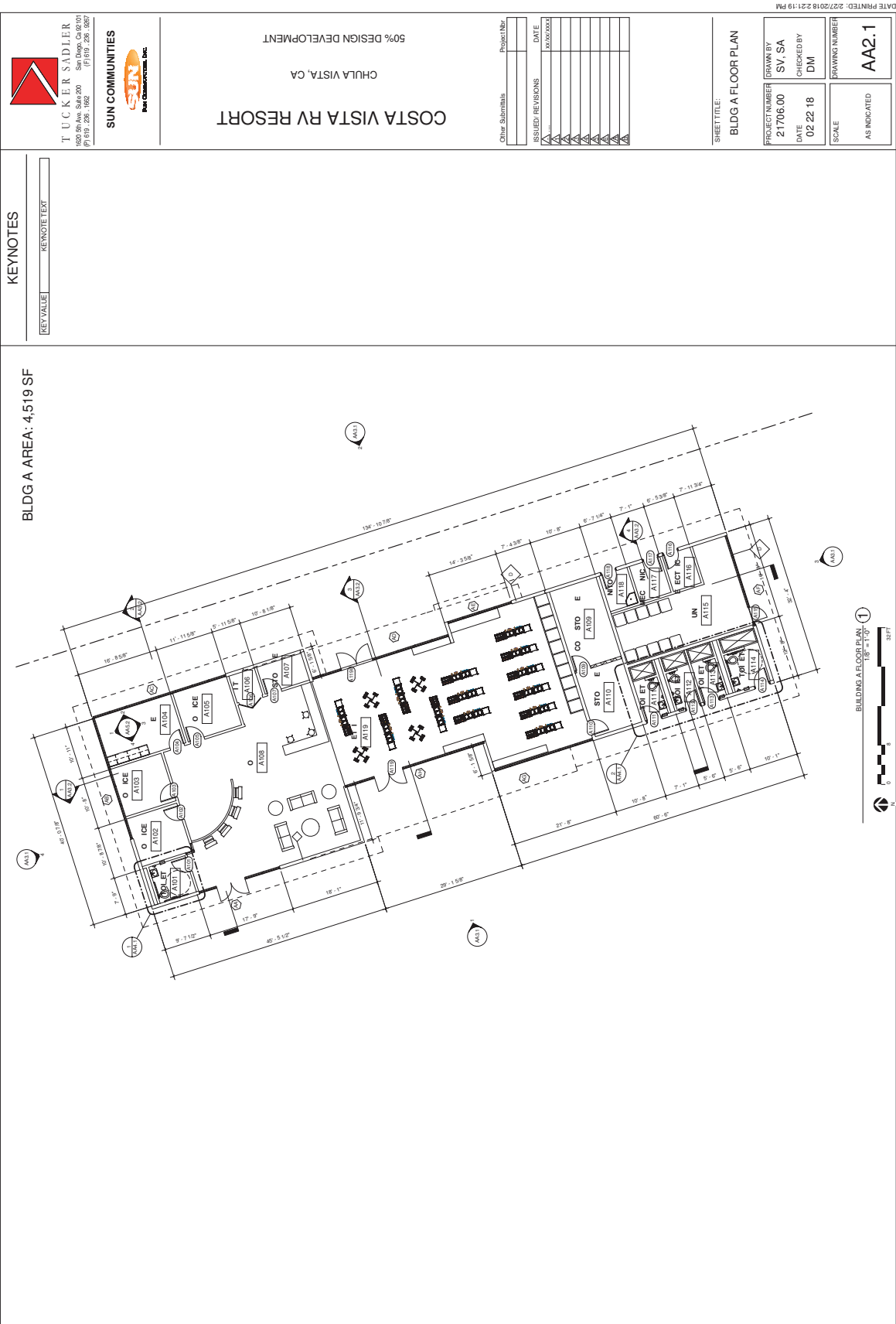
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CHULA VISTA, CA  
50% DESIGN DEVELOPMENT

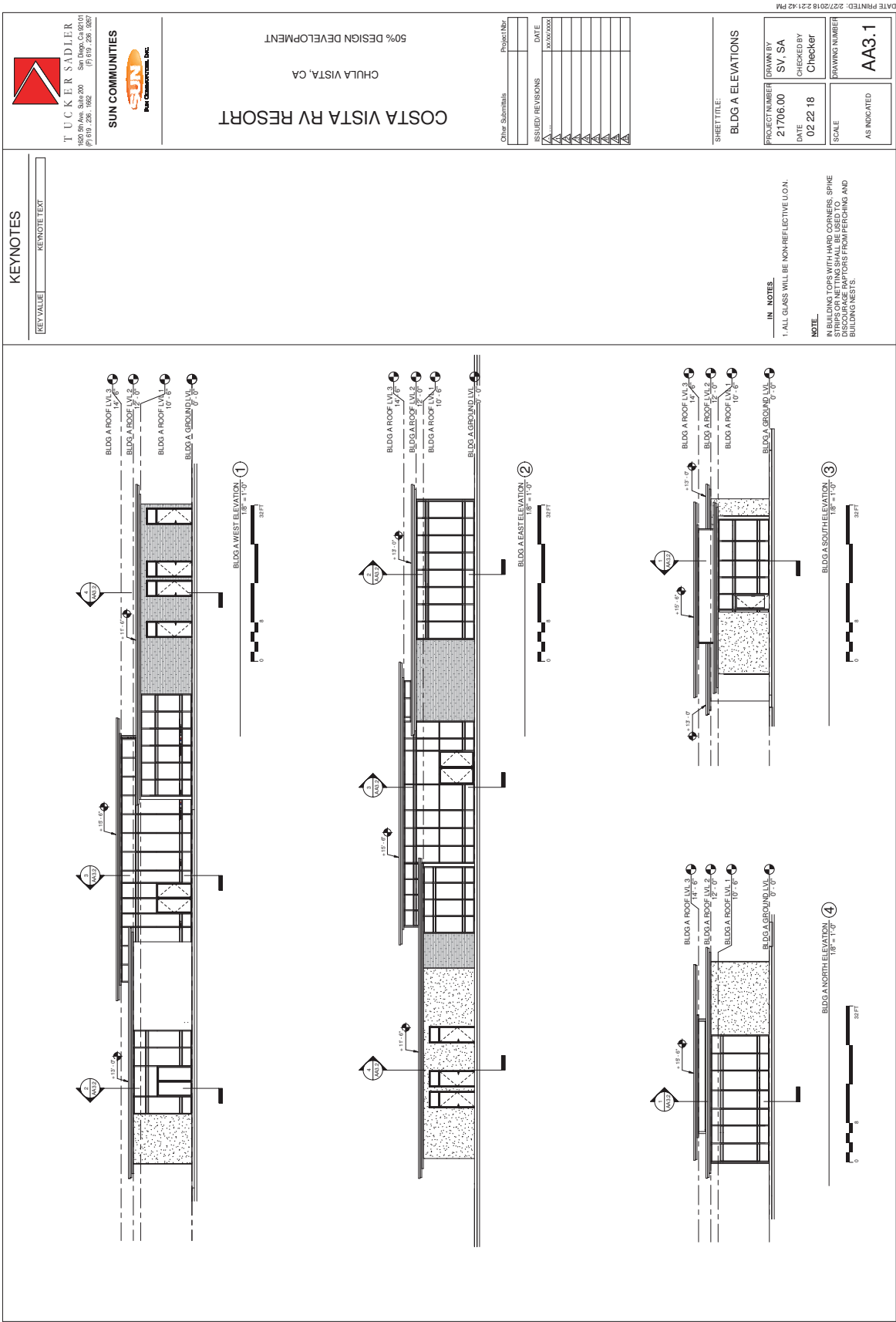
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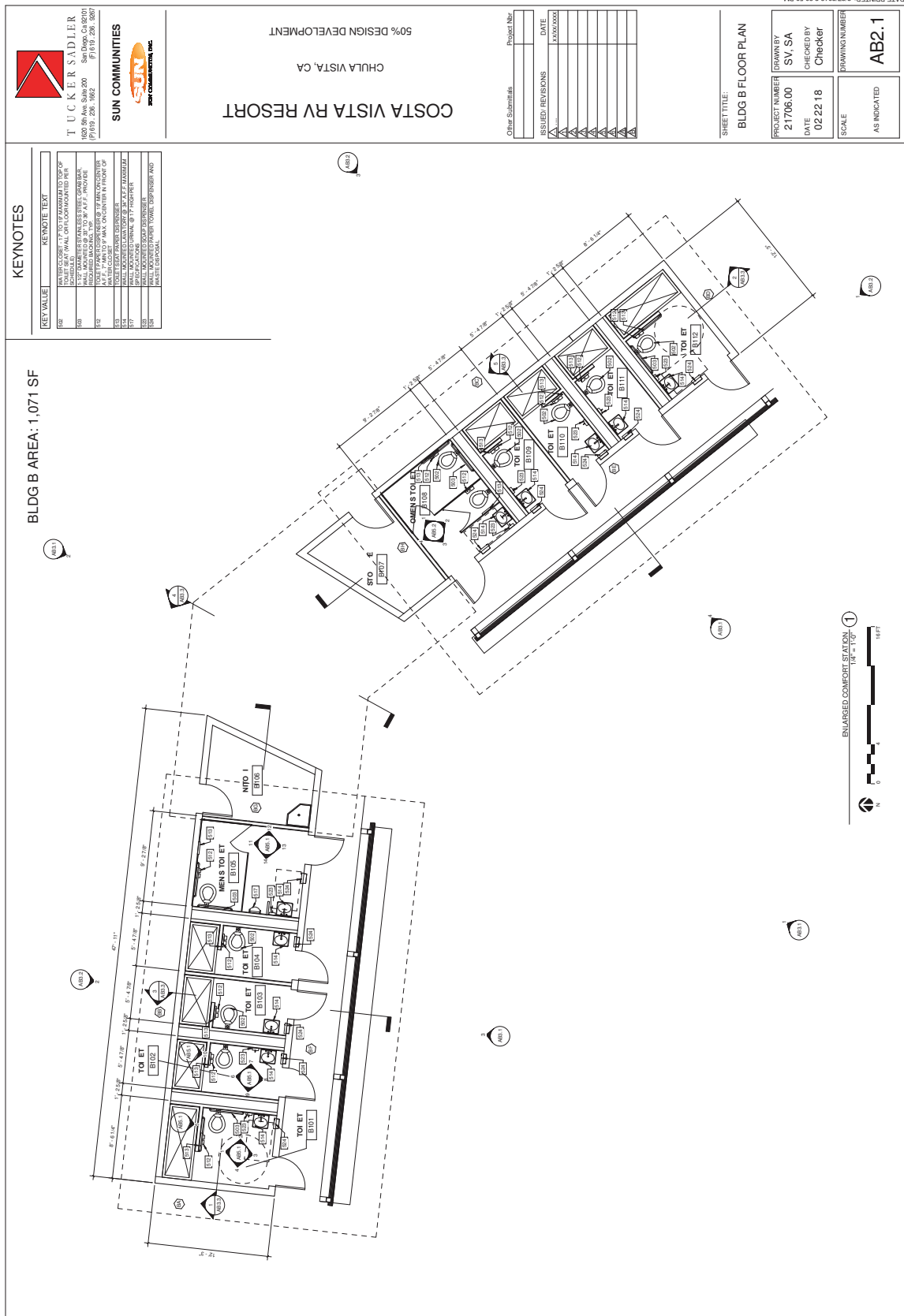
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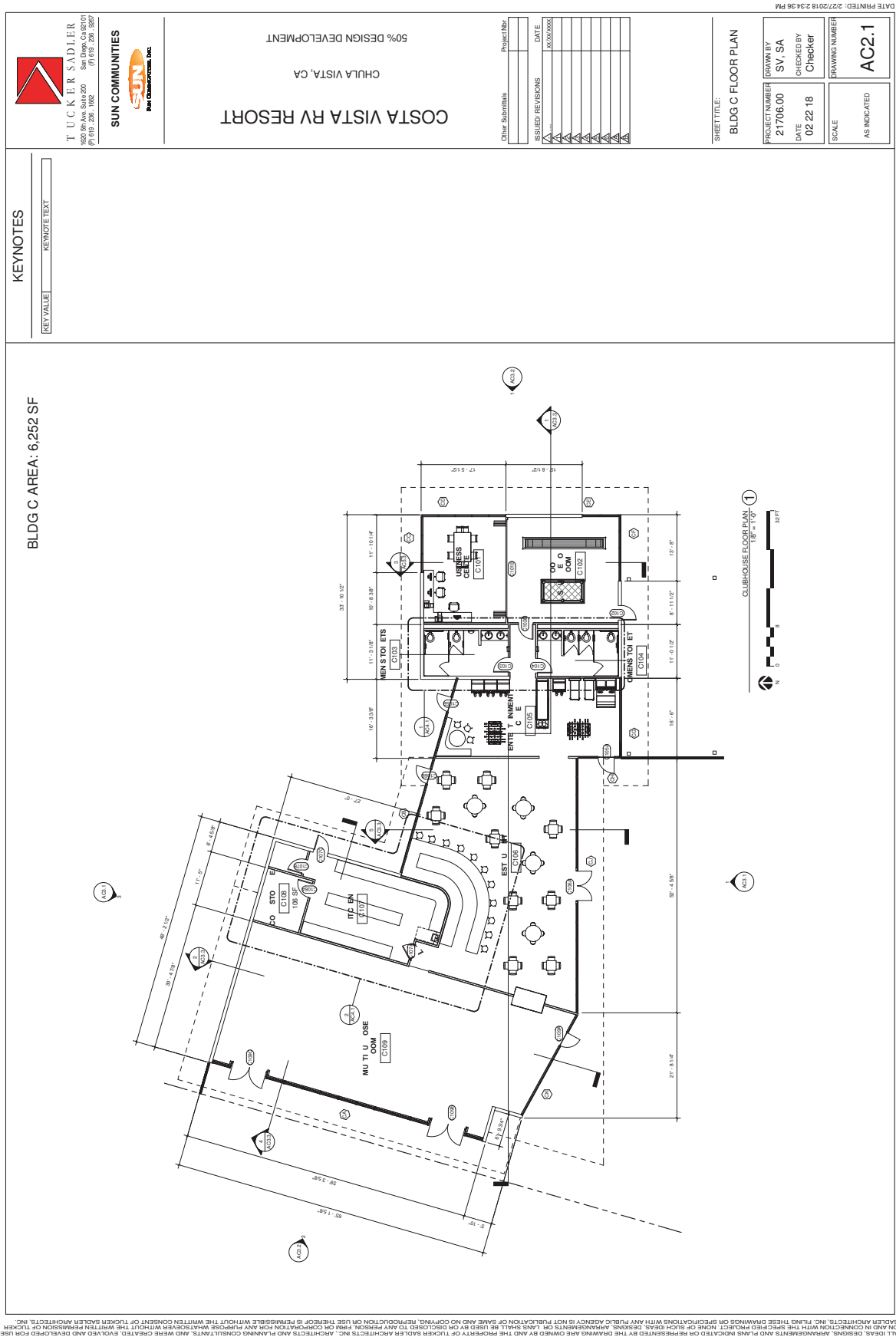






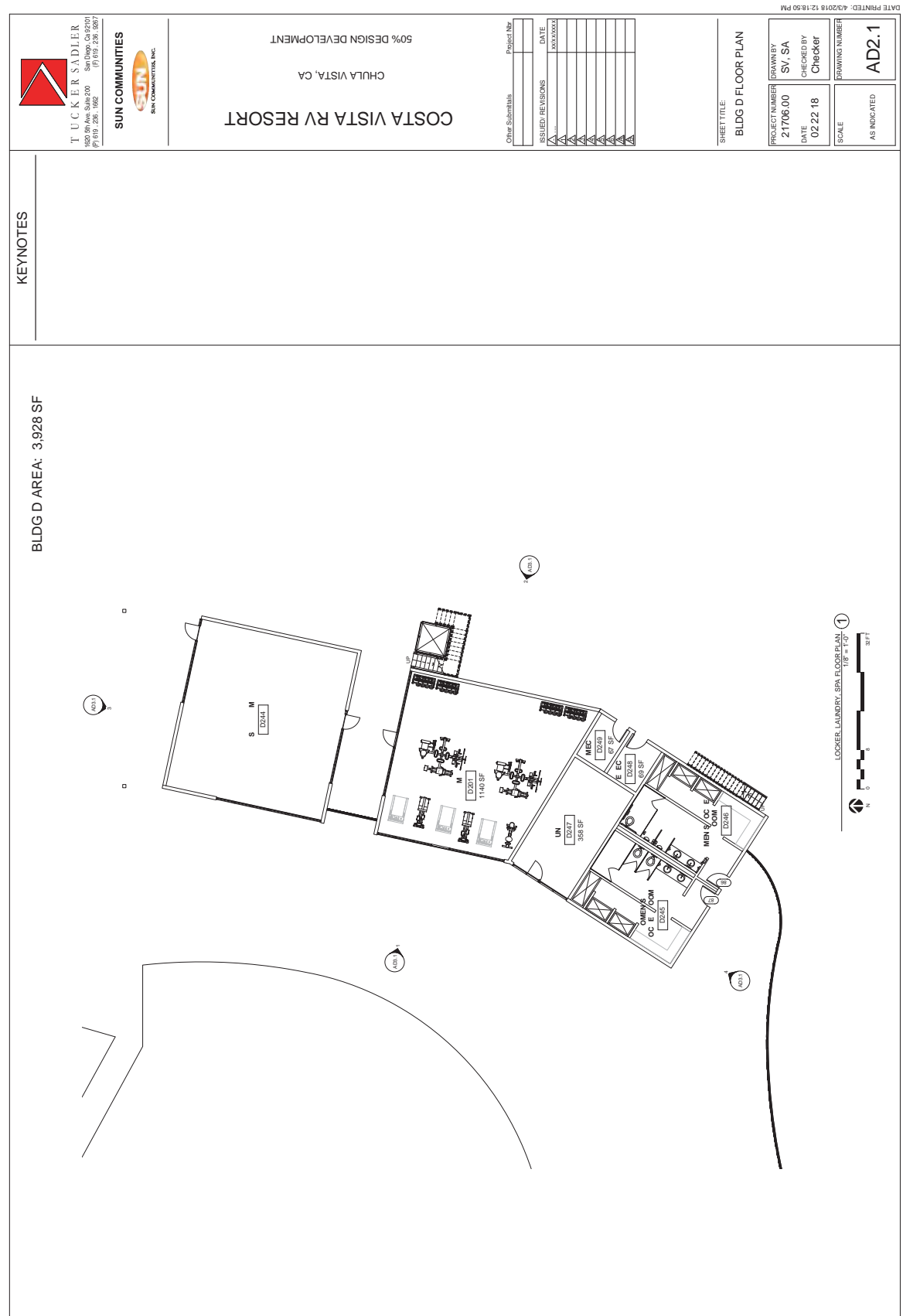
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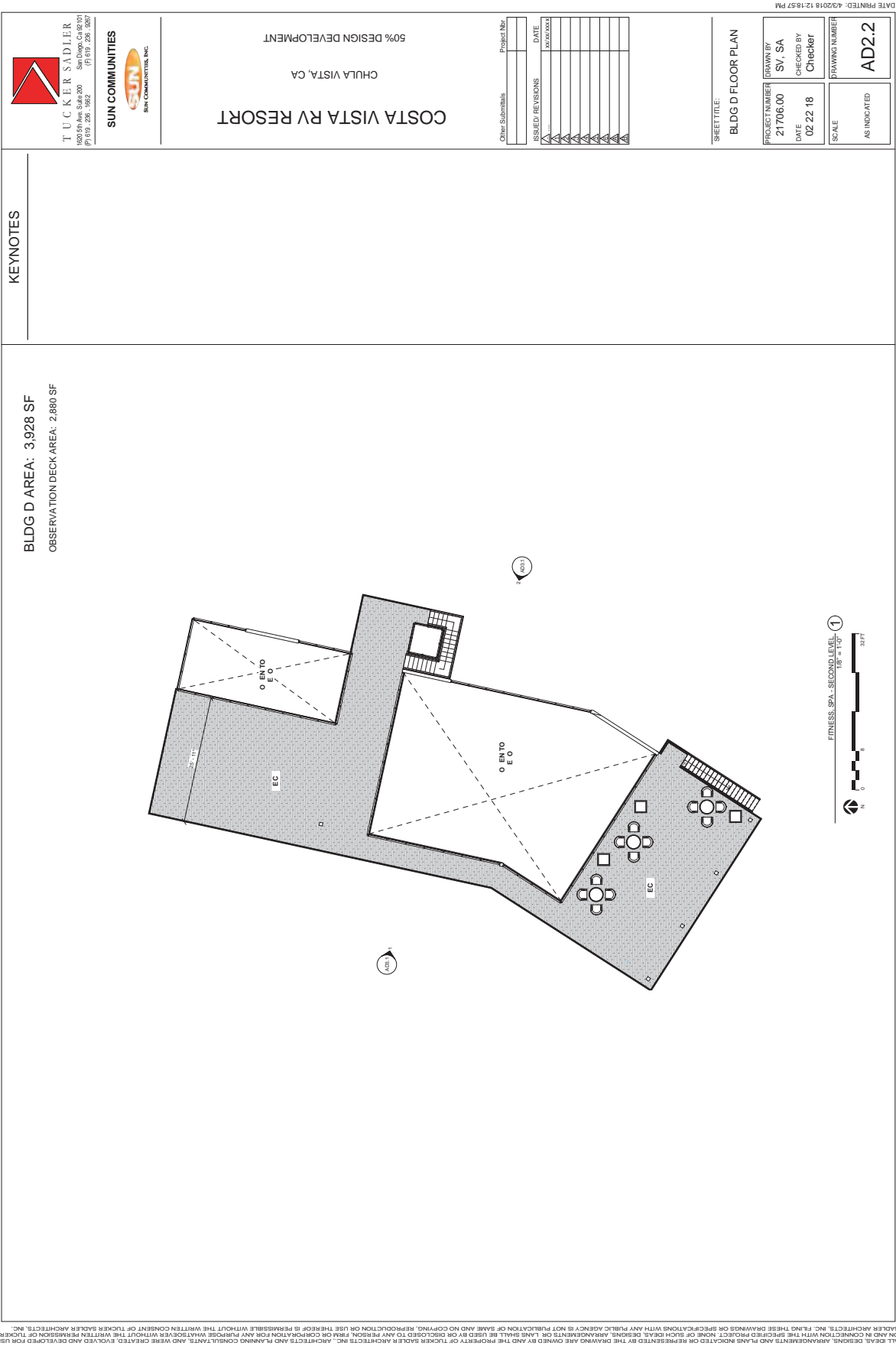
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**SAN DIEGO UNIFIED PORT DISTRICT  
DEVELOPMENT SERVICES DEPARTMENT**

P.O. BOX 120488  
SAN DIEGO, CA 92112-0488  
(619) 686-6291

**COASTAL DEVELOPMENT PERMIT**

**Applicant:** Sun Communities, Inc.  
27777 Franklin Road, Suite 200  
Southfield, MI 48034

**Project:** Costa Vista RV Resort

**Location:** North of E Street and West of Bay Boulevard, Chula Vista, CA 91910  
(Sweetwater District of the Chula Vista Bayfront)

You are hereby granted a Coastal Development Permit. This Permit is issued in conformance with the California Coastal Act of 1976 and the Coastal Permit Regulations of the San Diego Unified Port District, as adopted by the Board of Port Commissioners on July 1, 1980, Resolution No. 80-193, and as amended on December 2, 1980, Resolution No. 80-343, and on February 14, 1984, Resolution No. 84-62, in accordance with the provisions for the issuance of an ☐ Emergency ☐ Non-Appealable ☒ Appealable Coastal Development Permit.

**Date of Board Action:** April 10, 2018

**Board of Port Commissioners Resolution Number:** 2018 - XXX

**Date of Permit:** xxxxxx xx, 2018

**Application Number:** 2018-053

**Permit Number:** CDP-2018-XX

The Project, as defined below, is located within the jurisdiction of the San Diego Unified Port District (District) and in California Coastal Zone. The project constitutes development pursuant to Coastal Act Section 30106 as it would result in the erection of structures, grading, and change in the intensity of use of land. The project is an appealable development pursuant to Section 30715 of the Coastal Act as it constitutes a category of development for the development of a recreational vehicle park, which is akin and the same as a hotel or motel. The Project is located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein. The Project will enhance public access and public recreation in the Chula Vista Bayfront

*COASTAL DEVELOPMENT PERMIT NO. CDP-2018-XX*  
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by providing 255 lower-cost overnight accommodations (comprised of 237 replacement lower cost overnight accommodation mobile vehicle stalls and 12 new additional stalls) and providing walking trails around the Project site of sufficient distance from the adjacent wildlife habitat refuge. The Project is fully consistent with Chapter 3 and 8 of the Coastal Act and the District's certified Port Master Plan (PMP), which includes, by reference, the Chula Vista Bayfront Development Policies (Clerk Document No. 59407), the Chula Vista Bayfront Public Access Program (Clerk Document No. 59408, and the Chula Vista Bayfront Natural Resources Management Plan (Clerk Document No. 65065) (collectively, PMP provisions).

This Permit is limited to the development described below and set forth in material on file with the District and subject to the terms, conditions, and provisions hereinafter stated:

## **DEVELOPMENT**

The Project Applicant, Sun Communities, Inc. (Permittee), proposes to construct and operate a low-scale, low-profile, lower-cost recreational vehicle (RV) resort with associated improvements, public infrastructure, and a landscape buffer (collectively, Project or project) on six parcels located in the Sweetwater District of the Chula Vista Bayfront (CVB) referred to as parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3. The parcels are delineated on Precise Plan Map Figure 19 in Planning District 7 of the certified PMP. The Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the access road for the LCDC will be constructed at this time); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1 & SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the PMP Project List (Table 19). The PMP land use designations within the limits of the Project are "Commercial Recreation" (S-1 & S-3), "Open Space/Habitat Replacement" (SP-1), "Wetlands" (SP-2), and "Park/Plaza" (S-2 & SP-3).

The entire Project includes the following components/features:

### **Roadways and Circulation**

- New 26-foot wide roadway with 13-foot travel lane in each direction with sidewalk (E Street, from Bay Boulevard to F Street).
- Grading for a future 34-foot wide roadway with 11-foot travel lane and a 6-foot Class 2 bicycle lane in each direction (F Street, south of E Street).
- New 28-foot wide roadway with 14-foot travel lane in each direction (F Street, north of E Street).
- Relocated 22-foot wide roadway with 11-foot travel lane in each direction with a 1' flat area for each shoulder (Gunpowder Point Drive).
- Roundabout at the intersection of E Street and F Street.
- Removal of existing railroad tracks and ties at non-operational crossing.

*COASTAL DEVELOPMENT PERMIT NO. CDP-2018-XX  
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- Appropriate roadway transitions at each terminus point to existing roadway improvements, including striping.
- Traffic signal modifications and striping at Bay Boulevard, the I-5 southbound on and off-ramps, and E Street to provide pedestrian crossings on the north, west and south sides of the intersection.
- 8-foot wide sidewalk on the north side of E Street west of Bay Boulevard, with a 6-foot wide landscape parkway between the curb and sidewalk except adjacent to the existing mulefat area.
- 5-foot wide sidewalk on the north side of E Street east of the I-5 southbound ramp to the I-5 bridge.
- 12-foot wide decomposed granite pedestrian trail with 2-foot wide vegetated shoulders looping around the outside of the RV Park, in Parcels SP-3 and SP-1.
- 14-foot wide Class 1 bicycle path and 8-foot wide decomposed granite pedestrian path along the south side of E Street around the north side of the roundabout and into S-2.
- The existing parking lot used by Living Coast Discovery Center (LCDC) on the San Diego Gas & Electric (SDG&E) utility corridor north of E Street will be left in place, slurry coated and restriped. The new parking lot for the LCDC in parcel SP-3 is not included in the scope of this permit.

#### Utilities

- The potable water system will provide service to adjacent properties and accommodate the build-out of the Bayfront. A 12-inch waterline will be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch line will be installed in F Street north of E Street.
- The existing fire line and service line that serve the United States Fish and Wildlife Service (USFWS) and LCDC will be relocated into the new Gunpowder Point Drive. These new underground lines will replace existing on-ground pipelines up to the USFWS boundary.
- The sewer system will provide service to adjacent properties and accommodate the build-out of the Bayfront analyzed in the Final EIR. An 8-inch sewer line will be installed in F Street, connecting to an existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street.
- A new sewer flow meter may be installed in an existing meter vault by the City of San Diego.
- Dry utilities, including gas, electric, and communications lines in E and F Streets.
- Relocation and undergrounding of all existing electric and communications lines on S-1, SP-3 and SP-1.
- Light-emitting diode (LED) street lighting along E Street and F Street north of E Street.

#### Drainage/Grading

- Storm drain systems to accommodate the ultimate build-out of the Bayfront analyzed in the Final EIR.

*COASTAL DEVELOPMENT PERMIT NO. CDP-2018-XX*  
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- Post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies will be implemented. Permanent BMPs include three bio-retention basins and two sediment traps.
- A portion of the storm drain system captures runoff from off-site upstream areas which is discharged to a bio-retention basin. This will provide treatment of runoff from upstream commercial areas that currently discharge directly into the Seasonal Wetlands.
- Grading on parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3 that includes 40,000 cubic yards of cut and 205,000 cubic yards of fill for a total import of 165,000 cubic yards.

### Landscape

- Landscape planting and irrigation along E Street and F Street.
- Landscape planting and irrigation with a native species plant palette in the 400-foot buffer on Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-2.
- Mitigation for impacts to existing coastal sage scrub at a 3:1 ratio. Mitigation includes restoration with maritime succulent scrub in Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-3. The habitat restoration will be monitored consistent with the provisions of the PMP, including the Development Policies and NRMP, and the Final EIR Mitigation Monitoring and Reporting Program (MMRP).
- A 6-foot tall, black vinyl-coated chain link fence located along the outer boundary of the no-touch buffer to limit access to the National Wildlife Refuge.
- Keypad controlled electric-operated gates will be provided at two locations on Gunpowder Point Drive to control access to USFWS and LCDC. One will be at the turnoff from F Street and the other will be along the no-touch buffer fence.

### RV Park

- 255 spaces with concrete pads and utility hook-ups for sewer, water and electricity. The RV resort will consist of 139 RV stalls and 116 RV Park Models (PMs). PMs are considered a unique, trailer-type of RV that are built on a single chassis, mounted on wheels, and can be moved at any time. PMs are manufacture-certified as complying with the American National Standards Institute (ANSI) A119.5 standard for Recreational Park Trailers. Once parked, PMs are typically treated with architectural enhancements and skirting around the wheels to make the units aesthetically pleasing.
- Welcome center (4,519 square feet) containing Costa Vista Resort offices, marketplace, restrooms, showers and guest laundry facilities. A protected dog area is proposed adjacent to the welcome center.
- A paseo which links the resorts welcome center to the pool area amenities.
- The aquatic features of the resort include a children's play pool, family pool and Jacuzzi.
- The aquatic amenities building (3,928 square feet) will house the men's and women's changing facilities equipped with restrooms and showers, a day

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spa/salon, massage/treatment rooms, sauna, guest laundry facilities, and an outdoor viewing deck.

- The resort activity building (6,252 square feet) is located on the north side of the aquatic facilities and will house the grill/restaurant, entertainment arcade, game room, business center and restrooms.
- The activity center will also contain a multi-purpose room for educational and large guest gatherings.
- The center of the RV resort will house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits. The resort restroom (1,071 square feet) will also be located in this area.
- Interior drive aisles and utilities.
- The facilities within the RV Resort will provide LED lighting to ensure safety of the guest. Low-level pathway lights will be utilized within the resort to assist in wayfinding for the guest.
- A 6-foot tall, black tubular metal fence with picket spacing of approximately four inches and two inches between the bottom of the picket and the ground, will be installed along the perimeter to control wildlife movement and to protect the adjacent sensitive habitat from human interaction and domesticated, feral, and nuisance predators. Security gates and controlled entry points will also be provided.
- The entire RV resort will be graded to accommodate adequate sewer fall across the site eliminating the need for a sewer pump station along the southwest corner of the resort at the round-about on E street.
- An additional landscape buffer will be provided along E street to enhance the entrance into the Chula Vista Bayfront.

### **STANDARD PROVISIONS**

1. Permittee shall adhere to the current plans for the Project as approved by the District and the Project features, described above, for the Project.
2. Permittee shall notify the District of any changes in the Project and herein described. Notification shall be in writing and be delivered promptly to the District. District approval of the Project change may be required prior to implementation of any changes.
3. Permittee and the Project shall meet all applicable codes, statutes, ordinances and regulations, and Permittee shall obtain all necessary permits from local, regional, state, and federal agencies.
4. Permittee shall conform to, and this Permit is subject to, the permit rules and regulations of the District, including, but not limited to, the District's Coastal Development Permit Regulations.
5. Permittee shall be responsible for compliance with ADA and Title 24 specifications.

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6. Permittee shall commence development within two (2) years following the date of permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
7. The Permit is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
8. This Permit shall not be valid unless two copies have been returned to the Development Services Department of the District, upon which copies the Permittee has signed a statement agreeing that the Permittee will abide by the terms, conditions, limitations, and provisions of the permit.
9. The Permittee and contractor shall perform all best management practices (BMPs) during construction and maintenance operations. This includes no pollutants in the discharges to storm drains or to Pacific Ocean, to the maximum extent practicable.
10. All District tidelands are regulated under Regional Water Quality Control Board Order No. R9-2013-0001, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0109226, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region (Municipal Permit). The Municipal Permit prohibits any activities that could degrade stormwater quality.

The Permittee shall ensure that post-construction / operational use of this Project site complies with the Municipal Permit and District direction related to permitted activities including the requirements found in the District's Jurisdictional Runoff Management Program (JRMP). The JRMP is available on the District website: <https://www.portofsandiego.org/environment/clean-water> or by contacting the Stormwater Department, (619) 686-6254.

11. This Project may be subject to the District post-construction BMP requirements. If so, approval of the Project by the District is necessarily conditioned upon submission by the Permittee of a specific Stormwater Quality Management Plan (SWQMP) for the Project that meets District requirements and is compliant with the District BMP Design Manual (JRMP Appendix D). The Permittee shall implement all post-construction structural and non-structural BMPs throughout the life of the Project.

The implementation and maintenance of the post-construction BMPs constitute regulatory obligations for the Permittee, and failure to comply with the Municipal Permit, the JRMP, or the District approved SWQMP, including the specific BMPs contained therein, may be considered a violation of the permit and a violation of District Code.

12. In the discretion of the District, prior to commencement of construction, Permittee

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may be required to require that their contractor(s) furnish security, naming the District as a dual obligee, in the form of a performance bond and a payment bond, each in an amount deemed appropriate by the District to guarantee payment of the subcontractors, completion of the approved work under this permit, and compliance with the conditions and limitations upon which such permit is granted. Prior to commencement of construction, Permittee may also be required by the District to furnish security in the form of a payment bond in an amount deemed appropriate by the District to guarantee payment to the contractor(s) for work performed under this permit.

13. By accepting this Permit, Permittee acknowledges and agrees (a) that the Project site may be subject to environmental conditions and hazards; (b) to assume the risks to the Permittee of injury and damage from such conditions in connection with the implementation or operations of the Project; (c) to unconditionally waive any claim of damage or liability against the District, its Board of Port Commissioners, officers, agents and employees ("District" for purposes of this condition) for injury or damage from such conditions to persons performing the development for which this permit is issued or operating on the Project site under this permit; (d) to defend, indemnify and hold harmless, and require that Permittee's contractor(s) engaged to perform the development on the Project defend, indemnify and hold harmless, the District from any claim, demand, liability, loss, action, administrative agency appeal, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment (collectively, Claims) arising out of, resulting from, or in any way related to the performance of the development by Permittee's contractor(s) for which this permit is issued, with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (e) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to Permittees operation of the Project site with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (f) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to the District's approval of the Project and the granting of this permit; and (g) that Permittee will require Permittee's contractors to name the District as an additional insured on all policies of insurance, now in existence or to be obtained by them, for the work conducted pursuant to this permit.
14. Permittee acknowledges and agrees that: (a) it is the sole and exclusive responsibility of Permittee, and not the District, to ensure that all persons and/or entities who provide any labor, services and/or equipment in connection with the project, shall comply with the requirements of California's prevailing wage laws (the "PWL"), to the extent such laws are applicable; and (b) it is the sole and exclusive responsibility of Permittee, and not the District, to determine whether the Project is subject to the PWL by obtaining a determination by means that do not involve the District. If the Project is determined to be subject to the PWL, Permittee shall comply with all applicable provisions of the PWL, and shall take reasonable steps to

ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project shall likewise comply with all applicable provisions of the PWL.

Permittee further acknowledges and agrees that Permittee's failure to comply with all applicable provisions of the PWL, and/or their failure to take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project comply with all applicable provisions of the PWL, shall render Permittee, and not the District, liable for all remedies (inclusive of all applicable fines and penalties), afforded by law as a consequence of such non-compliance. Permittee expressly agrees to defend, indemnify and hold harmless the District, from any claim, demand, liability, loss, action, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment arising out of, resulting from, or in any way related to the PWL (collectively "PWL Claim") made against or incurred by the District in any capacity (including, without limitation, as a real party in interest), except for any PWL Claim arising out of the sole negligence or willful misconduct of the District.

15. The conditions of this Permit are independent of, and in addition to, the obligations of the Permittee under any existing lease(s), Tidelands Use and Occupancy Permit(s), or other contractual agreement(s) with the District, and are binding upon Permittee and its agents, representatives, successors and permitted assigns.

### **SHORT TERM CONSTRUCTION MEASURES**

1. To minimize noise during construction, the Permittee will require the construction contractor to (a) restrict normal construction activities from 7:00 am to 7:00 pm; (b) keep construction equipment as far as possible from sensitive receptors; and (c) provide acoustical shielding around equipment operating at night, from 10:00 pm to 7:00 am.
2. To minimize nuisance effects from lights or glare during construction, the Permittee will require the construction contractor to shield and direct night lighting away from adjacent areas.
3. All construction equipment shall be maintained in peak condition to reduce operational emissions.
4. Diesel equipment shall use low-sulfur diesel fuel.
5. Electric equipment shall be used to the maximum extent feasible during construction.
6. The Permittee shall require the construction contractor to provide construction employees with transit and ride share information.

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7. The Permittee shall ensure that any site contamination is identified and a site restoration plan, acceptable to the appropriate regulatory agencies, is prepared and implemented to reduce any existing contamination to a level that has no potential to threaten employee or human health as defined under existing regulations. If any potential exists for impacts to employee health from exposure to hazardous materials, workers shall be provided with adequate protective gear.
8. The Permittee shall require all employees that are exposed to noise levels in excess of Occupational Safety and Health Administration hearing protection thresholds, during construction or operation, to wear noise protection devices (ear plugs and covers) that are protective of individual hearing.
9. Permittee and/or contractor shall comply with State Water Resources Control Board Order No. 2009-0009-DWQ (NPDES General Permit No. CAS000002), and Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (commonly known as the "Construction General Permit"), as adopted, amended, and/or modified. Construction activity subject to the Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permittee and/or contractor are responsible for submitting to the District a SWPPP that is compliant with the Construction General Permit and District required minimum BMPs. The District requires the use of District SWPPP templates. Once approved, the SWPPP document shall be maintained on the construction site at all times and made available for review by the District or other regulatory agencies.

The Permittee and/or contractor is responsible for ensuring that the SWPPP document is maintained on the site, implemented, and amended as required throughout construction. No discharges of any material or waste, including potable water, wash water, dust, soil, trash, and debris, may contaminate stormwater or enter the stormwater conveyance system. Any such material that inadvertently contaminates stormwater or enters the stormwater conveyance system as part of site operations shall be removed immediately. All unauthorized discharges to the stormwater conveyance system or the Bay or the ocean shall be reported immediately to the District Stormwater Department, in order to address any regulatory permit requirements regarding spill notifications.

A project's total disturbed soil area (DSA) shall not exceed 5 acres during the rainy season (October 1 - April 30) and 17 acres during the non-rainy season (May 1 - September 30). The District may temporarily increase these limits if the individual site is in compliance with applicable stormwater regulations and the site has adequate control practices implemented to prevent stormwater pollution, including an erosion control mobilization plan. The erosion control mobilization plan is subject to post-construction BMP requirements.

**SPECIAL PROVISIONS**

1. All structures onsite shall not exceed a maximum height of 25 feet and limited to one story (DP 23.15).
2. Permittee shall comply with all applicable Mitigation Monitoring and Reporting Program requirements (Attachment A), as described in the “Chula Vista Bayfront Master Plan” Final Environmental Impact Report (UPD #83356-EIR-658; SCH #2005081077; Clerk Document No. 56562, dated November 2015, and certified by Resolution No. 2010-78 on May 18, 2010), all applicable policies and implementation measures in Chula Vista Bayfront Development Policies (DP) (Clerk Document No. 59407), the Chula Vista Bayfront Natural Resources Management Plan (NRMP) (Clerk Document No. 65065), and the Chula Vista Bayfront Settlement Agreement (SA) (Clerk Document No. 56523). The applicable Mitigation Measures (MM), policies, and implementation measures are included, but not limited to, the following Special Provisions of this Permit.
3. Trash containers shall be animal proof to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons and other similar animals, and self-closing with frequent servicing to prevent litter from being wind-blown off-site. (MM 4.8-7; NRMP 4.6-1; SA 4.3.3l CCDP 12.1(c))
4. Prior to the issuance of a grading permit, the applicant shall notify the Regional Water Quality Control Board (RWQCB) of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer’s expense) in accordance with Nation Pollutant Discharge Elimination System (NPDES) permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. (MM 4.5-2(A), MM 4.8-6(G), & MM 4.14.2-5(A), NRMP 3.2-1(III))
5. Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system. (MM 4.5-2(B), MM 4.8-6(G), & MM 4.14.2-5(B), NRMP 3.2-1(III))
6. Prior to the issuance of a grading or building permit, a Spill Prevention/Contingency Plan shall be submitted. The plan shall:
  - Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the proposed project shall be handled, stored,

used, and disposed of in accordance with NPDES permitting requirements and applicable federal, state, and local policies.

- Include safety data sheets.
- Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration.
- Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time.
- Provide secured storage areas for compatible materials, with adequate spill contaminant.
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port.
- Demonstrate that all local, state, and federal regulation regarding hazardous materials and emergency response have been or will be complied with.  
(MM 4.5-3, MM 4.8-6(G) & NRMP 3.2-1(III))

7. Consider implementing the following measures to reduce Greenhouse Gas emissions (GHG):

Energy Efficiency

- Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored "cool" roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.
- Limit the hours of operation for outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

Renewable Energy

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

Water Conservation and Efficiency

- Create water-efficient landscapes.

- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water efficient. Install water-efficient fixtures and appliances.
- Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing gray water to be used for landscape irrigation.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

### Solid Waste Measures

- Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover byproduct methane to generate electricity.
- Provide education and publicity about reducing waste and available recycling services.

### Transportation and Motor Vehicles

- Limit idling time for commercial, non-refrigerated vehicles, including delivery and construction vehicles. Refrigerated delivery trucks may remain idling while at loading docks.
- Use low or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs; e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

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- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
  - Provide public transit incentives, such as free or low-cost monthly transit passes.
  - For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking.
  - Institute a telecommuter work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high quality teleconferences.  
Provide information on all options for individuals and businesses to reduce transportation related emissions. Provide education and information about public transportation.  
(MM 4.6-6)
8. To avoid significant construction-related noise impacts, the following measures shall be followed:
- Construction activity shall be prohibited Monday through Friday from 10:00 P.M. to 7:00 A.M., and Saturday and Sunday from 10:00 P.M. to 8:00 A.M., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J).
  - All stationary noise generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors, as practicable. Where practicable, noise-generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.
  - All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an un-muffled exhaust.
  - Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.
  - Construction vehicles accessing the site shall be required to use the shortest possible route to and from 1-5, provided the route does not expose additional receptors to noise.  
(MM 4.7-8, 4.14.1-1, & 4.14.2-2; & NRMP 4.5-3(VII))
9. Construction-related noise shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh National Wildlife Refuge and F & G Street Marsh. The current accepted noise threshold is 60 dB(A) Leq.; thus construction activity shall not exceed this level, or ambient noise levels if higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall

prepare and submit an acoustical analysis to the Port that shall determine whether noise barriers would be required to reduce the expected levels below the threshold. If noise barriers, construction activities, or other methods are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season. (MM 4.7-9)

10. If grading or construction occurs during the breeding season for nesting raptors (January 15 through July 31), a Port approved biologist, as appropriate, shall be retained who shall conduct a pre-construction survey for active raptor nests. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port for review and approval. If an active nest is found, an appropriate setback distance will be determined in consultation with the applicant, Port, United State Fish and Wildlife Service (USFWS), and California Department of Fish and Game (CDFG). The construction setback shall be implemented until the young are completely independent of the nest or the nest is relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the Port detailing observations made during field inspections. The bio-monitor shall also notify the Port immediately if clearing is done outside of the permitted project footprint. (Mitigation Measure 4.8-1, NRMP 4.4-2(IV.A & B), & NRMP 4.4-2(VI))
11. Prior to construction in any areas with suitable nesting habitat for burrowing owl and, if grading or construction occurs during the breeding season for the burrowing owl (January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction, as appropriate, shall retain a qualified biologist, who shall be approved by the Port or City, respectively, to conduct a pre-construction survey within all suitable habitat prior to any grading activities. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active burrow is detected during the breeding season of January 15 to July 31, construction setbacks of 300 feet from occupied burrows shall be implemented until the young are completely independent of the nest. If an active burrow is found outside of the breeding season, or after an active nest is determined to no longer be active by a qualified biologist, the burrowing owl would be passively relocated according to the guidelines provided by CDFG (1995) and in coordination with CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City

and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint. (MM 4.8-2, NRMP 4.4-2(IV.A & C), & NRMP 4.4-2(VI))

12. If grading or construction occurs during the breeding season for migratory birds (January 15 through August 31), the project developer shall retain a qualified biologist, approved by the Port, to conduct a pre-construction survey for nesting migratory birds. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port for review and approval. If active nests are found, the Port will consult with USFWS and CDFG to determine the appropriate construction setback distance. Construction setbacks shall be implemented until the young are completely independent of the nest or relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the Port detailing observations made during field inspections. The bio-monitor shall also notify the Port immediately if clearing is done outside of the permitted project footprint. (Mitigation Measure 4.8-3, NRMP 4.4-2(IV.A, B, & C), & NRMP 4.4-2(VI))
13. During the avian breeding season from January 15 to August 31, noise levels from construction activities must not exceed 60 dB(A) Leq., or ambient noise levels if higher than 60 dB(A). The project developer shall prepare and submit to the Port for review and approval an acoustical analysis and nesting bird survey to demonstrate that the 60 dB(A) Leq. Noise level is maintained at the location of any active nest within the marsh. If noise attenuation measures or modifications to construction activities are unable to reduce the noise level below 60 dB(A), either the developer must immediately consult with the USFWS to develop a noise attenuation plan or construction in the affected areas must cease until the end of the breeding season. (Mitigation Measure 4.8-6 (A))
14. Light posts shall have anti-perching spike strips along any portions that would be accessible to raptors. (MM 4.8-6 (B))
15. Prior to issuance of a building permit, applicant shall prepare a lighting design plan, including a photometric analysis, to be reviewed by the Port. The plan shall include the following features:
  - All exterior lighting shall be directed away from the habitat buffers, Preserve Areas, habitats, wherever feasible and consistent with public safety. Where necessary, lighting of all developed areas adjacent to the habitat buffers,

Preserve Areas, or habitats, shall provide adequate shielding with non-invasive plant materials (preferably native), berming and/or other methods to protect the aforementioned areas from night lighting. The light structures shall have shielding (and incorporate anti-raptor perching criteria; but the placement of the light structures shall also provide shielding from wildlife habitats and shall be placed in such a way as to minimize the amount of light reaching adjacent habitat buffers, Preserve Areas, and habitats.

- All exterior lighting immediately adjacent to habitat buffers, Preserve Areas, and habitats shall be low-pressure sodium lighting or other approved equivalent.
- To the maximum extent feasible, all external lighting will be designed to minimize any impact to Wildlife Habitat Areas, and operations and maintenance conditions and procedures will be devised to ensure appropriate long-term education and control. To the maximum extent feasible, ambient light impacts to the Sweetwater Marsh will be minimized.

(MM 4.8-6 (D))

16. Equipment staging areas shall be centered away from the edges of the project, and construction equipment shall be maintained regularly and muffled appropriately. In addition, construction noise must be controlled to minimize impacts to Wildlife Habitat Areas. (MM 4.8-6(E) & NRMP 4.5-3(II))
17. Any invasive plant species listed on the California Invasive Plan Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of the Chula Vista Bayfront Master Plan Final EIR), the California Invasive Plan Inventory Database, or any related updates shall not be used in the proposed project area. Any such invasive plant species that establishes itself within the proposed project area will be removed immediately to the maximum extent feasible and in a manner adequate to prevent further distribution in Wildlife Habitat Areas. (Mitigation Measure 4.8-6 (F))
18. Prior to issuance of any clearing and grubbing or grading permits, temporary orange fencing shall be installed around sensitive biological resources on the project site that will not be impacted by the Proposed Project. Silt fencing shall also be installed along the edge of the San Diego Bay National Wildlife Refuge (SDBNWR) during grading within the western portion of the ecological buffer. In addition, the applicant must retain a qualified biologist to monitor the installation and ongoing maintenance of this temporary fencing adjacent to all sensitive habitat. This fencing shall be shown on both grading and landscape plans, and installation and maintenance of the fencing shall be verified by the Port's or City's Mitigation Monitor, as appropriate. (Mitigation Measure 4.8-6 (H))
19. In all areas of the Chula Vista Bayfront, especially on the foot path adjacent to the marsh on the Sweetwater District property, mandatory leash laws shall be enforced. Appropriate signage shall be posted indicating human and domestic animal access is prohibited with the designated Preserve areas. (Mitigation Measure 4.8-6(H))

20. Pursuant to permitting requirements of the Resource Agencies, pre-construction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area. (Mitigation Measure 4.8-6(H))
21. Prior to the Issuance of any permit for excavation, demolition, grading, or construction activities in the area described in the relevant permit based on the planned future use, the following shall occur:
  - A. The applicant shall contact the lead regulatory agency (RWQCB/Department of Environmental Health (DEH)/Department of Toxic Substance Control (DTSC)) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).
  - B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.
  - C. A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options.

If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.

In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.

Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.

- D. In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste shall be characterized and disposed of in accordance with California Code of Regulation (CCR) Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material.
22. The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Land Use Planning, Elements of the program will include that only certified archaeologists and Native American monitors are accepted. The project archaeologist shall monitor all areas Identified for excavation, including offsite improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.

In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and

*COASTAL DEVELOPMENT PERMIT NO. CDP-2018-XX*  
*Page 19 of 27*

analysis results and interpreting the artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Land Use Planning. (MM 4.10)

23. Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.

- The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.
- The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.
- If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.
- Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils. All work shall be completed to the satisfaction of the Port or the City of Chula Vista, as appropriate.  
(MM 4.11-1)

24. Prior to the issuance of any permit for excavation, demolition, grading, or construction activities in the area described in this Coastal Development Permit, the following shall occur:

- A. The applicant shall contact the lead regulatory agency (RWQCB/DEH/DTSC) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these

areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).

- B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.
- C. A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options.

If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.

In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.

Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.

- D. In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste shall be characterized and disposed of in accordance with CCR Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material.

The applicant must have an Industrial Hygienist registered in the State of California on site while working in areas where contamination is encountered. The responsibility of this professional would be to monitor the work site for contamination and to implement mitigation measures as needed to prevent exposure to the workers or public. These measures may include signage and dust control. Dewatering activities during construction shall be limited to the extent practicable and water generated by dewatering shall be tested to determine treatment and disposal options in accordance with all applicable laws and regulations.

(MM 4.12-1)

25. A. Prior to construction, all contractor and subcontractor project personnel shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including, without limitation, hazardous materials spill prevention and response measures.

B. Hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials.

C. The District shall require that a Business Emergency Plan (BEPP) is prepared for the construction of the Proposed Project, if not covered under their approved SWPPP. The plan shall identify all hazardous materials (e.g., fuels, solvents) that would be present on any portion of the construction area and project site. Contingency analysis and planning shall be presented to identify potential spill or accident situations, how to minimize their occurrence, and how to respond should they occur. The plan shall also identify spill response materials (e.g., absorbent pads, shovels) to be kept at the construction site and their locations.

D. Hazardous materials spill kits shall be maintained on site for small spills.  
(MM 4.12-2)

26. In event of removal of underground storage tanks (USTs), the soil and groundwater within the vicinity of the USTs shall be adequately characterized and remediated, if necessary, to a standard that would be protective of water quality and human health, based on future site use. In areas to be redeveloped, a geophysical survey shall be conducted by the applicant to evaluate if there are any previously unidentified USTs or piping still existing in areas to be redeveloped.

In the event that USTs are not identified in the Hazardous Materials Technical Study (HMTS) or undocumented areas of contamination are encountered during grading activities (as indicated by odors, discolored soil, etc.), all work shall cease until appropriate health and safety procedures are implemented pursuant to the applicant's contingency plan. The applicant shall prepare a contingency plan to address contractor procedures for such an event, to minimize the potential for construction delays. In addition, the lead regulatory agency (DEH or RWQCB, depending on the nature of the contamination) shall be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The Permittee shall conduct contamination remediation and removal activities in accordance with pertinent local, state, and federal regulatory guidelines, under the oversight of the appropriate regulatory agency. Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment. (MM 4.12-4)

27. Prior to construction, remediation activities for known contamination shall be performed to be protective of construction workers on the project site, as required by Mitigation Measure 4.12-1. (MM 4.12-6)
28. City's Integrated Pest Management Policies (1PM). 1PM shall be used on all landscaped areas. In addition, fertilizers must be minimized and only non-toxic products used. Runoff from irrigation sprinklers into surface waters must be minimized and use of mulching and drip irrigation, where needed, maximized. Measures shall be employed to ensure that landscape chemicals and wastes do not get into surface waters or habitat areas. (MM 4.12-7)
29. For development in the Sweetwater District that would result in exposure of any soil containing pesticides/herbicides, excavation and disposal of the contaminated soils at an appropriately licensed facility shall be conducted as required by applicable law, to reduce potential for future site occupants' exposure. Otherwise, soil capping shall be implemented. Capping could be performed by placement of a clean soil fill layer over the impacted soil, which in turn could be overlain by other surface covers (i.e., turf and other vegetative cover and pavement).
30. Prior to the issuance of any grading permit, the following measures shall be placed as notes on all grading plans, and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building

for the City of Chula Vista (these measures were derived, in part, from Table 11-4 of Appendix 11 of the South Coast Air Quality Management District (SCAQMD) California Environmental Quality Act (CEQA) Air Quality Handbook (SCAQMD 1999)):

- a) Where practicable, use low pollutant-emitting equipment.
- b) Where practicable, use catalytic reduction for gasoline-powered equipment.
- c) Use injection timing retard for diesel-powered equipment.
- d) Water the grading areas a minimum of twice daily to minimize fugitive dust.
- e) Stabilize graded areas as quickly as possible to minimize fugitive dust.
- f) Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry.
- g) Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.
- h) Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- i) Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- j) Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- k) Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- l) Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph.
- m) Cover/water on-site stockpiles of excavated material.
- n) Enforce a 15 mile-per-hour speed limit on unpaved surfaces.
- o) On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce re-suspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- p) Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation.
- q) Electrical construction equipment shall be used to the extent feasible.  
(MM 4.6-1 & MM 6.8-1)

31. Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project shall comply with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:

- Use of low-nitrogen oxide (NOx) emission water heaters.
- Installation of energy efficient and automated air conditioners when air conditioners are provided.
- Energy efficient parking area lights.
- Exterior windows shall be double-paned.

(MM 6.8-2)

32. Development of program-level components of the Chula Vista Bayfront Master Plan (Phases 1 through IV) shall implement measures to reduce GHG emissions. Specific measures may include but are not limited to the following:

#### Energy Efficiency

- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored "cool" roofs, cool pavements, and strategically placed shade trees.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install LEDs for traffic, street, and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

#### Renewable Energy

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

#### Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

#### Solid Waste Measures

- Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.
- Provide education and publicity about reducing waste and available recycling services.

#### Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
  - Use low- or zero-emission vehicles, including construction vehicles,
  - Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
  - Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.  
(MM 6.8-3)
33. Prior to the approval of a building permit for any development in all phases of the Proposed Project, the City shall verify that it has adequate sewer capacity to serve the proposed development. In the event the City does not have adequate sewer capacity to serve the proposed development, no building permit shall be approved for the proposed development until the City has acquired adequate sewer capacity to serve the proposed development. In accordance with Section 15130(a)(3) of the State CEQA Guidelines, a significant cumulative impact would be rendered less than cumulatively considerable, and thus is not significant when the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. (MM 6.15.2-1)
34. Prior to the issuance of a building permit, the applicant shall pay all required school mitigation fees. Payment of statutory school fees would ensure that project impacts to school services remain below a level of significance. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects (Government Code Section 65996(a)). Once the statutory school mitigation fee (sometimes referred to as a "developer fee") is paid, the impact would be deemed mitigated as a matter of law. (MM 6.15.6-1)
35. Stormwater and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of an erosion or type conversion will be developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment accumulation, shoreline

- erosion and stream bed widening, loss of aquatic species, and decreased base flow. (DP 13.4; NMRP 3.3-2(IV.A)); SA 4.6.2)
36. Adhere to all applicable Clean Water Act and Porter-Cologne requirements. (NRMP 3.2-1(IV))
  37. Implement the Port's Water Quality Improvement Plan (2015). (NRMP 3.2-1(V))
  38. The use of insecticides, herbicides, rodenticides, or any toxic chemical substance that drains into Wildlife Habitat Areas or which has the potential to significantly degrade Environmentally Sensitive Habitat Area (ESHA), shall be prohibited within and adjacent to ESHAs, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application. (DP 13.6; NMRP 3.2-2(II.D))
  39. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas. (DP 13.6; NMRP 3.2-2(II.E))

#### Condition Precedent to Issuance

40. This Permit shall not be effective until the the development location/site is added to the District's tidelands and the District and Permittee execute a ground lease or other real property agreement giving Permittee rights to implement the development. Said lease or real property agreement may be subject to Board of Port Commissioners' approval if it has a term of longer than 5 years. Alternatively, a coastal development permit may be obtained from the City of Chula Vista, in which case, the District will request a condition that development may not occur until the Master Lease between the District and California Staler Lands Commission is amended to allow for the development and the District and Permittee execute a sublease or other real property development giving Permittee rights to implement the development. Said sublease or real property agreement may be subject to Board of Port Commissioners' approval if it has a term of longer than 5 years.
41. Prior to issuance of this Permit, the Permittee shall execute a ground lease with the District for the development and operation of the Costa Vista RV Resort project as described in this Permit.
42. Prior to issuance of this Permit, the Permittee and/or District shall retain a qualified biologist to prepare an update to the March 2015 *Biological Resources Survey Report*. The update shall provide a current assessment of the conclusions in the 2015 report and the extent and quality of natural resources on the site.

## Exhibits:

1. Project Location Map
2. Concept Plans

## Attachments:

- A. Mitigation Monitoring and Reporting Program
- B. Precise Plan Figure 19, Planning District 7

If you have any questions on this permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6291.

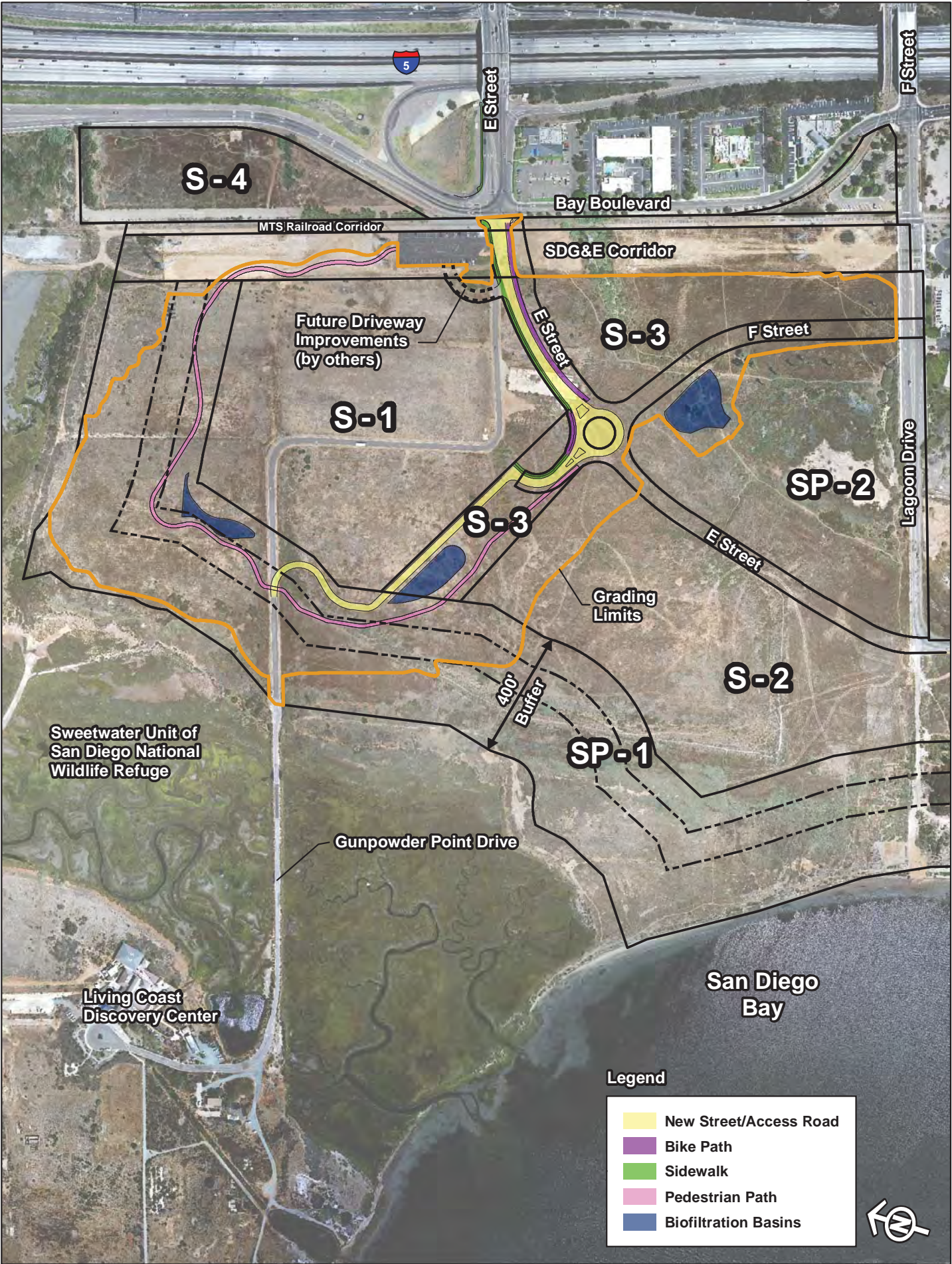
RANDA CONIGLIO  
President/Chief Executive Officer

By: \_\_\_\_\_  
Wileen C. Manaois  
Director, Development Services

I have read and understand the terms, conditions, limitations, and provisions of this Permit and agree to abide by them.

\_\_\_\_\_  
Signature of Permittee  
Jon Colman  
Executive Vice President, Sun Communities, Inc.

\_\_\_\_\_  
Date





# COSTA VISTA RV PARK

## 50% DESIGN DEVELOPMENT PACKAGE



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## SUN COMMUNITIES



SUN COMMUNITIES, INC.

COSTA VISTA RV RESORT

50% DESIGN DEVELOPMENT

CHULA VISTA, CA

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**TITLE SHEET**

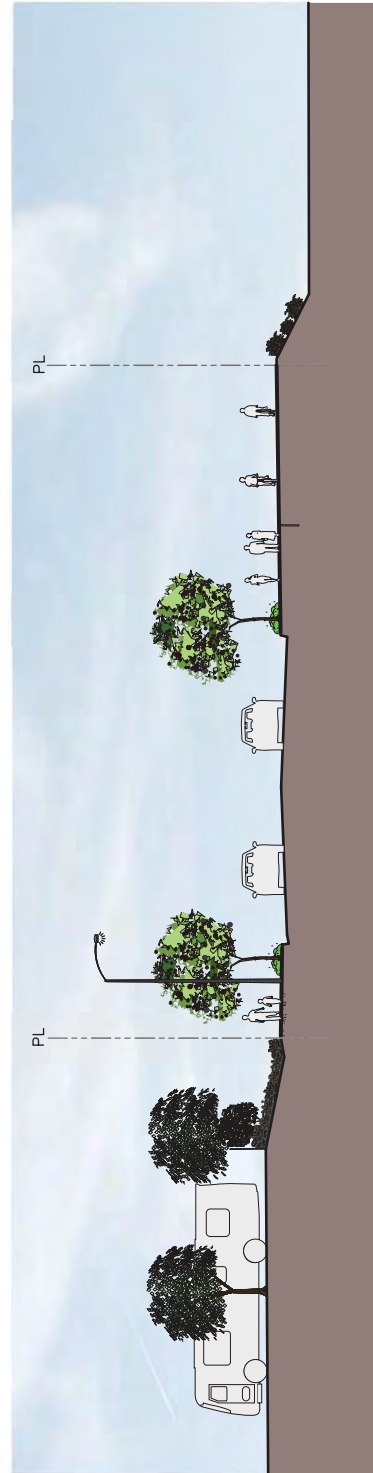
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RV Resort

Chula Vista, CA 91910

Chula Vista  
RV Resort

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### CONCEPT PLANT SCHEDULE

## SITE SCHEDULE

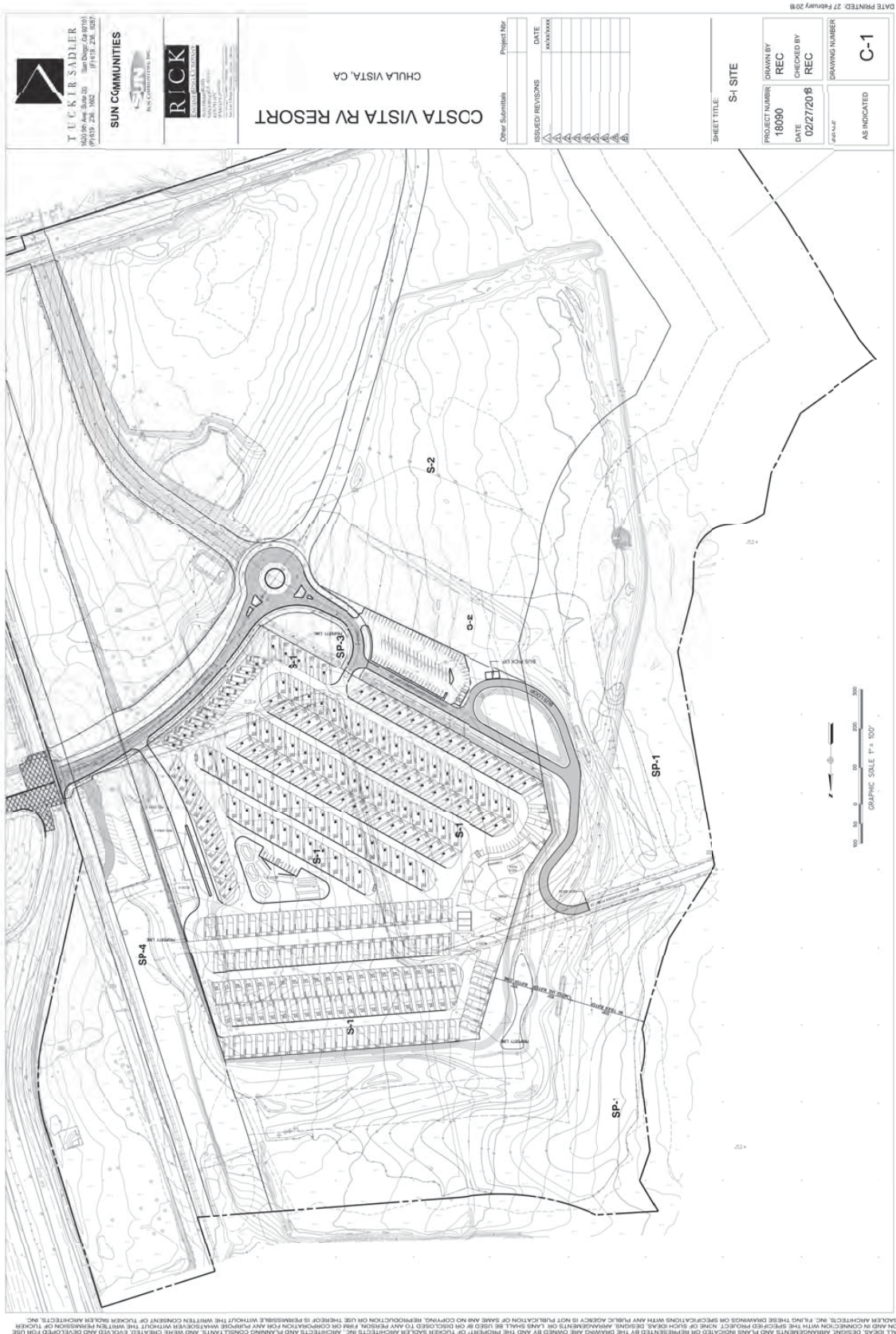
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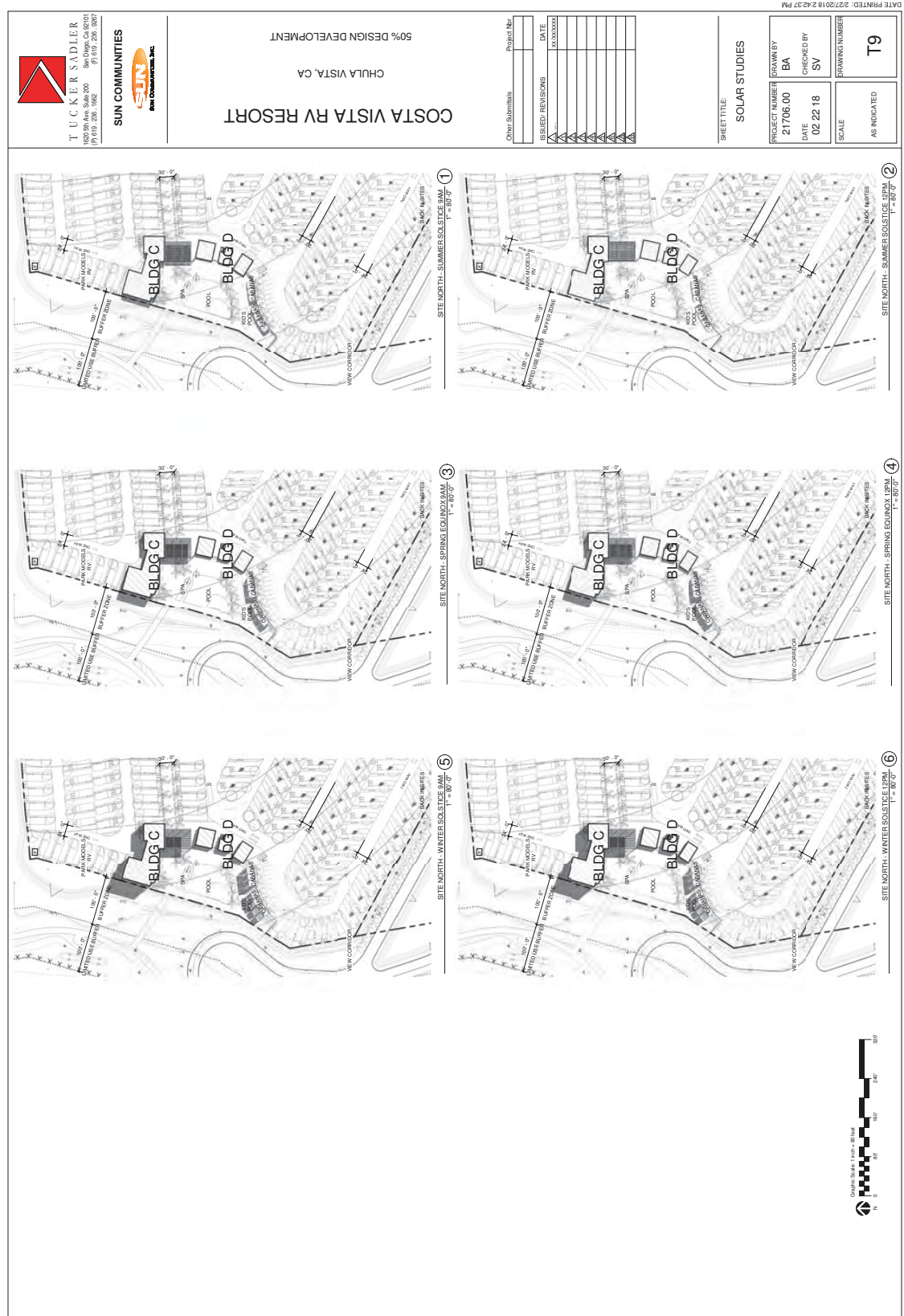
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| 367 | 27 | 67 | 73 | 34 | 8 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
| 367 | 27 | 67 | 73 | 34 | 8 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
| 367 | 27 | 67 | 73 | 34 | 8 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
| 367 | 27 | 67 | 73 | 34 | 8 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 |    |    |    |    |    |    |    |    |     |

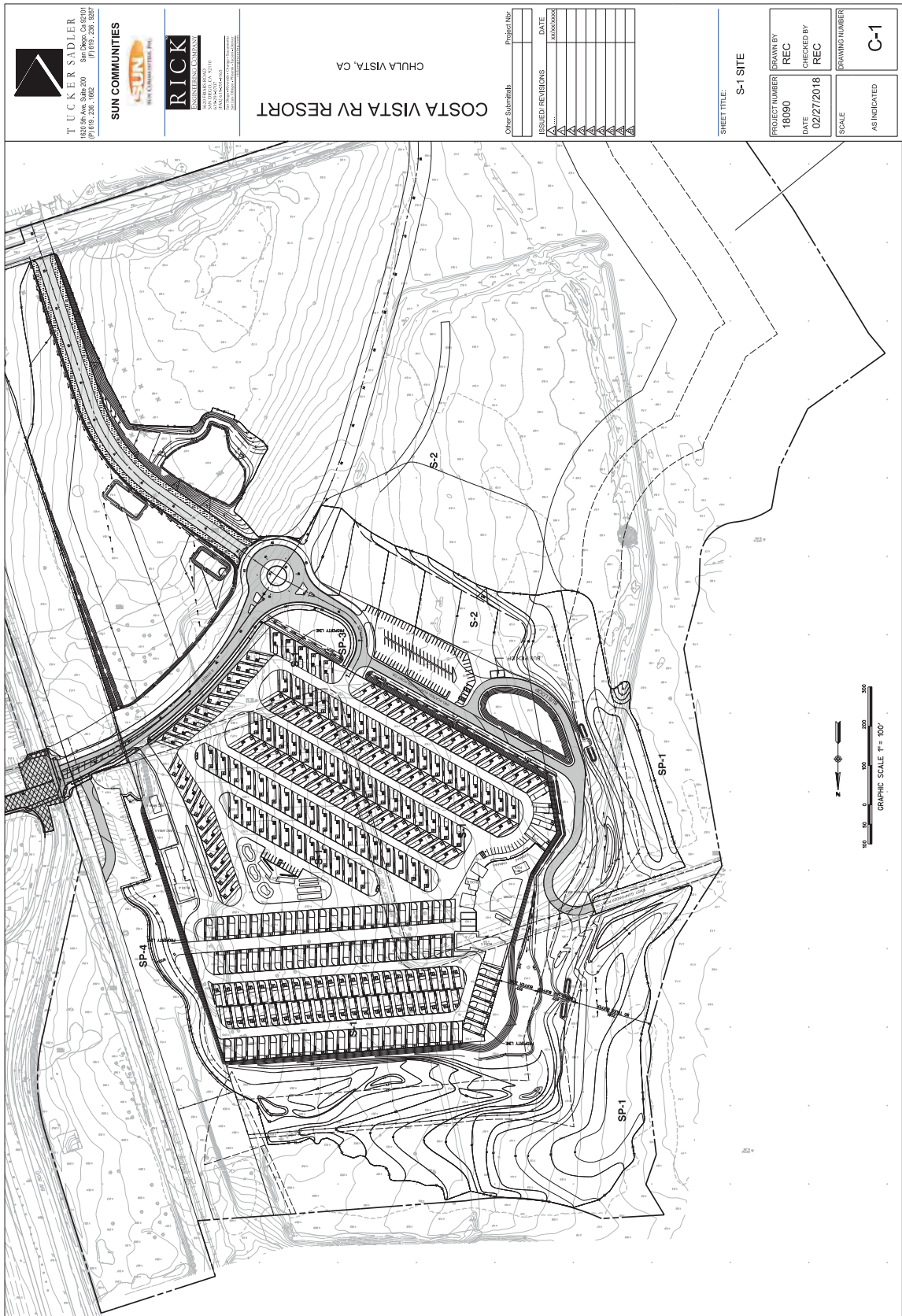
## REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
1	ORGANIC LOV AGGREGATE PAVING	47,000 SF
2	NATURAL GRAY CONCRETE, MEDIUM BROOM FINISH	11,000 SF
3	PROMANIDE - INTEGRAL COLOR, TOPCAST FINISH CONCRETE	21,500 SF
4	POB, BRCK - INTEGRAL COLOR, SALT FINISH CONCRETE	17,800 SF
5	ENTRY - INTEGRAL COLOR, SALT FINISH CONCRETE	1,500 SF

GRAPHIC SCALE 1"= 80'-0"







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DATE PRINTED: 27 February 2018

PROJECT NUMBER

18090

BROWN BY

REC

DATE

02/27/2018

CHECKED BY

REC

DRAWING NUMBER

C-1

AS INDICATED

SHEET TITLE:

S-1 SITE

PROJECT FOR

CHULA VISTA, CA

ISSUED REVISIONS

DATE

REVISION

Other Submittals

Project File

TUCKER SADLER

1602 San Antonio Ave. Suite 200

San Diego, CA 92101

(619) 235-1802

SUN COMMUNITIES

1602 San Antonio Ave. Suite 200

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RICK

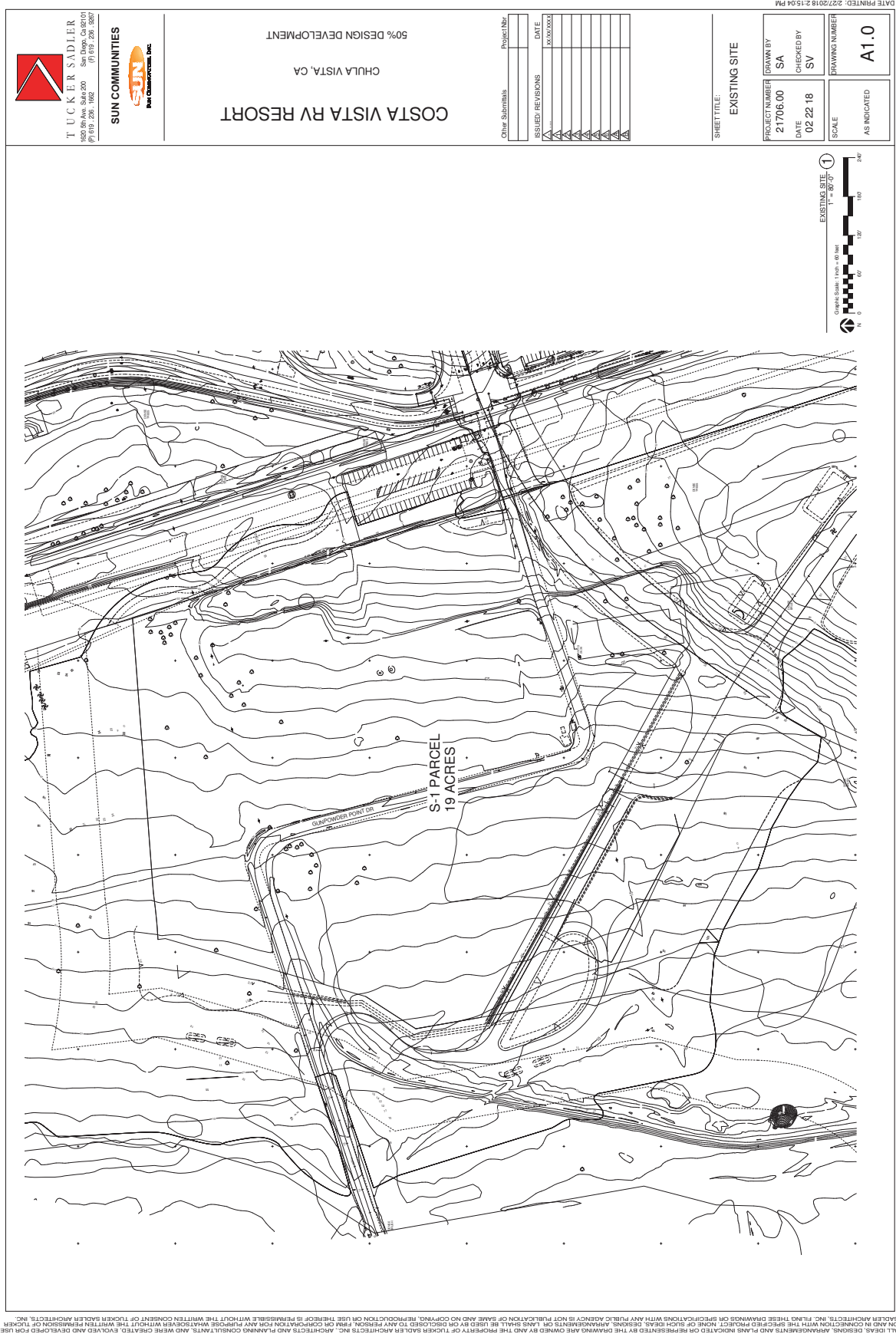
1602 San Antonio Ave. Suite 200

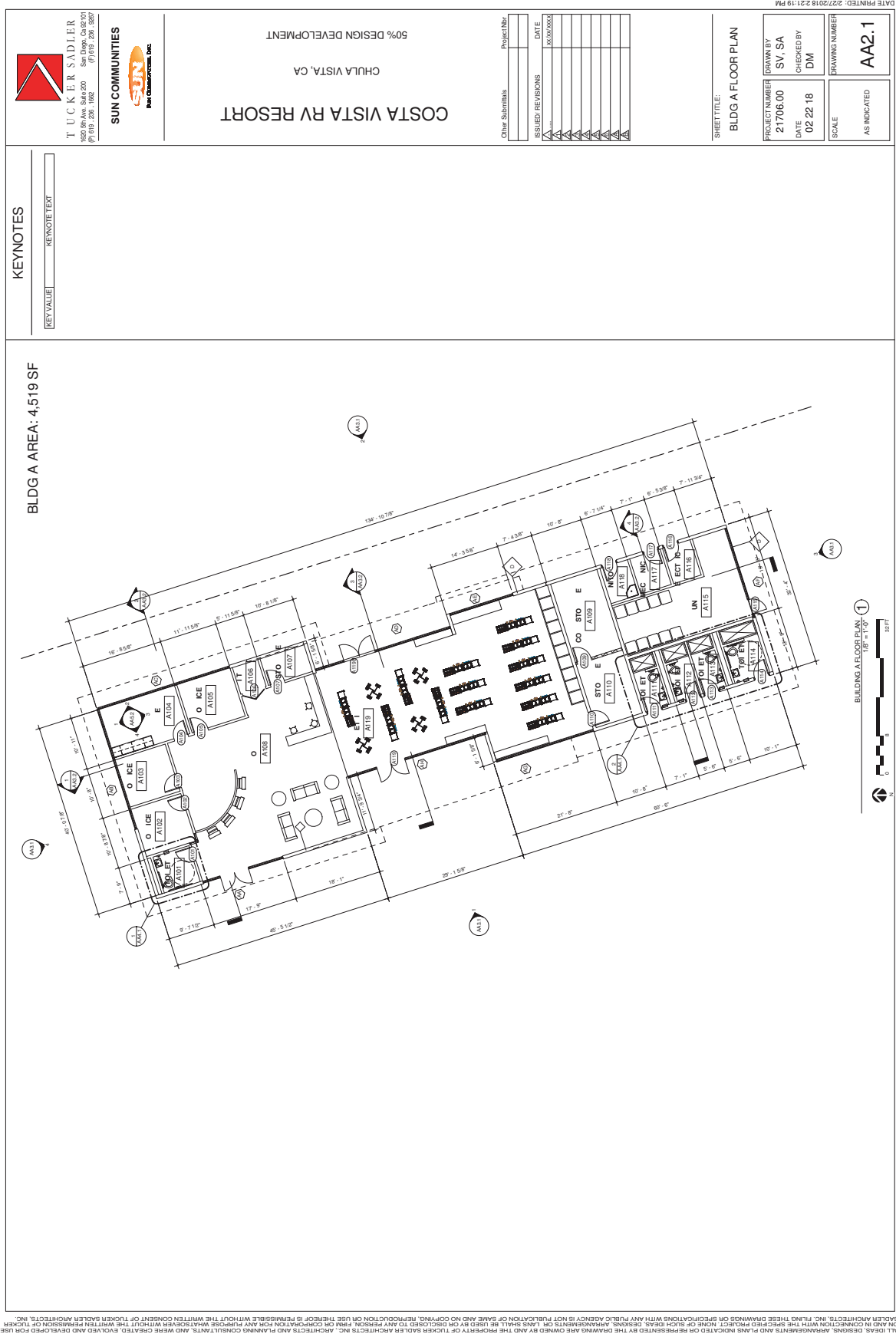
San Diego, CA 92101

(619) 235-1802

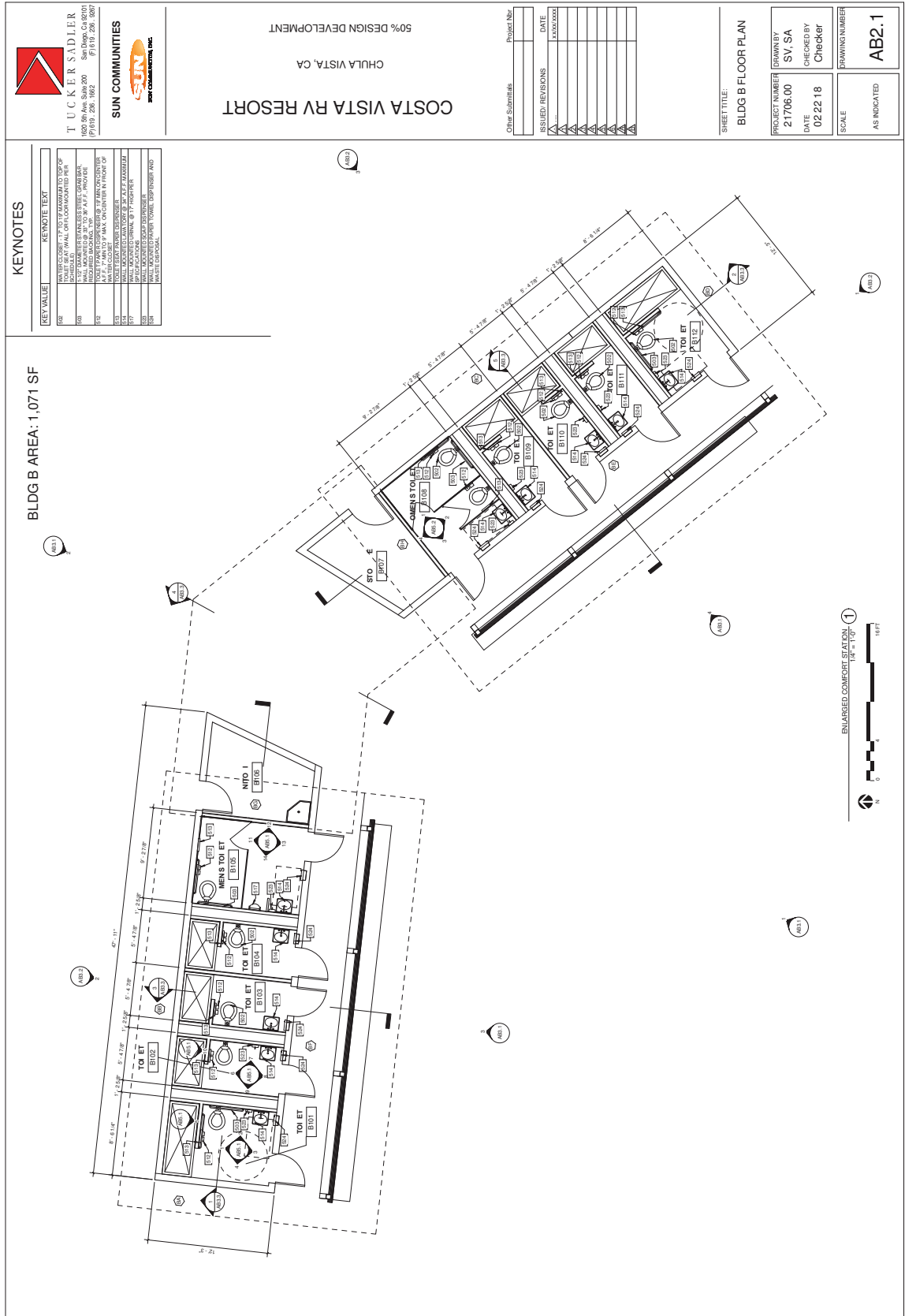
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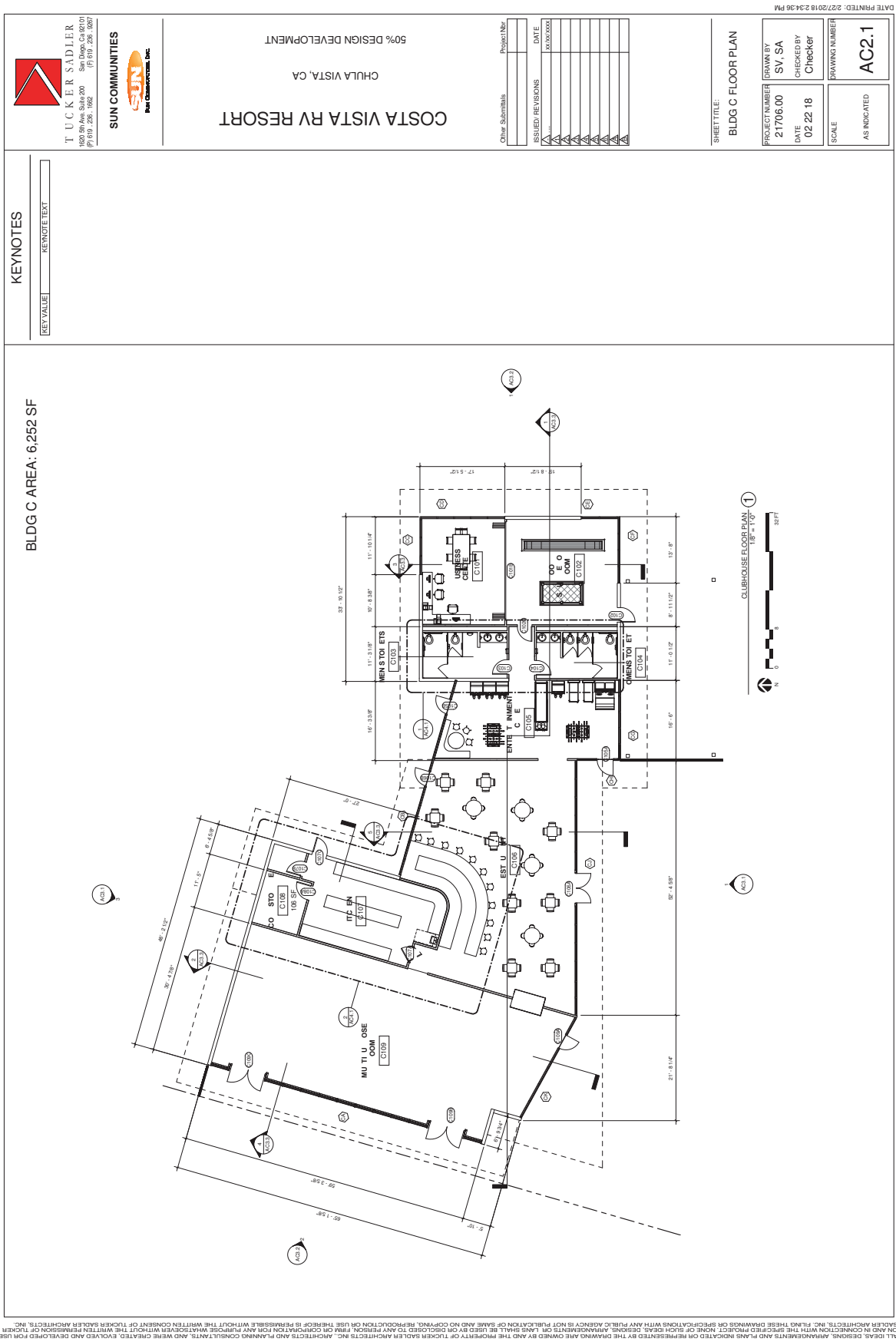








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### 3.0 MITIGATION MONITORING PROGRAM TABLE

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.1-1	<p>Prior to the issuance of the first grading permit for activities that could impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall consult with the CCC to determine whether the proposed impact is allowed under the California Coastal Act. If the impact is not allowed, then a design shall be developed that avoids impacts to CCC jurisdictional wetlands. In the event that the CCC concurs that the impact to CCC jurisdictional wetlands is allowed, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands to provide 2:1 mitigation for the impact to CCC wetlands on Parcels HP-13B and HP-7. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, shall detail the target functions and values, and shall address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process and propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation, to ensure each area is successful. The restoration plan shall address monitoring requirements and shall specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report, and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p> <p>*Applies to Significant Impact 4.1-1.</p>	Port or Port Tenants – Prior to First Grading Permit	Port		
MM 4.1-2	<p>The Port or Port tenants, as appropriate, will need to mitigate impacts to the areas identified as seasonal pond, mapped as a CCC wetland at a 2:1 ratio.</p> <p>The Port or Port tenants, as appropriate, shall confer with the CCC in order to determine whether drainages mapped as a potential CCC wetland fall under CCC jurisdiction. If this area is not subject to CCC jurisdiction, no additional mitigation would be required. If CCC does assert jurisdiction over these areas, the final development design must mitigate</p>	Port or Port Tenants – Prior to First Clearing or Grubbing Permit	Port in Consultation with the California Coastal Commission		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>impacts at a 2:1 ratio.</p> <p>Prior to the issuance of the first grading permit for projects that could impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall consult with the CCC to determine whether the proposed impact is allowed under the California Coastal Act. If the impact is not allowed, then a design shall be developed that avoids impacts to CCC jurisdictional wetlands. In the event that the CCC concurs that the impact to CCC jurisdictional wetlands is allowed, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, shall detail the target functions and values, and shall address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process and propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation, to ensure each area is successful. The restoration plan shall address monitoring requirements and shall specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p> <p>*Applies to Significant Impacts 4.1-2 and 4.1-3.</p>				
MM 4.1-4	<p>Prior to issuance of any permit for clearing, grubbing, or grading, the project applicant shall be required to obtain an HLT Permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to Covered Species and Vegetation Communities protection under the City's MSCP Subarea Plan.</p> <p>*Applies to Significant Impact 4.1-6.</p>	<p>Project Applicant - Prior to First Clearing or Grubbing Permit</p>	<p>City of Chula Vista, USFWS, and CDFG</p>		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.2-1	<p>Prior to the issuance of any certificates of occupancy for any development on H-3 in Phase I, the Port or Port tenant, as appropriate, shall:</p> <ul style="list-style-type: none"> <li>Construct H Street west of Marina Parkway as a 2-lane Class III Collector</li> <li>Construct E Street as a 2-lane Class III Collector along Parcel H-3. This would provide a connection to Lagoon Drive via Marina Parkway.</li> <li>Construct a traffic signal at H Street and RCC Truck Driveway.</li> </ul> <p>Prior to the issuance of building permits for any development on H-13 or H-14 in Phase I, the applicant shall:</p> <ul style="list-style-type: none"> <li>Rebuild that portion of Marina Parkway fronting H-13 and H-14 between Sandpiper Way and J Street as a 3-lane Class II Collector with excess ROW used for pedestrian facilities, or secure such construction to the satisfaction to the City engineer.</li> </ul> <p>Frontage improvements for the remaining segments of Marina Parkway J Street and Sandpiper Way will be constructed in conjunction with the development of the adjacent parcels to these frontages in subsequent phases.</p> <ul style="list-style-type: none"> <li>Construct Street A north of J Street would be constructed as a 2-lane Class III Collector, or secure such construction to the satisfaction of the City Engineer.</li> </ul> <p>This mitigation would reduce Significant Impact 4.2-1 to below a level of significance.</p> <p>*Applies to Significant Impact 4.2-1.</p>	<p>Port or Port Tenants - Prior to First Certificate of Occupancy</p> <p>Applicant - Prior to First Building Permit</p>	<p>City Engineer</p> <p>City Engineer</p>		
MM 4.2-2	<p>Prior to the issuance of any certificates of occupancy for any development on H-3 in Phase I, Port or Port tenants, as appropriate, shall construct H Street from I-5 to Marina Parkway as a four-lane Major Street. This mitigation is provided in lieu of widening of F Street due to environmental constraints associated with the widening of F Street in the vicinity of G&amp;G Street Marsh. At the completion of the H Street Extension, the Port or Port tenants, as appropriate, shall also restrict access along the segment of Lagoon Drive/F Street (between Parcel H-3 and the BF Goodrich access on F Street) to emergency vehicle access only. This mitigation would reduce Significant Impact 4.2-2, 4.2-4, 4.2-6, 4.2-7, and 4.2-11 to below a level of significance.</p> <p>*Applies to Significant Impacts 4.2-2, 4.2-4, 4.2-6, 4.2-7, and 4.2-11.</p>	<p>Port or Port Tenants - Prior to First Certificate of Occupancy</p>	<p>City Engineer</p>		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.2-3	<p>Prior to the issuance of any certificates of occupancy for any development on H-3 in Phase I, Port or Port tenants, as appropriate, shall widen H Street west of Marina Parkway from a two-lane Class III Collector to a three-lane Class II Collector. This mitigation would reduce Significant Impact 4.2-3 to below a level of significance.</p> <p>*Applies to Significant Impact 4.2-3.</p>	<p>Port or Port Tenants -Prior to First Certificate of Occupancy</p>	City Engineer		
MM 4.2-4	<p>Prior to the issuance of certificates of occupancy for development on H-3 and building permits for any development on H-13 or H-14 in Phase I, the Port, Port tenant, or applicant, as appropriate, shall widen Bay Boulevard between E Street and F Street from a two-lane Class III Collector to a two-lane Class II Collector, or secure such widening to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-5 to below a level of significance.</p> <p>*Applies to Significant Impact 4.2-5.</p>	<p>Port, Port Tenants, or Applicant -Prior to First Certificate of Occupancy</p>	City Engineer		
MM 4.2-5	<p>Prior to the issuance of building permits for any development on H-13 or H-14 in Phase I, the applicant shall construct a traffic signal at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-8 and 4.2-14 to below a level of significance.</p> <p>*Applies to Significant Impacts 4.2-8 and 4.2-14.</p>	<p>Applicant -Prior to First Building Permit</p>	City Engineer		
MM 4.2-6	<p>Prior to the issuance of certificates of occupancy for development on H-3 or building permits on H-13 or H-14 for any development in Phase I, the Port, Port tenants, or applicants, as appropriate, shall construct a traffic signal at the intersection of L Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-9 and 4.2-15 to below a level of significance.</p> <p>*Applies to Significant Impacts 4.2-9 and 4.2-15.</p>	<p>Port, Port Tenants, or Applicant -Prior to First Certificate of Occupancy</p>	City Engineer		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.2-7	Prior to the issuance of certificates of occupancy for development on H-3 or building permits on H-13 or H-14 for any development in Phase I, the Port, Port tenants, or applicants, as appropriate, shall construct a traffic signal at the intersection of I-5 southbound ramps and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-10 and 4.2-16 to below a level of significance  *Applies to Significant Impacts 4.2-10 and 4.2-16.	Port, Port Tenants, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-9	Prior to the issuance of certificates of occupancy for any development on H-3 in Phase I, the Port or Port tenant, as appropriate, shall construct a westbound lane along H Street/RCC Driveway, which would result in widening H Street west of Marina Parkway to a three-lane Class II Collector. This mitigation would reduce Significant Impact 4.2-13 to below a level of significance.  *Applies to Significant Impact 4.2-13.	Port or Port Tenant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-11	Prior to the issuance of certificates of occupancy for development on H-23 in Phase I, the Port or Port tenant, as appropriate, shall construct Street A between H Street to Street C as a two-lane Class III Collector, and shall construct Street C between Marina Parkway and Street A as a two-lane Class II Collector. Implementation of this mitigation measure would reduce Significant Impact 4.2-20 to below a level of significance.  *Applies to Significant Impact 4.2-20.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-12	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between Street A and I-5 Ramps to a five-lane Major Street, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-21 to below a level of significance.  *Applies to Significant Impact 4.2-21.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-13	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall widen J Street between Street A to I-	Port, Port Tenant, or Applicant	City Engineer		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	5 Ramps to a six-lane Major Street, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-22 to below a level of significance.  *Applies to Significant Impact 4.2-22.	-Prior to First Certificate of Occupancy			
MM 4.2-14	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall widen Street A between Street C and J Street to a four-lane Class I Collector or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-23 to below a level of significance.  *Applies to Significant Impact 4.2-23.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-15	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall construct a traffic signal and add an exclusive left-turn lane at each approach at the intersection of H Street and RCC Driveway, or secure such construction to the satisfaction of the City Engineer. The traffic signal and left-turn lanes shall be built to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-24 to below a level of significance.  *Applies to Significant Impact 4.2-24.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-16	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall construct a westbound and eastbound through lane along J Street at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-25 to below a level of significance.  *Applies to Significant Impact 4.2-25.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-17	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall construct a traffic signal at the intersection of H Street and Street A, or secure such construction to the satisfaction of the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of	Port, Port Tenant, or Applicant -Prior to First Certificate of	City Engineer		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	the City Engineer. This mitigation would reduce Significant Impact 4.2-26 to below a level of significance.  *Applies to Significant Impact 4.2-26.	Occupancy			
MM 4.2-18	Prior to the issuance of certificates of occupancy for any development in Phase II of the development, the developer shall construct a traffic signal at the intersection of J Street and Marina Parkway. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-27 to below a level of significance.  *Applies to Significant Impact 4.2-27.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-19	Prior to the issuance of certificates of occupancy for any development in Phase II, the Port, Port tenant, or applicant, as appropriate, shall construct a traffic signal at the intersection of J Street and Street A and add an exclusive westbound right-turn lane along J Street and an exclusive southbound right-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The traffic signal and turning lanes shall operate and be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-28 to below a level of significance.  *Applies to Significant Impact 4.2-28.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-20	Prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, or applicant, as appropriate shall construct the segment of Street A that would continue south from J Street, connecting to the proposed Street B in the Otay District, as a two-lane Class III Collector. In addition, prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, as appropriate shall construct the segment of Street B that would connect to the proposed Street A, bridge over the Telegraph Canyon Creek Channel, and continue south to Bay Boulevard, as a 2-lane Class III Collector. This mitigation would reduce Significant Impact 4.2-31 to below a level of significance.  *Applies to Significant Impact 4.2-31.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.2-21	Prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, or applicant, as appropriate, shall widen Street A between H Street and Street C to a four-lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-32 to below a level of significance.  *Applies to Significant Impact 4.2-32.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-22	Prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, or applicant, as appropriate, shall construct an exclusive eastbound right-turn lane along J Street at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The turning lane shall be built to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-33 to below a level of significance.  *Applies to Significant Impact 4.2-33.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-23	Prior to the issuance of certificates of occupancy for any development in Phase III of the development, the Port, Port tenants, or applicant, as appropriate, shall construct an exclusive westbound right-turn lane along J Street at the intersection of J Street and I-5 NB Ramps, or secure such construction to the satisfaction of the City Engineer. The turning lane shall be built to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-34 to below a level of significance.  *Applies to Significant Impact 4.2-34.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-24	Prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, or applicant, as appropriate, shall construct E Street from the RCC Driveway to Bay Boulevard as a two-lane Class III Collector. This mitigation would reduce Significant Impact 4.2-38 to below a level of significance.  *Applies to Significant Impact 4.2-38.	Port, Port Tenants, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-25	Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a new F Street segment between the proposed terminus of the existing F Street and the proposed E Street	Port, Port Tenant, or Applicant -Prior to First	City Engineer		

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MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	extension, ending at the SP-3 Chula Vista Nature Center parking lot, as a two-lane Class III collector street, which shall also contain a Class II bike lane on both sides of the street. This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.  *Applies to Significant Impact 4.2-39.	Certificate of Occupancy			
MM 4.2-26	Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen E Street between F Street and Bay Boulevard to a four-lane Class I Collector, or secure such construction to the satisfaction of the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. Also, the widening of this segment of E Street would facilitate the flow of project traffic on Bay Boulevard between E Street to F Street. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.  *Applies to Significant Impacts 4.2-40 and 4.2-41.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-27	Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 4.2-42 to below a level of significance. The off-site traffic improvements described in this mitigation measure for direct traffic impacts would create secondary traffic impacts. Improvements associated with these secondary impacts would be required as a result of cumulative and growth-related traffic overall, of which the Proposed Project would be a component. The Western Chula Vista TDIF identifies these improvements in a cumulative context and attributes fair share contributions according to the impact. Therefore, the Proposed Project would be responsible for a fair share contribution and would not be solely responsible for implementation of necessary secondary impact improvements.  *Applies to Significant Impact 4.2-42.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.2-28	Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an eastbound through lane and an exclusive eastbound right-turn lane along E Street at the intersection of E Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-43 to below a level of significance.  *Applies to Significant Impact 4.2-43.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-29	Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct an exclusive southbound right-turn lane along Bay Boulevard at the intersection of J Street and Bay Boulevard, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-44 to below a level of significance.  *Applies to Significant Impact 4.2-44.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.2-30	Prior to the issuance of certificates of occupancy for any development in Phase IV, the Port, Port tenant, or applicant, as appropriate, shall construct a dual southbound left-turn lane along Street A, or secure such construction to the satisfaction of the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 4.2-45 to below a level of significance.  *Applies to Significant Impact 4.2-45.	Port, Port Tenant, or Applicant -Prior to First Certificate of Occupancy	City Engineer		
MM 4.4-1	<b>A. View Protection:</b> As a condition for issuance of Coastal Development Permits, buildings fronting on H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100-foot ROW width (curb-curb, building setbacks, and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Visual elements above 6 feet in height shall be prohibited in this zone if the feature would reduce visibility by more than 10 percent. Placement of trees should take into account potential view blockage. This mitigation should not be interpreted to not allow tree masses; however, trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should	Project Developer -Prior to First Coastal Development Permit	Port		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
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	<p>be pruned to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach upon view corridors, and to address the scale and massing impact, buildings shall step back at appropriate intervals or be angled to open up a broader view corridor at the ground plane to the extent feasible. All plans shall be subject to review and approval by the Port. All future development proposals shall conform to Port design guidelines and standards to the satisfaction of the Port.</p> <p><b>B. Height and Bulk:</b> Prior to issuance of Coastal Development Permits for projects within the Port's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades, and straight-edge building rooflines and profiles. This shall be done to the satisfaction of the Port.</p> <p><b>C. Height and Bulk:</b> Prior to design review approval for properties within the City's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for the large project components to diminish imposing building edges, monotonous facades, and straight-edge building rooflines and profiles. This shall be done to the satisfaction of the City of Chula Vista Planning Director.</p> <p><b>D. Landscaping:</b> Prior to final approval of Phase I infrastructure design plans, the Port and City shall collectively develop a master landscaping plan for the project's public components and improvements. The plan shall provide sufficient detail to ensure conformance to streetscape design guidelines and that future developers/tenants, as applicable, provide screening of parking areas.</p>	<p>Project Developer -Prior to First Coastal Development Permit</p> <p>Project Developer -Prior to Design Review Approval</p> <p>Port and City -Prior to Final Approval of Phase I Design</p>	<p>Port</p> <p>City</p> <p>Port in Coordination with qualified Biologist or Landscape Architect</p>		

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	<p>Streetscape landscaping shall be designed to enhance the visitor experience for both pedestrians and those in vehicles. Specifically, detailed landscaping plans shall be developed to enhance Marina Parkway, a designated scenic roadway and shall provide, where appropriate, screening of existing industrial uses and parking areas until such time as these facilities are redeveloped.</p> <p>Street landscaping design shall be coordinated with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location. For instance, vegetation planted adjacent to open water/shoreline areas must not provide raptor perches. Landscaping shall be drought tolerant or low-water use, and invasive plant species shall be prohibited.</p> <p><b>E. Landscaping:</b> Prior to approval of a tentative map or site development plan for future residential development, the project developer shall submit a landscaping design plan for on-site landscaping improvements that is in conformance to design guidelines and standards established by the City of Chula Vista. The plan shall be implemented as a condition of project approval.</p> <p><b>F. Gateway Plan:</b> Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of occupancy for any projects within the Port's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the Port and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street.</p> <p><b>G. Gateway Plan:</b> Concurrent with development of Parcels H-13 and H-14, the applicant shall submit a Gateway plan for J Street for City Design Review consideration. Prior to issuance of any building permits, the J Street Gateway plan shall be approved by the Director of Planning and Building in coordination with the Port's Director of Planning. The J Street Gateway plan shall be coordinated with the Gateway plan for E and H Streets.</p> <p>* Applies to Significant Impacts 4.4-3, 4.4-4, 4.4-5, 4.4-7, and 4.4-8.</p>	<p>Project Developer -Prior to TM/SDP Approval</p> <p>City</p> <p>Applicant -Prior to Occupancy</p> <p>Port and City</p> <p>Applicant -Prior to First Building Permit</p> <p>Port and City</p>			

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MM 4.4-2	<p>Prior to design review approval, lighting design plans with specifications for outdoor lighting locations and other intensely lighted areas shall be submitted to the Port and City for review and approval. The specifications shall identify the lighting intensity needs and design light fixtures to direct light toward intended uses. Outdoor and parking lot lighting shall be shielded and directed away from adjacent properties, wherever feasible and consistent with public safety. Consideration shall be given to the use of low-pressure sodium lighting or the equivalent. The lighting plan shall illustrate the location of the proposed lighting standards and type of shielding measures. The lighting plan shall incorporate specific design features including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 second between flashes) white strobes shall be used.</li> <li>• All event lighting shall be directed downward and shielded, unless directed downward or shielded to minimize light spill beyond the area for which illumination is required.</li> <li>• Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and navigation, including signage for building identification and orientation.</li> <li>• Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.</li> <li>• Office space, residential units, and hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.</li> <li>• Office space, residential unit and hotel rooms shall be equipped with blinds, drapes or other window coverings that may be closed to minimize the effects of interior night lighting.</li> <li>• Reflective glass or the application of reflective coatings shall not be used on any glass surface.</li> </ul>	Applicant -Prior to Design Review Approval	Port and City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.5-1	As a condition of approval of a Tenant Design Plan for projects within the Port's jurisdiction and a condition of the approval of a Final Map for projects within the City's jurisdiction, the project applicant shall include trash control measures that include animal-proof, covered, and self-closing trash containers and trash control enclosures, with frequent servicing, to prevent litter from being wind blown off-site to the satisfaction of the Port/City as appropriate pursuant to their water quality technical reports.  *Applies to Significant Impact 4.5-1.	Applicant -Condition of Approval for Tentative Design Plan/Condition of Approval of Final Map	Port/City		
MM 4.5-2	<b>A.</b> Prior to the issuance of a grading permit, the applicant shall notify the RWQCB of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB.  <b>B.</b> Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.  *Applies to Significant Impact 4.5-2.	Project Applicant/ Developer -Prior to First Grading Permit  Project Developer -Prior to Construction groundwater discharge	RWQCB  RWQCB		
MM 4.5-3	Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any Parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. The plan shall: <ul style="list-style-type: none"><li>• Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the Proposed Project shall be handled, stored, used, and disposed of in accordance with NPDES permitting requirements and applicable federal, state, and local policies</li><li>• Include material safety data sheets</li><li>• Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration</li></ul>	Applicant -Prior to First Grading Permit	Port or City		

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	<ul style="list-style-type: none"> <li>Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time</li> <li>Provide secured storage areas for compatible materials, with adequate spill containment</li> <li>Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City</li> <li>Demonstrate that all local, state, and federal regulations regarding hazardous materials and emergency response have been or will be complied with.</li> </ul> <p>*Applies to Significant Impact 4.5-3.</p>				
MM 4.5-4	<p><b>A.</b> Prior to issuance of a permit by USACE for dredge and/or fill operations in the Bay or Chula Vista Harbor, the applicant shall conduct a focused sediment investigation and submit it to USACE and RWQCB for review and approval. The applicant shall then determine the amount of bay sediment that requires remediation and develop a specific work plan to remediate bay sediments in accordance with permitting requirements of the RWQCB. The work plan shall include but not be limited to dredging the sediment, allowing it to drain, and analyzing the nature and extent of any contamination. Pending the outcome of the analytical results, a decision by RWQCB shall prescribe the requirements for disposition of any contaminated sediment.</p> <p><b>B.</b> Prior to issuance of a grading permit for marina redevelopment on HW-1 and HW-4, the developer shall submit a work plan for approval by the RWQCB and Port/City that requires the implementation of BMPs, including the use of silt curtains during in-water construction to minimize sediment disturbances and confine potentially contaminated sediment if contaminated sediment exists. If a silt curtain should be necessary, the silt curtain shall be anchored along the ocean floor with weights (i.e., a chain) and anchored to the top with a floating chain of buoys. The curtain shall wrap around the area of disturbance to prevent turbidity for traveling outside the immediate project area. Once the impacted region resettles the curtains shall be removed. If the sediment would be suitable for ocean disposal, no silt curtain shall be required. However, if contaminants are actually present, the applicant would be required to provide to the RWQCB and Port/City an evaluation showing that the sediment would be suitable for ocean disposal.</p> <p>*Applies to Significant Impact 4.5-4</p>	<p>Applicant -Prior to First USACE Permit for dredge/fill</p> <p>Developer -Prior to First Grading Permit</p>	<p>USACE and RWQCB</p> <p>RWQCB and Port/City</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.5-5	<p>Prior to the commencement of in-water construction for all phases of development, the Port or Port tenants shall adhere to regulatory requirements including the use of BMPs, which shall include use of silt curtains during all sediment suspension activities.</p> <p>*Applies to Significant Impact 4.5-5</p>	<p>Port or Port Tenants</p> <p>-Prior to In-Water Construction</p>	RWQCB		
MM 4.6-6	<p>Development of Program-level components of the Chula Vista Bayfront Master Plan (Phases I through IV) shall implement measures to reduce GHG emissions. Specific measures may include, but are not limited to the following:</p> <p><b>Energy Efficiency</b></p> <ul style="list-style-type: none"> <li>• Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.</li> <li>• Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.</li> <li>• Install light colored "cool" roofs, cool pavements, and strategically placed shade trees.</li> <li>• Provide information on energy management services for large energy users.</li> <li>• Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.</li> <li>• Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.</li> <li>• Limit the hours of operation for outdoor lighting.</li> <li>• Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.</li> <li>• Provide education on energy efficiency.</li> </ul> <p><u>Renewable Energy</u></p> <ul style="list-style-type: none"> <li>• Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.</li> <li>• Install solar panels on carports and over parking areas.</li> <li>• Use combined heat and power in appropriate applications.</li> </ul>	<p>Project Developer</p> <p>-Conditions of Approval for Program Master Plan Developments</p>	Port		

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	<p><u>Water Conservation and Efficiency</u></p> <ul style="list-style-type: none"> <li>• Create water-efficient landscapes.</li> <li>• Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.</li> <li>• Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.</li> <li>• Design buildings to be water efficient. Install water-efficient fixtures and appliances.</li> <li>• Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing gray water to be used for landscape irrigation.</li> <li>• Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.</li> <li>• Restrict the use of water for cleaning outdoor surfaces and vehicles.</li> <li>• Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)</li> <li>• Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.</li> <li>• Provide education about water conservation and available programs and incentives.</li> </ul> <p><u>Solid Waste Measures</u></p> <ul style="list-style-type: none"> <li>• Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).</li> <li>• Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.</li> <li>• Recover byproduct methane to generate electricity.</li> <li>• Provide education and publicity about reducing waste and available recycling services.</li> </ul>				

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	<p><u>Transportation and Motor Vehicles</u></p> <ul style="list-style-type: none"> <li>• Limit idling time for commercial, non-refrigerated vehicles, including delivery and construction vehicles. Refrigerated delivery trucks may remain idling while at loading docks.</li> <li>• Use low or zero-emission vehicles, including construction vehicles.</li> <li>• Promote ride sharing programs; e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.</li> <li>• Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).</li> <li>• Provide public transit incentives, such as free or low-cost monthly transit passes.</li> <li>• For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking.</li> <li>• Institute a telecommuter work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.</li> <li>• Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.</li> </ul> <p>The increased efficiency demands associated with completion years beyond 2020 are not specified in terms of business as usual reductions, but would demand substantially greater reductions than 20 percent below business as usual. While the measures listed above would substantially reduce projects GHG emissions, the level to which they would achieve these reductions cannot be ascertained as they may be modified by any applicable standards that are adopted in the future. Furthermore, because of the increased demand for greater reductions for developments beyond the 2020 horizon year and the rapid development of better technology, the mechanism and technological applications that may be available and necessary to avoid conflict with the goals or</p>				

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	strategies of AB 32 or related Executive Orders identification of adequate and effective measures is not feasible at this time.				
MM 4.7-1	<p>*Applies to Significant Impact 4.6-7.</p> <p>Construction-related noise shall be limited adjacent to the J Street Marsh during the typical breeding season of January 15 to August 31. Construction activity adjacent to these sensitive areas must not exceed 60 dB(A) Leq. at any active nest within the marsh. Prior to issuance of a building permit, the project developer shall prepare and submit to the City for review and approval an acoustical analysis and nesting bird survey to demonstrate that the 60 dB(A) Leq. noise level is maintained at the location of any active nest within the marsh. If the noise threshold is anticipated to be exceeded at the nest location, the project developer shall construct noise barriers or implement other noise control measures to ensure that construction noise levels do not exceed the threshold.</p>	Project Developer -Prior to First Building Permit	City		
MM 4.7-2	<p>*Applies to Significant Impact 4.7-1.</p> <p>Prior to the approval of Design Review for the Pacifica project, the applicant shall submit a site plan for the project demonstrating to the satisfaction of the Director of Planning and Building of the City that outdoor use areas are not exposed to noise levels in excess of 65 dB(A) CNEL. Applicants shall submit project plans demonstrating that outdoor usable residential areas conform to the standards set by the City of Chula Vista General Plan.</p> <p>Prior to issuance of building permits, the developer shall install noise barriers that would reduce sound levels to 65 dB(A) CNEL or below at outdoor usable areas on the Pacifica site. To preserve a view, glass or Plexiglas with a minimum density of 3.5 pounds per square foot may be substituted for other construction materials. The barrier locations, heights, and lengths for the Pacifica development, as summarized in Table 4.7-15 and illustrated on Figure 4.7-10, would achieve these reductions.</p>	<p>Applicant -Prior to Design Review Approval</p> <p>Developer -Prior to First Building Permit</p>	<p>City</p> <p>City</p>		

**TABLE 4.7-15  
Barrier Locations, Heights, and Lengths For Rooftop Parapet**

Barrier Location	Height (ft)	Length (ft)
Rooftop Parapet		
HD-1B: North Façade	5	224

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	HD-1B: East Façade	6	243					
	HD-2A: East/South Façades	5	313					
	HD-2B: North Façade	5	128					
	HD-2B: East Façade	6	188					
	HD-3A: East Façade	5	215					
	HD-3A: South Façade	5	350					
	HD-4A: East Façade	5	264					
	HD-4A: South Façade	5	336					
	*Applies to Significant Impact 4.7-2.							
MM 4.7-3	<p>Prior to the issuance of building permits for residential units adjacent to circulation element roadways in the Harbor District, the applicant shall perform and submit an acoustical analysis to the City, demonstrating that the proposed building plans provide interior noise levels due to exterior sources are 45 dB(A) CNEL or less in any habitable room. The analysis must also identify Sound Transmission Loss (STL) rates of each window.</p>				Applicant -Prior to First Building Permit	City		
	*Applies to Significant Impacts 4.7-3 and 4.7-7.							
MM 4.7-4	<p>Prior to the approval of Design Review for the Pacifica project, the applicant shall submit a design plan for the project demonstrating to the satisfaction of the City's Director of Planning and Building that the noise level from operation of mechanical equipment will not exceed 50 dB(A) Leq. at any property line. Noise control measures may include, but are not limited to, the selection of quiet equipment, equipment setbacks, silencers, and/or acoustical louvers. Such measures must be designed and installed so as to achieve a cumulative sound level from mechanical equipment that does not exceed 40 dB(A) at 50 feet from the building façades adjacent to Marina Parkway, Street C, and J Street or 54 dB(A) at 50 feet from the building façades facing Street A.</p>				Applicant -Prior to Design Review Approval	City		
	<p>Prior to the approval of Design Review for the Pacific project, the applicant shall prepare and submit to the City for review and approval an acoustical analysis and nesting bird survey to demonstrate that operation of mechanical equipment will not exceed the 60 dB(A) Leq. noise level at the location of any active nest within the J Street Marsh. If the</p>				Applicant -Prior to Design Review Approval	City		



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	other construction materials.				
MM 4.7-7	<p>*Applies to Significant Impact 4.7-6.</p> <p>To avoid significant impacts to the F &amp; G Street Marsh and reduce the noise level at habitat to 60 dB(A) or below, the developer shall install a 3-foot-high noise barrier along the east right-of-way of E Street for the extent of the habitat, as shown on Figure 4.7-12. The barrier must be of solid construction, with no gaps or cracks through or below the wall, and have a minimum density of 3.5 pounds per square foot. The barrier must block line-of-sight between the source and receiver and be long enough to prevent flanking around the ends.</p>	Developer - Prior to start of construction	City		
MM 4.7-8	<p>*Applies to Significant Impact 4.7-8.</p> <p>To avoid significant construction-related noise impacts, the following measures shall be followed:</p> <ul style="list-style-type: none"> <li>Construction activity shall be prohibited Monday through Friday from 10:00 P.M. to 7:00 A.M., and Saturday and Sunday from 10:00 P.M. to 8:00 A.M., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J).</li> <li>All stationary noise generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors, as practicable. Where practicable, noise-generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.</li> <li>All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an unmuffled exhaust.</li> <li>Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.</li> <li>Construction vehicles accessing the site shall be required to use the shortest possible route to and from I-5, provided the route does not expose additional receptors to noise.</li> </ul>	Developer -During construction	City		

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	<ul style="list-style-type: none"> <li>Construction equipment shall be selected as those capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible to perform the required construction operation.</li> <li>Construction equipment shall be operated and maintained to minimize noise generation. Equipment shall be kept in good repair and fitted with "manufacturer-recommended" mufflers.</li> </ul>				
MM 4.7-9	<p>*Applies to Significant Impacts 4.7-9 and 4.7-10.</p> <p>Construction-related noise shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh NWR and F&amp;G Street Marsh. The current accepted noise threshold is 60 dB(A) Leq.; thus construction activity shall not exceed this level, or ambient noise levels if higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall prepare and submit an acoustical analysis to the Port and/or City that shall determine whether noise barriers would be required to reduce the expected noise levels below the threshold. If noise barriers, construction activities, or other methods are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season.</p>	Developer -Prior to start of construction	Port and/or City		
MM 4.8-1	<p>*Applies to Significant Impact 4.7-11.</p> <p>Prior to construction in any areas with suitable nesting locations for raptors (such as trees, utility poles, or other suitable structures) and, if grading or construction occurs during the breeding season for nesting raptors (January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction shall retain a qualified, Port- or City-approved biologist, as appropriate, who shall conduct a pre-construction survey for active raptor nests. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active nest is found, an appropriate setback distance will be determined in consultation with the applicant, Port or City, USFWS, and CDFG. The construction setback shall be implemented until the young are completely independent of the nest or the nest is relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all</p>	Developer(s) -Prior to start of construction	Port or City in Consultation with USFWS and CDFG		

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	major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.				
MM 4.8-2	<p>*Applies to Significant Impact 4.8-1.</p> <p>Prior to construction in any areas with suitable nesting habitat for burrowing owl and, if grading or construction occurs during the breeding season for the burrowing owl (January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction, as appropriate, shall retain a qualified biologist, who shall be approved by the Port or City, respectively, to conduct a pre-construction survey within all suitable habitat prior to any grading activities. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active burrow is detected during the breeding season of January 15 to July 31, construction setbacks of 300 feet from occupied burrows shall be implemented until the young are completely independent of the nest. If an active burrow is found outside of the breeding season, or after an active nest is determined to no longer be active by a qualified biologist, the burrowing owl would be passively relocated according to the guidelines provided by CDFG (1995) and in coordination with CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.</p>	Developer(s) -Prior to start of construction	Port or City in Consultation with CDFG		
MM 4.8-3	<p>*Applies to Significant Impact 4.8-2.</p> <p>If grading or construction occurs during the breeding season for migratory birds (January 15 through August 31), the project developer(s) shall retain a qualified biologist, approved</p>	Developer -Prior to start of	Port or City in		

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	by the Port/City (depending on the jurisdiction), to conduct a pre-construction survey for nesting migratory birds. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If active nests are present, the Port will consult with USFWS and CDFG to determine the appropriate construction setback distance. Construction setbacks shall be implemented until the young are completely independent of the nest or relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.	construction	Consultation with USFWS and CDFG		
MM 4.8-4	<p>*Applies to Significant Impact 4.8-3.</p> <p>Prior to construction or grading in any areas of suitable nesting or foraging habitat for light-footed clapper rail, and, regardless of the time of year, the project developer(s) shall retain a qualified biologist who shall be approved by the Port or City, as appropriate, and shall be present during removal of southern coastal salt marsh vegetation within the inlet to the F &amp; G Street Marsh to ensure that there are no direct impacts to foraging light-footed clapper rails. If a light-footed clapper rail is encountered, construction will be temporarily halted until the bird leaves the area of construction. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint. The project developer(s) shall consult with the U.S. Fish and Wildlife Service prior to impacting any</p>	Developer -Prior to start of construction	Port or City in coordination with qualified biological monitor		

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	<p>areas of suitable nesting or foraging habitat for light-footed clapper rail so as not to prevent any unauthorized take of the light-footed clapper rail. Any take must be authorized by U.S. Fish and Wildlife Service.</p> <p>*Applies to Significant Impact 4.8-4.</p>				
MM 4.8-5	<p>Prior to issuance of any clearing and grubbing or grading permits within the jurisdiction of the City, the project applicant within the City's jurisdiction shall be required to obtain a HLT permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to Covered Species and Vegetation Communities protected under the City's MSCP Subarea Plan. In addition, the MSCP requires additional protective measures for the western burrowing owl, as identified in Mitigation Measure 4.8-2 above.</p> <p>*Applies to Significant Impact 4.8-5.</p>	<p>Applicant</p> <ul style="list-style-type: none"> <li>- Prior to First Clearing, Grubbing, or Grading Permit</li> </ul>	City		
MM 4.8-6	<p><b>A. Construction-related noise.</b> Construction-related noise shall be limited adjacent to the Sweetwater Marsh and South San Diego Bay Units of the San Diego Bay National Wildlife Refuge, F &amp; G Street Marsh, the mudflats west of the Sweetwater District, and the J Street Marsh during the general avian breeding season of January 15 to August 31. During the avian breeding season, noise levels from construction activities must not exceed 60 dB(A) Leq., or ambient noise levels if higher than 60 dB(A). The project developer(s) shall prepare and submit to the Port/City for review and approval an acoustical analysis and nesting bird survey to demonstrate that the 60 dB(A) Leq. noise level is maintained at the location of any active nest within the marsh. If noise attenuation measures or modifications to construction activities are unable to reduce the noise level below 60 dB(A), either the developer(s) must immediately consult with the Service to develop a noise attenuation plan or construction in the affected areas must cease until the end of the breeding season. Because potential construction noise levels above 60 dB(A) Leq have been identified at the F &amp; G Street Marsh, specific noise attenuation measures have been identified and are addressed in Section 4.7 of the EIR.</p> <p><b>B. Perching of raptors.</b> To reduce the potential for raptors to perch within the landscaping and hunt sensitive bird species from those perches, the following design criteria shall be identified in the CVBMP master landscape plan and incorporated into all building and landscape plans with a line of site to the City's MSCP Preserve buffer zones, and on-site open space:</p>	<p>Developer</p> <ul style="list-style-type: none"> <li>-Prior to start of construction</li> </ul>	Port or City		
		<p>Developer</p> <ul style="list-style-type: none"> <li>-Prior to Design Review Approval</li> </ul>	Port or City		

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	<ul style="list-style-type: none"> <li>• Light posts shall have anti-perching spike strips along any portions that would be accessible to raptors.</li> <li>• The top edge of buildings shall be rounded with sufficient radius to reduce the amount of suitable perching building edges.</li> <li>• If building tops are hard corners, spike strips shall be used to discourage raptors from perching and building nests.</li> <li>• Decorative eaves, ledges, or other protrusions shall be designed to discourage perching by raptors.</li> <li>• To the extent practicable, buildings on Parcels S-1 and S-4 will be oriented to reduce raptor perches within the line of sight to adjacent sensitive habitats.</li> </ul> <p><b>C. Raptor management and monitoring.</b> Prior to the issuance of a Coastal Development Permit, the project developer shall prepare a raptor nest management plan to be implemented once the project is built. A biologist retained by the project developer and approved by the Port and/or City shall be responsible for monitoring the buildings and associated landscaping to determine whether raptor nests have been established on Port or City lands within 500 feet of the Preserves. If a nest is discovered, the nest would be removed in consultation with USFWS, CDFG, and the Port/City, outside of the raptor breeding season of January 15 to July 31.</p> <p><b>D. Lighting.</b> The following mitigation measure is required during all phases of development to ensure that outdoor lighting throughout the project area is minimized upon any of the habitat buffers, Preserve areas, habitats, or open water.</p> <p>Prior to issuance of a building permit, each applicant within the Port's or City's jurisdiction shall prepare a lighting design plan, including a photometric analysis, to be reviewed by the Port or City, as appropriate. Each plan shall include the following features, as appropriate to the specific locations:</p> <ul style="list-style-type: none"> <li>• All exterior lighting shall be directed away from the habitat buffers, Preserve Areas, habitats, or open water, wherever feasible and consistent with public safety. Where necessary, lighting of all developed areas adjacent to the habitat buffers, Preserve</li> </ul>	<p>Developer -Prior to First Coastal Development Permit</p> <p>Developer -Prior to First Building Permit</p>	<p>Port or City in Consultation with biological monitor, USFWS, and CDFG</p> <p>Port or City</p>		

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	<p>Areas, habitats, or open water shall provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the habitat buffers, Preserve Areas, habitats, or open water and sensitive species from night lighting. The light structure themselves shall have shielding (and incorporate anti-raptor perching criteria); but the placement of the light structures shall also provide shielding from wildlife habitats and shall be placed in such a way as to minimize the amount of light reaching adjacent habitat buffers, Preserve Areas, habitats, or open water. This includes street lights, pedestrian and bicycle path lighting, and any recreational lighting.</p> <ul style="list-style-type: none"> <li>• All exterior lighting immediately adjacent to habitat buffers, Preserve Areas, habitats, or open water shall be low-pressure sodium lighting or other approved equivalent.</li> <li>• No sports field lights shall be planned on the recreation fields near the J Street Marsh or the Sweetwater Marsh.</li> <li>• All roadways will be designed, and where necessary edges bermed, to ensure automobile light penetration in the Wildlife Habitat Areas, as defined in Mitigation Measure 4.8-7, will be minimized, subject to applicable City and Port roadway design standards.</li> <li>• Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project. All street and walkway lighting should be shielded to minimize sky glow.</li> <li>• To the maximum extent feasible, all external lighting will be designed to minimize any impact to Wildlife Habitat Areas, and operations and maintenance conditions and procedures will be devised to ensure appropriate long-term education and control. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.</li> <li>• In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement requirements. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the</li> </ul>				

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	<p>walkway and does not scatter. Lighting that emits only a low-range yellow light will be used since yellow monochromatic light is not perceived as natural light by wildlife and minimized eco-disruptions. No night lighting for active sports facilities will be allowed.</p> <ul style="list-style-type: none"> <li>• Sweetwater and Otay District parks will open and close in accordance with Port park regulations.</li> <li>• Laser light shows will be prohibited.</li> <li>• Construction lighting will be controlled to minimize Wildlife Habitat Area impacts.</li> </ul> <p><b>E. Noise.</b></p> <p><b>Construction Noise.</b> Mitigation Measure 4.8-6, and the measures outlined in Section 4.7, Noise, shall be implemented in order to reduce potential indirect construction-noise impacts to sensitive species within the F &amp; G Street Marsh and J Street Marsh. In order to further reduce construction noise, equipment staging areas shall be centered away from the edges of the project, and construction equipment shall be maintained regularly and muffled appropriately. In addition, construction noise must be controlled to minimize impacts to Wildlife Habitat Areas.</p> <p><b>Operational Noise.</b> Noise levels from loading and unloading areas; rooftop heating, ventilation, and air conditioning facilities; and other noise-generating operational equipment shall not exceed 60 dBA Leq. at the boundaries of the F &amp; G Street Marsh and the J Street Marsh during the typical breeding season of January 15 to August 31.</p> <p><b>Fireworks.</b> A maximum of three (3) fireworks events can be held per year, all outside of Least Tern nesting season except 4<sup>th</sup> of July, which may be allowed if in full regulatory compliance and if the nesting colonies are monitored during the event and any impacts reported to the Wildlife Advisory Committee so they can be addressed. All shows must comply with all applicable water quality and species protection regulations. All shows must be consistent with policies, goals, and objectives in the Natural Resource Management Plan (NRMP), described in Mitigation Measure 4.8-7.</p> <p><b>F. Invasives.</b> All exterior landscaping plans shall be submitted to the Port or City, as appropriate, for review and approval to ensure that no plants listed on the California</p>	<p>Applicant -Prior to Design Review Approval</p>	City		

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	<p>Invasive Plant Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of this Final EIR), the California Invasive Plant Inventory Database, Appendix N of the City's MSCP Subarea Plan, or any related updates shall be used in the Proposed Project area. Any such invasive plant species that establishes itself within the Proposed Project area will be removed immediately to the maximum extent feasible and in a manner adequate to prevent further distribution into Wildlife Habitat Areas.</p> <p>The following landscape guidelines will apply to the Proposed Project area:</p> <ul style="list-style-type: none"> <li>Only designated native plants will be used in No Touch Buffer Areas, habitat restoration areas, or in the limited and transitional zones of Parcel SP-1 adjacent to Wildlife Habitat Areas.</li> <li>Non-native plants will be prohibited adjacent to Wildlife Habitat Areas and will be strongly discouraged and minimized elsewhere where they will provide breeding of undesired scavengers.</li> <li>Landscaping plans for development projects adjacent to ecological buffers and/or the MSCP Preserve shall include native plants that are compatible with native vegetation located within the ecological buffers and/or MSCP Preserve.</li> <li>No trees will be planted in the No Touch Buffer Areas or directly adjacent to a National Wildlife Refuge, J Street Marsh, or SP-2 areas where there is no Buffer Area.</li> </ul> <p><b>G. Toxic Substances and Drainage.</b> Implementation of general water quality measures outlined in Mitigation Measures 4.5-2 through 4.5-4, identified in Section 4.5, Hydrology/Water Quality, would reduce impacts associated with the release of toxins, chemicals, petroleum products, and other elements that might degrade or harm the natural environment to below a level that is significant, and would provide benefits to wetland habitats. As a reference, these mitigation measures are repeated below and apply to the Port and City:</p> <ul style="list-style-type: none"> <li>If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance</li> </ul>	Port/City	Port/City in Consultation with USFWS and CDFG		

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	<p>with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. The project developer(s) shall demonstrate satisfaction of all permit requirements prior to issuance of a grading permit.</p> <ul style="list-style-type: none"> <li>• Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pre-treatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.</li> <li>• Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. The plan shall: <ul style="list-style-type: none"> <li>◦ Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the Proposed Project shall be handled, stored, used, and disposed of in accordance with NPDES permitting requirements and applicable federal, state, and local policies</li> <li>◦ Include material safety data sheets</li> <li>◦ Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration</li> <li>◦ Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time</li> <li>◦ Provide secured storage areas for compatible materials, with adequate spill contaminant</li> <li>◦ Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City</li> <li>◦ Demonstrate compliance with all local, state, and federal regulations regarding hazardous materials and emergency response.</li> </ul> </li> <li>• Prior to issuance of a permit by USACE for dredge and/or fill operations in the Bay or Chula Vista Harbor, the applicant shall conduct a focused sediment investigation and submit it to USACE, EPA, and RWQCB for review and approval. The applicant shall then determine the amount of bay sediment that requires remediation and develop a specific work plan to remediate bay sediments in accordance with permitting</li> </ul>				

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	<p>requirements of the RWQCB. The work plan shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>• dredging the sediment, analyzing the nature and extent of any contamination, and allowing it to drain. Pending the outcome of the analytical results, the RWQCB and the Port shall prescribe the appropriate method for disposition of any contaminated sediment.</li> <li>• Prior to issuance of a grading permit for marina redevelopment on Parcels HW-1 and HW-4, the developer shall submit a work plan for approval by the RWQCB and Port/City that requires the implementation of BMPs, including the use of silt curtains during in-water construction to minimize sediment disturbances and confine potentially contaminated sediment if contaminated sediment exists. If a silt curtain should be necessary, the silt curtain shall be anchored along the ocean floor with weights (i.e., a chain) and anchored to the top with a floating chain of buoys. The curtain shall wrap around the area of disturbance to prevent turbidity from traveling outside the immediate project area. Once the impacted region resettles, the curtains shall be removed. If the sediment would be suitable for ocean disposal, no silt curtain shall be required. However, if contaminants are actually present, the applicant would be required to provide to the RWQCB and Port/City an evaluation showing that the sediment would be suitable for ocean disposal.</li> <li>• In addition, the following measures will apply: <ul style="list-style-type: none"> <li>◦ Vegetation-based storm water treatment facilities, such as natural berms, swales, and detention areas are appropriate uses for Buffer Areas so long as they are designed using native plant species and serve dual functions as habitat areas. Provisions for access for non-destructive maintenance and removal of litter and excess sediment will be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, mulefat, willow, and the like are permissible.</li> <li>◦ Storm water and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of any erosion or type conversion will be developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment accumulation, shoreline erosion and stream bed widening, loss of aquatic species, and decreased base flow.</li> <li>◦ The use of persistent pesticides or fertilizers in landscaping that drains into</li> </ul> </li> </ul>				

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	<p>Wildlife Habitat Areas is prohibited. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas.</p> <ul style="list-style-type: none"> <li>o Fine trash filters (as approved by the agency having jurisdiction over the storm drain) are required for all storm drain pipes that discharge toward Wildlife Habitat Areas.</li> </ul> <p><b>H. Public Access.</b> In addition to site-specific measures designed to prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals, the following would prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals.</p> <p><b>Buffers:</b> All buffers shall be established and maintained by the Port/City. Appropriate signage will be provided at the boundary and within the buffer area to restrict public access. Within the western 200-foot width of Parcel SP-1, a portion of the buffer areas would be re-contoured and restored to provide habitat consistent with the native vegetation communities in the adjacent open space preserve areas and to provide mitigation opportunities for project impacts. Appendix 4.8-8 provides more specific detail of the mitigation opportunities available within the buffer area included within the Proposed Project. Table 4.8-5 provides a breakdown of the available maximum mitigation acreage that is available within the buffer. Figure 4.8-23 depicts the conceptual mitigation opportunities within the Sweetwater District. Figures 4.8-24 and 4.8-25 display the cross section of the buffer zones in the Sweetwater District indicated on the conceptual illustration. Figure 4.8-26 depicts the conceptual mitigation opportunities within the Otay District. The proposed restoration includes creating and restoring coastal salt marsh and creating riparian scrub vegetation communities. In addition, the coastal brackish marsh, disturbed riparian habitat, and wetland would be enhanced.</p> <p>The first 200 feet of buffer areas adjacent to sensitive habitats, or full width in the case of reduced buffer areas, will be maintained as a "no touch" buffer and will not contain any trails or overlooks. Fencing, consisting of a 6-foot-high vinyl-coated chain link fence will be installed within the buffer area to prevent unauthorized access. Fencing in Parcel SP-1 will be installed prior to occupancy of the first buildings constructed in Phase I. District enforcement personnel will patrol these areas and be trained in the importance of preventing human and domestic animal encroachment in these areas. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the</p>				

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	<p>Harbor Police to report trespassing within the sensitive areas.</p> <p><b>TABLE 4.8-5</b></p> <p><b>Potential Mitigation Acreage Available for Proposed Impacts to Vegetation Communities and Land Cover Types for Chula Vista Bayfront (acres)</b></p> <table> <tr> <th>Habitat</th><th>District/Area</th><th>Created</th><th>Restored</th><th>Enhanced</th><th>Total Credits</th></tr> <tr> <td>Coastal salt marsh</td><td>Sweetwater</td><td>4.87</td><td></td><td></td><td>5.97</td></tr> <tr> <td></td><td>Olay</td><td>4.54</td><td></td><td></td><td>4.54</td></tr> <tr> <td>Coastal brackish marsh</td><td>Sweetwater</td><td></td><td></td><td>3.40</td><td>1.70</td></tr> <tr> <td></td><td>Sweetwater</td><td></td><td></td><td>3.03</td><td>1.52</td></tr> <tr> <td>Riparian</td><td>Olay</td><td>1.99</td><td></td><td></td><td>1.99</td></tr> <tr> <td>Coastal salt marsh</td><td>F &amp; G Street Marsh</td><td></td><td>5.02</td><td></td><td>5.02</td></tr> <tr> <td>Wetland</td><td>Sweetwater</td><td></td><td></td><td>2.14</td><td>1.07</td></tr> <tr> <td><b>TOTAL WETLAND ACREAGE</b></td><td></td><td><b>11.40</b></td><td><b>5.02</b></td><td><b>8.57</b></td><td><b>25.00</b></td></tr> <tr> <td><b>TOTAL WETLAND CREDITS<sup>1</sup></b></td><td></td><td><b>11.40</b></td><td><b>5.02</b></td><td><b>4.29</b></td><td><b>20.71</b></td></tr> <tr> <td>CSS/Native Grassland Restoration</td><td>Sweetwater</td><td></td><td>17.73</td><td></td><td>17.73</td></tr> <tr> <td></td><td>Olay</td><td></td><td>1.99</td><td></td><td>1.99</td></tr> <tr> <td></td><td>F &amp; G Street Marsh</td><td></td><td>2.49</td><td></td><td>2.49</td></tr> <tr> <td><b>TOTAL UPLAND ACREAGE</b></td><td></td><td><b>0</b></td><td><b>22.21</b></td><td><b>0</b></td><td><b>22.21</b></td></tr> <tr> <td><b>TOTAL UPLAND CREDITS<sup>1</sup></b></td><td></td><td><b>0</b></td><td><b>22.21</b></td><td><b>0</b></td><td><b>22.21</b></td></tr> </table> <p><sup>1</sup>Credits are based on an assumption that habitat creation and restoration will receive a 1:1 mitigation credit and enhancement will receive a 0.5:1 mitigation credit.</p> <p>Impacts to disturbed coastal sage scrub would be mitigated by the restoration of a coastal sage scrub/native grassland habitat also within this buffer. There is the potential to provide a maximum of 20.71 acres of mitigation credit for impacts to wetland habitats and 22.21 acres for impacts to upland habitats. This would exceed the required mitigation needed for impacts within the Port's and City's jurisdiction.</p> <p>A detailed coastal sage scrub (CSS) and maritime succulent scrub (MSS) restoration plan that describes the vegetation to be planted shall be prepared by a Port- or City-approved biologist and approved by the Port or City, as appropriate. The City or Port shall develop guidelines for restoration in consultation with USFWS and CDFG.</p>	Habitat	District/Area	Created	Restored	Enhanced	Total Credits	Coastal salt marsh	Sweetwater	4.87			5.97		Olay	4.54			4.54	Coastal brackish marsh	Sweetwater			3.40	1.70		Sweetwater			3.03	1.52	Riparian	Olay	1.99			1.99	Coastal salt marsh	F & G Street Marsh		5.02		5.02	Wetland	Sweetwater			2.14	1.07	<b>TOTAL WETLAND ACREAGE</b>		<b>11.40</b>	<b>5.02</b>	<b>8.57</b>	<b>25.00</b>	<b>TOTAL WETLAND CREDITS<sup>1</sup></b>		<b>11.40</b>	<b>5.02</b>	<b>4.29</b>	<b>20.71</b>	CSS/Native Grassland Restoration	Sweetwater		17.73		17.73		Olay		1.99		1.99		F & G Street Marsh		2.49		2.49	<b>TOTAL UPLAND ACREAGE</b>		<b>0</b>	<b>22.21</b>	<b>0</b>	<b>22.21</b>	<b>TOTAL UPLAND CREDITS<sup>1</sup></b>		<b>0</b>	<b>22.21</b>	<b>0</b>	<b>22.21</b>				
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	<p>The restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish success criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions are expected. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months from the date the report is submitted.</p> <p>The project developer(s) shall be responsible for implementing the proposed mitigation measures and ensuring that the success criteria are met and approved by the City or Port, as appropriate, and other regulatory agencies, as may be required.</p> <p><b>Strategic Fencing.</b>  <b>Temporary Fencing.</b> Prior to issuance of any clearing and grubbing or grading permits, temporary orange fencing shall be installed around sensitive biological resources on the project site that will not be impacted by the Proposed Project. Silt fencing shall also be installed along the edge of the SDBNWR during grading within the western portion of the ecological buffer. In addition, the applicant must retain a qualified biologist to monitor the installation and ongoing maintenance of this temporary fencing adjacent to all sensitive habitat. This fencing shall be shown on both grading and landscape plans, and installation and maintenance of the fencing shall be verified by the Port's or City's Mitigation Monitor, as appropriate.</p> <p><b>Permanent Fencing.</b> Prior to approval of landscape plans, a conceptual site plan or fencing plan shall be submitted to the Port or City, as appropriate, for review and approval to ensure areas designated as sensitive habitat are not impacted. Fencing shall be provided within the buffer area only, and not in sensitive habitat areas.</p>				

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	<p><b>Domestic Animals.</b> In all areas of the Chula Vista Bayfront, especially on the foot path adjacent to the marsh on the Sweetwater District property, mandatory leash laws shall be enforced. Appropriate signage shall be posted indicating human and domestic animal access is prohibited within the designated Preserve areas.</p> <p><b>Trash.</b> Illegal dumping and littering shall be prohibited within the Preserve areas. Throughout the Proposed Project site, easily accessible trash cans and recycling bins shall be placed along all walking and bike paths, and shop walkways. These trash cans shall be "animal-proof" and have self-closing lids, to discourage scavenger animals from foraging in the cans. The trash cans shall be emptied daily or more often if required during high use periods. Buildings and stores shall have large dumpsters in a courtyard or carport that is bermed and enclosed. This ensures that, if stray trash falls to the ground during collection, it does not blow into the Bay or marshes.</p> <p><b>Training.</b> Pursuant to permitting requirements of the Resource Agencies, pre-construction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area.</p> <p><b>I. Boating Impacts.</b> All boating, human and pet intrusion must be kept away from F &amp; G Street channel mouth and marsh.</p> <ul style="list-style-type: none"> <li>• Water areas must be managed with enforceable boating restrictions. The Port will exercise diligent and good faith efforts to enter into a cooperative agreement with the Resource Agencies and Coast Guard to ensure monitoring and enforcement of no-boating zones and speed limit restrictions to prevent wildlife disturbances.</li> <li>• No boating will be allowed in vicinity of the J Street Marsh or east of the navigation channel in the Sweetwater District during the fall and spring migration and during the winter season when flocks of bird are present.</li> <li>• All rentals of jet-skis and other motorized personal watercraft (PWCs), as defined in Harbors and Navigations Code Section 651(s) will be prohibited in the Proposed Project area.</li> <li>• Use of PWCs will be prohibited in Wildlife Habitat Areas, subject to applicable law.</li> <li>• A five (5) mile-per-hour speed limit will be enforced in areas other than the</li> </ul>				

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	<p>navigation channels.</p> <ul style="list-style-type: none"> <li>Nothing in this mitigation measure shall preclude bona fide research, law enforcement, or emergency activities.</li> </ul> <p>*Applies to Significant Impacts 4.8-6 and 4.8-7.</p>				
MM 4.8-7	<p>Mitigation Measure 4.8-7 is intended to provide additional measures to reduce further the indirect impacts to biological resources already addressed in and reduced to below a level of significance by Mitigation Measure 4.8-6. This additional measure provides for the creation, implementation, funding, and enforcement of a Natural Resources Management Plan ("NRMP"), good faith efforts to enter into a cooperative management agreement with the USFWS or other appropriate agency or organization, restoration priorities, the creation of a South Bay Wildlife Advisory Group, and education, as follows:</p> <p>A. Natural Resources Management Plan: In recognition of the sensitivity of the natural resources and the importance of protection, restoration, management and enforcement in protecting those resources, the Port, City and RDA will cause to be prepared an NRMP to be prepared in accordance with the mitigation measure. The NRMP will be designed to achieve the Management Objectives (defined below) for the Wildlife Habitat Areas (defined below). The NRMP will be an adaptive management plan, reviewed and amended as necessary by the Port and City in compliance with the process described in Section 4.8-7D of this measure.</p> <p>a. "Wildlife Habitat Areas" are defined as:</p> <ol style="list-style-type: none"> <li>All National Wildlife refuge lands, currently designated and designated in the future, in the South San Diego Bay and Sweetwater Marsh National Wildlife Refuge Units. National Wildlife Refuge lands are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.</li> <li>All Port designated lands and open water areas in the Conservation Land Use Designations of Wetlands, Estuary, and Habitat Replacement as depicted in the Draft Precise Plan for Planning District 7.</li> <li>Parcels 1g and 2a from the City's Bayfront Specific Plan.</li> </ol>	<p>Port</p> <p>-Prior to start of construction</p>	<p>Port</p>		

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	<p>iv. The Wildlife Habitat Areas are depicted on Exhibit 1 to the MMRP.</p> <p>v. No Touch Buffer areas as depicted on Exhibit 2 to the MMRP.</p> <p>b. NRMP Management Objectives for Wildlife Habitat Areas: Taking into consideration the potential changes in functionality of Wildlife Habitat Areas due to rising sea levels, the NRMP will promote, at a minimum, the following objectives ("Management Objectives") for the Wildlife Habitat Areas:</p> <p>i. Long term protection, conservation, monitoring, and enhancement of:</p> <ol style="list-style-type: none"> <li>1. Wetland habitat, with regard to gross acreage as well as ecosystem structure, function and value.</li> <li>2. Coastal sage and coastal strand vegetation.</li> <li>3. Upland natural resources for their inherent ecological values, as well as their roles as buffers to more sensitive adjacent wetlands. Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide, taking into account future sea level rise.</li> </ol> <p>ii. Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.</p> <p>iii. Protection of nesting, foraging, and rafting wildlife from disturbance.</p> <p>iv. Avoidance of actions within the Proposed Project area that would adversely impact or degrade water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.</p> <p>v. Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.</p> <p>c. Implementation of NRMP Management Objectives: NRMP will include a plan for achieving Management Objectives as they related to the Buffer Areas and Wildlife Habitat Areas ("WHA's") and the Proposed Project area, which will:</p> <ol style="list-style-type: none"> <li>i. Ensure the Port, City and RDA are not required to expend funds for NRMP implementation until project-related revenues are identified and impacts initiated.</li> <li>ii. Require coordination with the Resource Agencies of the Port's City's and Resource Agencies' respective obligations with respect to the Buffer Areas and Wildlife Habitat Areas.</li> <li>iii. Designate "No Touch" Buffer Areas as that term is defined and described in this</li> </ol>				

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	<p>Final EIR. Such areas will contain contiguous fencing designed specifically to limit the movement of domesticated, feral, and nuisance predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, "Predators"]) and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be at a minimum 6-foot high, black vinyl chain link fence or other suitable barrier (built to the specifications described in this Final EIR). Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence. The installation of such fencing in the Sweetwater and Harbor Districts must be completed prior to the issuance of Certificates of Occupancy for development projects on either Parcel H-3 or H-23 and in conjunction with the development or road improvements in the Sweetwater District., with the exception of Parcel S-4 which will retain the existing fencing until that parcel is redeveloped and the fencing of the No Touch Buffer installed.</p> <p>iv. Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas, Limited Use Buffer Areas, and Transition Buffer Areas as that term is defined and described in this Final EIR, with the exception of existing or necessary access points for required maintenance.</p> <p>v. Result in the fencing of No Touch Buffer Areas including, without limitation, fencing necessary to protect the Sweetwater Marsh and the Sweetwater parcel tidal flats, the J Street Marsh next to the San Diego Bay Refuge and the north side of Parcel H-3.</p> <p>vi. Include additional controls and strategies restricting movement of humans and Predators into sensitive areas beyond the boundaries of the designated Buffer Areas.</p> <p>vii. Require the Recreational Vehicle Park to install fencing or other barriers sufficient to prevent passage of Predators and humans into sensitive adjacent habitat.</p> <p>viii. Require all dogs to be leashed in all areas of the Proposed Project at all times except in any designated and controlled off-leash areas.</p> <p>ix. Impose and enforce restrictions on all residential development to keep cats and dogs indoors or on leashes at all times. Residential developments will be required to provide education to owners and/or renters regarding the rules and restrictions regarding the keeping of pets.</p>				

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	<p>d. Walkway and Path Design: Detail conditions and controls applicable to the walkways, paths, and overlooks near Wildlife Habitat Areas and outside of the No Touch Buffer Areas in accordance with the following:</p> <ul style="list-style-type: none"> <li>i. Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.</li> <li>ii. Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.</li> <li>iii. Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Proposed Project.</li> <li>iv. Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.</li> <li>v. Walkways and overlooks that approach sensitive areas must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.</li> </ul> <p>e. Predator Management: The NRMP will include provisions designed to manage Predator impacts on Wildlife Habitat Areas which will include and comply with the following:</p> <ul style="list-style-type: none"> <li>i. Year-round Predator management will be implemented for the life of the Proposed Project with clearly delineated roles and responsibilities for the Port, City and Resources Agencies. The primary objective of such provisions will be to adequately protect terns, rails, plovers, shorebirds, over-wintering species, and other species of high management priority as determined by the Resource Agencies.</li> <li>ii. Predator management will include regular foot patrols and utilize tracking techniques to find and remove domestic or feral animals.</li> <li>iii. Address Predator attraction and trash management for all areas of the Proposed Project by identifying clear management measures and restrictions. Examples of the foregoing include design of trash containers, including those in park areas and commercial dumpsters, to be covered and self-closing at all times, design of containment systems to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons, and similar animals and adequate and frequent servicing of trash receptacles.</li> <li>iv. All buildings, signage, walkways, overlooks, light standards, roofs, balconies,</li> </ul>				

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	<p>ledges, and other structures that could provide line of sight views of Wildlife Habitat Areas will be designed in a manner to discourage their use as raptor perches or nests.</p> <p>f. Miscellaneous Additional Requirements of the NRMP: In addition to the standards described above, the NRMP will include:</p> <ul style="list-style-type: none"> <li>i. All elements which address natural resource protection in the MMRP including but not limited to those which assign responsibility and timing for implementing mitigation measures consistent with the City's MSCP Subarea Plan;</li> <li>ii. Pertinent sections of the MSCP Subarea Plan;</li> <li>iii. References to existing Port policies and practices, such as Predator management programs and daily trash collections with public areas and increase service during special events.</li> <li>iv. Establishment of design guidelines to address adjacency impacts, such as storm water, landscape design, light and noise and objectives as discussed below;</li> <li>v. Establishment of baseline conditions and management objectives; and</li> <li>vi. Habitat enhancement objectives and priorities.</li> </ul> <p>g. Creation, Periodic Review, and Amendment of the NRMP: The NRMP will be a natural resource adaptive management and monitoring plan initially prepared in consultation with the Wildlife Advisory Group, and reviewed and amended in further consultation with the Wildlife Advisory Group one year following adoption of the NRMP and annually thereafter for the first five (5) years after adoption, after which it will be reviewed and amended as necessary every other year for the first 6 years, then once every 5 years thereafter. If the RCC is not pursued in the first five (5) years after certification of the FEIR, this schedule will be amended to ensure that NRMP is evaluated every year for five years after the development of the RCC. The periodic review of the NRMP described in the preceding sentences is hereinafter called "Periodic Review." A material revision of the NRMP is hereinafter called an "NRMP Amendment". However, nothing in this schedule will be interpreted to preclude a speedy response or revision to the NRMP if necessary to abate an emergency condition or to accommodate relevant new information or necessary management practices consistent with the NRMP management objectives. Preparation of the</p>				

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	<p>NRMP will begin within six months of the filing of the Notice of Determination for the Final EIR by the Port and will be completed prior to the earlier of: (a) Development Commencement; (b) Issuance of a Certificate of Occupancy for the residential development; or (c) three years. The adaptive management components of the NRMP Periodic Review will address, among other things, monitoring of impacts of development as it occurs and monitoring the efficacy of water quality improvement projects (if applicable) and management and restoration actions needed for resource protection, resource threats, management (i.e., sea-level rise, trash, window bird strikes, lighting impacts, bird flushing, water quality, fireworks, human-wildlife interface, education and interpretation programs, public access, involvement, and use plan, management of the human-wildlife interface, wildlife issues related to facilities, trails, roads, overlooks planning, and watershed coordination), and other issues affecting achievement of NRMP Management Objectives.</p> <p>i. The Port and City will cause the preparation, consideration negotiation and approval of the NRMP including, staff and administrative oversight and engagement of such consultants as are reasonable and necessary for their completion, approval and amendment in accordance with this mitigation measure.</p> <p>ii. The Port and City will each provide a written notice of adoption to the Wildlife Advisory Group upon their respective approval of the NRMP.</p> <p>h. DISPUTE RESOLUTION FOR PLAN CREATION AND AMENDMENT. The NRMP and any material amendments to the NRMP will require submission, review, and approval by the CCC after final adoption by the Port and City. Nonetheless, the participants would benefit if the NRMP is developed through a meaningful stakeholder process providing for the resolution of as many disagreements as possible prior to NRMP submission to the CCC. This section provides a process by which the Coalition can participate in the creation and amendment of the NRMP.</p> <p>i. PLAN CREATION AND AMENDMENT. Where this mitigation measure contemplates the creation of the NRMP following the Effective Date or an NRMP Amendment, this section will provide a non-exclusive mechanism for resolution of disputes concerning the content of the NRMP and such NRMP Amendments. The standard of review and burden of proof for any disputes arising hereunder shall be the same as those under the California Environmental Quality Act.</p> <p>1. PLAN CREATION AND AMENDMENT INFORMAL NEGOTIATIONS. Any dispute that arises with respect to the creation or amendment of the NRMP will in</p>				

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	<p>the first instance be the subject of informal negotiations between the parties to the dispute. A dispute will be considered to have arisen when one (1) party (the "Disputing Party") sends the other party a written Notice of Dispute. During the informal negotiations, the Disputing Party will identify in writing and with specificity the issue, standard, or proposed requirement which is the subject of the dispute (the "Notice of Dispute"). The period for informal negotiations will not exceed thirty (30) days from the date the Notice of Dispute is received.</p> <p>2. PLAN CREATION AND AMENDMENT FORMAL DISPUTE RESOLUTION, PHASE I. In the event the Parties cannot resolve a dispute by informal negotiations, the Disputing Party may invoke formal dispute resolution procedures by providing the other parties a written statement of position on the matter in dispute, including, but not limited to, any facts, data, analysis or opinion supporting that position and any supporting documentation relied upon by the Disputing Party (the "Position Statement"). The Position Statement must be transmitted (via electronic mail or verifiable post) within thirty (30) days of the end of informal negotiations, and will be provided to the other parties and to each member of the Wildlife Advisory Group. If informal negotiations are unsuccessful, and the Disputing Party does not invoke formal dispute resolution within thirty (30) days, the position held by the Port, City or Agency (the respective public agency involved in such dispute is hereinafter called "Managing Agency") will be binding on the Disputing Party, subject to submission, review, and approval by the CCC.</p> <p>a. The other parties will submit their position statements ("Opposition Statements"), including facts, data, analysis or opinion in support thereof, to the Disputing Party and the Wildlife Advisory Group members within thirty (30) days of transmission of the Position Statement.</p> <p>b. Within twenty-one (21) days after transmission of the Opposition Statement(s), the Wildlife Advisory Group will convene, consider and, within a reasonable period of time thereafter, render its proposed resolution of the dispute. The Wildlife Advisory Group's decision will not be binding upon the Disputing Party, but rather, will be considered purely advisory in nature. The proposed resolution of the Wildlife Advisory Group will be that comprehensive recommendation supported by a majority of Wildlife Advisory Group members after vote, with each member entitled to one vote.</p>				

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	<p>The Wildlife Advisory Group's proposal will be transmitted to all parties by an appointed Wildlife Advisory Group member via electronic mail.</p> <p>3. PLAN CREATION AND AMENDMENT FORMAL DISPUTE RESOLUTION, PHASE II. If any party does not accept the advisory decision of the Wildlife Advisory Group, it must invoke the second phase of formal dispute resolution by presenting the dispute to the governing board ("Governing Board") of the Managing Agency (i.e., Board of Port Commissioners or City Council). This phase of the dispute resolution process is initiated by such party providing written notice to the other parties within thirty (30) days of receipt of the Wildlife Advisory Group proposal ("MA Notice"). The MA Notice will include the Position Statement, Opposition Statement, the Wildlife Advisory Group proposal, and any other information such party desires to include. Any supplement to the Opposition Statement will be filed with the Managing Agency within fourteen (14) days. The Governing Board of the Managing Agency will review the transmitted information and within sixty (60) days from receipt of the MA Notice will schedule a public hearing to consider the dispute and within ten (10) days of such public hearing, render a decision. The decision of the Governing Board of the Managing Agency will be final and binding on the Managing Agency but will not bind the members of the Coalition. If the members of the Coalition accept the decision of the Governing Board of the Managing Agency, the decision will dictate the manner in which the dispute is resolved in the NRMP or amendment to the NRMP. Nothing herein will preclude such party from publicly opposing or supporting the Governing Board's decision before the CCC.</p> <p>i. DISPUTE RESOLUTION REGARDING NRMP IMPLEMENTATION AND ENFORCEMENT. Once the CCC approves the NRMP or any NRMP Amendment, the Governing Board will issue a Notice of Adoption with respect to the NRMP or NRMP amendment. Once a Notice of Adoption is issued with respect to the NRMP or NRMP Amendment, this section will be the exclusive mechanism for the parties to resolve disputes arising under, or with respect to implementation or enforcement of, the NRMP including when the NRMP is reviewed during an Adaptive Management Review or Periodic Review and such review does not require an NRMP Amendment. This provision will not be used to challenge the adequacy of the NRMP or an NRMP Amendment after the issuance of a Notice of Adoption with respect thereto. The standard of review and burden of proof for any disputes arising hereunder shall be the</p>				

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	<p>same as those under CEQA.</p> <p>i. PLAN ENFORCEMENT INFORMAL NEGOTIATIONS. Any dispute that arises with respect to implementation or enforcement of the NRMP will in the first instance be the subject of informal negotiations between the parties to the dispute. A dispute will be considered to have arisen when one Disputing Party sends the other party a written Notice of Dispute. During the informal negotiations, the Disputing Party will send a written Notice of Dispute to the other parties specifying the aspect of the NRMP it believes is not being implemented properly and the way in which the Disputing Party believes the NRMP should be implemented according to its terms (the "Notice of Dispute"). The period for informal negotiations will not exceed forty-five (45) days from the date such Notice of Dispute is received.</p> <p>ii. PLAN ENFORCEMENT FORMAL DISPUTE RESOLUTION, PHASE I. In the event the Parties cannot resolve a dispute by informal negotiations under the preceding section, the Disputing Party may invoke a formal dispute resolution procedure by presenting the dispute to the Governing Board of the Managing Agency by providing the other parties a written statement of position on the matter in dispute, including, but not limited to, any facts, data, analysis or opinion supporting that position and any supporting documentation relied upon by the Disputing Party (the "Position Statement"). The Position Statement must be transmitted (via electronic mail or verifiable post) within thirty (30) days of the end of informal negotiations, and will be provided to the other parties, to each member of the Wildlife Advisory Group. If informal negotiations are unsuccessful, and the Disputing Party does not invoke formal dispute resolution within thirty (30) days, the Managing Agency's position will be binding on the Disputing Party subject to any periodic review and/or approval by the CCC, if required by law.</p> <p>1. The other parties will submit their position statements ("Opposition Statements"), including facts, data, analysis, or opinion in support thereof, to the Disputing Party, the Wildlife Advisory Group members, and the Governing Board within thirty (30) days of transmission of the Position Statement.</p> <p>2. Within forty-five (45) days after transmission of the Opposition Statement(s), the Disputing Party will provide a written notice ("MA II Notice") to the other parties, the Wildlife Advisory Group and the Governing Board. The MA II Notice will include the Position Statement, Opposition Statement, the Wildlife Advisory Group proposal, and any other information the Disputing Party desires to</p>				

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	<p>include. Any supplement to the Opposition Statement will be filed with the Managing Agency within fourteen (14) days following receipt of the MA II Notice. The Governing Board will review the transmitted information and within sixty (60) days from receipt of the MA II Notice will schedule a public hearing to consider the dispute and within ten (10) days of such public hearing, render a decision. The decision of the Governing Board will be final and binding on the Managing Agency but will not bind the members of Coalition. If the members of the Coalition accept the decision of the Governing Board of the Managing Agency, the decision will dictate the manner in which the dispute is resolved in the NRMP. If any member of the Coalition disagrees with the decision of the Governing Board, it shall have the right to seek a petition for writ of mandate from the Superior Court of California, San Diego Division.</p> <p>iii. WAIVER OF DEFENSE. To the extent permitted by law, the Port, City and RDA agree that lack of funds shall not be a defense to any claim of failure to adequately fund implementation and enforcement of the adopted NRMP.</p> <p>B. Additional Habitat Management and Protection:</p> <p>a. The Port will exercise diligent and good faith efforts to enter into the following cooperative agreements with the USFWS or other appropriate agency or organization:</p> <p>i. An agreement providing for the long-term protection and management of the sensitive biological habitat running north from the South Bay Boatyard to the Sweetwater River Channel (known as the Sweetwater Tidal Flats) and addressing educational signage, long-term maintenance, and additional protection measures such as increased monitoring and enforcement by Harbor Police, shared jurisdiction and enforcement by District personnel with legal authority to enforce applicable rules and regulations ("District Enforcement Personnel"), shared jurisdiction and enforcement by District Enforcement Personnel and other appropriate Resource Agencies of resource regulations, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement of any projects subject to Port's jurisdiction within the Sweetwater or Harbor Districts.</p> <p>ii. An agreement for the long-term protection and management of the J Street</p>				

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	<p>Marsh and addressing additional protective measures such as educational signage, long-term maintenance, and monitoring and enforcement by District Enforcement Personnel, shared jurisdiction and enforcement of resource regulations by District Enforcement Personnel and other Resource Agencies, and placement of enforcement signage. Subject to the cooperation of the applicable Resource Agency, such cooperative agreement will be executed prior to the Development Commencement within the Otay District.</p> <p>The Port will include an analysis of the appropriate level and method for wetland and marine life habitat restoration of the intake/discharge channels associated with the South Bay Power Plant in the environmental review document for the demolition of the South Bay Power Plant.</p> <p>iii. If either of the cooperative agreements contemplated above are not achievable within three (3) years after Final EIR certification, the Port will develop and pursue another mechanism that provides long-term additional protection and natural resource management for these areas.</p> <p>b. The Port will include an analysis of the appropriate level and method for wetland and marine life habitat restoration of the intake/discharge channels associated with the South Bay Power Plant in the environmental review document for the demolition of the South Bay Power Plant.</p> <p>c. As a future and separate project, the Port will investigate, in consultation with the USFWS, the feasibility of restoring an ecologically meaningful tidal connection between the F &amp; G Street Marsh and the upland marsh on parcel SP-2 consistent with USFWS restoration concepts for the area. At a minimum, the investigation will assess the biological value of tidal influence, the presence of hazardous materials, necessary physical improvements to achieve desired results, permitting requirements, and funding opportunities for establishing the tidal connection. This investigation will be completed prior to the initiation of any physical alteration of SP-2, F Street, and/or the F &amp; G Street Marsh. In addition, once emergency access to the Proposed Project area has been adequately established such that F Street is no longer needed for public right-of-way for vehicular use, but may reserve it for pedestrian and bicycle use if ecologically appropriate.</p>				

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	<p>C. Restoration Priorities: The following will supplement the description of the conceptual mitigation opportunities in the Final EIR (including Appendix 4-8-8 Mitigation Opportunities). The following restoration priorities will not be included in the NRMP but rather will be applicable (i) if and only to the extent that Port or City are required to restore degraded habitat in accordance with the terms of the MMRP or (ii) to establish priorities for Port's pursuit of grant funding.</p> <p>a. Restoration priorities for the Proposed Project are those mitigation opportunities in the Final EIR as depicted in the conceptual mitigation opportunities (Figures 4-8-23 and 4-8-26) and the projects located in the South Bay in the Port's Adopted Restoration and Enhancement Plan.</p> <p>b. With the exception of the restoration described in Section (d) below, shoreline/marsh interface restorations in the Sweetwater and Otay Districts should be natural and gradually sloped and planted with salt marsh and upland transition plants in a manner that will stabilize the bank without the need for additional riprap areas. Upland slopes should be contoured to provide a very gentle grade so as to maximize tidal elevation of mudflats, salt marsh habitat and upland transition areas. This area should be wide enough to encourage or allow wildlife to move between the Sweetwater Marsh and the F &amp; G Marsh and between the J Street and the South San Diego Bay Unit of the NWR. The shoreline should be improved and restored to facilitate a more effective upland refuge area for species during high tides and to accommodate the impacts from global sea rise.</p> <p>c. The Telegraph Creek should be improved to be a more natural channel as part of the redevelopment of the Otay District. Efforts to naturalize and revegetate the creek will be maximized as is consistent with its function as a storm water conveyance.</p> <p>d. The Port will perform an analysis of the appropriate level and method for environmental restoration of the intake/discharge channels associated with the South Bay Power Plan in the environmental review document for the demolition of the power plant.</p> <p>D. South Bay Wildlife Advisory Group: A South Bay Wildlife Advisory Group ("Wildlife Advisory Group") will be formed to advise the Port and City in the creation of the NRMP, cooperative management agreements, Adaptive Management Review</p>				

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	<p>(defined below) and any related wildlife management and restoration plans or prioritizations. The Wildlife Advisory Group will also address management issues and options for resolution. The Wildlife Advisory Group will initiate and support funding requests to the Port and City, identify priorities for use of these funds and engage in partnering, education, and volunteerism to support the development of the Proposed Project in a manner that effectively protects and enhances the fish, wildlife, and habitats of the area and educates and engages the public.</p> <p>a. Port and City will provide such administrative and staff support to the Wildlife Advisory Group as is necessary to perform the functions and achieve the goals described herein.</p> <p>b. The Wildlife Advisory Group will be comprised of the following: one (1) representative from each the Environmental Health Coalition, San Diego Audubon Society, San Diego Coastkeeper, Coastal Environmental Rights Foundation, Southwest Wetlands Interpretative Association, Surfrider Foundation (San Diego Chapter), and Empower San Diego; two (2) representatives from the Chula Vista Natural Center (one from educational programs and one from programs/operations); up to three (3) representatives from major developers or tenants with projects in the CVBMP (including one from Pacifica Companies, which on completion, may be succeeded by a representative of its homeowner association); one (1) representative from the City's Resource Conservation Commission; one (1) from either Harborside or Mueller elementary school or the School District; Western and Eastern Chula Vista residents selected by the City (one from Northwest one from the Southwest and one from east of I-805); one (1) representative from eco-tourism based business; two (2) individuals appointed by Port; and 6 representatives from Resources Agencies (two from the USFWS, one from Refuges and one from Endangered Species and one (1) each from California Department of Fish and Game, National Marine Fisheries Service, Regional Water Quality Control Board and CCC).</p> <p>c. The Wildlife Advisory Group will meet as needed, but at a minimum of every six months for the first ten (10) years and annually thereafter. The Wildlife Advisory Group will be formed within six months of the filing of the Notice of Determination for the FEIR by the Port.</p> <p>d. The Wildlife Advisory Group will meet at the intervals described above to review</p>				

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	<p>the NRMP to: (i) determine the effectiveness of the NRMP in achieving the Management Objectives; (ii) identify any changes or adjustments to the NRMP required to better achieve the Management Objectives; (iii) identify any changes or adjustments to the NRMP required to respond to changes in the man-made and natural environments that are affecting or, with the passage of time may affect, the effectiveness of the NRMP in achieving the Management Objectives; and (iv) review priorities relative to available funding. At its periodic meetings, the Wildlife Advisory Group may also consider and make recommendations regarding (x) implementation of the NRMP as needed, (y) Adaptive Management Review and (z) NRMP Amendments.</p> <p>e. The Wildlife Advisory Group will advise the joint powers authority (JPA) on the expenditure of the Community Benefits Fund, subject to the applicable law.</p> <p>E. Education: An environmental education program will be developed and implemented and will include the following:</p> <p>a. The program will continue for the duration of the Proposed Project and will target both residential and commercial uses as well as park visitors.</p> <p>b. The program's primary objective will be to educate Bayfront residents, visitors, tenants and workers about the natural condition of the Bay, the ecological importance of the Proposed Project area and the public's role in the restoration and protection of wildlife resources of the Bay.</p> <p>c. The program will include educational signage, regular seminars and interpretive walks on the natural history and resources of the area, regular stewardship events for volunteers (shoreline and beach cleanups, exotic plant removal, etc.).</p> <p>d. Adequate annual funding for personnel or contractor/consultant and overhead to ensure implementation of the following functions and activities in collaboration with the Chula Vista Nature Center or USFWS:</p> <ol style="list-style-type: none"> <li>i. Coordination of Volunteer programs and events;</li> <li>ii. Coordination of Interpretive and educational programs;</li> <li>iii. Coordination of Tenant, resident and visitor educational programs;</li> <li>iv. Docent educational; and</li> <li>v. Enhancements and restoration.</li> </ol>				

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	<p>F. Personnel and Funding: Funding for the implementation of the NRMP will be provided by the Port, City and RDA. To meet these obligations, the Port, City and RDA will commit revenues or otherwise provide funding to a JPA formed pursuant to the California Marks-Roos Act, Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code. Port, City and RDA will ensure the JPA is specifically charged to treat the financial requirements of this Agreement as priority expenditures that must be assured as project-related revenues are identified and impacts initiated. The Port, City and RDA expressly acknowledge the funding commitments contemplated herein will include, but not be limited to, funding for personnel and overhead or contractor(s)/consultant(s) to implement and ensure the following functions and activities:</p> <ul style="list-style-type: none"> <li>a. On-site management and enforcement for parks and Wildlife Habitat Areas as necessary to enforce restrictions on human and Predator access regarding Wildlife Habitat Areas;</li> <li>b. Enforcement of mitigation measures including, but not limited to, trash collection, noise restrictions, removal of invasive plants, habitat restoration, and park use restrictions;</li> <li>c. Coordination, development, implementation and evaluation of effectiveness of education and mitigation programs, including implementation of NRMP.</li> <li>d. Evaluation of effectiveness of bird strike mitigation and design measures;</li> <li>e. Water quality protections; and,</li> <li>f. Coordination of injured animal rehabilitation activities.</li> </ul> <p>*Applies to Significant Impacts 4.8-6 and 4.8-7.</p>				
MM 4.8-8	<p>Prior to construction of the H Street Pier, the Port shall create 0.96 acre of eelgrass habitat to mitigate for the loss of surface water foraging habitat in accordance with the Southern California Eelgrass Mitigation Policy. The creation of eelgrass habitat shall be conducted in accordance with Mitigation Measures 4.9-1 and 4.9-2 in Section 4.9, Marine Biological Resources.</p> <p>*Applies to Significant Impact 4.8-8.</p>	Port -Prior to completion of construction	Port		
MM 4.8-9	<p>A. Prior to completion of in-harbor work in Phase IV, the Port shall create 1.93 acres of</p>	Port or Port	Port in		

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	<p>eelgrass habitat. The creation of eelgrass habitat shall be conducted in accordance with Mitigation Measure 4.9-2 in Section 4.9, Marine Biological Resources.</p> <p><b>B.</b> When project-specific designs are proposed for the remaining project components affecting 1.61 acres of surface water foraging habitat and intertidal mudflats, the mitigation of impacts shall be re-evaluated by the Port during subsequent environmental review pursuant to State CEQA Guidelines Section 15168 to determine accurate net loss and mitigation for the loss of foraging habitat.</p> <p>*Applies to Significant Impact 4.8-9.</p>	<p>Tenants -Prior to start of grading</p> <p>Port -Prior to start of grading</p>	<p>Consultation with wildlife agencies</p> <p>Port in Consultation with wildlife agencies</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.8-10	<p><b>A.</b> Prior to the commencement of grading for development in each phase that impacts riparian habitat or sensitive vegetation communities, the Port or Port tenants, as appropriate, shall prepare and initiate implementation of a restoration plan for impacts to riparian habitat and sensitive vegetation communities in accordance with the mitigation requirements presented in Table 4.8-6.</p> <p>Prior to the commencement of Phase I grading that impacts riparian habitat or sensitive vegetation communities, the Port shall coordinate with the wildlife agencies for the preparation and approval of a detailed restoration plan within the Port's jurisdiction. The restoration plan shall be prepared by a qualified biologist, and the plan shall be approved by the Port. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies.</p> <p><b>B.</b> Prior to initiating any construction activities in each phase that would affect riparian habitat or sensitive vegetation communities, including clearing and grubbing associated with program-level phases, an updated project-level assessment of potential impacts shall be made based on a specific project design. The Port or project developer(s), as appropriate, shall retain a qualified, Port-approved biologist to update appropriate surveys, identify the existing conditions, quantify impacts, and provide adequate</p>	<p>Developer</p> <ul style="list-style-type: none"> <li>-Prior to First Clearing, or Grubbing, or Grading Permit</li> </ul>	City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	mitigation measures to reduce impacts to below a level of significance. This updated assessment shall be submitted to the Port for review and approval.				
	*Applies to Significant Impacts 4.8-10 and 4.8-12.				
MM 4.8-11	<p><b>A.</b> Prior to issuance of any clearing and grubbing or grading permits within the City's jurisdiction that would affect riparian habitat or sensitive vegetation communities, the project developer(s) shall acquire mitigation credits or prepare and initiate implementation of a restoration plan for impacts to riparian habitats and sensitive vegetation communities in accordance with the acreages identified in Table 4.8-7.</p> <p>Mitigation credits shall be secured in a City-approved mitigation bank or land acquisition shall be provided at an approved location. Verification of mitigation credits or a restoration plan shall be provided to the City for review and approval prior to issuance of any clearing and grubbing or grading permits.</p> <p>The project developer(s) shall prepare and implement a detailed restoration plan to the satisfaction of the City and the regulatory agencies. As previously addressed above in Section 4.8.6, Mitigation Measures, the guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season.</p>	<p>Port or Port Tenants -Upon Approval of Final Design</p> <p>Port or Port Tenants -Prior to start of grading</p>	<p>Port in Consultation with USACE</p> <p>Port in Consultation with USACE</p>		

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MM 4.8-12	<p><b>B.</b> Prior to issuance of any clearing and grubbing or grading permits within the City's jurisdiction that affect riparian habitat or sensitive vegetation communities associated with the program-level development phases, an updated assessment of potential impacts shall be made based on a specific project design. The project developer(s) shall retain a City-approved biologist to update appropriate surveys, identify the existing conditions, quantify impacts, and provide adequate mitigation consistent with the City's MSCP Subarea Plan. This updated assessment shall be submitted to the City for review and approval.</p> <p><b>C.</b> Prior to issuance of any clearing and grubbing or grading permits within the City's jurisdiction that affect riparian habitat or sensitive vegetation communities, the project applicant shall be required to obtain an HLT permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to Covered Species and Vegetation Communities protected under the City's MSCP Subarea Plan.</p> <p>*Applies to Significant Impacts 4.8-13 and 4.8-15.</p>	<p>Developer -Prior to First Clearing, Grubbing and Grading Permit</p>	<p>City in Consultation with USACE</p>		
		<p>Developer -Prior to First Clearing, Grubbing, and Grading Permit</p>	<p>City in Consultation with USACE</p>		
	<p><b>A.</b> The Port or Port tenants, as appropriate, shall mitigate for permanent and temporary impacts to USACE jurisdictional waters at the following ratios: 1:1 for permanent impacts to non-wetland waters of the U.S.; 4:1 for impacts to wetlands; and 1:1 for all temporary impacts. A minimum of 1:1 mitigation must be created in order to achieve the no-net-loss requirement of the CWA. Table 4.8-8 provides a breakdown of the required mitigation acreages for all USACE impacts within the Port's jurisdiction. Mitigation for impacts from the Bay and Marina components of the Proposed Project will be established through USACE regulations once final designs for this work in Phases II through IV are finalized.</p> <p>Prior to the commencement of grading activities for any projects that impact USACE jurisdictional waters, the Port or Port tenants, as appropriate, shall prepare and initiate implementation of a restoration plan detailing the measures needed to achieve the necessary mitigation. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria</p>	<p>Port or Port Tenants -Prior to First Grading Permit</p>	<p>Port in Consultation with CDFG</p>		

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	<p>may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies.</p> <p><b>B.</b> Prior to the issuance of the first clearing and grubbing or grading permit for activities that impact USACE jurisdictional waters, the project developer(s) within the City's jurisdiction shall prepare a restoration plan detailing the measures needed to create/restore impacts to USACE jurisdictional waters within the City's jurisdiction in accordance with the acreage identified in Table 4.8-9. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The project developer(s) shall be required to implement the restoration plan subject to the oversight and approval of the City.</p>	<p>Port or Port Tenants -Prior to First Grading Permit</p>	CDFG		

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	<p>C. Prior to issuance of the first clearing and grubbing or grading permit, for activities that impact USACE jurisdictional waters, the Port or Port tenants, as appropriate, and project developer(s) within the City's jurisdiction shall obtain a Section 404 permit from USACE. The permit application process would also entail approval of the restoration plan from the USACE as described above, with regard to areas that fall under the jurisdiction of USACE.</p> <p>*Applies to Significant Impacts 4.8-16 through 4.8-19.</p>	<p>Port or Port Tenants -Prior to First Grading Permit</p>	<p>CDFG</p>		
MM 4.8-13	<p>The Port or Port tenants, as appropriate, shall mitigate for permanent and temporary impacts to CDFG jurisdictional areas at a 2:1 ratio. Table 4.8-8 provides a breakdown of the required mitigation acreages for all CDFG impacts within the Port's jurisdiction.</p> <p>Prior to the issuance of the first grading permit that may impact CDFG jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare and initiate implementation of a restoration plan detailing the measures needed to achieve the necessary mitigation. The plan shall outline the timeline and procedures for restoring/enhancing the potential enhancement/mitigation sites, which include the native buffer areas and the F &amp; G Street Marsh. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including CDFG.</p>	<p>Port or Port Tenants -Prior to start of grading</p>	<p>Port in Consultation with California Coastal Commission</p>		

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	<p>Prior to issuance of the first grading permit that may impact CDFG jurisdictional areas, the Port or Port tenants, as appropriate, shall obtain permits from CDFG. The permit application process would also entail approval of the restoration plan as described above, with regard to areas that fall under the jurisdiction of CDFG. Pursuant to Fish and Game Code 1602, the Port and other applicants are required to obtain a Streambed Alteration Agreement for impacts to streambeds and associated riparian habitat that fall within CDFG's jurisdiction.</p> <p>*Applies to Significant Impact 4.8-21.</p>				
MM 4.8-14	<p><b>A.</b> Mitigation for permanent direct and indirect (from bridge shading) impacts would be at a 2:1 ratio as detailed in Table 4.8-8.</p> <p>Prior to the commencement of grading activities for projects that impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p>	<p>Port or Port Tenants</p> <p>-Prior to start of grading</p>	<p>Port in Consultation with California Coastal Commission</p>		

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	<p><b>B.</b> Mitigation for permanent direct and indirect (from bridge shading) impacts would be at a 2:1 ratio as detailed in Table 4.8-9.</p> <p>Prior to the issuance of the first grading permit for projects that impact CCC jurisdictional areas, the project applicants within the City's jurisdiction shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The City shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the City in consultation with the regulatory agencies, including the CCC.</p> <p>*Applies to Significant Impacts 4.8-22, 4.8-23, 4.8-32.</p>	<p>Port or Port Tenants</p> <p>-Prior to Approval of Grading Permits</p>	<p>California Coastal Commission</p>		
MM 4.8-15	<p>Mitigation for permanent direct and indirect (from bridge shading) impacts from circulation road construction/improvements and the riprap removal and bulkhead replacement totaling 0.51 acre would be at a 2:1 ratio as detailed in Table 4.8-8. This would require a total mitigation of 1.02 acres. Mitigation for temporary impacts within Parcel OP-2B from the re-channelization of the Telegraph Canyon Channel would require mitigation at a ratio of 1:1 as detailed on Table 4.8-8 for a total of 0.16 acre.</p> <p>Prior to the commencement of grading activities, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC</p>	<p>Port or Port Tenants</p> <p>-Prior to First Grading Permit</p>	<p>Port in Consultation with California Coastal Commission</p>		

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	<p>wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p> <p>Prior to approval of grading permits for projects impacting CCC wetlands, the Port or Port tenants, as appropriate, shall obtain permits and/or approvals from CCC.</p> <p>*Applies to Significant Impacts 4.8-24 through 4.8-26.</p>				
MM 4.8-16	<p>Mitigation for temporary impacts from the restoration of the ecological buffer would require mitigation at a ratio of 1:1 as detailed on Table 4.8-8. The ecological buffer area supports 0.05 acre that has been mapped as a CCC wetland and will require 0.05 acre of mitigation. There is an additional 0.04 acre that is mapped as a potential CCC wetland and 1.50 acres that are former industrial areas in the process of remediation. The Port or Port tenants, as appropriate, will need to confer with CCC in order to determine whether the areas of potential jurisdiction, totaling 1.54 acres, actually fall under CCC jurisdiction. If these areas are not subject to CCC jurisdiction, no additional mitigation would be required. If CCC does assert jurisdiction over these areas, the restoration will need to include the creation/enhancement of an additional 1.54 acres of CCC wetlands.</p>	<p>Port or Port Tenants -Prior to First Grading Permit</p>	<p>Port in Consultation with California Coastal Commission</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>Prior to the issuance of the first grading permit for activities that impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p> <p>*Applies to Significant Impact 4.8-27.</p>				
MM 4.8-17	<p>The Port or Port tenants, as appropriate, shall confer with CCC in order to determine whether the 0.58 acre of areas fall under CCC jurisdiction. If these areas are not subject to CCC jurisdiction, no additional mitigation would be required. If CCC does assert jurisdiction over these areas, the Port will need to mitigate the impacts at a ratio of 2:1 as detailed in Table 4.8-8 for a total mitigation of 1.16 acres.</p> <p>Prior to the issuance of the first grading permit for projects that impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection</p>	<p>Port or Port Tenants -Prior to First Grading Permit</p>	<p>Port in Consultation with California Coastal Commission</p>		

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MM 4.8-18	<p>process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p> <p>*Applies to Significant Impact 4.8-28.</p> <p>Prior to the issuance of the first grading permit for activities that impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands to provide 0.32 acre of mitigation for the 0.16 acre impact to CCC wetlands on Parcels HP-13B and HP-7. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success</p>	Port or Port Tenants -Prior to First Grading Permit	Port in Consultation with California Coastal Commission		

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	criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.  *Applies to Significant Impact 4.8-29.				
MM 4.8-19	<p>The Port or Port tenants, as appropriate, shall confer with CCC in order to determine whether the 0.16 acre of areas identified as potentially CCC jurisdictional actually fall under CCC jurisdiction. If these areas are not subject to CCC jurisdiction, no additional mitigation would be required. If CCC does assert jurisdiction over these areas, the Port will need to mitigate the impacts at a ratio of 2:1 as detailed in Table 4.8-8 for a total mitigation of 0.32 acre.</p> <p>Prior to the issuance of the first grading permit for projects that impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p>	Port or Port Tenants -Prior to First Grading Permit	Port in Consultation with California Coastal Commission		
MM 4.8-20	<p>*Applies to Significant Impact 4.8-30.</p> <p>The Port or Port tenants, as appropriate, will need to mitigate impacts to the 0.10-acre seasonal pond, mapped as a CCC wetland, at a 2:1 ratio.</p>	Port or Port Tenants	Port in Consultation		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>The Port or Port tenants, as appropriate, shall confer with CCC in order to determine whether the 2.37-acre depressed area that exists where the LNG plant was formerly located, mapped as a potential CCC wetland, falls under CCC jurisdiction. If this area is not subject to CCC jurisdiction, no additional mitigation would be required. If CCC does assert jurisdiction over these areas, the final Phase II design of this parcel must mitigate impacts the 2.37-acre depressed area at a 2:1 ratio.</p> <p>Prior to the issuance of the first grading permit for projects that impact CCC jurisdictional areas, the Port or Port tenants, as appropriate, shall prepare a restoration plan detailing the measures needed to create/restore CCC wetlands. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies, including the CCC.</p> <p>*Applies to Significant Impact 4.8-31.</p>	-Prior to First Grading Permit	with California Coastal Commission		
MM 4.8-21	<p>A. Prior to the commencement of grading activities for project components impacting RWQCB jurisdictional waters, the Port or Port tenants, as appropriate, shall prepare and implement a restoration plan detailing the measures needed to create/restore RWQCB jurisdictional waters in accordance with the acreage identified in Table 4.8-8.</p>	Port or Port Tenants -Prior to start of grading	RWQCB		

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	<p><b>B.</b> Prior to the issuance of the first grading permit for project components impacting RWQCB jurisdictional waters, the project developer(s) within the City's jurisdiction shall prepare and implement a restoration plan detailing the measures needed to create/restore RWQCB jurisdictional waters in accordance with the acreage identified in Table 4.8-8 to the satisfaction of the City. The guidelines for this plan will be developed in consultation with the regulatory agencies.</p> <p><b>C.</b> Prior to the commencement of grading activities for project components impacting RWQCB jurisdictional waters, the Port or Port tenants, as appropriate, and applicants within the City's jurisdiction shall obtain permits from RWQCB. The permit application process would also entail approval of the restoration plan as described above. Pursuant to the CWA, the Port and other applicants are required to obtain a Section 401 Water Quality Certification permit from RWQCB.</p> <p><b>D.</b> Prior to the commencement of grading activities for project components impacting RWQCB jurisdictional waters, including clearing and grubbing, the Port or Port tenants, as appropriate, and the project developer(s) within the City's jurisdiction shall consult with the RWQCB to determine whether Waste Discharge Requirements from the RWQCB shall be required for impacts to isolated waters of the State of California.</p> <p>*Applies to Significant Impact 4.8-34.</p>	<p>Developer -Prior to First Grading Permit</p> <p>Port or Port Tenants -Prior to start of grading</p> <p>Port or Port Tenants -Prior to start of grading</p>	<p>City in Consultation with RWQCB</p> <p>City in Consultation with RWQCB</p> <p>City in Consultation with RWQCB</p>		
MM 4.8-22	<p><b>A.</b> Prior to issuance of any clearing and grubbing or grading permits for projects that impact City of Chula Vista designated wetlands, the project developer(s) shall acquire mitigation credits or prepare and initiate implementation of a restoration plan for Phase I impacts to mulefat scrub/riparian scrub at a ratio of 2:1 and southern coastal salt marsh at a ratio of 4:1. Mitigation credits shall be secured in a City-approved mitigation bank or other approved location. Verification of mitigation credits or an approved restoration plan shall be provided to the City prior to issuance of any clearing and grubbing or grading permits. Alternatively, completion of Mitigation Measure 4.8-11 will satisfy this mitigation measure as well.</p> <p>The project developer(s) shall prepare and implement a detailed restoration and enhancement plan to the satisfaction of the City for impacts to wetland resources protected under the City's MSCP Subarea Plan. The guidelines for this plan will be</p>	<p>Developer -Prior to First Clearing, Grubbing, or Grading Permit</p> <p>Developer -Prior to First</p>	<p>City in Consultation with CDFG</p> <p>City</p>		

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	<p>developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The City shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the City in consultation with the regulatory agencies.</p> <p><b>B.</b> Prior to issuance of clearing and grubbing or grading permits for areas that impact jurisdictional waters, the project developer(s) shall provide evidence to the City that all required regulatory permits, such as those required under Section 1602 of the California Fish and Game Code and Section 13260 of the California Water Code, have been obtained.</p> <p><i>*Applies to Significant Impact 4.8-35.</i></p>	<p>Clearing, Grubbing, or Grading Permit</p> <p>Developer -Prior to First Clearing, Grubbing, or Grading Permit</p>	<p>City</p>		
MM 4.8-23	<p>Prior to issuance of any building permits, building plans shall be reviewed by a qualified biologist retained by the developer and approved by the Port or the City, to verify that the proposed building has incorporated specific design features to avoid or to reduce the potential for bird strikes, including but not limited to the following:</p> <p><b>Lighting</b></p> <ul style="list-style-type: none"> <li>• No solid red or pulsating red lights shall be installed on or near the building unless required by the Federal Aviation Administration (FAA).</li> <li>• Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 seconds between flashes) white strobes</li> </ul>	<p>Developer -Prior to First Building Permit</p>	<p>Port or City</p>		

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	<p>shall be used.</p> <ul style="list-style-type: none"> <li>No solid spot lights or intense bright lights shall be used during bird migration periods in the spring (from March to May) and Fall (from August to October). All event lighting shall be directed downward and shielded, unless such directed and shielded minimized light spills beyond the area for which illumination is required.</li> <li>Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and way finding, including signage for building identification and way finding.</li> <li>Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.</li> <li>Office space, residential units, and hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.</li> <li>Office space, residential units, and hotel rooms shall be equipped with blinds, drapes, or other window coverings that may be closed to minimize the effects of interior night lighting.</li> </ul> <p><b>Glass and Reflection</b></p> <ul style="list-style-type: none"> <li>Use of reflective coatings on any glass surface is prohibited.</li> <li>Buildings shall incorporate measures to the satisfaction of the Port or the City to indicate to birds that the glass surface is solid by creating visual markers and muting reflection.</li> <li>Project design standards will encourage window stenciling and angling.</li> </ul> <p>These measures may include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>Glass surfaces which are non-reflective</li> <li>Glass surfaces which are tilted at a downward angle</li> <li>Glass surfaces which use fritted or patterned glass</li> <li>Glass surfaces which use vertical or horizontal mullions or other fenestration patterns</li> <li>Glass surfaces which are fitted with screening, decorative grills, or louvers</li> <li>Glass surfaces which use awnings, overhangs, bris sole, or other exterior sun-shading devices</li> </ul>				

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	<ul style="list-style-type: none"> <li>Glass surfaces which use external films or coatings perceivable by birds</li> <li>Artwork, drapery, banners, and wall coverings that counter the reflection of glass surfaces or block "see through" pathways.</li> </ul> <p><b>Building Articulation</b></p> <ul style="list-style-type: none"> <li>Structure design features that reduce or avoid the potential for bird strikes, such as secondary and tertiary setbacks, stepped back building design, protruding balconies, recessed windows, and mullioned glazing systems, shall be incorporated to the extent feasible. Balconies and other elements will step back from the water's edge.</li> <li>Design features that increase the potential for bird strikes, such as walkways constructed of clear glass and "see through" pathways through lobbies, rooms and corridors, shall be avoided to the extent feasible.</li> <li>Buildings will be sited and designed to minimize glass and windows facing Wildlife Habitat Areas to the maximum extent possible. Design for towers on Parcel H-3 should avoid east-west monolith massing and should include architectural articulation.</li> <li>The tallest buildings on Parcel H-3 will be located generally on the southern portion of the parcel with building heights decreasing towards the north and west. The foregoing will not be interpreted to preclude incorporating secondary and tertiary setbacks along public streets.</li> <li>Parcels containing surface parking, such as those depicted for the Sweetwater District, will be designed with parking lots nearer Wildlife Habitat Areas. Site plans on parcels adjacent to Wildlife Habitat Areas will maximum distance between structures and such areas.</li> </ul> <p><b>Landscaping</b></p> <ul style="list-style-type: none"> <li>Exterior trees and landscaping shall be located and glass surfaces shall incorporate measures so that exterior trees and landscaping are not reflected on building surfaces.</li> <li>In small exterior courtyards and recessed areas, the building's edge shall be clearly defined with opaque materials and non-reflective glass.</li> <li>Interior plants shall be located a minimum of 10 feet away from glass surfaces to avoid or reduce the potential for attracting birds.</li> </ul>				

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	<p><b>Public Education</b></p> <ul style="list-style-type: none"> <li>The owner or operator of each building shall implement an ongoing procedure to the satisfaction of the Port or the City to encourage tenants, residents, and guests to close their blinds, drapes, or other window coverings to reduce or avoid the potential for bird strikes.</li> <li>The owner or operator of each building shall enroll in the Fatal Light Awareness Program's "Bird-Friendly Building Program" and shall implement ongoing tenant, resident, and guest education strategies, to the satisfaction of the Port or the City, to reduce or avoid the potential for bird strikes, such as elevator and lobby signage and educational displays, e-mail alerts and other bulletins during spring and fall migratory seasons, and other activities designed to enlist cooperation in reducing bird collisions with the building.</li> </ul> <p><b>Monitoring</b></p> <ul style="list-style-type: none"> <li>For Phase I projects, the project applicant shall retain a qualified biologist to design a protocol and schedule, in consultation with the U.S. Department of Fish and Wildlife and subject to the approval of the Port or City, as appropriate depending on jurisdiction, to monitor bird strikes which may occur during the first 12 months after the completion of construction. Within 60 days after completion of the monitoring period, the qualified biologist shall submit a written report to the Port or the City, which shall state the biologist's findings and recommendations regarding any bird strikes that occurred. Based on the findings of those reports, the Port or the City, as appropriate depending on jurisdiction, in coordination with the U.S. Department of Fish and Wildlife, will evaluate whether further action is required, which may include further monitoring.</li> <li>Bird strikes must be monitored in accordance with the NRMP and measures developed to address persistent problem areas. Nighttime lighting in tower buildings must be addressed and evaluated through adaptive management. Minimization of impacts of buildings on birds and the Wildlife Habitat Areas will be a priority in the selection of window coverings, glass color, other exterior materials, and design of exterior lighting and lighting of signs.</li> </ul> <p>*Applies to Significant Impacts 4.8-36 and 4.8-37.</p>				

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.9-1	<p><b>A.</b> Prior to construction of the H Street Pier during Phases II and IV or work within Parcel HW-4, a pre-construction eelgrass survey shall be conducted by a qualified marine biologist to confirm the exact amount of eelgrass to be affected at the time of pile driving operations. The pre-construction survey must be conducted during the period of March through October and would be valid for a period of no more than 60 days, with the exception that surveys conducted in August through October would be valid until the following March 1.</p> <p><b>B.</b> Prior to construction of the H Street Pier during Phases II and IV or work within Parcel HW-4, the Port shall establish and implement a plan to create new eelgrass habitat. The loss of eelgrass habitat must be mitigated at a 1.2:1 ratio as described in the SCEMP (NMFS 1991, Revision 11). Impacts to approximately 0.4 acre of eelgrass shall require the creation of approximately 0.48 acre of eelgrass to mitigate losses caused by construction of the H Street Pier.</p> <p><b>C.</b> Prior to or concurrent with the completion of the H Street Pier or work within Parcel HW-4, the Port shall create new eelgrass habitat at a ratio of 1.2:1 for the actual amount of impacts. This shall be done by removing the existing eelgrass currently located at the proposed H Street Pier site and transplanting it at an appropriate location within the filled area of the existing navigation channel, to the satisfaction of a qualified marine biologist.</p> <p><b>D.</b> Subsequent to construction of the H Street Pier during Phases II and IV or work within Parcel HW-4, a post-construction eelgrass survey shall be conducted by a qualified biologist. The post-construction survey shall be conducted within 30 days of the cessation of construction activities to confirm the exact amount of eelgrass affected. The difference between the pre-construction and post-construction eelgrass surveys shall determine the amount of required mitigation. In addition, the Port shall:</p> <ul style="list-style-type: none"> <li>• Conduct transplant reports following construction (Initial Report).</li> <li>• Conduct monitoring reports at 6, 12, 24, 36, 48, and 60 months post-transplant. Specific milestones and criteria for success are directed in the SCEMP along with guidelines for remedial actions if the success criteria are not met (including presence of green sea turtles based on soundings from the existing tagging program), which would require (based on the absence of other mitigating environmental considerations) a Supplementary Transplant Area to be constructed and monitored</li> </ul>	<p>Developer -Prior to construction</p> <p>Port - Prior to construction</p> <p>Developer -Prior to or concurrent with completion of construction</p> <p>Port in coordination with qualified biologist</p>	<p>Port in coordination with qualified biologist</p> <p>Port in coordination with qualified biologist</p> <p>Port in coordination with qualified biologist</p> <p>Port</p>		

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	<p>for an additional 5 years.</p> <ul style="list-style-type: none"> <li>Initiate mitigation within 135 days of project inception; projects requiring more than 135 days to complete would result in additional mitigation.</li> <li>Coordinate with Sweetwater Authority to share monitoring reports, as necessary.</li> </ul> <p>*Applies to Significant Impacts 4.9-1, 4.9-2, and 4.9-4.</p>				
MM 4.9-2	<p><b>A.</b> An estimated 83 acres of the existing navigation channel shall be filled to -3 to -5.5 feet MLLW. The fill would modify deep and moderately deep open-water habitat to create approximately 83 acres of shallow-water habitat. This area would provide enough transplantable habitat at a depth ideal for eelgrass in this section of the Bay to mitigate for the loss of eelgrass from the channel realignment and completion of the H Street Pier.</p> <p><b>B.</b> A mitigation plan with an implementation schedule shall be prepared 30 days prior to any construction or dredge activities. The loss of eelgrass habitat shall be mitigated at a 1.2:1 ratio as described in the SCEMP (NMFS 1991, Revision 11). Based on this formula, impacts to 45.9 acres of eelgrass would require approximately 55.1 acres of eelgrass restoration.</p> <p><b>C.</b> Prior to the commencement of in-water work on the channel realignment, a pre-construction eelgrass survey shall be conducted to confirm the exact area of impact at the time of dredging and fill operations. The pre-construction survey shall be conducted during the period of March through October and would be valid for a period of no more than 60 days, with the exception that surveys conducted in August through October would be valid until the following March 1.</p> <p><b>D.</b> Subsequent to dredge and fill operations, a post-construction eelgrass survey shall be conducted by a qualified biologist. The post-construction survey shall be conducted within 30 days of the cessation of construction activities to confirm the exact area of eelgrass affected. The difference between the pre-construction and post-construction eelgrass surveys shall determine the amount of required mitigation. In addition, the Port shall:</p> <ul style="list-style-type: none"> <li>Conduct transplant reports following construction (Initial Report).</li> <li>Conduct monitoring reports at 6, 12, 24, 36, 48, and 60 months post-transplant.</li> </ul> <p>Specific milestones and criteria for success are directed in the SCEMP along with</p>	<p>Developer</p> <p>Developer in coordination with a qualified biologist</p> <p>Developer in coordination with a qualified biologist</p> <p>Developer in coordination with a qualified biologist</p>	<p>Port</p> <p>Port</p> <p>Port</p> <p>Port</p>		

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	<p>guidelines for remedial actions if the success criteria are not met (including presence of green sea turtles based on soundings from the existing tagging program), which would require (based on the absence of other mitigating environmental considerations) a Supplementary Transplant Area to be constructed and monitored for an additional 5 years.</p> <ul style="list-style-type: none"> <li>Initiate mitigation within 135 days of project inception; projects requiring more than 135 days to complete would result in additional mitigation.</li> <li>Coordinate with Sweetwater Authority to share monitoring reports, as necessary.</li> </ul> <p>*Applies to Significant Impact 4.9-3.</p>				
MM 4.9-3	<p><b>A.</b> Prior to the commencement of harbor improvements on Parcel HW-3, which includes the placement of bulkheads, the Port or Port tenants, as appropriate, shall prepare and initiate implementation of a plan to create new habitat at a ratio of 2:1 for intertidal mudflat and 4:1 for pickleweed. Impacts to approximately 0.03 acre of intertidal mudflat shall require the in-kind creation of approximately 0.06 acre, and less than 0.001 acre of pickleweed shall require creation of approximately 0.004 acre of comparable habitat.</p> <p><b>B.</b> Restoration shall occur in accordance with Appendix 4.8-12. At the time project specific designs are proposed for the Phase IV harbor reconfiguration, the mitigation for impacts to intertidal mudflat and pickleweed shall be re-evaluated by the Port during subsequent environmental review pursuant to State CEQA Guidelines Section 15168 to identify the total impact area and required mitigation for the loss of intertidal mudflat and pickleweed.</p> <p><b>C.</b> Restoration shall occur in accordance with Mitigation Opportunities, Appendix 4.8-12 to this report, which includes the creation of additional mudflat through the removal of riprap on the Bay shore in the Sweetwater District. As detailed in Mitigation Opportunities, this created habitat would be dominated by pickleweed (<i>Salicornia virginica</i>) with subdominants including saltwort (<i>Batis maritima</i>), fleshy Jaumea (<i>Jaumea carnosa</i>), alkali heath (<i>Frankenia salina</i>), and others as listed in Table 4 of Appendix 4.8-12. Currently, the mitigation opportunities detailed in Appendix 4.8-12 are anticipated to be implemented during Phase I. The Port shall verify that the creation of intertidal mudflat satisfies the required mitigation once the final impacts are verified.</p>	<p>Port or Port Tenants -Prior to start of harbor improvements</p> <p>Port or Port Tenants -Prior to start of harbor improvements</p> <p>Port or Port Tenants -Prior to start of harbor improvements</p>	<p>Port</p> <p>Port</p> <p>Port</p>		

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MM 4.9-4	<p>*Applies to Significant Impact 4.9-5.</p> <p><b>A.</b> Prior to issuance of a permit by USACE for dredge and/or fill operations in the Bay or Chula Vista Harbor, the applicant shall conduct a focused sediment investigation and submit it to USACE and RWQCB for review and approval. The applicant shall then determine the amount of bay sediment that requires remediation and develop a specific work plan to remediate bay sediments in accordance with permitting requirements of the RWQCB. The work plan shall include but not be limited to: dredging the sediment, allowing it to drain, and analyzing the nature and extent of any contamination. Pending the outcome of the analytical results, a decision by RWQCB shall prescribe the requirements for disposition of any contaminated sediment.</p> <p><b>B.</b> Prior to issuance of a grading permit for marina redevelopment on HW-1 and HW-4, the developer shall submit a work plan for approval by the RWQCB and Port/City that requires the implementation of BMPs, including the use of silt curtains during in-water construction to minimize sediment disturbances, and the confinement of potentially contaminated sediment if contaminated sediment exists. If a silt curtain should be necessary, the silt curtain shall be anchored along the ocean floor with weights (i.e., a chain) and anchored to the top with a floating chain of buoys. The curtain shall wrap around the area of disturbance to prevent turbidity from traveling outside the immediate project area. Once the impacted region resettles, the curtains shall be removed. If the sediment would be suitable for ocean disposal, no silt curtain shall be required. However, if contaminants are actually present, the applicant would be required to provide to the RWQCB and the Port/City an evaluation showing that the sediment would be suitable for ocean disposal.</p>	<p>Applicant -Prior to First USACE Permit</p> <p>Developer -Prior to First Grading Permit</p>	<p>RWQCB in coordination with USACE</p> <p>Port/City and RWQCB</p>		
MM 4.9-5	<p>*Applies to Significant Impact 4.9-6.</p> <p>For the in-water construction components to be completed in Phase IV, the amount of dredging shall be determined during final design of the marinas and harbor reconfiguration. Prior to any dredging, the Port shall develop and implement a plan for the dredging and storage of material to the satisfaction of responsible resource agencies, including USACE. The storage and/or landside disposal of dredge material shall be performed in accordance with the provisions of Mitigation Measure 4.6-6 in Section 4.6, Air Quality and all applicable federal, state, and local regulations.</p>	<p>Port -Prior to dredging activities</p>	<p>USACE and other responsible resource agencies</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	*Applies to Significant Impact 4.9-7.				
MM 4.9-6	Prior to issuance of Coastal Development Permits, applicants shall submit a lighting plan and photometric analysis to the Port for review and approval. Lighting of all developed areas adjacent to open water shall be directed away from the water, wherever feasible and consistent with public safety. Lighting fixtures shall provide adequate shielding to protect the aquatic habitat and marine life from night lighting. The lighting plan shall illustrate the location of the proposed lighting standards and type of shielding measures. Low-pressure sodium lighting or the equivalent shall be used if feasible and shall be subject to the approval of the Port.	Applicants -Prior to First Coastal Development Permit	Port		
4.10	*Applies to Significant Impact 4.9-8.  The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Land Use Planning. Elements of the program will include that only certified archaeologists and Native American monitors are accepted. The project archaeologist shall monitor all areas identified for excavation, including off-site improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.  In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Land Use Planning.				

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MM 4.11-1	<p>* This measure is not associated with a significant impact related to cultural resources; however, it has been incorporated to ensure appropriate implementation and enforcement.</p> <p>Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.</p> <ul style="list-style-type: none"> <li>• The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.</li> <li>• The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.</li> <li>• If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.</li> <li>• Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.</li> </ul> <p>All work shall be completed to the satisfaction of the Port or the City of Chula Vista, as appropriate.</p>	<p>Applicant on coordination with qualified paleontologist</p> <p>-Prior to issuance of any grading permit</p>	Port or City		

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MM 4.12-1	<p>*Applies to Significant Impact 4.11-1</p> <p>Prior to the issuance of any permit for excavation, demolition, grading, or construction activities in the area described in the relevant permit based on the planned future use, the following shall occur:</p> <p><b>A.</b> The applicant shall contact the lead regulatory agency (RWQCB/DEH/DTSC) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).</p> <p><b>B.</b> The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.</p> <p><b>C.</b> A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of</p>	<p>Applicant -Prior to First Permit for Excavation, Demolition, Grading, or Construction</p> <p>Applicant -Prior to First Permit for Excavation, Demolition, Grading, or Construction</p> <p>Applicant in coordination with a qualified environmental consultant -Prior to Construction and Excavation</p>	<p>RWQCB /DEH/ DTSC</p> <p>RWQCB /DEH/ DTSC</p> <p>Port and/or City</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options.</p> <p>If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.</p> <p>In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.</p> <p>Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.</p> <p><b>D.</b> In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste shall be characterized and disposed of in accordance with CCR Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material.</p> <p>The applicant must have an Industrial Hygienist registered in the State of California on site while working in areas where contamination is encountered. The responsibility of this professional would be to monitor the work site for contamination and to implement mitigation measures as needed to prevent exposure to the workers or public. These measures may include signage and dust control.</p> <p>Dewatering activities during construction shall be limited to the extent practicable and</p>		RWQCB /DEH/ DTSC		
			RWQCB /DEH/ DTSC		
		Port and/or City	RWQCB		
		Applicant	Port and/or City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>water generated by dewatering shall be tested to determine treatment and disposal options in accordance with all applicable laws and regulations.</p> <p>*Applies to Significant Impacts 4.12-1, 4.12-3, 4.12-7, 4.12-12, 4.12-13, 4.12-17, and 4.12-18.</p>	Developer	RWQCB		
MM 4.12-2	<p>Prior to construction, all contractor and subcontractor project personnel shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including, without limitation, hazardous materials spill prevention and response measures.</p> <p>Hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials.</p> <p>The Port of San Diego shall require that a Business Emergency Plan (BEP) is prepared for the construction of the Proposed Project, if not covered under their approved SWPPP. The plan shall identify all hazardous materials (e.g., fuels, solvents) that would be present on any portion of the construction area and project site. Contingency analysis and planning shall be presented to identify potential spill or accident situations, how to minimize their occurrence, and how to respond should they occur. The plan shall also identify spill response materials (e.g., absorbent pads, shovels) to be kept at the construction site and their locations.</p> <p>Hazardous materials spill kits shall be maintained on site for small spills.</p> <p>*Applies to Significant Impact 4.12-2.</p>	<p>Developer</p> <p>-Prior to start of construction</p> <p>Applicant in coordination with a qualified consultant</p> <p>-Prior to Construction and Excavation</p> <p>Developer</p>	<p>Port</p> <p>Port</p> <p>Port</p>		
MM 4.12-3	<p>In-water construction activities shall be conducted in accordance with Mitigation Measure 4.5-4 in Section 4.5, Hydrology/Water Quality.</p> <p>*Applies to Significant Impact 4.12-4</p>				

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.12-4	<p>In event of removal of USTs, the soil and groundwater within the vicinity of the USTs shall be adequately characterized and remediated, if necessary, to a standard that would be protective of water quality and human health, based on future site use. In areas to be redeveloped, a geophysical survey shall be conducted by the applicant to evaluate if there are any previously unidentified USTs or piping still existing in areas to be redeveloped.</p> <p>In the event that USTs are not identified in the HMTS or undocumented areas of contamination are encountered during grading activities (as indicated by odors, discolored soil, etc.), all work shall cease until appropriate health and safety procedures are implemented pursuant to the applicant's contingency plan. The applicant shall prepare a contingency plan to address contractor procedures for such an event, to minimize the potential for construction delays. In addition, the lead regulatory agency (DEH or RWQCB, depending on the nature of the contamination) shall be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The applicant shall conduct contamination remediation and removal activities in accordance with pertinent local, state, and federal regulatory guidelines, under the oversight of the appropriate regulatory agency. Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.</p>	<p>Applicant -During grading activities</p> <p>Applicant -During grading activities</p>	<p>Lead Regulatory Agency (DEH or RWQCB)</p> <p>Lead Regulatory Agency (DEH or RWQCB)</p>		
MM 4.12-5	<p>*Applies to Significant Impact 4.12-5.</p> <p>Prior to the issuance of a demolition permit for buildings scheduled for demolition that have not been surveyed to date for ACMs and LBPs, the applicant shall conduct a survey to determine the locations and amounts of ACMs and LBPs present, as well as other miscellaneous hazardous materials, such as potential mercury-containing thermostats and switches, light ballasts and switches that might contain PCBs, fluorescent light tubes that might contain mercury vapor, exit signs that might contain a radioactive source, air conditioning systems, lead-acid batteries and batteries associated with emergency lighting systems, and Freon™-containing refrigeration systems. Should ACMs, LBPs, or other miscellaneous hazardous building materials be encountered in the site structures, the applicant shall obtain a licensed abatement contractor to remove the hazardous materials in accordance with all applicable federal, state, and local laws, regulations, and permitting requirements prior to initiation of demolition activities.</p>	<p>Applicant -Prior to First Demolition Permit</p>	<p>Port in coordination with lead regulatory agency</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>Prior to any proposed demolition activities, the applicant shall conduct a thorough inspection of the facilities that have permits to store hazardous materials to confirm whether a release of hazardous materials at these facilities has impacted the underlying soil and/or groundwater. The facilities that currently store hazardous materials are located at 596 Sandpiper Way, 997 G Street, and 979 G Street. If indications of contamination are encountered during demolition, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result and provide recommendations for further action.</p> <p>*Applies to Significant Impact 4.12-6.</p>	<p>Applicant in coordination with qualified environmental consultant</p> <p>-Prior to First Demolition Permit</p>	<p>Lead Regulatory Agency (DEH or RWQCB)</p>		
MM 4.12-6	<p>Prior to construction, remediation activities for known contamination shall be performed to be protective of construction workers on the project site, as required by Mitigation Measure 4.12-1.</p> <p>*Applies to Significant Impact 4.12-7.</p>	<p>Port and City</p> <p>- Prior to construction</p>	<p>Port and City</p>		
MM 4.12-7	<p>Management of the parks throughout the project site must be required to comply with the Port and City's Integrated Pest Management Policies (IPM). IPM shall be used on all landscaped areas. In addition, fertilizers must be minimized and only non-toxic products used. Runoff from irrigation sprinklers into surface waters must be minimized and use of mulching and drip irrigation, where needed, maximized. Measures shall be employed to ensure that landscape chemicals and wastes do not get into surface waters or habitat areas.</p> <p>*Applies to Significant Impact 4.12-8.</p>	<p>Port and City</p> <p>-Ongoing management of parks</p>	<p>Port and City</p>		
MM 4.12-8	<p>For development in the Sweetwater District that would result in exposure of any soil containing pesticides/herbicides, excavation and disposal of the contaminated soils at an appropriately licensed facility shall be conducted as required by applicable law, to reduce potential for future site occupants' exposure. Otherwise, soil capping shall be implemented. Capping could be performed by placement of a clean soil fill layer over the impacted soil, which in turn could be overlain by other surface covers (i.e., turf and other vegetative cover and pavement).</p> <p>*Applies to Significant Impact 4.12-9.</p>	<p>Developer</p> <p>-When grading activities result in exposure of any soil containing pesticides/herbicides</p>	<p>DEH and/or RWQCB</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.12-9	<p>At the time project specific designs are proposed for any development in Phases II through IV, a site assessment must be conducted by a qualified expert satisfactory to the City and/or Port to determine concentrations of contaminants in soil, soil gas, and groundwater on the parcel proposed for development. Further site assessment may be required as part of subsequent environmental review pursuant to State CEQA Guidelines.</p> <p>A HHRA, or other means of evaluation, must be prepared for any new development in Phases II through IV, analyzing each parcel proposed for development within the Proposed Project area. If the calculated risk from the HHRA (or other means of evaluation) is considered to be significant for a receptor in a parcel, mitigation measures shall be implemented to reduce the risk to below a level of significance. These measures may include one or both of the following:</p> <ul style="list-style-type: none"> <li>• Remediating the contaminant sources and impacts in the respective media (i.e., soil, soil gas, groundwater) to levels below the health-based remediation criteria. Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment.</li> <li>• Implementing institutional and/or engineering controls to eliminate the pathway of concern or attenuate the contaminant exposure to levels below the health-based remediation criteria.</li> </ul> <p>*Applies to Significant Impact 4.12-10</p>	<p>Applicant in coordination with qualified expert -When Project specific designs are proposed</p> <p>Applicant in coordination with qualified expert</p>	<p>City and/or Port</p> <p>City and/or Port</p>		
MM 4.12-10	<p>Prior to the approval of Design Review for development on Parcels H-3, H-13, H-14, H-15, and HP-5, the applicant shall submit a design plan for the project demonstrating to the satisfaction of the City and/or Port that proposed buildings shall be designed so as to prevent a risk to human health associated with intrusion of CVOC vapors into future buildings on these parcels. Such design measures may include vapor barriers or passive vent systems.</p> <p>*Applies to Significant Impacts 4.12-11, 4.12-16, 4.12-19, and 4.12-20.</p>	<p>Applicant -Prior to Design Review Approval</p>	<p>Port and/or City</p>		
MM 4.12-11	<p>A. Remediation in soil locations identified as exceeding health-based remediation criteria shall be performed prior to redevelopment as targeted "hotspot" removal with confirmation sampling to demonstrate that the COPCs have been removed and concentrations in remaining soil are less than the remediation criteria.</p>	<p>Developer -Prior to redevelopment /construction</p>	<p>Port and/or City</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p><b>B.</b> Remediation of the areas of HP-5 that contain COPCs at concentrations exceeding remediation criteria shall be completed prior to construction activities depending on the design of proposed development and the potential for workers to be exposed to contamination in these areas.</p> <p><b>C.</b> Remediation of the areas of HP-5 that contain concentrations of CVOCs may be performed by various methods, including soil vapor extraction and treatment. Any required remediation shall be performed prior to construction activities in order to protect construction workers in these areas. This parcel shall be remediated to levels adequate to protect human health and the environment.</p> <p>*Applies to Significant Impacts 4.12-14 and 4.12-15.</p>	<p>Developer -Prior to redevelopment /construction</p> <p>Developer -Prior to redevelopment /construction</p>	<p>Port and/or City</p> <p>Port and/or City</p>		
MM 4.13.3-1	<p>Prior to reconstruction and/or reconfiguration of existing parks within the Project, the Port shall post a public notice at each affected park site at least 30 days prior to commencement of construction activity and maintain the posting throughout reconstruction of each affected park. Said public notice shall identify the duration of park closure and information related to optional locations for public park and recreational facilities.</p> <p>*Applies to Significant Impact 4.13.3-1.</p>	<p>Port -Prior to reconstruction/reconfiguration of parks</p>	Port		
MM 4.13.3-2	<p>Prior to approval of a building permit for any project within the City's jurisdiction, the applicant shall pay all applicable recreation and park fees, including those set forth in Chapters 3.50 and 17.10 in the City's Municipal Code.</p> <p>*Applies to Significant Impact 4.13.3-2.</p>	<p>Applicant -Prior to Building Permit Approval</p>	City		
MM 4.13.4-1	<p>Prior to the issuance of building permits for any residential project, the applicant shall pay required school mitigation fees. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects (Government Code Section 65996(a)). They are "deemed to provide full and complete school facilities mitigation" (Government Code Section 65996(b)). Once the statutory school mitigation fee (sometimes referred to as a "developer fee") is paid, the impact would be deemed mitigated as a matter of law.</p>	<p>Applicant -Prior to First Building Permit</p>	City		

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MM 4.14.1-1	<p>*Applies to Significant Impacts 4.13.4-1 and 4.13.4-2</p> <p>To avoid significant construction-related noise impacts, the following measures shall be followed:</p> <ul style="list-style-type: none"> <li>Construction activity shall be prohibited Monday through Friday from 10:00 p.m. to 7:00 a.m., and Saturday and Sunday from 10:00 p.m. to 8:00 a.m., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J). It should be noted, however, that construction may require connections to existing water facilities, both on- and off-site, and may need to occur between the hours of 10:00 p.m. and 6:00 a.m. in order to minimize impacts to existing customers who cannot experience flow restrictions during daytime hours.</li> <li>All stationary noise generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors. Where practicable, noise-generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.</li> <li>All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an unmuffled exhaust.</li> <li>Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.</li> <li>Construction vehicles accessing the site shall be required to use the shortest possible route to and from I-5, provided the route does not expose additional receptors to noise.</li> <li>Construction equipment shall be selected as those capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible to perform the required construction operation.</li> </ul>	Developer -During construction	City		
MM 4.14.1-2	<p>*Applies to Significant Impacts 4.14.1-1 and 4.14.1-2.</p> <p>Construction-related noise from off-site water improvements shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh</p>	Developer -During	Port and/or City		

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	NWR, F & G Street Marsh, and the J Street Marsh. The current accepted noise threshold is 60 dB(A) Leq; thus construction activity shall not exceed this level, or ambient noise levels if higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall prepare and submit an acoustical analysis to the Port and/or City, which shall determine whether noise barriers would be required to reduce the expected noise levels below the threshold. If noise barriers or construction activities are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season.	construction or if during breeding season prior to construction			
MM 4.14.1-3	<p>*Applies to Significant Impact 4.14.1-3.</p> <p><b>A.</b> Prior to commencement of grading activities for all Phase I projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).</p> <p><b>B.</b> Prior to commencement of grading activities for all subsequent phases, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).</p>	Applicant(s) -Prior to start of grading	Port or City		
MM 4.14.2-1	<p>*Applies to Significant Impact 4.14.1-4.</p> <p>Prior to the approval of a building permit for any development in Phases III and IV, the City shall verify that it has adequate sewer capacity to serve the proposed development. In the event the City does not have adequate sewer capacity to serve the proposed development, no building permit shall be approved for the proposed development until the City has acquired adequate sewer capacity to serve the proposed development.</p>	City -Prior to Building Permit Approval	City		
MM 4.14.2-2	<p>*Applies to Significant Impact 4.14.2-1.</p> <p>To avoid significant construction-related noise impacts, the following measures shall be followed:</p> <ul style="list-style-type: none"> <li>Construction activity shall be prohibited Monday through Friday from 10:00 p.m. to 7:00 a.m., and Saturday and Sunday from 10:00 p.m. to 8:00 a.m., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J).</li> </ul>	Developer -During construction	Port or City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<ul style="list-style-type: none"> <li>• All stationary noise-generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors. Where practicable, noise-generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, and equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.</li> <li>• All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an unmuffled exhaust.</li> <li>• Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.</li> <li>• Construction vehicles accessing the site shall be required to use the shortest possible route to and from I-5, provided the route does not expose additional receptors to noise.</li> <li>• Construction equipment shall be selected as those capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible to perform the required construction operation.</li> </ul>				
MM 4.14.2-3	<p>*Applies to Significant Impact 4.14.2-2.</p> <p>Construction-related noise shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh NWR, F &amp; G Street Marsh, and the J Street Marsh. The current accepted noise threshold is 60 dB(A) Leq; thus construction activity shall not exceed this level, or ambient noise levels if higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall prepare and submit an acoustical analysis to the Port and the City, which shall determine whether noise barriers would be required to reduce the expected noise levels below the threshold. If noise barriers or construction activities are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season.</p> <p>*Applies to Significant Impact 4.14.2-3.</p>	Developer - During construction or if during breeding season prior to construction	Port or City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.14.2-4	<p><b>A.</b> Prior to commencement of grading activities for all Phase I projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).</p> <p><b>B.</b> Prior to commencement of grading activities for all Phase II–IV projects, the applicant(s) shall submit a traffic control plan for review and approval by the Port (for development on Port properties) and City Engineer and the Director of Public Works (for development on property and ROWs within the City's jurisdiction).</p> <p><i>*Applies to Significant Impact 4.14.2-4</i></p>	<p>Applicant -Prior to start of grading</p> <p>Applicant -Prior to start of grading</p>	<p>Port and City Engineer and Director of Public Works</p> <p>Port and City Engineer and Director of Public Works</p>		
MM 4.14.2-5	<p><b>A.</b> Prior to the issuance of a Coastal Development Permit for Properties within the Port's jurisdiction and prior to the issuance of a grading permit for properties within the City's jurisdiction, the applicant shall notify the RWQCB of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB.</p> <p><b>B.</b> Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system.</p> <p><i>*Applies to Significant Impact 4.14.2-5.</i></p>	<p>Applicant -Prior to First Coastal Development Permit (Port)/First Grading Permit (City)</p> <p>Applicant -During construction</p>	<p>Port, City and RWQCB</p> <p>RWQCB</p>		
MM 4.15-1	<p>Prior to the grading of parcels for specific developments, the applicant shall provide a comprehensive site-specific geotechnical evaluation, including subsurface exploration and laboratory testing showing that individual parcels are suitable for proposed development work and that on-site fill materials and soils can support proposed structures. The applicant shall submit a geotechnical design report to the Port or City, depending on jurisdiction, for approval showing site-specific measures to be employed. As applicable, these measures shall include:</p>	<p>Applicant -Prior to start of grading</p>	<p>Port or City</p>		

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	<ul style="list-style-type: none"> <li>Conformance to the California Building Code Seismic Zone 4 Design Parameters, as detailed in Table 1 of the geotechnical study (see Appendix 4.15-1)</li> <li>Design capable of withstanding strong seismic accelerations</li> <li>Earthwork procedures, including removal, moisture conditioning, and recompaction of existing fills on the site</li> <li>Selective grading, densification of the subsurface soils, and/or deep foundations</li> <li>Removal, moisture conditioning, and compaction of bay deposits/alluvial soils. Deep foundations shall be used for structural support in areas of relatively thick bay deposits/alluvium</li> <li>Removal or deep burial of expansive soils during grading, moisture conditioning, or specially designed foundations and slabs</li> <li>Removal, moisture conditioning, and compaction of the topsoil on site.</li> </ul> <p>*Applies to Significant Impact 4.15-1 through 4.15-5.</p>				
MM 4.15-2	<p>For all phases, the project applicant shall prepare a site specific geotechnical study. Mitigation of potential hazards due to liquefaction may include the densification or removal of the potentially liquefiable soil and placement of surcharge fills within building areas, or the use of deep foundation systems and mat slabs which still provide acceptable structural support should liquefaction occur. Soil densification can be accomplished by surcharging, compaction grouting, vibrocompaction, soil mixing, and deep dynamic compaction. Deep foundation systems may be used to transmit structural loads to bearing depths below the liquefiable zones and may consist of driven piles or drilled piles.</p> <p>*Applies to Significant Impact 4.15-2.</p>	Applicant -Prior to First Building Permit	Port or City		
MM 4.15-3	<p>Prior to the grading of parcels for the Pacifica development, the applicant shall adhere to the site-specific geotechnical evaluation prepared for the project or any amendment as approved by the Port/City (Appendix 4.15-5, Geotechnical Preliminary Geotechnical Investigation prepared for Pacifica Companies (February 2008), Sections 7 and 8 Conclusions and Preliminary Recommendations) which outlines general requirements and specific recommendations regarding soil and excavation, seismic design criteria, grading, consolidation settlement, ground improvement methods, slope stability, temporary slopes and shoring, groundwater and dewatering, shallow and deep</p>	Applicant -Prior to start of grading	Port or City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	foundations, subterranean structures, concrete slabs-on-grade, concrete flatwork, retaining walls and lateral loads, pavement, and drainage and maintenance.  *Applies to Significant Impacts 4.15-3 and 4.15-4.				
MM 4.15-4	Prior to the grading of parcels for the RCC development, the applicant shall adhere to the site-specific geotechnical evaluation prepared for the project or any amendment as approved by the Port/City (Appendix 4.15-4, Geotechnical Investigation prepared for Gaylord Hotels (January 2008), Section 6. Conclusions and Recommendations), which outlines general requirements and specific recommendations regarding soil and excavation, seismic design criteria, grading, temporary slopes and shoring, groundwater and dewatering, hotel/convention center/parking structure/flex space foundation, ancillary structure foundation, concrete slabs-on-grade, retaining walls and lateral loads, preliminary pavements, and drainage and maintenance.  *Applies to Significant Impact 4.15-5.	Applicant -Prior to start of grading	Port or City		
MM 4.16-1	Prior to the issuance of certificates of occupancy or building permits, the project applicant shall demonstrate that the Proposed Project complies with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential Buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City: <ul style="list-style-type: none"> <li>• Use of low NO<sub>x</sub> emission water heaters</li> <li>• Installation of energy-efficient and automated air conditioners when air conditioners are provided</li> <li>• Energy-efficient parking area lights</li> <li>• Exterior windows shall be double paned.</li> </ul> Implementation of these measures along with the SDG&E efforts for long-term energy supply as outlined in their filing with the CPUC that proposes a mix of conservation, demand response, generation, and transmission ( <a href="http://www.sdenenergy.org/uploads/7-9-04SDG&amp;E_LTRP.pdf">http://www.sdenenergy.org/uploads/7-9-04SDG&amp;E_LTRP.pdf</a> ) would reduce the potential significant impact to below a level of significance.  *Applies to Significant Impact 4.16-1.	Applicant -Prior to First Certificate of Occupancy	Port and City Director of Planning or Building		

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MM 4.16-2	<p>The following standards are intended to be interpreted broadly and with the flexibility to adapt to new energy technology and evolving building construction and design practices. They will apply to and govern development of all individual parcels within the Proposed Project area, except Parcels HP-5, H-13, H-14, and H-15. The term "Development" will mean the development of an individual parcel within the Proposed Project area.</p> <p><b>A.</b> To help reduce the need for fossil-fueled power generation, reduce greenhouse gas emissions, and support the California Energy Commission's Loading Order for Electricity Resources, all developments will achieve a minimum of a fifty (50) percent reduction in annual energy use as described below:</p> <ol style="list-style-type: none"> <li>Each building in each Development will perform at least fifteen (15) percent better than Title 24, Part 6 of the California Building Energy Efficiency Standards ("Title 24") in effect as of the date of this FEIR. The minimum energy efficiency performance standard adopted by the City is hereinafter described as its "Energy Efficiency Requirement" or "EER." Should revised Title 24 standards be adopted by the State of California, the City's EER that is in effect at the time a building permit application is submitted for such Development shall apply.</li> <li>The balance of the reduction in annual energy use required will be achieved through the use of any combination of the energy reduction measures described below. To achieve compliance, sponsors of Developments may select one of two paths. The first path is based on Title 24 ("Title 24 Path") and the second is described in Energy and Atmosphere, Credit 1 "Optimized Energy Performance" (Credit EA-c1) in the US Green Building Council's Leadership in Energy and Environmental Design (LEED) Version 3 system ("LEED Path"). The definition of the term "Baseline" against which energy reduction will be measured will vary depending on the path selected and is further described in Exhibit 3 of the MMRP to this Agreement. Choosing the LEED Path does not require a Development to achieve LEED Certification, but simply uses the methodology of EA-c1. <ol style="list-style-type: none"> <li>Renewable Energy generated within the boundaries of the Development will be credited toward the energy reduction requirement of Section A 25.2. The term "Renewable Energy" will mean energy derived from the sources described in California Public Resources Code section 25741 (b)1.</li> <li>Renewable Energy generated on one or more sites ("Renewable Energy Sites")</li> </ol> </li> </ol>	Applicant -Prior to Building Permit Approval	Port and City in Coordination with the District.		

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	<p>within the boundaries of the Proposed Project by the Port, City or other third party and fed to the electrical grid or to the Development will be credited toward the energy reduction requirement described above. Aggregate energy generated on Renewable Energy Sites may be allocated to an individual Development up to the amount necessary to achieve such Development's compliance with the energy reduction requirement described above. Once allocated to a Development, the amount of energy generated by Renewable Energy Sites so allocated may not be further allocated to another development.</p> <p>c. Participation in a City of Chula Vista sponsored energy efficiency program provided that the resulting energy reduction may be calculated and verified. The methodology for calculating the amount of the credit toward the energy reduction requirement described above under the Title 24 Path and the LEED Path as described in Exhibit 3 of the MMRP.</p> <p>d. Each Development will develop, implement, and for the life of each Development, maintain a measurement and verification plan ("M&amp;V Plan"). Such participation has been shown to increase the persistence of energy efficiency ("EE") and also to provide a way of recognizing and encouraging the ongoing conservation efforts of occupants and facility managers and will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the energy reduction requirement described above. The Port will include in all leases the requirement to perform an energy audit every three (3) years for the convention centers and hotel Developments over 300 rooms and five (5) years for all other Developments to ensure that all energy systems are performing as planned or corrective action will be taken if failing to meet EE commitments.</p> <p>e. Participation in one of SDG&amp;E's Voluntary Demand Reduction (DR) utility rates will be awarded a waiver for three (3) percent credit against the Baseline to determine compliance with the energy reduction requirement described above.</p> <p>f. Participation in one of SDG&amp;E's Mandatory Demand Reduction (DR) utility rates will be awarded a waiver for five (5) percent credit against the Baseline to determine compliance with the energy reduction requirement described above.</p> <p>g. Incorporation of natural ventilation into design such that at least 75% of the conditioned area is naturally ventilated according to the guidelines set forth in Exhibit 3 of the MMRP, and if this benefit was not included in the energy efficiency calculations, the project will be awarded either: a waiver for five (5) percent credit against the</p>				

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>Baseline to determine compliance with the energy reduction requirement described above: or, a waiver for ten (10) percent credit will be awarded if the natural ventilation system is coupled with an energy or cooling system that does not draw from the grid if and when natural ventilation is not used. This may be prorated if less than 75% of the conditioned area is naturally ventilated.</p> <p>3. The parties understand and acknowledge that the energy reduction measures described above for a Development or component of a Development may be phased in over time to achieve compliance with the energy reduction provided such energy reduction measures are completed no later than thirty-six (36) months following issuance of a certificate of occupancy for such Development or such component thereof.</p> <p>4. To further incent responsible and sustainable development practices within the boundaries of the Proposed Project, the Port, the City and the Redevelopment Agency will consider voluntary commitments to levels of energy reduction in excess of the energy requirements described above commitment to achievement of a LEED Certification, and/or a "Living Building Challenge" in connection with the selection of respondents in RFP/RFQ processes for developments within the Proposed Project area.</p> <p>5. Within one year following the CCC's approval of a PMP amendment substantially consistent with the Proposed Project, the Port will in good faith consider adoption of an ordinance, in a public hearing process, that if approved by the Board of Port Commissioners, will require the following:</p> <p>a. Within six (6) months following adoption of the ordinance and every three (3) years thereafter, the Port will conduct an energy efficiency and renewable energy analysis that will:</p> <ul style="list-style-type: none"> <li>i. Assess the feasibility and cost-effectiveness of programs and options to reduce demand on the electric grid from all lands under Port's jurisdiction; and</li> <li>ii. Include, but not be limited to, an assessment of the potential for reduction in energy use on all land under Port's jurisdiction through increases in energy efficiency, demand response, clean renewable and distributed energy generation and other methods and technologies.</li> </ul> <p>b. Upon the completion of each analysis, the Port will consider good faith implementation of cost-effective programs and options as part of its commitment</p>				

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	to greenhouse gas reductions and global climate change prevention activities consistent with Assembly Bill 32. c. The results of each analysis will be published on the Port's website and received by the Port's Board of Port Commissioners in a public forum.  *Applies to Significant Impact 4.16-1.				
MM 4.17-1	The Redevelopment Agency will use all Low and Moderate Income Housing funds generated from within the Bayfront Redevelopment Project Area on the production of affordable housing units, inside and/or outside of redevelopment areas, for very low, low and moderate income individuals/families only in areas located west of I-805 in the City of Chula Vista.  * This measure is not associated with a significant impact related to population; however, it has been incorporated to ensure appropriate implementation and enforcement.	Redevelopment Agency			
<b>Significant and Unavoidable Impacts</b>					
---	No feasible mitigation beyond redesign of the project as identified as a project alternative would reduce this impact to view quality. See Chapter 5, Alternatives, for a discussion of design options that would allow for an overall reduction in height and bulk of the proposed development.  *Applies to Significant Impact 4.1-4.	---	---		
MM 4.1-3	Prior to the approval of a building permit for any residential project, the applicant shall pay a PFDF or equivalent fee in an amount calculated according to the City's PFDF program in effect at the time of permit issuance.  *Applies to Significant Impact 4.1-5.	Applicant -Prior to Building Permit Approval	City		
MM 4.2-8	The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources and phasing that would reduce congestion with Caltrans standards on the I-5 south corridor from the SR-54 interchange to the Olay River (the "I-5 South Corridor") (hereinafter, the "Plan"). Local funding sources identified in the Plan shall include fair share contributions related to private and/or public development based on the	City, other cities along I-5, the Port, SANDAG, and Caltrans	Port Board of Commissioners and City Council		

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	<p>nexus established in this Draft EIR as well as other mechanisms. The Plan required by this mitigation shall include the following:</p> <ol style="list-style-type: none"> <li>The responsible entities (the Entities) included in this effort will include, but may not be limited to, the City, other cities along I-5, the Port, SANDAG, and Caltrans. Other entities will be included upon the concurrence of the foregoing Entities.</li> <li>The Plan will identify physical and operational improvements to I-5 adjacent to the project area, relevant arterial roads and transit facilities (the Improvements), that are focused on regional impacts and specific transportation impacts from the project, and will also identify the fair share responsibilities of each Entity for the construction and financing for each Improvement. The Plan will include an implementation element that includes each Entity's responsibilities and commitment to mitigate the impacts created by all phases of the Proposed Project.</li> <li>The Plan will set forth a timeline and other agreed upon relevant criteria for implementation of each Improvement.</li> <li>The Plan will identify the total estimated design and construction cost for each Improvement and the responsibility of each Entity for both implementation and funding of such costs.</li> <li>The Plan will include the parameters for any agreed upon fair-share funding to be implemented, that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law.</li> <li>In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.</li> <li>The Port shall seek adoption of the Plan before the Port Board of Commissioners and the City shall seek adoption of the Plan before the City Council upon the completion of the multi-jurisdictional effort to develop the Plan. The Port and the City shall report, to their respective governing bodies regarding the progress made to develop the Plan within 6 months of the first meeting of the entities. Thereafter, the Port and the City shall report at least annually regarding the progress of the</li> </ol>				

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	<p>Plan, for a period of not less than 5 years, which may be extended at the request of the City Council and/or Board of Commissioners.</p> <p>h. The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan.</p> <p>i. Prior to issuance of certificates of occupancy or building permits for any development of individual projects within the Chula Vista Bayfront Master Plan, the Port and the City shall require project applicants to make their fair share contribution toward mitigation of cumulative freeway impacts within the City's portion of the I-5 South Corridor by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.</p> <p>The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of the mitigation measure.</p> <p>*Applies to Significant Impacts 4.2-12, 4.2-17, 4.2-18, 4.2-29, 4.2-30, 4.2-35 through 4.2-37, and 4.2-46 through 4.2-50.</p>				
MM 4.2-10	<p>Prior to issuance of certificates of occupancy for parcel H-3 or building permits for any development within the City, the Port and the City shall require project applicants to make their fair share contribution toward mitigation of intersection impacts at H Street and E Street within the City's jurisdiction by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.</p> <p>The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of mitigation measure.</p> <p>However, because implementation of the physical improvements needed to reduce the significant impacts to the affected intersections will require funding from other sources in addition to the WTDIF, such as local, state and federal funds, and such funding is not</p>	Applicant(s) -Prior to First Certificate of Occupancy	Port and/or City		

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	certain or under the control of the Port or the City, the Port and the City cannot assure the necessary improvements will be constructed as needed or that they will be constructed within any known time schedule. Accordingly, the Proposed Project's impacts to the E Street and H Street intersections affected by an at-grade trolley crossing are considered significant and unmitigated.				
---	*Applies to Significant Impact 4.2-19. No feasible mitigation beyond redesign of the project as identified as a project alternative would reduce this impact to view quality. See Chapter 5, Alternatives, for a discussion of design options that would allow for an overall reduction in height and bulk of the proposed towers.	—	—		
MM 4.6-1	*Applies to Significant Impacts 4.4-1 and 4.4-2. Prior to the commencement of any grading activities, the following measures shall be placed as notes on all grading plans and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (These measures were derived, in part, from Table 11-4 of Appendix 11 of the SCAQMD CEQA Air Quality Handbook, and from SCAQMD Rule 403).  See Mitigation Measure 4.6-1 in Section 4.6, Air Quality for a list of Best Available Control Measures for Specific Construction Activities.	Developer -Prior to start of grading	Port and City		
MM 4.6-2	*Applies to Significant Impacts 4.6-1 and 4.6-6. A. For development within the City's jurisdiction, applicants shall submit an AQIP with any Tentative Maps submitted to the City in accordance with Municipal Code Section 19.09.050B, and the applicant shall demonstrate that air quality control measures outlined in the AQIP pertaining to the design, construction, and operational phases of the project have been implemented to the satisfaction of the Director of Planning and Building for the City. This plan shall demonstrate "the best available design to reduce vehicle trips, maintain or improve traffic flow, and reduce vehicle miles traveled." There are two options to meet the AQIP requirement. The applicant shall evaluate the project in accordance with the computer modeling procedures outlined in the City's AQIP	Applicants -With submittal of Tentative Map	City		

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	<p>Guidelines, including any necessary site plan modifications.</p> <p>B. Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project complies with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:</p> <ul style="list-style-type: none"> <li>• Use of low NO<sub>x</sub> emission water heaters</li> <li>• Installation of energy efficient and automated air conditioners when air conditioners are provided</li> <li>• Energy efficient parking area lights</li> <li>• Exterior windows shall be double paned.</li> </ul> <p>Although these measures will reduce air quality impacts of the Proposed Project, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, air quality impacts remain significant and unmitigated.</p> <p>*Applies to Significant Impact 4.6-2.</p>	<p>Applicant</p> <p>-Prior to First Building Permit</p>	<p>Port and City</p>		
MM 4.6-3	<p>A. For development within the City's jurisdiction, the applicants shall submit an AQIP with any Tentative Maps submitted to the City in accordance with Municipal Code Section 19.09.050B, and the applicant shall demonstrate that air quality control measures outlined in the AQIP pertaining to the design, construction, and operational phases of the project have been implemented to the satisfaction of the Director of Planning and Building for the City of Chula Vista. This plan shall demonstrate "the best available design to reduce vehicle trips, maintain or improve traffic flow, and reduce vehicle miles traveled." There are two options to meet the AQIP requirement. The applicant shall evaluate the project in accordance with the computer modeling procedures outlined in the City's AQIP Guidelines, including any necessary site plan modifications.</p> <p>B. Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project complies with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements along with the following</p>	<p>Applicants</p> <p>-With submittal of Tentative Map</p>	<p>City</p> <p>Port and City</p>		

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	<p>measures shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:</p> <ul style="list-style-type: none"> <li>• Use of low NO<sub>x</sub> emission water heaters</li> <li>• Installation of energy efficient and automated air conditioners when air conditioners are provided</li> <li>• Energy efficient parking area lights</li> <li>• Exterior windows shall be double paned.</li> </ul> <p>Although these measures would reduce air quality impacts of the Proposed Project, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, air quality impacts remain significant and unmitigated.</p> <p>*Applies to Significant Impact 4.6-3.</p>				
MM 4.6-4	<p>A. For residential, as well as mixed-use/commercial development within the City's jurisdiction, the applicants shall submit an AQIP with any Tentative Maps submitted to the City in accordance with Municipal Code Section 19.09.050B, and the applicant shall demonstrate that air quality control measures outlined in the AQIP pertaining to the design, construction, and operational phases of the project have been implemented to the satisfaction of the Director of Planning and Building for the City of Chula Vista. This plan shall demonstrate "the best available design to reduce vehicle trips, maintain or improve traffic flow, and reduce vehicle miles traveled." There are two options to meet the AQIP requirement. The applicant shall evaluate the project in accordance with the computer modeling procedures outlined in the City's AQIP Guidelines, including any necessary site plan modifications.</p> <p>B. Prior to the issuance of buildings permits, the applicant shall demonstrate that the Proposed Project complies with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements along with the following measures shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:</p> <ul style="list-style-type: none"> <li>• Use of low-NO<sub>x</sub> emission water heaters</li> <li>• Installation of energy efficient and automated air conditioners when air conditioners</li> </ul>	<p>Applicants -With submittal of Tentative Map</p> <p>Applicant -Prior to First Building Permit</p>	<p>City</p> <p>Port and City</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>are provided</p> <ul style="list-style-type: none"> <li>• Energy efficient parking area lights</li> <li>• Exterior windows shall be double paned.</li> </ul> <p>Although these measures would reduce air quality impacts of the Proposed Project, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, air quality impacts remain significant and unmitigated.</p>				
MM 4.6-5	<p>* Applies to Significant Impact 4.6-4.</p> <p>A. For residential, as well as mixed-use/commercial development within the City's jurisdiction, the applicants shall submit an AQIP with any Tentative Maps submitted to the City in accordance with Municipal Code Section 19.09.050B, and the applicant shall demonstrate that air quality control measures outlined in the AQIP pertaining to the design, construction, and operational phases of the project have been implemented to the satisfaction of the Director of Planning and Building for the City of Chula Vista. This plan shall demonstrate "the best available design to reduce vehicle trips, maintain or improve traffic flow, and reduce vehicle miles traveled." There are two options to meet the AQIP requirement. The applicant shall evaluate the project in accordance with the computer modeling procedures contained in the City's AQIP Guidelines, including any necessary site plan modifications.</p> <p>B. Prior to the issuance of buildings permits, the applicant shall demonstrate that the Proposed Project shall comply with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements along with the following measures shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:</p> <ul style="list-style-type: none"> <li>• Use of low-NOx emission water heaters</li> <li>• Installation of energy efficient and automated air conditioners when air conditioners are provided</li> <li>• Energy efficient parking area lights</li> <li>• Exterior windows shall be double paned.</li> </ul>	<p>Applicants -With submittal of Tentative Map</p> <p>Applicant -Prior to First Building Permit</p>	<p>City</p> <p>Port and City</p>		

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	Although these measures would reduce air quality impacts of the Proposed Project, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, air quality impacts remain significant and unmitigated.				
MM 4.13.5-1	*Applies to Significant Impact 4.6-5. Prior to the approval of a building permit for any residential project, the applicant shall pay a PFDIF or equivalent fee in an amount calculated according to the City's PFDIF program in effect at the time of permit issuance.	Applicant -Prior to Building Permit Approval	City and applicable school district		
	*Applies to Significant Impacts 4.13.5-1 and 4.13.5-2.				
<b>Cumulative Impacts</b>					
MM 6.5-1	<p>The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor-level study (hereinafter, the "Plan") that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would reduce congestion management with Caltrans standards on the I-5 South corridor from the SR-54 interchange to the Otay River (the "I-5 South Corridor"). Local funding sources identified in the Plan shall include fair-share contributions related to private and/or public development based on nexus as well as other mechanisms. The Plan required by this mitigation shall include the following:</p> <ol style="list-style-type: none"> <li>The responsible entities (the Entities) included in this effort will include, but may not be limited to, the City, other cities along I-5, the Port, SANDAG, and Caltrans. Other entities will be included upon the concurrence of the foregoing Entities.</li> <li>The Plan will identify physical and operational improvements to I-5 adjacent to the project area, relevant arterial roads, and transit facilities (the Improvements) that are focused on regional impacts and specific transportation impacts from the project and will also identify the fair-share responsibilities of each Entity for the construction and financing for each Improvement. The Plan will include an implementation element that includes each Entity's responsibilities and commitment to mitigate the impacts created by all phases of the Proposed Project.</li> <li>The Plan will set forth a timeline and other agreed upon relevant criteria for implementation of each Improvement.</li> </ol>	Port, City, CALTRANS, and SANDAG	Port and City in coordination with other cities along I-5, SANDAG, and Caltrans.		

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	<p>d. The Plan will identify the total estimated design and construction cost for each improvement and the responsibility of each Entity for both implementation and funding of such costs.</p> <p>e. The Plan will include the parameters for any agreed upon fair-share funding to be implemented that would require private and/or public developers to contribute to the costs, in a manner that will comply with applicable law.</p> <p>f. In developing the Plan, the Entities shall also consider ways in which the improvements can be coordinated with the financing plans and programs of existing local and regional transportation and facilities, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the implementation of any transportation improvement.</p> <p>g. The Port shall seek adoption of the Plan before the Port Board of Commissioners and the City shall seek adoption of the Plan before the City Council upon the completion of the multi-jurisdictional effort to develop the Plan. The Port and the City shall report to their respective governing bodies regarding the progress made to develop the Plan within 6 months of the first meeting of the entities. Thereafter, the Port and the City shall report at least annually regarding the progress of the Plan, for a period of not less than 5 years, which may be extended at the request of the City Council and/or Board of Commissioners.</p> <p>h. The Plan shall also expressly include each Entity's pledge that it will cooperate with each other in implementing the Plan.</p> <p>i. Prior to issuance of certificates of occupancy or building permits for any development of individual projects within the Chula Vista Bayfront Master Plan, the Port and the City shall require project applicants to make their fair-share contribution toward mitigation of cumulative freeway impacts within the City's portion of the I-5 South Corridor by participating in the City's Western Traffic Development Impact Fee or equivalent funding program.</p> <p>The failure or refusal of any Entity other than the Port or the City to cooperate in the implementation of this mitigation measure shall not constitute failure of the Port or the City to implement this mitigation measure; however, the Port and the City shall each use</p>				

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	its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of this mitigation measure.  *Applies to Significant Impacts 6.5-1, 6.5-2, 6.5-3, 6.5-4, 6.5-5, 6.5-6, 6.5-7, 6.5-8, 6.5-9, 6.5-10, 6.5-14, 6.5-15, 6.5-21, 6.5-22, 6.5-23, 6.5-24 and 6.5-25, which would remain significant after implementation.				
MM 6.5-2	In assessing the impact of the project on the Phase III network, it was determined that H Street between Street A and the I-5 Ramps was already widened in Phase II to accommodate growth in traffic, and it would be difficult to widen more, due to right-of-way constraints. To accommodate traffic from the project and to provide another route to I-5, the Port shall extend E Street from the RCC Driveway to west of Bay Boulevard. The segment shall be built as a two-lane Class III Collector prior to the issuance of either a building permit or final map for a Phase II project. This Mitigation would reduce Significant Impacts 6.5-11 and 6.5-12 to below a level of significance.  *Applies to Significant Impacts 6.5-11 and 6.5-12.	Port -Prior to First Building Permit or Final Map for Phase II Project	City Engineer		
MM 6.5-3	Prior to issuance of a certificate of occupancy for any Phase III project, the Port shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-13 to below a level of significance.  *Applies to Significant Impact 6.5-13.	Port -Prior to First Certificate of Occupancy for any Phase III Project	City Engineer		
MM 6.5-4	Prior to issuance of a certificate of occupancy for any Phase III project, the Port shall widen E street between the RCC Driveway and Bay Boulevard to a two-lane Class II Collector. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 6.5-16 to below a level of significance.  *Applies to Significant Impact 6.5-16.	Port -Prior to First Certificate of Occupancy for any Phase III Project	City Engineer		
MM 6.5-4	Prior to issuance of a certificate of occupancy for any Phase III project, the Port shall widen Street A between H Street and Street C to a four-lane Class I Collector. The additional roadway capacity would facilitate the flow of project traffic. This mitigation would reduce Significant Impact 6.5-17 to below a level of significance.	Port -Prior to First Certificate of Occupancy for any Phase III Project	City Engineer		

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	*Applies to Significant Impact 6.5-17.				
MM 6.5-6	Prior to issuance of a certificate of occupancy for any Phase III project, the Port shall construct southbound left- and right-turn lanes at the intersection of E Street and Bay Boulevard. The lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-18 to below a level of significance.	Port -Prior to First Certificate of Occupancy for any Phase III Project	City Engineer		
	*Applies to Significant Impact 6.5-18..				
MM 6.5-7	Prior to issuance of a certificate of occupancy for any Phase III project, the Port shall construct an exclusive eastbound right-turn lane at the intersection of J Street and Bay Boulevard. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-19 to below a level of significance.	Port -Prior to First Certificate of Occupancy for any Phase III Project	City Engineer		
	*Applies to Significant Impact 6.5-19..				
MM 6.5-8	Prior to issuance of a certificate of occupancy for any Phase III project, the Port shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps. The lane shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-20 to below a level of significance.	Port -Prior to First Certificate of Occupancy for any Phase III Project	City Engineer		
	*Applies to Significant Impact 6.5-20.				
MM 6.5-9	Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct an eastbound and westbound through-lane along H Street (as part of roadway segment mitigation) and a westbound right-turn lane at the intersection of H Street and Woodlawn Avenue. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.	Port -Prior to First Certificate of Occupancy	City Engineer		
	*Applies to Significant Impact 6.5-26.				
MM 6.5-10	Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway. The lane shall be constructed to the satisfaction of the City Engineer. With mitigation, this intersection would still operate at LOS E during the PM peak hour. This is consistent with the result from the Chula Vista Urban Core traffic study, which concluded that no additional mitigation is desired at this	Port -Prior to First Certificate of Occupancy for any development in Phase IV	City Engineer		

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	location. This mitigation would reduce Significant Impact 6.5-27 to below a level of significance.				
	*Applies to Significant Impact 6.5-27.				
MM 6.5-11	Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, the Port shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps. The additional lanes shall be constructed to the satisfaction of the City Engineer. This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.	Port -Prior to First Certificate of Occupancy for any development in Phase IV	City Engineer		
	*Applies to Significant Impact 6.5-28.				
MM 6.6-1	A. View Protection: As a condition for issuance of Coastal Development Permits, buildings fronting on H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100-foot ROW width (curb-curb, building setbacks and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Visual elements above six feet in height shall be prohibited in this zone if the feature would reduce visibility by more than 10 percent. Placement of trees should take into account potential view blockage. This mitigation should not be interpreted to not allow tree masses; however, trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should be pruned up to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach into view corridors, and to address the scale and massing impact, buildings shall step back at appropriate intervals or be angled to open up a broader view corridor at the groundplane to the extent feasible. All plans shall be subject to review and approval by the Port. All future development proposals shall conform to Port design guidelines and standards to the satisfaction of the Port.	Project Developer -Prior to First Coastal Development Permit	Port		
	B. Height and Bulk: Prior to issuance of Coastal Development Permits for projects within the Port's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from	Project Developer -Prior to First Coastal Development	Port		

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	its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles. This shall be done to the satisfaction of the Port.	Permit			
	C. Height and Bulk: Prior to design review approval for properties within the City's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for the large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles. This shall be done to the satisfaction of the City of Chula Vista Planning Director.	Project Developer -Prior to Design Review Approval	City		
	D. Landscaping: Prior to final approval of Phase I infrastructure design plans, the Port and City shall collectively develop a master landscaping plan for the project's public components and improvements. The plan shall provide sufficient detail to ensure conformance to streetscape design guidelines and that future developers/tenants, as applicable, provide screening of parking areas.  Streetscape landscaping shall be designed to enhance the visitor experience for both pedestrians and those in vehicles. Specifically, detailed landscaping plans shall be developed to enhance Marina Parkway, a designated scenic roadway and shall provide, where appropriate, screening of existing industrial uses and parking areas until such time as these facilities are redeveloped.  Street landscaping design shall be coordinated with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location. For instance, vegetation planted adjacent to open water/shoreline areas must not provide raptor perches. Landscaping shall be drought tolerant or low water use, and invasive plant species shall be prohibited.	Port and City -Prior to Final Approval of Phase I Design	Port in Coordination with qualified Biologist or Landscape Architect		
	E. Landscaping: Prior to approval of a tentative map or site development plan for future	Project Developer	City		

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	residential development, the project developer shall submit a landscaping design plan for on-site landscaping improvements that is in conformance to design guidelines and standards established by the City of Chula Vista. The plan shall be implemented as a condition of project approval.  F. Gateway Plan: Concurrent with the preparation of Phase I infrastructure design plans for E and H Street, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of occupancy for any projects within the Port's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the Port and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street.  G. Gateway Plan: Concurrent with development of H-13 and H-14, the applicant shall submit a Gateway plan for J Street for City Design Review consideration. Prior to issuance of any building permits, the J Street Gateway plan shall be approved by the Director of Planning and Building in coordination with the Port's Director of Planning. The J Street Gateway plan shall be coordinated with the Gateway plan for E and H Streets.  *Applies to Significant Impact 6.6-1, which would remain significant after mitigation	-Prior to TM/SDP Approval  Applicant -Prior to Occupancy  Applicant -Prior to First Building Permit	Port and City's Director of Planning and Building  City's Director of Planning and Building in coordination with the Port's Director of Planning		
MM 6.8-1	Prior to the issuance of any grading permit, the following measures shall be placed as notes on all grading plans, and shall be implemented during grading of each phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (these measures were derived, in part, from Table 11-4 of Appendix 11 of the SCAQMD CEQA Air Quality Handbook (SCAQMD 1999)).  See Mitigation Measure 6.8-1 in Chapter 6, Cumulative Impacts, for a list of Best Available Control Measures for Specific Construction Activities.  *Applies to Significant Impact 6.8-1, which would remain significant and unmitigated after mitigation	Developer -Prior to start of grading	Port and City		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 6.8-2	<p>A. For residential as well as mixed-use/commercial development within the City's jurisdiction, the applicants shall submit an Air Quality Improvement Plan (AQIP) with any Tentative Maps submitted to the City in accordance with Municipal Code Section 19.09.050B, and the applicant shall demonstrate that air quality control measures outlined in the AQIP pertaining to the design, construction, and operational phases of the project have been implemented to the satisfaction of the Director of Planning and Building for the City of Chula Vista. This plan shall demonstrate "the best available design to reduce vehicle trips, maintain or improve traffic flow, and reduce vehicle miles traveled. There are two options to meet the AQIP requirement. The applicant shall evaluate the project in accordance with the computer modeling procedures outlined in the City's AQIP guidelines, including any necessary site plan modifications.</p> <p>B. Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project shall comply with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:</p> <ul style="list-style-type: none"> <li>• Use of low-NO<sub>x</sub> emission water heaters</li> <li>• Installation of energy efficient and automated air conditioners when air conditioners are provided</li> <li>• Energy efficient parking area lights</li> <li>• Exterior windows shall be doublepaned.</li> </ul> <p>Although these measures would reduce the air quality impacts of the Proposed Project, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, cumulative air quality impacts remain significant and unmitigated.</p>	<p>Applicants -With submittal of Tentative Map</p> <p>Applicant -Prior to First Building Permit</p>	<p>City</p> <p>Port and City Director of Planning and Building</p>		
MM 6.8-3	<p>*Applies to Significant Impact 6.8-2, which would remain significant and unmitigated.</p> <p>Development of program-level components of the Chula Vista Bayfront Master Plan (Phases I through IV) shall implement measures to reduce GHG emissions. Specific measures may include but are not limited to the following:</p>	<p>Applicants -During development of Program level</p>			

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Number	Mitigation Measure	Responsible Party and Mitigation Timing components of the CVBMP	Monitoring Agency	Date of Completion	Date of Verification
	<p><u>Energy Efficiency</u></p> <ul style="list-style-type: none"> <li>• Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.</li> <li>• Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.</li> <li>• Install light colored "cool" roofs, cool pavements, and strategically placed shade trees.</li> <li>• Provide information on energy management services for large energy users.</li> <li>• Install energy efficient heating and cooling systems, appliances and equipment, and control systems.</li> <li>• Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.</li> <li>• Limit the hours of operation of outdoor lighting.</li> <li>• Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.</li> <li>• Provide education on energy efficiency.</li> <li>• Renewable Energy</li> <li>• Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.</li> <li>• Install solar panels on carports and over parking areas.</li> <li>• Use combined heat and power in appropriate applications.</li> <li>• Water Conservation and Efficiency</li> <li>• Create water-efficient landscapes.</li> <li>• Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.</li> <li>• Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.</li> <li>• Design buildings to be water-efficient. Install water-efficient fixtures and appliances.</li> <li>• Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development, allowing gray water to be</li> </ul>				

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>used for landscape irrigation.</p> <ul style="list-style-type: none"> <li>• Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.</li> <li>• Restrict the use of water for cleaning outdoor surfaces and vehicles.</li> <li>• Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)</li> <li>• Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.</li> <li>• Provide education about water conservation and available programs and incentives.</li> <li>• Solid Waste Measures</li> <li>• Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).</li> <li>• Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.</li> <li>• Recover by-product methane to generate electricity.</li> <li>• Provide education and publicity about reducing waste and available recycling services.</li> <li>• Transportation and Motor Vehicles</li> <li>• Limit idling time for commercial vehicles, including delivery and construction vehicles.</li> <li>• Use low- or zero-emission vehicles, including construction vehicles.</li> <li>• Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.</li> <li>• Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).</li> <li>• Provide public transit incentives, such as free or low-cost monthly transit passes.</li> <li>• For commercial projects, provide adequate bicycle parking near building entrances to</li> </ul>				

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	<p>promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) locked bicycle storage or covered or indoor bicycle parking.</p> <ul style="list-style-type: none"> <li>• Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.</li> <li>• Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.</li> <li>• The measures identified above and in Mitigation Measures 4.16-2, will substantially reduce GHG emissions, achieving reductions of at least 20 percent below "business as usual." Furthermore, better technology is rapidly developing and may provide further measures in the near future that will avoid conflict with the goals or strategies of AB 32 or related Executive Orders. Once projects are defined within the program phases, further environmental review will be required, at which time the most current measures will be identified and required to be consistent with this mitigation measure and any additional regulations in effect at the time. Implementation of Mitigation Measure 6.8-3, therefore, will avoid a contribution to a cumulatively significant impact and will result in a less than significant impact to global climate change. <p>*Applies to Significant Impact 6.8-3</p> </li></ul>				
MM 6.11-1	<p>A. Prior to construction of any program-level components of the project that impact eelgrass, a pre-construction eelgrass survey shall be conducted by a qualified biologist to confirm the exact extent of the impact at the time of pile driving operations. The pre-construction survey must be conducted during the period of March through October and would be valid for a period of no more than 60 days, with the exception that surveys conducted in August through October would be valid until the following March 1.</p> <p>B. Prior to the construction of any program-level components of the project that impact eelgrass, the Port shall establish and implement a plan to create new eelgrass habitat at a ratio of 1:2:1. The Port shall create new eelgrass habitat by removing the existing eelgrass currently located in the impacted areas and transplanting it at the new location. Identification and planting of the restoration site shall be completed to the satisfaction of the Port prior to commencement of construction.</p>	<p>Port</p> <p>-Prior to construction of any program-level components that would impact eelgrass</p> <p>Port</p> <p>-Prior to construction of any program-level</p>	<p>Port in coordination with a qualified biologist</p> <p>Port in coordination with a</p>		

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MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>C. Subsequent to construction of any program-level components of the project that impact eelgrass, a post-construction eelgrass survey shall be conducted by a qualified biologist. The post-construction survey shall be conducted within 30 days of the cessation of construction activities to confirm the exact amount of eelgrass affected. The difference between the pre-construction and post-construction eelgrass surveys shall determine the amount of required additional mitigation. In addition, the Port shall:</p> <ul style="list-style-type: none"> <li>• Conduct transplant reports following construction (Initial Report). It would take 1 to 2 years for all of the fine sediment to dissipate in the water column for the movement of such a large amount of sediment. Based on this, eelgrass transplant success would not be possible for 1 to 2 years. Mitigation would be required for additional time delays.</li> <li>• Conduct monitoring reports at 6, 12, 24, 36, 48, and 60 months post-transplant. Specific milestones and criteria for success are directed in the SCEMP along with guidelines for remedial actions if the success criteria are not met, which would require (based on the absence of other mitigating environmental considerations) a Supplementary Transplant Area to be constructed and monitored for an additional 5 years.</li> <li>• Initiate any potential additional mitigation within 135 days of project inception; projects requiring more than 135 days to be completed may result in further additional mitigation.</li> </ul> <p>D. If an appropriate mitigation site is not available at the time of construction of the program components which would impact eelgrass, mitigation habitat shall be created through fill or appropriate habitat in the Bay. Any delays to eelgrass planting after the impact occurs would require additional mitigation of 7 percent per month of additional eelgrass.</p> <p>Implementation of Mitigation Measure 6.11-1 would reduce significant cumulative impacts to eelgrass to below significance.</p> <p>*Applies to Significant Impact 6.11-1.</p>	<p>components that would impact eelgrass</p> <p>Port in coordination with a qualified biologist eelgrass</p>	<p>qualified biologist</p> <p>Port</p>		

**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 6.15.2-1	<p>Prior to the approval of a building permit for any development in all phases of the Proposed Project, the City shall verify that it has adequate sewer capacity to serve the proposed development. In the event the City does not have adequate sewer capacity to serve the proposed development, no building permit shall be approved for the proposed development until the City has acquired adequate sewer capacity to serve the proposed development. In accordance with Section 15130(a)(3) of the State CEQA Guidelines, a significant cumulative impact would be rendered less than cumulatively considerable, and thus is not significant when the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The requirement for the contribution to provide a fair-share contribution to the provision of the needed sewer service mitigates the cumulative impact to below significance.</p> <p>*Applies to Significant Impact 6.15.2-1</p>	<p>City</p> <p>-Verify adequate sewer capacity exists prior to Approval of Building Permit (if City acquires additional sewer capacity for project, applicant to pay fair share of acquisition fee)</p>	City		
MM 6.15.6-1	<p>Prior to the issuance of a building permit, the applicant shall pay all required school mitigation fees.</p> <p>Payment of statutory school fees would ensure that project impacts to school services remain below a level of significance. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects (Government Code Section 65996(a)). Once the statutory school mitigation fee (sometimes referred to as a "developer fee") is paid, the impact would be deemed mitigated as a matter of law. Therefore, this mitigation measure would reduce the cumulative impact to schools to a level less than significant.</p> <p>*Applies to Significant Impact 6.15.6-1.</p>	<p>Applicant</p> <p>-Prior to Building Permit Approval</p>	City		
MM 6.15.7-1	<p>For Phase I residential project, prior to the approval of a building permit, the applicant(s) shall pay a Public Facilities Development Impact Fee (PFDF) or other equivalent fee in an amount calculated according to the City's PFDF program in effect at the time of permit issuance.</p> <p>Implementation of Mitigation Measure 6.15.7-1 would provide funds that can be used to construct new facilities, as required, to meet the need resulting from project development. Due to existing library deficiency and inability to demonstrate that fees would fully</p>	<p>Applicant(s)</p> <p>-Prior to Building Permit Approval</p>	City		

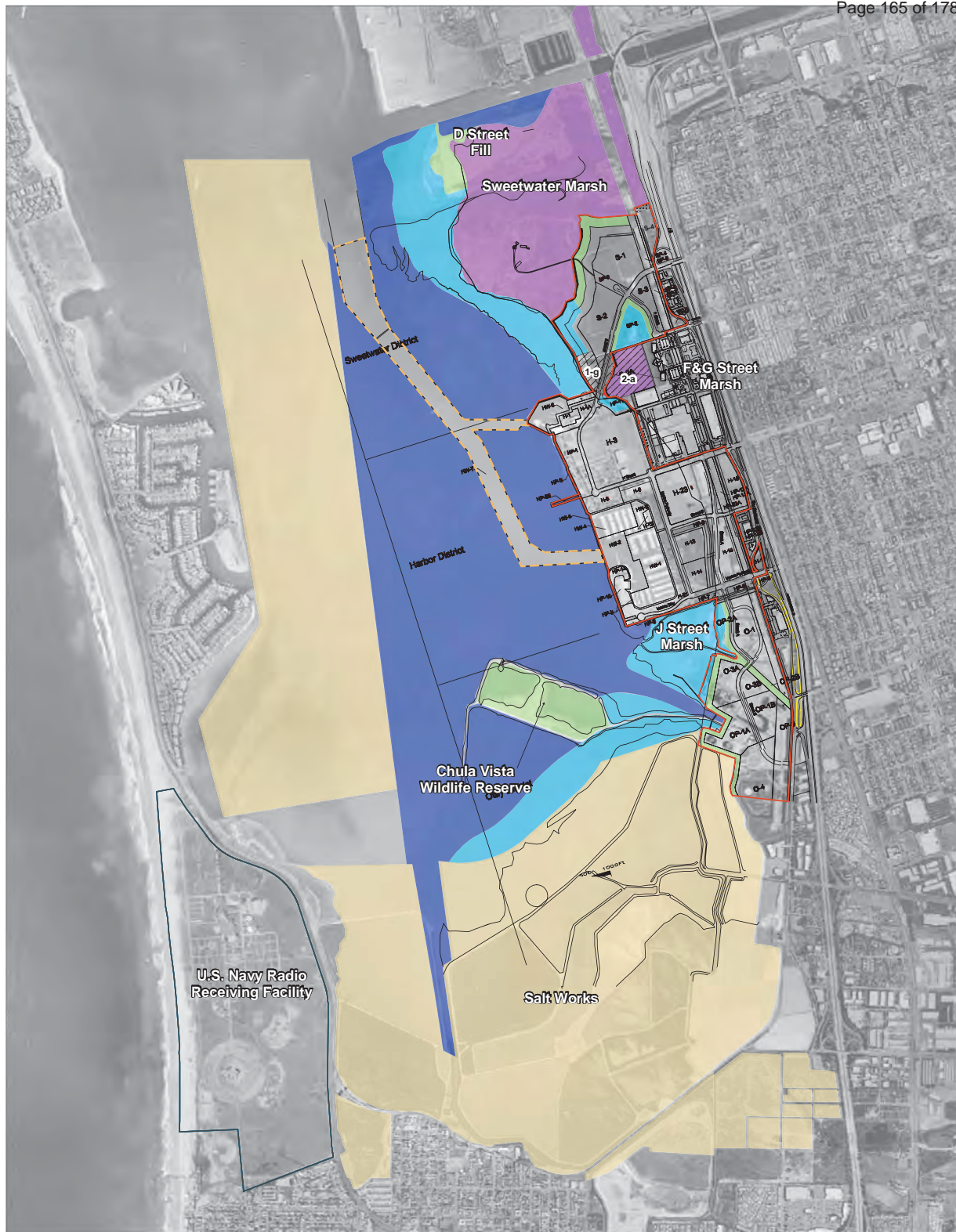
**CHULA VISTA BAYFRONT MASTER PLAN PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	mitigate, implementation of the measure would not reduce the significant impact to library services to a level below significance.  *Applies to Significant Impact 6.15.7-1				
MM 6.17-1	Encourage compact development featuring a mix of uses that locate residential areas within reasonable walking distance to jobs, services, and transit.  <ul style="list-style-type: none"> <li>Promote and facilitate transit system improvements in order to increase transit use and reduce dependency on the automobile.</li> <li>Encourage innovative energy conservation practices and air quality improvements in new development and redevelopment projects consistent with the City's AQIP Guidelines or their equivalent, pursuant to the City's Growth Management Program.</li> </ul> <p>Despite the fact that the Project would result in adoption of these conservation measures, the cumulative impact relative to energy supply would remain significant and unmitigated because of the of the uncertainty of the future supply of energy, which is within the responsibility and control of SDG&amp;E and other entities responsible for arranging electric energy supplies, not the Port or the City.</p> <p>*Applies to Significant Impact 6.17-1.</p>	Applicant	Port or City		

# Exhibit 1

## *Wildlife Habitat Areas*

Z:\Projects\570301\Figs\ER Figs\Section 48-Bio\fig4-8\_01 (marshes).mxd



AERIAL SOURCE: DIGITAL GLOBE, MARCH 2007

- National Wildlife Refuge (San Diego Bay Unit)\*
- Sweetwater Marsh National Wildlife Refuge\*
- City of Chula Vista LCP Open Space Land Use Designation
- City of Chula Vista S-4 100 ft. No-Touch Buffer
- CVBMP Boundary
- Proposed Navigation Channel

**Port Master Plan - Planning District 7**  
**Conservation Land and Water Designations**

- Estuary
- Habitat Replacement
- Wetland

## Exhibit 1 to the Mitigation Monitoring and Reporting Program for the Chula Vista Bayfront Master Plan Wildlife Habitat Areas

\*National Wildlife Refuge lands are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.

# Exhibit 2

## *Buffer Areas*



# Exhibit 3

## *Energy Demand Reduction*

## EXHIBIT 3 to the Mitigation Monitoring and Reporting Program for the Chula Vista Bayfront Master Plan

Exhibit 3 outlines the methodologies for determining that the goals of the Energy Section are met. The Sample Worksheets are for illustration purposes, to provide a format which may be used both by Developments and by the City of Chula Vista's Building Department. Note that the Energy Section outlines requirements and approaches for projects which will be subject to future codes, regulations, tariffs, and technologies, all of which are subject to change. When clarifications are needed, they will be provided by the City of Chula Vista.

Baseline. The term "Baseline" refers to the amount of energy against which the energy reduction will be measured.

SAMPLE Worksheets. Sample worksheets are provided as suggested approaches. Actual worksheets for calculating the energy requirements should be coordinated with the City of Chula Vista Building Department.

Title 24 Path. Title 24 language refers to the "Standard Budget" and "Proposed Budget." The Whole Building Performance Method, which generates the Standard and Proposed Energy Budgets, is specifically for energy uses within a conditioned building, and does not include lighting which is in Interior Unconditioned Spaces or lighting which is outside. However, for the purposes of the Energy Section, this lighting energy will be added to the energy budgets for the conditioned building, and the combined energy uses will become the Baseline for the "Title 24 Path." Each of the various energy uses will be converted into Site kBtu, except for the final 5% energy reduction waiver allowed for Ongoing Measurement and Verification.

LEED Path. LEED language refers to the "Baseline Design" and "Proposed Design." The LEED Path Baseline is likely to be different and higher than the Title 24 Path Baseline because LEED counts all of the energy uses within the site boundary, some of which are not counted by Title 24. However, LEED is also likely to be better and more comprehensive in calculating overall energy performance features, such as district thermal plants, combined heat and power, natural ventilation, efficiencies in process loads, aggregating multiple buildings, and the benefits of renewable energy. Each of the various energy uses will be converted into dollars (\$), except for the final 5% energy reduction waiver allowed for Ongoing Measurement and Verification.

If the LEED Path is chosen, the Development may be subject to an additional fee to the City of Chula Vista for a 3rd party plan check by an experienced LEED reviewer acceptable to the City. Recognizing that LEED Templates may not be complete at the time of the initial Building Department submittals, draft Templates may be used, at the discretion of the reviewer.

Natural Ventilation. When using Natural Ventilation (NV) to qualify as an energy reduction feature, the Development may qualify for a waiver of up to 10% if at least 75% of the area that would normally be cooled relies solely on natural ventilation strategies to help maintain comfortable temperatures. Pro-rations are possible.

City of Chula Vista Sponsored Energy Efficiency Program. Refer to the appropriate City ordinances for details on this program.

Measurement and Verification. Each Development shall develop and implement an ongoing Measurement and Verification (M&V) Plan consistent with the International Performance Measurement and Verification Protocol (IPMVP) Volume III, Concepts and Options for Determining Energy Savings in New Construction, April 2003. The Development may choose either Option B or Option D. If the LEED Path is chosen, the M&V Plan should be consistent with Credit EAC5, except that LEED only requires one year of implementation, and the Energy Section of this Agreement requires M&V to be ongoing.

Demand Response Tariffs. Developments which enroll in SDG&E Demand Response rate tariff(s) which are designed to reduce the load on the electric grid during critical times may be awarded up to a 5% waiver.

# EXHIBIT 3

## SAMPLE Worksheet A: Title 24 Path

Name: Example Development

Description <sup>1</sup>	Source of Info (Attachments)	Input Standard	Input Proposed	Typical Units of Measure	Convert to Site kbtu	Standard = Baseline	Proposed	Units	Minimum % Reduction	Actual % Reduction
<b>15.2.1 MINIMUM EFFICIENCY</b>										
Title 24 Whole Building Performance	T24 UTIL-1, Part 1			Source TDV kbtu/sf-yr					15%	
<b>15.2.2 CALCULATE BASELINE AND REDUCTIONS</b>										
<b>A. Energy Uses</b>										
T24 Electricity	T24 UTIL-1, Part 2			Site KWH/year	3.413	-	-	kBtu		
T24 Gas	T24 UTIL-1, Part 2			Site Therms/year	100.000	-	-	kBtu		
T24 Lighting Outside and Uncond	Worksheet A-LTG	-	-	Site KWH/year	3.413	-	-	kBtu		
<b>A. Summary of Efficiency of End Uses</b>						-	-	kBtu		
<b>B. Renewable Energy Contributions</b>										
PV: within Development	CSI calculation or PV-Watts <sup>2</sup>	n/a		Site KWH output/year	3.413	n/a	-	kBtu		
PV: Credited from Project		n/a		Site KWH output/year	3.413	n/a	-	kBtu		
Solar Thermal: within Development	F-Chart or equal	n/a		Site kbtu offset/year	1.000	n/a	-	kBtu		
Other	as appropriate	n/a		as appropriate		n/a				
<b>B. Combined Renewable Reductions</b>										
<b>C. Natural Ventilation</b>	Worksheet C						0% to 10%			
<b>D. Chula Vista Program Savings</b>										
Verified Electricity Savings	Confirm with Program Administrator	n/a		Site KWH	3.413		-	kBtu		
Verified Gas Savings		n/a		Site Therms	100.000		-	kBtu		
<b>D. CV Program Combined Reduction</b>										
<b>E. Ongoing Measure &amp; Verify</b>	Worksheet E						Required			
<b>F. Demand Response Tariff</b>	Worksheet F						0% to 5%			
<b>TOTAL REDUCTION FROM BASELINE (Must be at least 50% Reduction)</b>										<b>0.0%</b>

### NOTES TO WORKSHEET A

Note 1: If the Development includes more than one building, then use multiple Worksheets, or, add backup calculations or line items to this spreadsheet, as most appropriate.

Note 2: Final photovoltaic design and output information shall use industry standard software, including at least site location, array orientation, array tilt, and system efficiency. California Solar Initiative (CSI) rebate calculations and PV-Watts are examples of acceptable software.

# EXHIBIT 3

## Worksheet A-LTG: Lighting Outside and in Interior Unconditioned Spaces

Name: Example Development

Category <sup>1</sup>	Source of Info (Attachments)	T24 Allowed Watts	Proposed Watts	Occupancy	Average hours	Days /year	Hours /year	Standard KWH/yr	Proposed KWH/yr
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
Unconditioned spaces	T24 LTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
General Site Illumination (Tradable)	T24 OLTG Forms						-	-	-
Specific Applications (Non-Tradable)	T24 OLTG Forms						-	-	-
Specific Applications (Non-Tradable)	T24 OLTG Forms						-	-	-
Specific Applications (Non-Tradable)	T24 OLTG Forms						-	-	-
Signs (Non-Tradable)	T24 OLTG Forms						-	-	-
Signs (Non-Tradable)	T24 OLTG Forms						-	-	-
<b>Totals (Subtotals are inputs to Worksheet A)</b>									-

### NOTES TO WORKSHEET A-LTG

Note 1: If more lines are needed, create a spreadsheet in similar format, and enter above, as appropriate.

Note 2: For average runtimes, use the hours in this chart, unless proposer demonstrates to the Bldg Department's satisfaction that a different value should be used.

# EXHIBIT 3

## SAMPLE Worksheet B: LEED Path

Name: Example Development

Description	Source of Info (Attachments)	Standard or Baseline	Proposed	Typical Units of Measure	Virtual Rate	Baseline	Proposed	Units	Minimum % Reduction	Actual % Reduction
<b>15.2.1 MINIMUM EFFICIENCY</b>										
Title 24 Whole Building Performance	T24 UTIL-1, Part 1			Source TDV kbtu/sf-yr					15%	
<b>15.2.2 CALCULATE BASELINE AND REDUCTIONS</b>										
A. Energy Costs: LEED Performance Rating Method (PRM) EAp2/c1 Letter Template										
Conditioned Building(s)		Included	Included							
Other energy uses on site		Included	Included							
Lighting: Outside and Uncond		Included	Included							
Onsite Renew Energy: Development	LEED EAp2/c1 Letter Template	Included	Included							
Campus Renew Energy: Project		Included	Included							
Other		Included	Included							
Natural Ventilation		May be included in LEED EAp2/c1, OR, use Worksheet C								
Electricity (Summary)	LEED EAp2/c1 Section 1.8			kWh	#DIV/0!			Site \$		
Natural Gas (Summary)				therms	#DIV/0!			Site \$		
<b>A. Summary of Efficiency of Energy Costs</b>	Summary <sup>1</sup>					\$ -	\$ -	Site \$		
<b>B. Combined Renewable Reductions</b>	Included in EAp2/c1 above									
<b>C. Natural Ventilation</b>	May be included in LEED EAp2/c1 above, OR, use Worksheet C									
Alternate:	Worksheet C						0% to 10%			
D. Chula Vista Program Savings	Confirm with Program Administrator									
Verified Electricity Savings				Site KWH	#DIV/0!		#DIV/0!	Site \$		
Verified Gas Savings				Site Therms	#DIV/0!		#DIV/0!	Site \$		
<b>D. CV Program Combined Reduction</b>										
<b>E. Ongoing Measure &amp; Verify</b>	LEED EAc5. See Worksheet E.						Required			
<b>F. Demand Response Tariff</b>	Worksheet F						0% to 5%			
<b>TOTAL REDUCTION FROM BASELINE (Must be at least 50% Reduction)</b>										<b>0.0%</b>

### NOTES TO WORKSHEET B

Note 1: LEED EAp2/c1 Letter Template: Section 1.8, "Energy Cost and Consumption by Energy Type - Performance Rating Method Compliance Table"

## SAMPLE Worksheet C: Natural Ventilation

When using Natural Ventilation (NV) to qualify as an energy reduction feature for this Agreement, the Development may qualify for a waiver if at least 75% of the area that would normally be cooled includes effective natural ventilation strategies to help maintain comfortable temperatures. A 5% waiver is granted if the area is also served by an energy or cooling system drawing energy from the grid. A 10% waiver is granted if the area is not served by an energy or cooling system drawing from the grid. The waiver may be prorated if the area is less than 75%. Final determination of normally cooled areas are at the discretion of the Building Department. For example, in CA Climate Zone 7, spaces such as warehouses and kitchens do not normally have electric cooling.

1. A Development may use a performance approach, such as macro-flow or Computational Fluid Dynamics (CFD) modeling, to design and confirm the maintenance of comfort using natural ventilation techniques.

2. As an alternate, the prescriptive calculations outlined in the Collaborative for High Performance Schools (CHPS) may be used. CHPS identifies an approach to achieving ventilation strategies which are likely to be effective in helping to maintain interior comfort when outside conditions are moderate. Even though the CHPS program targets school campuses, the approach is useful for The designer should follow the CHPS guidelines. To satisfy the prescriptive approach, the following table may be used. Inlets and Outlets should each be at least 4% of the floor area of the space.

Space Name	Source of Cooling	Conditioned Floor Area (CFA)	Qualifying CFA	Performance or Prescriptive Calculation	Prescriptive: Inlet (Windward)			Prescriptive: Outlet (Leeward)			opposite or corner wall
					Area	Orientation	% CFA	Area	Orientation	% CFA	
Space A	NV with grid cooling										
Space B	NV with grid cooling										
Space C	NV with grid cooling										
Subtotal:			0								
Space D	NV only										
Space E	NV only										
Space F	NV only										
Subtotal:			0								
Other spaces	no NV										
Total Normally Conditioned Floor Area		-									

CFA which is Naturally Ventilated, with Grid Cooling	0
Energy Reduction Allowed	
CFA Which is Naturally Ventilated Only	0
Energy Reduction Allowed	
<b>Combined Energy Reduction Allowed</b>	

CFA: NV + grid	Reduction
0%	0%
15%	1%
30%	2%
45%	3%
60%	4%
75%	5%

CFA: NV Only	Reduction
0%	0%
15%	2%
30%	4%
45%	6%
60%	8%
75%	10%

SAMPLE Worksheet D: Chula Vista Energy Efficiency Program

Name: Example Development

Refer to the appropriate City ordinances for details on this program, including, but not limited to:

- City of Chula Vista Municipal Code Section 15.12 "Green Building Standards Ordinance"
- City of Chula Vista Municipal Code Section 15.26.030 "Increase Energy Efficiency Ordinance"

Name: Example Development

Develop and implement a Measurement and Verification (M&V) Plan consistent with the International Performance Measurement and Verification Protocol (IPMVP) Volume III, Concepts and Options for Determining Energy Savings in New Construction, April 2003. The Development may choose either Option B or Option D.
M&V shall be on-going for the length of the lease.
Tenants shall have sub-meters for electricity. Sub-meters for gas and water should also be considered, but are not required.
The plan shall include a process for corrective action if energy performance goals are not achieved as planned. Refer to ASHRAE Guideline 14 for suggested ranges of discrepancy, appropriate to the meter, magnitude of energy uses, and overall plan.
If the LEED Path is chosen, the M&V Plan should be consistent with EAc5, except that LEED only requires one year of implementation, and the Energy Section of this Agreement requires M&V to be ongoing.

SAMPLE Worksheet F: Demand Response Tariffs

Name: Example Development

If the development chooses an SDG&E Demand Response tariff in which the customer has the option to manually or semi-automatically reduce electricity use when requested by the utility, then it will be awarded a 3 % waiver towards the overall energy reduction.

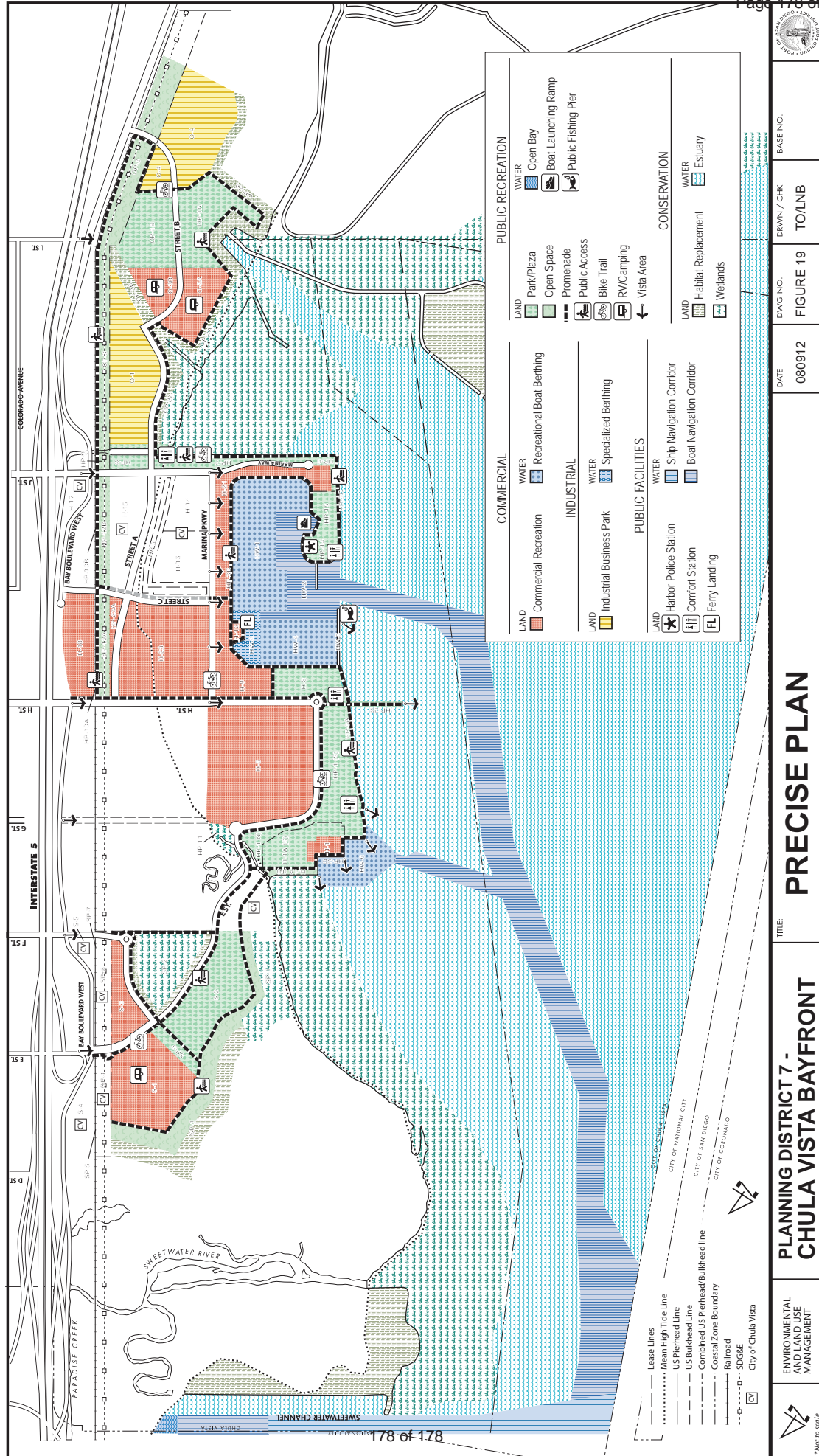
If the development chooses an SDG&E Demand Response tariff in which the utility can automatically reduce the customer's electricity use, then it will be awarded a 5 % waiver towards the overall energy reduction.

<u>Meter(s)</u>	<u>Tariff</u>	<u>Manual or Semi-Automatic: Customer Controlled: 3%</u>	<u>Automatic, or Utility Controlled: 5%</u>	<u>% Reduction Awarded</u>

EXHIBIT 3

Links for References used in EXHIBIT 3

Title 24 Building Energy Efficiency Standards	<a href="http://www.energy.ca.gov/title24/">www.energy.ca.gov/title24/</a>
Collaborative for High Performance Schools (CHPS)	
CHPS 2006 Volume II Best Practices Manual - Design	<a href="http://www.chps.net/dev/Drupal/node/31">www.chps.net/dev/Drupal/node/31</a>
IPMVP, Volume III, Concepts and Options for Determining Energy Savings in New Construction, April 2003.	<a href="http://www.evo-world.org">www.evo-world.org</a>
Leadership in Energy and Environmental Design (LEED™)	Products & Services / IPMVP / Applications Volume III <a href="http://www.usgbc.org">www.usgbc.org</a>
City of Chula Vista sponsored energy efficiency program	
Living Building Challenge	<a href="http://www.ilbi.org">www.ilbi.org</a>



<b>Topic of Interest</b>	<b>Suggestion /Clarification Requested</b>	<b>Response/Action Taken</b>
<b>Park Model Unit</b>	The Subcommittee requested an explanation of a Park Model Unit.	The Applicant's Representative responded by explaining that a Park Model Unit is of similar size to an RV, is on wheels and can be moved, and is best described as a travel trailer that looks like a house.
<b>Pedestrian Path</b>	The Subcommittee suggested relocating the path on the RV Park-side of the bio-swales so the path is as far as possible from the habitat area.	The Applicant's Representative explored the option of relocating the pedestrian path further away from the habitat area. However, it would cause the bus loop for the LCDC to be moved closer to the "no-touch buffer," and therefore was not relocated.
<b>Bio-Retention Basin</b>	The Subcommittee requested an explanation of how the bio-swales would be landscaped and maintained.	According to the Applicant's Representative, the bio-swales will be landscaped with native plants and maintained by the Applicant.
<b>Landscaping</b>	The Subcommittee expressed concerns over non-native trees becoming invasive and the heights of trees that could provide raptor perches if they are too tall.	The Applicant has proposed a landscaping plan that is consistent with regulatory documents that address concerns over invasive plant species and impacts to sensitive habitat areas. Additionally, a Raptor Management Plan has been prepared specifically for the proposed Project which will provide direction for monitoring of raptors.
<b>Pets</b>	The Subcommittee expressed concerns over pets being off-leash outside of the RV resort that could enter into protected habitat areas.	The Applicant's Representative confirmed that signage would be posted indicating that pets are not allowed to be off-leash.
<b>Fencing</b>	The Subcommittee expressed concerns over an open-style of fencing and that something solid or partially solid should be used to prevent pets and scavengers from passing through.	The proposed Project includes a steel tubular fence with openings of approximately four inches that will prevent the passage of pets and scavengers in the landscape buffer areas.
<b>Lighting</b>	The Subcommittee suggested to minimize light spillover into the habitat areas and to keep light at the lowest heights possible.	The Applicant's Representative responded that the lighting will be LED with "cut offs" to limit the leaking and spillover of light.

March 21, 2018

Board of Port Commissioners  
San Diego Unified Port District  
3165 Pacific Highway  
San Diego, CA 92101

Dear Port Commissioners;

The San Diego Bayfront Cultural and Design Committee (BCDC) was presented with the preliminary plans for Costa Vista RV park on February 20th. The park seems to meet many of the goals of the project, with one major exception: to create a very special and desirable destination. The Guidelines for the E Street Design Intent state that the projects are to, "...capture the character of the natural and preserved elements of San Diego Bay."<sup>1</sup> Further, the E Street - D Entrance is approximately 830 feet long and is to be focused on "...maintaining its parkway character"<sup>2</sup>. This area forms the entrance Gateway at the connection to the street grid of the City of Chula Vista.

It is a mark of quality that other potential project investors will see since it is being built early in the process. Any mis-step now will put us at an economic disadvantage. This is the view that our citizens and tourists will also take as a first impression. Seeing the back end of a line of recreational vehicles that can be up to almost 14 feet in height is not the signal that the BCDC feels is appropriate. When the slots along this street view are not all full, it will be a gap-toothed smile.

Even upscale RV parks with wonderful amenities, as we see here, still present an unattractive sight:



We understand there are some specific design constraints: view corridor, economic success of the park itself, and viability of the commercial enterprises within the park. We want to address alternatives to this high ridge of metal. The RV park must provide better plans to minimize off-site visibility.

Here are the issues we recommend be addressed:

- The rise in elevation over street level may be around a foot and a half, the rise of the RVs would add as much as 13.5 feet. With the temporary addition of antennae and racks while parked, this height could extend beyond 15 feet above street grade.
- The landscape plant material choices must be a level above the species found in the parking lot of any tired shopping center (*Rhaphiolepis*, *Acacia*, etc.). *Acacia* in particular has been on the prohibited list in other City of Chula Vista developments such as Windingwalk.
- Park RVs might be a more attractive outlook from this point but we understand that they are restricted to the north end, due to the view corridor.
- The extra parcel space has been suggested as a dog park, but its proximity to a busy thoroughfare seems problematic, so there may be a way to use that parcel creatively to move some of the line of sight spaces to that area or to swap some of the building placements.
- A Public Art installation, or water feature (while using minimal and recycled water) might provide an innovative solution.
- The planned monument for the RV park is to be more artistic, which is an opportunity to tie it into a Public Art installation concept.
- There seems to not be much space between the park and the street and we would like someone to review the setbacks to ensure the minimums are being met.

Once these concerns have been addressed, we feel the project will meet the guidelines established by the BCDC. We look forward to your response.

Respectfully,

A handwritten signature in cursive script that reads "Patti Davis". The signature is written in dark ink and is positioned above the printed name.

Patti Davis

Chair, San Diego Bayfront Cultural and Design Committee  
San Diego Unified Port District

Regards,

Susan Krzywicki  
[susankrzywicki@mac.com](mailto:susankrzywicki@mac.com)  
[www.susankrzywicki.com](http://www.susankrzywicki.com)  
(619) 318-4590  
[California Native Plant Society, Ocean Friendly Gardens](#)

On Mar 27, 2018, at 9:33 AM, Austin Silva <[asilva@portofsandiego.org](mailto:asilva@portofsandiego.org)> wrote:

Good morning BCDC members,

Attached to this email is a landscape plan and rendering of the E Street entrance corridor where the Costa Vista RV Resort is proposed. At the last BCDC meeting, the committee raised concerns over seeing the back of RVs parked inside the resort at the south end of the site that backs up to E Street when people are entering the Chula Vista Bayfront from E Street. The project was revised by shortening the length of the RV stalls on the south end of the site to allow a deeper setback along E Street and to provide more space for additional landscaping. Previously, the minimum setback along E Street was approximately two feet. As revised the minimum setback is now approximately eight feet and extends up to 17 feet the further near the southwest corner of the site. Please contact me if you have any questions or concerns.

Thank you,

Austin Silva, AICP  
Associate Planner  
Real Estate & Development Services

3165 Pacific Highway, San Diego, CA 92101  
(o) 619.686.8052 • (c) 619.538.2474

<image001.png>

connect: [<image002.png>](#) [<image003.png>](#) [<image004.png>](#) [<image005.png>](#) [<image006.png>](#)  
[<image007.png>](#)

Port administration offices are open Monday-Thursday and [every other Friday](#) from 8am-5pm.  
This email may contain public information and may be viewed by third parties pursuant to the Cal. Public Records Act.

<E Street Corridor Renderings.pdf>

From: [Susan Krzywicki](#)  
 To: [Austin Silva](#)  
 Subject: Re: E Street Corridor Renderings  
 Date: Wednesday, March 28, 2018 7:51:39 AM  
 Attachments: [PastedGraphic-4.png](#)

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I am still not on board with this. The "Bayfront Cultural and Design Committee (BCDC) Meeting of February 20, 2018" Staff Committee Memo from February 20th clearly reiterates the CVBMP Design Guidelines that states:

#### SP-7: Parking

Parking should not be the dominant visual element of the site, especially as seen from public streets and walkways. Surface parking areas that accommodate a significant number of vehicles (more than 100) must be divided into a series connected smaller lots. Landscaping, landforms and physically offsetting portions of the lot from other lots are effective in reducing the visual impact and site dominance of large parking areas.

#### SP-9: Fencing, Walls and Screening

The line between public rights of way, publicly invited spaces, publicly accessible spaces, semi-private and private spaces needs to be defined by legible transitional treatments. A project should not have a project area up against a public right of way that requires walls or fencing to control access. However, on minor streets and parcel edges without an adjoining street, fencing may be needed. These guidelines are intended to provide the control needed, without the negative impressions and aesthetic issues created by too heavy handed of walls and fencing.

The suggested changes are still minimal, and the landscaping still uses species like *Rhaphiolepis* - which is most commonly associated with low-budget landscaping like the parking lots of big box stores.

The renderings on the second page do not match the "SITE SECTION AT RV STALL FURTHEST TO RV RESORT ENTRANCE" which does suggest there might be more vegetative screening on the strip between the sidewalk and the fence.



This image shows what looks like might be a strip of grass between the sidewalk and the fence. The fence and the RVs are still the dominant visuals.

**From:** [Tina Matthias](#)  
**To:** [Austin Silva](#)  
**Subject:** RE: Costa Vista RV Park Plan DRAFT letter  
**Date:** Monday, March 05, 2018 10:40:47 PM  
**Attachments:** [image001.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)  
[image018.png](#)

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Thank you Austin,  
I'm fine with Susan's comments.

As for the parking, the current RV park allows the RV and an additional car. Many people still park outside the RV park and especially during the holiday and summer season. I'm seriously concerned with the parking, they need to have a separate designated parking lot for the overflow visitors.

Also, are these plans public?

Tina

**Tina Matthias**  
Volunteer and Programs Manager  
Living Coast Discovery Center  
1000 Gunpowder Pt. Dr.  
Chula Vista, CA 91910  
(619) 409-5905  
Tue-Sat  
[www.TheLivingCoast.org](http://www.TheLivingCoast.org)

---

**From:** Austin Silva [[asilva@portofsandiego.org](mailto:asilva@portofsandiego.org)]  
**Sent:** Monday, March 05, 2018 4:36 PM  
**To:** Tina Matthias  
**Subject:** RE: Costa Vista RV Park Plan DRAFT letter

Hi Tina,

The basin is to treat water that runs off from the RV park site. It will be planted with a mix of native plants to act as a filter for the runoff from the site. I can follow-up and send you a detail of the RV stalls to show you how cars can be accommodated within the stalls.

Austin Silva, AICP  
Associate Planner  
Real Estate & Development Services

3165 Pacific Highway, San Diego, CA 92101  
(o) 619.686.8052 • (c) 619.538.2474



connect: 

Port administration offices are open Monday-Thursday and [every other Friday](#) from 8am-5pm.

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**From:** Tina Matthias [mailto:Tina@thelivingcoast.org]  
**Sent:** Thursday, March 01, 2018 12:36 PM  
**To:** Austin Silva  
**Subject:** Re: Costa Vista RV Park Plan DRAFT letter

Hello Austin,

I'm looking over the letter and will get back to you soon.

But I have a questions, I know I came in a little late, and missed the intro.

What is the relocation basin, where the bus circles, and how is it being landscaped/planted?

And I know the team went over it, but I still have my concerns about parking and how people will fill up the LCDC's parking area.

Tina

*Tina Matthias*

Volunteer and Programs Manager

Living Coast Discovery Center

1000 Gunpowder Point Dr

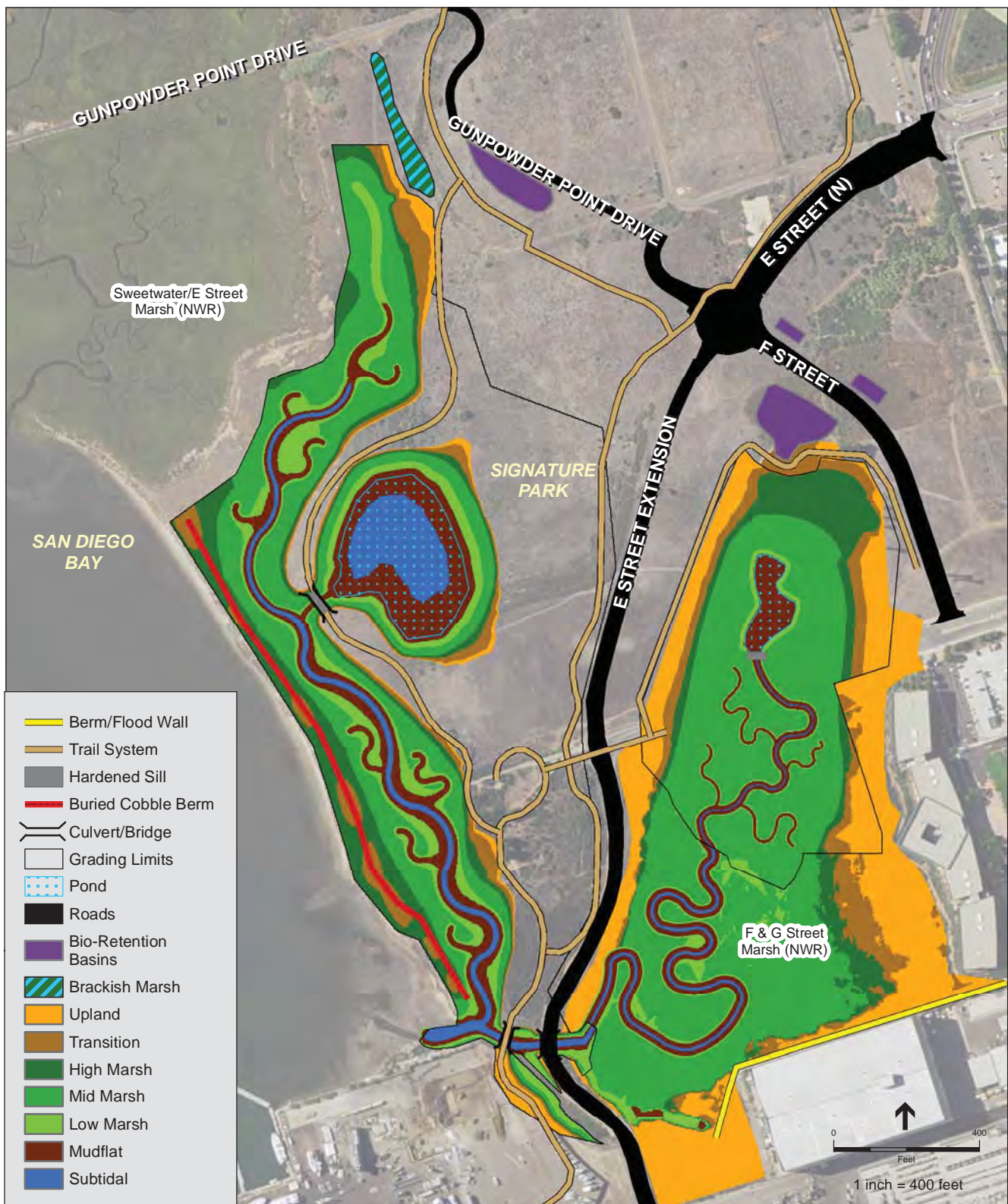
Chula Vista, CA 91910

[The Living Coast Discovery Center](#)

(619)409-5905

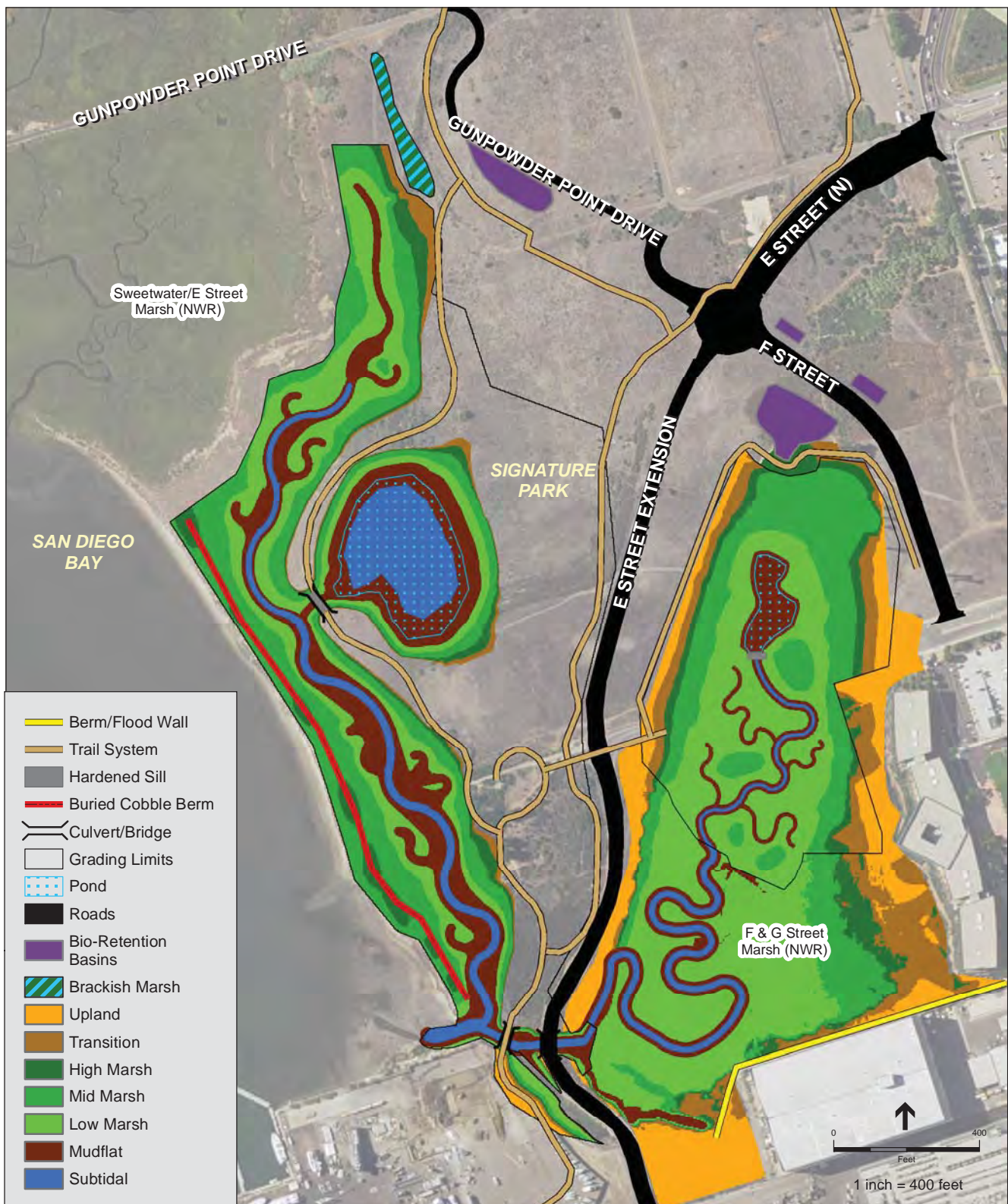
Available: Tue - Sat





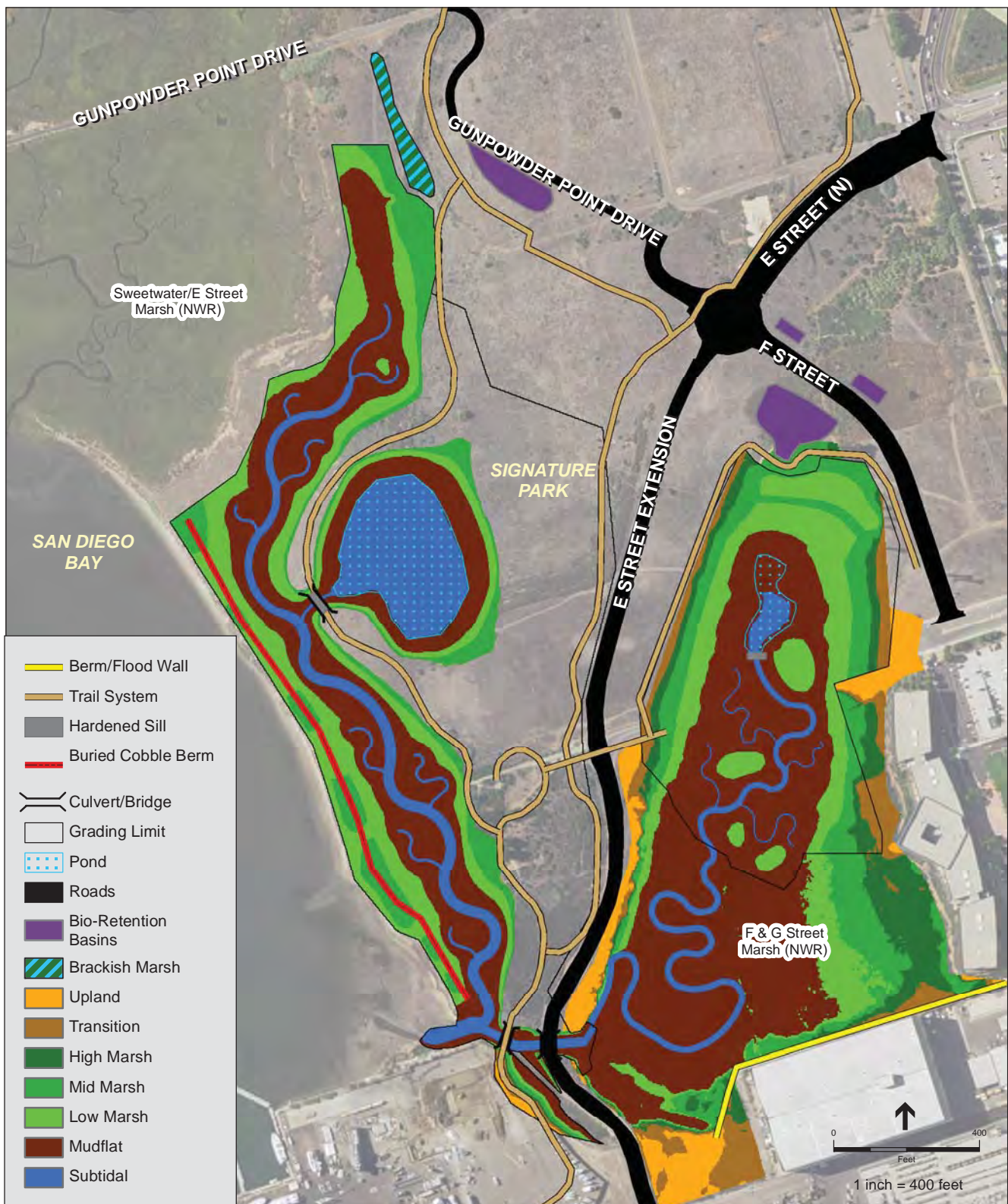
Chula Vista Bayfront Enhancement . 140803

**Figure 6-3**Sweetwater District under  
1 ft of Sea-Level Rise (2030)



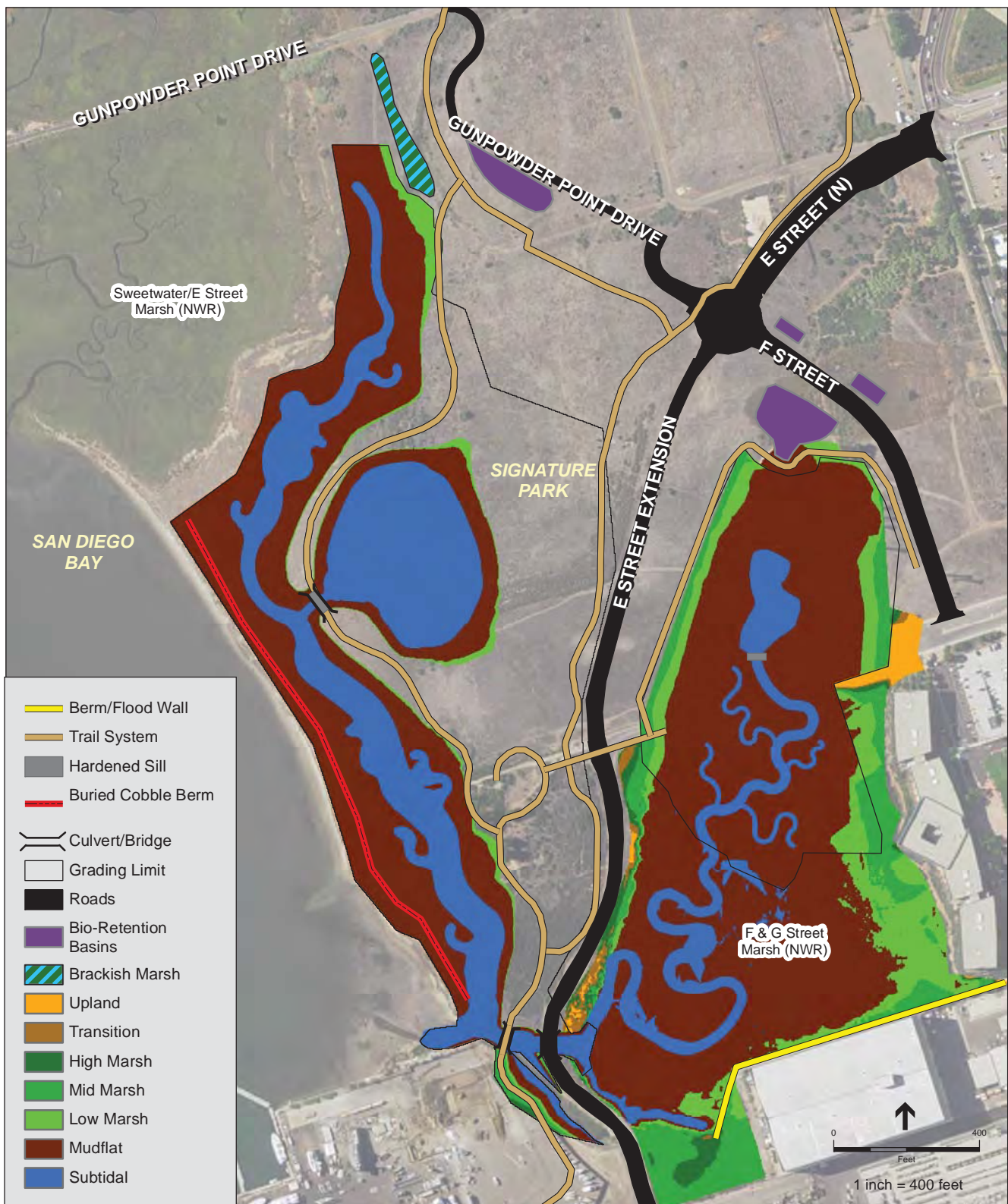
Chula Vista Bayfront Enhancement . 140803

**Figure 6-4**Sweetwater District under  
2 ft of Sea-Level Rise (2050)



Chula Vista Bayfront Enhancement . 140803

**Figure 6-5**Sweetwater District under  
3.2 ft of Sea-Level Rise (2070)



Chula Vista Bayfront Enhancement . 140803

**Figure 6-6**Sweetwater District under  
5.5 ft of Sea-Level Rise (2100)

**DRAFT****RESOLUTION 2018-xxx****RESOLUTION ADOPTING THE SECOND  
ADDENDUM TO THE FINAL ENVIRONMENTAL  
IMPACT REPORT FOR THE "CHULA VISTA  
BAYFRONT MASTER PLAN PROJECT" AND  
AUTHORIZING STAFF TO FILE A NOTICE OF  
DETERMINATION**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, Sun Communities, Inc. as the project applicant and proponent, proposes to construct and operate the Chula Vista Bayfront (CVB) recreational vehicle (RV) park, a low-scale, low profile, and lower-cost RV resort consisting of 255 lower-cost overnight accommodations (approximately 139 RV stalls and 116 park model units, which count as and exceed the replacement of 237 lower cost overnight accommodation mobile vehicle stalls in the CVB) with associated improvements on parcel S-1; grading in parcels S-2 and S-3; the extension of E Street; construction of a 400-foot-wide landscape buffer within a portion of parcel SP-1; and the realignment of Gunpowder Point Drive within parcels SP-1 and SP-3 to allow continued access to the Living Coast Discovery Center (collectively, "Project"); and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000, et seq., and its implementing regulations, 14 California Code of Regulations Section 15000, et seq. ("CEQA Guidelines"), the Board of Port Commissioners (BPC) adopted Resolution No. 2010-78 in May 2010 which certified a Final Environmental Impact Report (Final EIR) (SCH No. 2005081077/UPD # 83356-EIR-658; District Clerk Document No. 56562) and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and

**WHEREAS**, on August 13, 2013, the BPC adopted Resolution 2013-138, which approved the First Addendum to the Final EIR concerning design changes to H Street; and

**WHEREAS**, pursuant to the California Coastal Act, in May 2010, the BPC also adopted Resolution No. 2010-79 which approved the CVBMP PMPA and directed staff to submit the PMPA to the California Coastal Commission (CCC) - for its review and certification; and

**WHEREAS**, during the CCC certification process for the CVBMP PMPA, the District and CCC, decided to relocate an existing RV park to Parcel S-1, a

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site that at the time was designated for a future hotel in the District's approved PMPA; and

**WHEREAS**, specifically, upon the District's request, its application to the CCC for the PMPA was amended to revise the uses on parcel S-1 from hotel to low-scale, low-intensity uses consisting of a recreational vehicle park and/or campground with retail, restaurant, or meeting space associated with these uses (Relocated RV Park) and the Relocated RV Park was moved from Phase IV to Phase I of the CVBMP's implementation; and

**WHEREAS**, additionally, the District's amended application for the PMPA included Chula Vista Bayfront Development Policies (Development Policies) (District Clerk Document No. 59407) and a Public Access Plan (PAP) (District Clerk Document No. 59408), both of which were incorporated by reference into the PMPA; and

**WHEREAS**, the Development Policies consist of detailed and specific planning and development objectives and policies for the Chula Vista planning district covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor serving requirements and the PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and parking requirements; and

**WHEREAS**, on August 9, 2012, the CCC certified the CVBMP PMPA, including the Relocated RV Park, Development Policies, and PAP (collectively, Revised Project); and

**WHEREAS**, since the Revised Project in the certified PMPA occurred subsequent to the BPC's certification of the Final EIR and the BPC is considering subsequent discretionary approvals – concept approval and an Appealable Coastal Development Permit (CDP) – for the Relocated RV Park, an updated environmental analysis is necessary in accordance with CEQA; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15168(c), the District examined the Revised Project in light of the Final EIR to determine whether an additional environmental document must be prepared and found that pursuant to CEQA Guidelines Section 15162, no new effects could occur and no new mitigation measures would be required, and the Revised Project is within the scope of the project covered by the Final EIR and no new environmental document is required; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15164, the District has prepared a Second Addendum to the Final EIR, which analyzed the Revised Project and applicable mitigation measures, including those for Phase I of the CVBMP implementations (rather, than Phase IV), and the Second Addendum

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was appropriate because only minor changes or additions are necessary for the Final EIR to apply to the Revised Project, and none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR, or in CEQA Guidelines Section 15163 calling for preparation of a supplemental EIR, have occurred; and

**WHEREAS**, the District has filed the Second Addendum and the Final EIR with the Office of the District Clerk (Clerk) and pursuant to CEQA, the District previously prepared a Mitigation Monitoring and Reporting Program also filed with the Clerk (District Clerk Document No. 56555); and

**WHEREAS**, the Clerk has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and affidavit of mailing on file with the Clerk; and

**WHEREAS**, all materials with regard to the Revised Project were made available to the BPC for its review and consideration of the Revised Project including, but not limited to, the following:

1. The Second Addendum and appendices, if any;
2. The Final EIR and appendices;
3. The Agenda Sheet, dated April 10, 2018;
4. The Findings of Fact and Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program, dated May 2010 and appended to Resolution 2010-78 as Exhibits "A" and "B", respectively; and
5. All documents and records filed in this proceeding by interested parties.

**WHEREAS**, a duly noticed public hearing was held on April 10, 2018, before the BPC, at which the BPC received public testimony, reviewed and considered all testimony and materials made available to the BPC regarding the Revised Project, and gave direction to District staff regarding the Revised Project; and

**WHEREAS**, having reviewed and considered all testimony and materials made available to the BPC, including but not limited to the Second Addendum and the Final EIR, the staff reports and all the testimony and evidence in the record of the proceedings with respect to the Revised Project, the BPC took the actions hereinafter set forth:

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**NOW THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners (BPC) of the San Diego Unified Port District, as follows:

1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. The BPC finds and determines that the applicable provisions of CEQA, the CEQA Guidelines and the District Guidelines have been duly observed in conjunction with said hearing and the considerations of this matter and all of the previous proceedings related thereto.

3. The BPC finds and determines, on the basis of the whole record before the BPC, that:

- a. The Final EIR is complete and adequate in scope and is of continuing informational value with respect to the Revised Project;
- b. Some minor changes or additions to the Final EIR are necessary and the preparation of a Second Addendum to the Final EIR pursuant to CEQA Guidelines Section 15164 for the Revised Project is adequate and appropriate;
- c. None of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred;
- d. None of the conditions described in CEQA Guidelines Section 15163 calling for preparation of a supplemental EIR, have occurred;
- e. No additional environmental review is required because the Revised Project implements all applicable mitigation measures, is within the scope of the Final EIR and will not result in any new or more severe significant impacts or require mitigation measures not previously identified in the Final EIR;
- f. The BPC has fully reviewed and considered the information in the Second Addendum and the Final EIR prior to making a decision to approve the Revised Project;
- g. The Second Addendum is complete and adequate in scope and has been completed in compliance with CEQA and the CEQA Guidelines and the District Guidelines for implementation thereof;

- h. The Revised Project implements the Mitigation Monitoring and Reporting Program (MMRP) and no additional mitigation measures or alternatives are required; and
- i. The Second Addendum and the Final EIR reflect the District's independent judgment and analysis.
- j. The Project is consistent with the Public Trust Doctrine, as the Project complies with Section 87 of the Port Act which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed actions are consistent with the Public Trust Doctrine.

5. The Second Addendum to the Final EIR is hereby adopted in relation to the subject of this Resolution.

6. The Revised Project is approved and, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the BPC hereby makes and adopts the findings with respect to each such significant environmental effect as set forth in the Findings of Fact, appended to Resolution 2010-78 as Exhibit "A" and made a part hereof by this reference, and declares that it considered the evidence described in connection with each such finding.

8. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d), the BPC hereby adopts and approves the MMRP, which is appended to Resolution 2010-78 as Exhibit "B" and is made a part hereof by this reference, with respect to the significant environmental effects of the original CVBMP PMPA and related projects, and hereby makes and adopts the provisions of the Mitigation Monitoring and Reporting Program applicable to the Revised Project as conditions of approval for the Revised Project.

9. Pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15094, the District Clerk shall cause a Notice of Determination to be filed with the Clerk of the County of San Diego and the State Office of Planning and Research.

10. Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the location and custodian of the documents and other materials which constitute the record of proceedings on which this Resolution is based is the Office of the District Clerk, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101.

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11, As a condition of this approval, Sun Communities, Inc. shall indemnify and hold the San Diego Unified Port District (District) harmless against all third-party legal challenges, claims, lawsuits, proceedings and the like, including reimbursement of all attorneys' fees, costs and expenses incurred by the District related to the approval of the Second Addendum. Said condition is independent of any agreement between the District and Sun Communities, Inc.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10<sup>th</sup> day of April 2018, by the following vote:

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION GRANTING CONCEPT APPROVAL  
TO SUN COMMUNITIES, INC. FOR THE COSTA  
VISTA RV RESORT PROJECT**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I, (Port Act); and

**WHEREAS**, Sun Communities, Inc. as the project applicant and proponent (Applicant), proposes to construct and operate the Chula Vista Bayfront (CVB) recreational vehicle (RV) park, a low-scale, low profile, and lower-cost RV resort consisting of 255 lower-cost overnight accommodations (approximately 139 RV stalls and 116 park model units, which count as and exceed the replacement of 237 lower cost overnight accommodation mobile vehicle stalls in the CVB) with associated improvements on parcel S-1; the extension of E Street; construction of a 400-foot-wide landscape buffer within a portion of parcel SP-1; and the realignment of Gunpowder Point Drive within parcels SP-1 and SP-3 to allow continued access to the Living Coast Discovery Center (collectively, "Project"); and

**WHEREAS**, as of the date of the Board of Port Commissioner's (BPC) consideration of this proposed Concept Approval, the Project site is leased by the District from State Land Commission (SLC) through a Master Lease and has not yet been granted to the District and added to the Port Act; and

**WHEREAS**, an urgency statute is proposed for the Legislature's adoption this year (Legislation), which would transfer the Project site to the District's tidelands and allow the Legislation to take effect immediately after it is signed by the Governor and chaptered into law; and

**WHEREAS**, pursuant to BPC Policy No. 357, plans for new tenant development must be presented to the BPC for approval if the project is estimated to cost more than \$500,000, and this Project cost is approximately \$39 Million, which includes both on and offsite costs; and

**WHEREAS**, District staff recommends the BPC grant concept approval for the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

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Subject to satisfaction of the following conditions precedent, Sun Communities, Inc. (Sun Communities) is hereby granted concept approval for the proposed Costa Vista RV Project (Project) in the City of Chula Vista. Said conditions precedent include the Project site needs to be incorporated into the District's tidelands through pending urgency legislation or other legislation and a lease or other real property agreement between the District and Sun Communities needs to be approved and executed giving Sun Communities the ability to construct and operate the Project.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10<sup>th</sup> day of April 2018, by the following vote:

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION AUTHORIZING ISSUANCE OF AN  
APPEALABLE COASTAL DEVELOPMENT PERMIT  
(CDP) FOR THE COSTA VISTA RV RESORT  
PROJECT CONDITIONED ON SATISFACTION OF  
CERTAIN CONDITIONS PRECEDENT**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, Sun Communities, Inc. as the project applicant and proponent (Applicant), proposes to construct and operate the Chula Vista Bayfront (CVB) recreational vehicle (RV) park, a low-scale, low profile, and lower-cost RV resort consisting of 255 lower-cost overnight accommodations (approximately 139 RV stalls and 116 park model units, which count as and exceed the replacement of 237 lower cost overnight accommodation mobile vehicle stalls in the CVB) with associated improvements on parcel S-1; the extension of E Street; construction of a 400-foot-wide landscape buffer within a portion of parcel SP-1; and the realignment of Gunpowder Point Drive within parcels SP-1 and SP-3 to allow continued access to the Living Coast Discovery Center (collectively, "Project"); and

**WHEREAS**, the Project is more particularly described in the corresponding agenda sheet and draft Coastal Development Permit (CDP) attached thereto, both of which are incorporated by reference; and

**WHEREAS**, the Project is located in the CVB Sweetwater District of Planning District 7, which is delineated on Precise Plan Map Figure 19 of the certified Port Master Plan (PMP) and the Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the access road for the LCDC will be constructed at this time); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1/SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the PMP Project List (Table 19); and

**WHEREAS**, the PMP land use designations within the limits of the Project are "Commercial Recreation" (S-1 & S-3), "Open Space/Habitat Replacement" (SP-1), "Wetlands" (SP-2), and "Park/Plaza" (S-2 & SP-3); and

**WHEREAS**, those certain Chula Vista Bayfront Development Policies (Development Policies) (District Clerk Document No. 59407) and a Public Access

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Plan (PAP) (District Clerk Document No. 59408) are part of the certified PMP; and

**WHEREAS**, the Development Policies consist of detailed and specific planning and development objectives and policies for the CVB covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor-serving requirements and the PAP includes a description of the proposed circulation improvements including the roadways, the Bayshore Bikeway, public transit improvements, shuttle, and parking requirements; and

**WHEREAS**, the Project is consistent with the certified PMP as the Project conforms to the land use designations of “Commercial Recreation” for parcels S-1 and S-3, “Open Space/Habitat Restoration” for parcel SP-1, “Wetlands” for parcel SP-2, and “Park/Plaza” for parcels S-2 and SP-3, Precise Plan text, and Project list, as well as the Development Policies, the PAP, and the Natural Resource Management Plan’s goals, objectives, standards, and strategies through design considerations incorporated into the Project and implementation of relevant provisions as required by Special Provisions of the CDP, as more particularly described in the Addendum, defined below; and

**WHEREAS**, the Project constitutes “development” under Section 30106 of the Coastal Act as it, among other things, proposes grading, construction of structures and a change in the intensity of the uses and accordingly, a Coastal Act (California Public Resource Code Section 30000 et seq.) authorization from the District is required; and

**WHEREAS**, under the Chapter 8 of the Coastal Act, the District’s certified PMP and the District’s CDP Regulations, the Project has been determined to require an “appealable” CDP (see California Public Resources Code Section 30715 and Section 7(4) of the District’s CDP Regulations that includes the sole categories of appealable development within the District’s jurisdiction; and Item 4 of Table 19 (Project List) of the PMP p. 109, herein incorporated by reference); and

**WHEREAS**, the Project is fully consistent with Chapter 8 of the Coastal Act, Coastal Act Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein as it provides extensive public access, recreational opportunities and lower cost visitor facilities through the establishment of an RV park, bike paths, walking trails, sidewalks and enhanced landscaping; and

**WHEREAS**, the Board of Port Commissioners (BPC) finds that said application and attachments contain correct and accurate statements of fact; and

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**WHEREAS**, the BPC has concluded that the Project conforms to the certified PMP and the Coastal Act; and

**WHEREAS**, the BPC considered the appealable Coastal Development Permit at the April 10, 2018 BPC meeting; and

**WHEREAS**, in accordance with the California Environmental Quality Act statutes and guidelines, the Project was analyzed in the Final Environmental Impact Report (FEIR) (SCH No. 2005081077; District Document No. 56562) and that certain Chula Vista Bayfront Master Plan Addendum, Coastal Commission Adopted Policies to the Chula Vista Bayfront Master Plan Port Master Plan Amendment and RV Park Project (Addendum); and

**WHEREAS**, the BPC adopted the FEIR, Statement of Overriding Consideration, a Mitigation, Monitoring Reporting Program and certain findings by Resolution No. 2010-78; and the Addendum and certain findings by Resolution No. \_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners (BPC) of the San Diego Unified Port District, as follows:

1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. In general, the Project consists of, without limitation: (1) the construction and operation the CVB RV park, a low-scale, low profile, and lower-cost RV resort consisting of 255 lower-cost overnight accommodations (approximately 139 RV stalls and 116 park model units, which count as and exceed the replacement of 237 lower cost overnight accommodation mobile vehicle stalls in the CVB) with associated improvements on parcel S-1; (2) the extension of E Street; (3) construction of a 400-foot-wide landscape buffer within a portion of parcel SP-1; and (4) the realignment of Gunpowder Point Drive within parcels SP-1 and SP-3 to allow continued access to the Living Coast Discovery Center. The Project is more particularly described in the corresponding agenda sheet, draft CDP and previously adopted FEIR and Addendum.

3. The Project is located in the CVB Sweetwater District of Planning District 7, which is delineated on Precise Plan Map Figure 19 of the certified Port Master Plan (PMP) and the Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the access road for the LCDC will be constructed at this time); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1/SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the

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PMP Project List (Table 19), The PMP land use designations within the limits of the Project are “Commercial Recreation” (S-1 & S-3), “Open Space/Habitat Replacement” (SP-1), “Wetlands” (SP-2), and “Park/Plaza” (S-2 & SP-3).

4. The BPC finds that the Project constitutes “development” under Section 30106 of the Coastal Act as it, among other things, proposes grading, construction of structures and a change in the intensity of the uses and accordingly, a Coastal Act (see California Public Resource Code Section 30000 et seq.) authorization from the District is required.

5. The BPC finds that under the Chapter 8 of the Coastal Act, the District’s certified PMP and the District’s CDP Regulations, the Project has been determined to require an “appealable” CDP (see California Public Resources Code Section 30715 and Section 7(4) of the District’s CDP Regulations that includes the sole categories of appealable development within the District’s jurisdiction; and Item 4 of Table 19 (Project List) of the PMP p. 109, herein incorporated by reference).

6. The BPC finds the Project is fully consistent with the Coastal Act, including, without limitation Chapter 8 of the Coastal Act, Coastal Act Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein as it provides extensive public access, recreational opportunities and lower cost visitor facilities through the establishment of an RV park, bike paths, walking trails, sidewalks and enhanced landscaping.

7. The BPC finds that the Project is consistent with the PMP because the Project conforms to the land use designations of “Commercial Recreation” for parcels S-1 and S-3, “Open Space/Habitat Replacement” for parcel SP-1, “Wetlands” for parcel SP-2, and “Park/Plaza” for parcel S-2 and SP-3, Precise Plan text, and Project list which expressly allow for each component of the Project. Moreover, the BPC finds that the Project is consistent with the Development Policies and the PAP because it will implement the applicable policies and portions of the PAP, as more particularly specified in each special condition of the CDP.

8. The BPC finds that prior to issuance of the CDP certain conditions need to be met (collectively, Conditions Prior to Issuance) as follows. Condition 1 – the Project site needs to be incorporated into the District’s tidelands through pending urgency legislation. Condition 2 – a lease or other real property agreement between the District and Applicant needs to be approved and executed giving Applicant the ability to construct and operate the Project. Condition 3 - the Permittee and/or District shall retain a qualified biologist to prepare an update to the March 2015 Biological Resources Survey Report, which shall provide a current assessment of the conclusions in the 2015 report and the extent and quality of natural resources on the site. Alternatively, if these Conditions Prior to Issuance are not met, the Applicant and/or District may apply

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to the City of Chula Vista for a CDP, the District may obtain an amendment to that certain Master Lease (District Clerk Document No. 64545) between the District and the California State Lands Commission for the Project site to allow for the development and operation of the Project and the District and Applicant can enter into a sublease or other real property agreement allowing for the applicant to construct and operate the Project.

9. The BPC finds that the Project is within the scope of the FEIR and Addendum. The BPC also finds the Project is consistent with the Public Trust Doctrine, as the Project complies with Section 87 of the Port Act which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed actions are consistent with the Public Trust Doctrine.

10. Based on the entire record available to the BPC and the findings set forth in this Resolution, subject to satisfaction of the Conditions Prior to Issuance, the Executive Director or her designated representative is hereby authorized and directed to issue an Appealable Coastal Development Permit to Sun Communities, Inc. for "Costa Vista RV Resort Project" after passage of the ten (10) working day appeal period as described in the CDP Regulations of the District. Said Appealable Coastal Development Permit shall require compliance with all conditions set forth therein; provided, however, as a condition of approval, Sun Communities, Inc. shall indemnify and hold the San Diego Unified Port District (District) harmless against all third-party legal challenges, claims, lawsuits, proceedings and the like, including reimbursement of all attorneys' fees, costs and expenses incurred by the District related to the approval of this Appealable Coastal Development Permit. Said condition is independent of any agreement between the District and Sun Communities, Inc.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10<sup>th</sup> day of April 2018, by the following vote: