

**ERRATA  
to the  
FOURTH ADDENDUM  
to the  
Chula Vista Bayfront Master Plan  
Final Environmental Impact Report  
for Updated Transportation Mitigation  
Measures**

**UPD #83356-EIR-658  
SCH #2005081077**

**SAN DIEGO UNIFIED PORT DISTRICT**  
3165 Pacific Highway  
San Diego, California 92101

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# ACRONYMS AND ABBREVIATIONS

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Acronym/Abbreviation	Definition
AB	Assembly Bill
BFDIF	Bayfront Development Impact Fee Program
CCC	California Coastal Commission
CEQA	California Environmental Quality Act
CIP	Capital Improvement Program
City	City of Chula Vista
CNEL	Community Noise Equivalent Level
CVBMP	Chula Vista Bayfront Master Plan
dB(A)	A-weighted decibels
District	San Diego Unified Port District
DP	Development Policies
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
GHG	greenhouse gas
LCP	Local Coastal Program
MGD	million gallons per day
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MSCP	Multiple Species Conservation Program
MWD	Metropolitan Water District
NPDES	National Pollutant Discharge Elimination System
PAP	Public Access Program
PMP	Port Master Plan
PMPA	Port Master Plan Amendment
PRC	Public Resource Code
RAQS	Regional Air Quality Standards
RCC	Resort and Convention Center
SLRA	Sea Level Rise Assessment
SWPPP	Stormwater Pollution Prevention Plan

# CHAPTER 1

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## Introduction

The San Diego Unified Port District (District) is preparing a fourth addendum to the Chula Vista Bayfront Master Plan (CVBMP or Project) Final Environmental Impact Report (Final EIR) (State Clearinghouse No. 2005081077; District Clerk Document No. 56562). The District is proposing refinements to the transportation mitigation measures associated with Phases II through IV of the CVBMP development. These refinements would help clarify the timing of the environmental impact and better identify when the associated mitigation measures should be implemented to reduce significance of the associated environmental impact to less than significant (with the exception of traffic impacts on local freeway segments and at intersections with at-grade rail crossings, which remain significant and unavoidable). The proposed text changes to the applicable mitigation measures will not result in a reduction of the mitigation measures effectiveness. Rather the text changes align the requirement to mitigate an impact prior to its occurrence and only mitigate for the specific impact (versus requiring over mitigation for other impacts not triggered by implementation of a specific portion of the CVBMP). All improvements identified in the mitigation measures will be implemented prior to the impact.

In 2002, the District and the City of Chula Vista (City or Chula Vista) joined together to create a master plan for the approximately 556-acre Chula Vista Bayfront area (since revised to approximately 535 acres), to reconfigure the existing land uses to promote public access to and engagement with the South Bay 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. In May 2010, the Board of Port Commissioners, the Chula Vista City Council and the City Redevelopment Agency certified the CVBMP Final EIR (State Clearinghouse No. 2005081077; District Clerk Document No. 56562). At the same time, 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 amended the City's Multiple Species Conservation Program (MSCP) Chula Vista Subarea Plan. The Final EIR was prepared as a combined program and project EIR and the District was the California Environmental Quality Act (CEQA) lead agency.

Implementation of the CVBMP is ongoing and full buildout will be accomplished by the redevelopment of the Chula Vista bayfront with a variety of uses, including park, open space, ecological buffers, cultural, recreational, hotel and conference space, mixed-use, office/commercial recreation, and retail. The CVBMP planning area is divided into three districts: the Sweetwater, Harbor, and Otay districts. The Final EIR also analyzed amendments to the 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.

On August 9, 2012, the California Coastal Commission (CCC) certified the District's PMPA (No. 6-PSDMAJ-41-11), which included land use changes, added by reference Development Policies (DPs) (District Clerk Document No. 59407) as well as a Public Access Program (PAP) (District Clerk Document No. 59408) into the PMPA. The DPs consist of detailed and specific planning and development objectives and policies for the PMP Chula Vista Bayfront Planning District 7 covering environmental protection, energy conservation, views and aesthetics, public transit, pedestrian orientation, and visitor-serving requirements, including no-cost waterfront public recreational opportunities, such as public parks.<sup>1</sup> The PAP includes a description of the proposed circulation improvements including roadways, the Bayshore Bikeway, public transit improvements, shuttle, and parking requirements.

Since the adoption of the Final EIR in 2010, the District adopted three Addenda, including a First Addendum to the Final EIR adopted by the Board on August 13, 2013 (Resolution No. 2013-138); the Second Addendum to the Final EIR adopted by the Board on April 10, 2018 (Resolution No. 2018-068), and the Third Addendum to the Final EIR adopted by the Board on December 8, 2020 (Resolution No. 2020-116), all of which are chapters to the Final EIR.

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 Final EIR covering the project for which a subsequent discretionary action is required. Approval shall occur if the District finds that the changes associated with the Project are minor and not substantial, there are no new significant impacts resulting from the Project, and there would not be a substantial increase in the severity of previously identified environmental impacts in the Final EIR. In addition, certain Mitigation Measures (MM) are no longer required as they do not apply to the Project. The exclusion of these MM would not result in new or more severe environmental impacts or require new MM. 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 Final EIR pursuant to these sections of the CEQA Guidelines.

## 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 CEQA

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<sup>1</sup> On February 28, 2024, the Board of Port Commissioners unanimously certified the Final Program Environmental Impact Report and approved the PMP Update. This project made amendments to the Planning Districts, although the Chula Vista Bayfront Planning District and associated use designations were not included as a part of the PMP Update, with the exception being that the Planning District number was revised from Planning District 7 to Planning District 6.

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, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the 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 or negative declaration 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 or Negative Declaration 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 or the Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

## **CEQA Guidelines, Section 15163: Supplement to An EIR**

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a Subsequent EIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of a Subsequent EIR; and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

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

CEQA Guidelines Section 15164 provides that when some changes or additions to an EIR are necessary, but a subsequent EIR does not need to be prepared per CEQA Guidelines Section 15162, an addendum to the EIR may be prepared and adopted.

- (a) The lead agency or 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 findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

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

- (a) Where a prior environmental impact report has been prepared and certified for a program, plan, policy, or ordinance, the lead agency for a later project that meets the requirements of this section shall examine significant effects of the later project upon the environment by using a tiered environmental impact report, except that the report on the later project is not required to examine those effects that the lead agency determines were either of the following:
  - (1) Mitigated or avoided pursuant to paragraph (1) of subdivision (a) of Section 21081 as a result of the prior environmental impact report.
  - (2) Examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.
- (b) This section applies only to a later project that the lead agency determines is all of the following:
  - (3) Consistent with the program, plan, policy, or ordinance for which an environmental impact report has been prepared and certified.
  - (4) Consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located.
  - (5) Not subject to Section 21166.

- (c) For purposes of compliance with this section, an initial study shall be prepared to assist the lead agency in making the determinations required by this section. The initial study shall analyze whether the later project may cause significant effects on the environment that were not examined in the prior environmental impact report.
- (d) All public agencies that propose to carry out or approve the later project may utilize the prior environmental impact report and the environmental impact report on the later project to fulfill the requirements of Section 21081.

## **CEQA Guidelines, Section 21166: Subsequent or Supplemental Impact Report; Conditions**

When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

## **1.2 Determination**

This addendum includes an analysis of the potential impacts of the proposed text modifications to the transportation mitigation measures established for Phases II through IV in the Final EIR to better define the triggers and timeline for implementation of the mitigation measures and align the requirement to mitigate an impact prior to its occurrence and only mitigate for the specific impact. As currently drafted, the mitigation measures require implementation of improvements that go beyond mitigating for an impact. However, the text changes will not reduce the effectiveness of the mitigation measures as all improvements identified in the mitigation measures will be implemented prior to the triggering impact occurring.

Chapter 3, Environmental Checklist, of this document discusses the findings of the analysis in comparison to the Final EIR. Based on the criteria above, the District has determined that an addendum is the appropriate CEQA document for the proposed text modifications. This addendum is intended to evaluate and confirm CEQA compliance for the proposed text modifications, which would be a change relative to what is described and evaluated in the certified Final EIR.

## **1.3 Organization of this Addendum**

This addendum is organized as an environmental checklist and is intended to evaluate all environmental topic areas for any changes in circumstances or the project description and determine whether such changes were or were not adequately covered in the certified Final EIR. This checklist is based on the 2018 CEQA Environmental Checklist per Appendix G of the State CEQA Guidelines and evaluates the checklist categories in terms of any “changed condition” (i.e., changed

circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the certified 2010 Final EIR. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, and 15164.

A comprehensive update to the CEQA Guidelines has been completed since certification of the Final EIR. However, in accordance with Section 15164(a) of the CEQA Guidelines, this Addendum tiers off the analysis and conclusions found in the Final EIR and therefore, uses the environmental thresholds listed in Appendix G of the State CEQA Guidelines at the time of certification of the Certified EIR.<sup>2</sup>

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<sup>2</sup> California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387, “Guidelines for Implementation of the California Environmental Quality Act.”

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# CHAPTER 2

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## Project Description

The District proposes to undertake a comprehensive update to the transportation mitigation measures established for Phases II through IV in the Final EIR to better define the triggers and timeline for implementation of the mitigation measures., as well as align the requirement to mitigate an impact prior to its occurrence and only mitigate for the specific impact (versus requiring over mitigation for other impacts not triggered by implementation of a specific portion of the CVBMP). All improvements identified in the mitigation measures will be implemented. The proposed text changes identify the necessary textual changes to the transportation mitigation measures in order to clarify and clearly define the required timing, implementation, and proportionality of fiscal responsibility for each measure when a potentially significant traffic impact occurs.

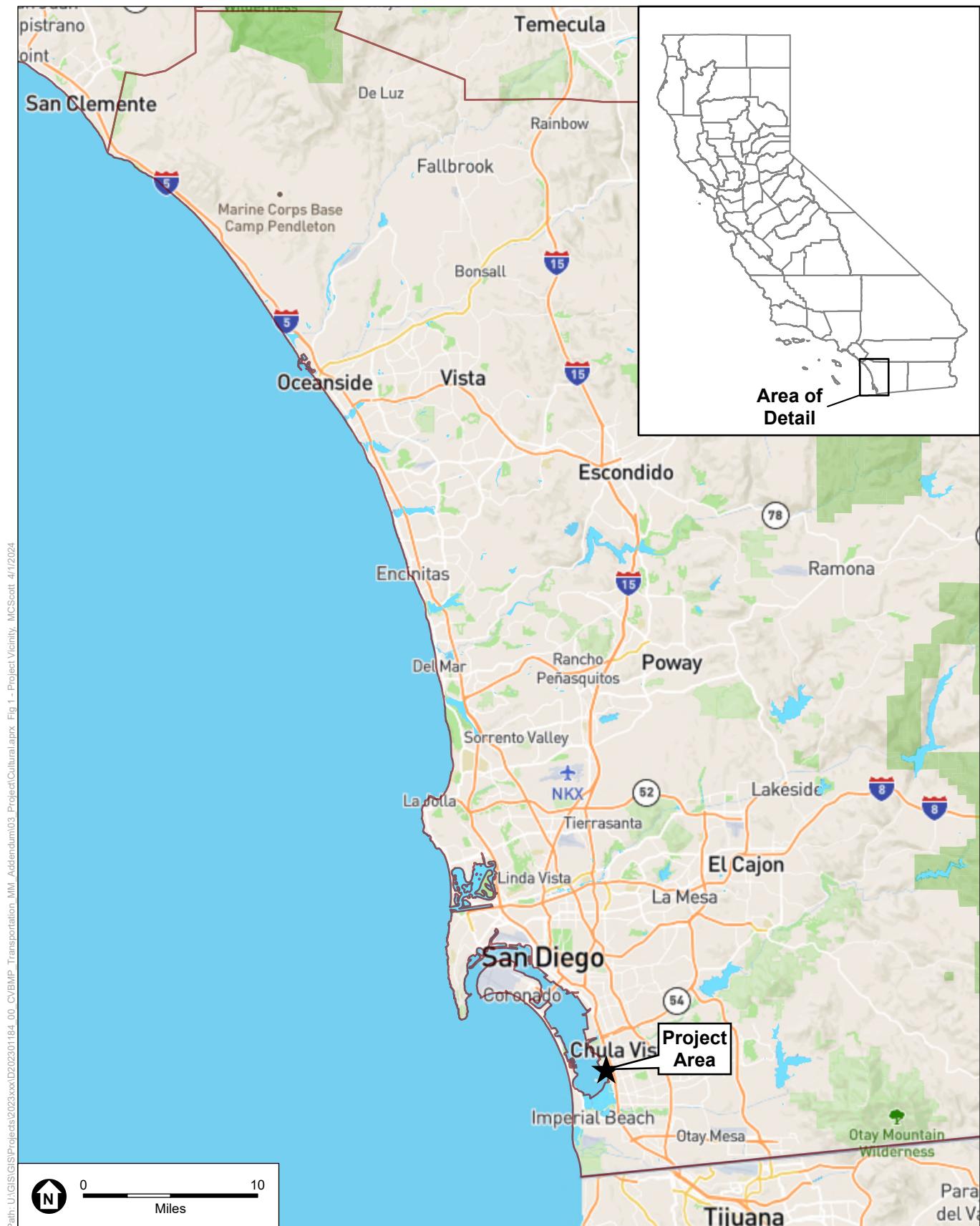
### 2.1 Location and Setting

The Chula Vista Bayfront is located at the southeastern edge of San Diego Bay in the City of Chula Vista (City) and includes approximately 535 acres of industrial bayfront that is being redeveloped as part of the CVBMP, with entitlements for approximately 600,000 square feet of restaurant, retail and marina support uses, 220,000 square feet of mixed-use commercial recreation/marine-related office uses, 1,100 to 3,000 space parking facility and 2,850 hotel rooms. Additionally, the CVBMP envisions 70 acres of new parks, 120 acres of open space, habitat replacement, wetlands and ecological buffers to protect wildlife habitat, species and other coastal resources, and a shoreline promenade, walking trails and bicycle path network.<sup>3</sup>

The Project area is located in the northwestern portion of the City within the County of San Diego (County), as shown on **Figure 1, Project Vicinity**. Specifically, parcels associated with the CVBMP area are west of Interstate I-5, parallel to D Street in the northern Sweetwater District, and continue south, west of I-5 and Bay Boulevard until the southern terminus of Otay District which is parallel with Naples Street. The Project site is divided into three districts from north to south (Sweetwater, Harbor and Otay), and is further divided into development phases, as shown on **Figure 2, Parcel Plan and Development Phases**. The Project area is located directly adjacent to the San Diego Bay in the Harbor District and 0.2-miles in other areas, except for a small portion in the Otay District. Regional access is provided by Interstate 5 (I-5), located approximately east of the Project site. Local access is provided by E Street, Lagoon Drive and F Street, H Street, Marina Parkway and J Street, and L Street.

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<sup>3</sup> Port of San Diego. 2024. Chula Vista Bayfront Redevelopment. Available at: <https://www.portofsandiego.org/projects/chula-vista-bayfront#collection-2866-tab-3141>. Accessed February 2024.



SOURCE: ESA, 2023

Updated CVBMP Transportation Mitigation Measures

**Figure 1**  
Project Vicinity Map



## 2.2 Existing and Surrounding Land Uses

The CVBMP area is currently characterized by various land uses including undeveloped land, existing recreational uses including Bayfront Park and Marina View Park, existing Chula Vista Marina, Marine Group Boat Works, Sun Outdoors San Diego Bay RV Park, and various planned uses included in the CVBMP that are currently under construction. Such uses currently being developed include the Gaylord Pacific Resort and Convention Center and Sweetwater Park, while other planned uses that have been completed to date include Marina View Park, Sun Outdoors San Diego Bay RV Resort, and Sweetwater Bicycle Path and Promenade. The CVBMP area is surrounded by undeveloped land and commercial, recreational, and industrial uses. The site is bounded on the north by the Sweetwater River and San Diego Bay Wildlife Refuge; on the east by Bay Boulevard and I-5 beyond; on the south by the San Diego Gas & Electric substation; and on the west by the San Diego Bay.

## 2.3 Project Background

In 2002, the District and the City joined together to create a master plan for the approximately 556-acre Chula Vista Bayfront area (since revised to approximately 535 acres) to reconfigure the existing land uses to promote public access to and engagement with the South Bay 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. In May 2010, the Board of Port Commissioners, the Chula Vista City Council, and the City Redevelopment Agency certified the CVBMP Final EIR and each agency unanimously approved its respective amendments to the District's PMP and the City's LCP. The Final EIR analyzes the 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, all of which provides for future development and redevelopment of the Project area, as well as certain site-specific development projects.

The Final EIR analyzed different land uses and development scenarios by parcel and phase for the Sweetwater, Harbor and Otay District areas. The Sweetwater District was intended to have the lowest-intensity development of the three districts and focused on lower scale, environmentally sensitive, and environmentally themed uses. The Harbor District is the most directly accessible District to downtown Chula Vista and is intended to provide a significant link from the City to the Bayfront. As such, the Harbor District has the planned highest intensity development including hotel and conference space. The Otay District was planned to have medium-density development.

Additionally, since the adoption of the Final EIR in 2010, the District adopted three Addenda, including a First Addendum to the Final EIR adopted by the Board on August 13, 2013 (Resolution No. 2013-138); the Second Addendum to the Final EIR adopted by the Board on April 10, 2018 (Resolution No. 2018-068), and the Third Addendum to the Final EIR adopted by the Board on December 8, 2020 (Resolution No. 2020-116).

### CVBMP Final EIR Analysis

The Final EIR proposed to develop the CVBMP in four phases over an approximate 24-year period. Phase I project-level components consist of high-quality development and public improvements

that would be concentrated in the Harbor and Sweetwater Districts acting as a catalyst for surrounding public and private development. Phase I components also consisted of development on Sweetwater District and Harbor District parcels, as well as proposed roadway and infrastructure improvements in those Districts. Phase I Development on Harbor District parcels HP-5, H-13, H-14 and H-12 were analyzed at a project-specific level, and all other Phases (I, II, III, and IV) and components were analyzed at a programmatic level. Table 1 identifies the proposed phases, parcel numbers, proposed uses and development per the Final EIR in 2010. As noted, in Section 2.2, land uses currently being developed within the CVBMP area include the Gaylord Pacific Resort and Convention Center and Sweetwater Park, while other planned uses that have been completed to date include Marina View Park, Sun Outdoors San Diego Bay RV Resort, and Sweetwater Bicycle Path and Promenade.

**TABLE 1. PROPOSED DEVELOPMENT BY PHASE**

<b>Phase I</b>		
<b>Sweetwater District</b>		
Parcel Number	Proposed Use	Proposed Development
SP-1	Ecological Buffer	41 acres
SP-3	Nature Center Parking and Access Road	3 acres
S-2	Signature Park/Open Space	18 acres
<b>Harbor District</b>		
HP-1, H-8	Signature Park	17 acres
HP-3	HP-3 Shoreline Promenade (abutting HP-1 and H-8)	3 acres
HP-5	Wetlands and Buffer	9 acres
H-3	Resort Conference Center	1,500-2,000 hotel rooms; 415,000 square feet (SF) net conference space; 100,000 SF restaurant; 20,000 SF retail; 240 feet high
H-9	Interim Park/Landscaping	2 acres
H-13, H-14	Residential	1,500 units; 19 stories; 220 feet high
H-13, H-14	Ancillary Retail	15,000 SF
H-17	Bayfront Fire Station	9,500 SF; 2 stories; 27 feet high
H-18	Interim Surface Parking Lot	1,100 parking spaces
HP-23A	Industrial Business Park Use	1 acre
<b>Phase II</b>		
<b>Sweetwater District</b>		
SP-2	Seasonal Wetland	14 acres
S-2A	Open Space	3 acres
<b>Harbor District</b>		
HP-6, HP-7, HP-8	Parks/Open Space	8 acres
H-9	Retail/Commercial Recreation and Marina Support	25,000-50,000 SF; 1-2 stories; 15-30 feet high
H-15	Mixed-Use Office/Commercial Recreation	420,000 SF; 90-130 feet high
H-15	Hotel	250 rooms, 90-130 feet high
H-23	Resort Hotel	500 rooms, 300 feet high
H-23	Cultural/Retail	200,000 SF; 30-65 feet high

HP-3	Shoreline Promenade (abutting H-9)	1 acre
HP-28	H Street Pier (first half)	0.4 acre
<b>Phase III</b>		
<b>Harbor District</b>		
HP-3	Shoreline Promenade (abutting HP-14, HP-15, and HP-21)	3 acres
HP-9, HP-12, HP-13, HP-14, HP-15	Park/Open Space	18 acres
H-21	Retail/Commercial Recreation	75,000–150,000 SF; 1-2 stories; 15-30 feet high
<b>Otay District</b>		
OP-1A, OP-1B, OP-3	South Park/Open Space	51 acres
OP-2A, OP-2B	Ecological Buffer/Telegraph Creek Channel	27 acres
O-1	Industrial Business Park Use	18 acres
O-3A, O-3B	RV Park	175-236 RV spaces, 1-2 stories, 15-35 feet high
O-4	Industrial Business Park Use	28 acres
<b>Phase IV</b>		
<b>Sweetwater District</b>		
S-1	Resort Hotel	500-750 rooms, 2-8 stories, 40-100 feet high
SP-4, SP-5, SP-6, SP-7, S-5	Parks/Open Space	11 acres
S-3	Mixed-Use Office/Commercial Recreation	60,000-120,000 SF, 2-3 stories, 30-45 feet high
S-4	Office	120,000 SF, 8 stories, 125 feet high
S-5	City Park/parking lot	1 acre
<b>Harbor District</b>		
H-1	Community Boating Center	10,000-20,000 SF; 1-2 stories; 15-30 feet high
H-1A	Signature Park	5 acres
H-18	Collector Parking Garage	1,100-3,000 parking spaces; 6-10 stories; 85-155 feet high
HP-3	Shoreline Promenade (abutting H-1 and H-1A)	2 acres
HW-6	Marina (see H-1)	200 slips
HW-7	Navigation Channel	60 acres
H-12	Ferry Terminal/Restaurant	10,000-25,000 SF; 2 stories; 30-40 feet high
HW-1, HW-2, HW-3, HW-4	Marinas, Boat Navigation Area, Commercial Harbor	50 acres, 700 slips
Notes:		
<ul style="list-style-type: none"> <li>All Otay District parcels were proposed for development in Phase III. Sweetwater District had no development proposed in Phase III;</li> <li>Modifications to phasing of S1 occurred - changed from a phase 4 to a phase 1 development, along with the replacement of the proposed hotel with an RV park.</li> </ul>		

## Roadway System Improvements

The Final EIR assessed the improvements for roadway system components over the 24-year period. As described in Section 4.2, *Traffic and Circulation*, of the Final EIR, all of the roadway

improvements within the Sweetwater and Harbor Districts (except for the new F Street segment) are evaluated at a project-level to provide flexibility to construct identified roadway improvements sooner than required in the Final EIR traffic analysis. Additionally, all of the roadway improvements in all of the districts, were required to be constructed as outlined in the originally adopted mitigation measures.

In the Sweetwater District, E Street has been partially realigned and extended, with a new roundabout intersection for Gunpowder Point Drive (Street E as shown in Figure 2) and surface parking for the Sweetwater Park. A new bridge and bike path has been built over the inlet that flows into the F & G Street Marsh. F Street/Lagoon Drive would terminate in a new cul-de-sac, and a new F Street segment would be constructed. The abandoned segment of the existing F Street would remain in place but would be accessible to only emergency vehicles, pedestrians, and bicycles. The realignment of Gunpowder Point Drive and a new parking lot for the Chula Vista Nature Center have also been completed.

In the Harbor District, E (soon to be renamed Harbor Park Way) and H Streets have been extended. J Street/Marina Parkway and Marina Way would be realigned. Bay Boulevard would remain open. A newly constructed Street A and Street C would also provide access to Project components in the Harbor District. All proposed roadway improvements in the Harbor District would occur in Phase I.

In the Otay District, a new Street A and Street B would be built during Phase III to accommodate the new uses. No other roadways in the Otay District are proposed.

Intersections throughout the CVBMP area and off site would be improved during all phases and include through lanes and turning lanes, all-way and two-way stop-controlled intersections, and traffic signals.

The Final EIR analysis of the environmental impacts associated with the CVBMP included land uses such as: Commercial Recreation, Recreational Boat Berthing, Marine Sales/Services, Industrial Business Park, Public Facilities, and Public Recreation. A summary of the impacts associated with the CVBMP is provided below.

### ***Less than Significant Impacts***

The CVBMP was found to have a less than significant impact on parking, cultural resources, and population and housing.

### ***Less than Significant Impacts with Mitigation Measures***

The Final EIR 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 utilities, and seismic/geologic hazards. The Final EIR includes Mitigation Measures (MM) to reduce potentially significant impacts to less than significant levels.

### **Significant and Unavoidable Impacts**

The following impacts were identified in the Final EIR 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.

### **Mitigation Measures**

Feasible Mitigation Measures (MM) were identified in the Final EIR that would reduce impacts to a level below significance. All applicable mitigation measures from the Final EIR are provided in Appendix A of this addendum. Proposed text modifications to transportation mitigation measures MM 4.1-12 through MM 4.2-30 and MM 6.5-2 through MM 6.5-11 are listed below within **Table 2, Proposed Language Changes to the Transportation Mitigation Measures**. The proposed language changes have been incorporated into these transportation mitigation measures within Appendix A. The proposed changes to the Mitigation Monitoring and Reporting Program are shown in underline/strikeout format in Appendix B.

### **Development Policies**

The DPs (District Clerk Document No. 59407) are compiled from MM in the Final EIR and adopted Mitigation Monitoring and Reporting Program (MMRP), CVBMP Settlement Agreement (District Clerk Document No. 56523), and revisions of the CVBMP PMPA. In August 2012, the DPs were certified as part of the PMPA by the CCC and incorporated by reference into the PMPA and all development projects within CVBMP must comply with the DPs. The relevant DPs are presented in Appendix C of this addendum.

### **Public Access Program**

The CVBMP 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.

## **2.4 Project Description**

As mentioned, the proposed text modifications would be a comprehensive update to the transportation mitigation measures established for Phases II through IV in the Final EIR to better define the triggers and timeline for implementation of the transportation MM to clarify fair share requirements. These refinements would help clarify the timing of the impact and better identify when the associated mitigation measure should be implemented. These refinements were prepared by Intersecting Metrics, and are included as Appendix D to this addendum.

The proposed text modifications would change the transportation MMs in order to clarify and clearly define the required timing, implementation, and proportionality of fiscal responsibility for each measure. The revised language would provide clear, measurable metrics that can be used for the implementation of the transportation MM as development continues across the CVBMP project

area as well as provide more context for the enforcement of the measures by the District and/or City. All improvements identified in the mitigation measures will be implemented prior to impacts occurring and therefore, the text changes do not change the effectiveness of the mitigation measures. **Figure 2, Parcel Plan and Development Phases**, shows the parcels in each of the three districts and the phases as set out in the Final EIR.

### **Phase I Traffic and Circulation Mitigation**

Phase I of the Final EIR was evaluated at a project level. As such, the 10 mitigation measures identified for Phase I of the Final EIR are linked to, and triggered by, the development of specific parcels within Phase I of the Final EIR. Mitigation triggers have been identified under Phase I, including the development's responsibility of implementing the identified mitigation.

### **Phases II through IV Traffic and Circulation Mitigation**

Unlike Phase I, the mitigation measures identified for Phases II through IV of the Final EIR do not identify specific trigger points that correspond with a specific parcel development or the overall trip generation of a CVBMP District. Instead, these mitigation measures are tied to the overall development of the phase in which they are triggered, requiring implementation of all or most roadway and intersection improvements identified in the mitigation measures for a Phase by the first developed parcel in that Phase. This arguably results in over mitigating for the traffic and transportation impacts associated with the development of the first parcel.

### **Bayfront Development Impact Fee Program**

The Bayfront Development Impact Fee Program (BFDIF) was developed in 2014 to create a mechanism to fairly distribute the requirement of the mitigation measures in the FEIR in a proportional manner to the planned development proposed in the CVBMP. All of the transportation related mitigation measures outlined within the FEIR are included in the BFDIF. Project applicants pay into the BFDIF when they pull their building permits. Improvements from the BFDIF are implemented by the City of Chula Vista Public Works Department based on time of need and the City's Capital Improvement Program (CIP). Applicants that are required to build facilities included within the BFDIF, can receive reimbursement or fee credits in kind for those facilities. Applicants may be required to build roadway facilities included within the BFDIF to provide project access, mitigate direct impacts, and serve as frontage improvements. However, when a mitigation measure included in the BFDIF is triggered, the developer may not necessarily be required to pay for the entirety of the mitigation measure as they can receive a fee credit or be reimbursed by the City for using BFDIF funds. The amount of the credits or reimbursement is the delta between the applicant's fair share cost and the total cost for the improvement identified in mitigation measure. Additionally, even if an impact is not triggered, the City may be required to build the remaining improvement(s) using available BFDIF funds. The proposed text changes will not alter these requirements, ensuring that the traffic and circulation mitigation measures do not lose their effectiveness, and the improvements will be implemented prior to an impact being triggered. Notably, the BFDIF was developed after the FEIR was approved, and thus it is not currently identified within the FEIR as a mechanism or tool for a proposed development project to contribute its fair share to mitigate cumulative impacts related to transportation.

## Identified Significant Traffic and Circulation Impacts for Phases II through IV

The mitigation measures associated with the proposed text changes mitigate the following significant traffic and circulation impacts for Phases II through IV, as identified in the Final EIR.

### Direct Impacts

#### **Phase II:**

The following segments will experience congested LOS D or worse conditions for segments outside of the Urban Core and LOS E or worse conditions for segments inside of the Urban Core and will require mitigation:

- H Street (Street A to I-5 Ramps) (LOS F) (Significant Impact 4.2-21)
- J Street (Street A to Bay Boulevard to I-5 Ramps) (LOS D) (Significant Impact 4.2-22)
- Street A (Street C to J Street) (LOS F) (Significant Impact 4.2-23).

The following intersections will be characterized by LOS E or F conditions under baseline plus project conditions and will require mitigation:

- H Street/RCC Drive (LOS E, PM peak hour) (Significant Impact 4.2-24)
- J Street/Bay Boulevard (LOS E, PM peak hour) (Significant Impact 4.2-25)
- H Street/Street A (LOS F, PM peak hour) (Significant Impact 4.2-26)
- J Street/Marina Parkway (LOS F, PM peak hour) (Significant Impact 4.2-27)
- J Street/Street A (LOS F, both peak hours) (Significant Impact 4.2-28)

#### **Phase III:**

Development of Phase III components without adequate site access and roadway frontage would result in significant impacts on circulation (Significant Impact 4.2-31)

The following roadway segments will experience congested LOS D or worse conditions for segments outside of the Urban Core and LOS E or worse conditions for segments inside the Urban Core and will require mitigation:

- Street A (H Street to Street C) (LOS D) (Significant Impact 4.2-32).

The following intersections will be characterized by LOS E or F conditions under Phase III Baseline Plus Project Conditions and will require mitigation:

- J Street/Bay Boulevard (LOS E, PM peak hour) (Significant Impact 4.2-33)
- J Street/I-5 Northbound Ramps (LOS E, PM peak hour) (Significant Impact 4.2-34).

According to the Final EIR, in assessing the impacts 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 the growth in traffic and it would be difficult to widen more due to right-of-way constraints. Without additional improvements to H Street, conditions on H Street from Street A to I-5 would degrade to LOS F (Significant Impact 4.2-38).

#### **Phase IV:**

Development of Phase IV components without adequate site access and roadway frontage would result in significant impacts on circulation (Significant Impact 4.2-39).

The following roadway segments will experience congested LOS D or worse conditions for segments outside of the Urban Core and LOS E or worse conditions for segments inside of the Urban Core under Phase IV Plus Project conditions and will require mitigation:

- E Street (F Street to Bay Boulevard) (LOS F) (Significant Impact 4.2-40)
- Bay Boulevard (E Street to F Street) (LOS D) (Significant Impact 4.2-41)
- H Street (I-5 Ramps to Broadway) (LOS F) (Significant Impact 4.2-42).

The following intersections will be characterized by LOS E or F conditions under Phase IV Plus Project conditions and will require mitigation:

- E Street/Bay Boulevard (LOS F, PM peak hour) (Significant Impact 4.2-43)
- J Street/Bay Boulevard (LOS E, PM peak hour) (Significant Impact 4.2-44)
- J Street/Street A (LOS F, PM peak hour) (Significant Impact 4.2-45).

### Cumulative Impacts

#### **Phase III:**

In Phase III, H Street between Street A to I-5 Ramps would operate at LOS D (Significant Impact 6.5-11).

To accommodate traffic from the project and to provide another route to I-5, E Street is proposed to be extended in Phase III from the RCC Driveway to west of Bay Boulevard. With the extension constructed, the following intersections would experience congestion and would be considered significant:

- H Street and I-5 SB Ramps (LOS E, PM) (Significant Impact 6.5-12)
- J Street and I-5 NB Ramps (LOS E, AM) (Significant Impact 6.5-13)

In Phase III Conditions with Extension of E Street, the following roadway segments would experience increases in traffic that would be considered significant:

- E Street west of Bay Boulevard (LOS D) (Significant Impact 6.5-16)
- Street A (H Street to Street C) (LOS F) (Significant Impact 6.5-17).

Under Phase III Conditions with Extension of E Street, the following intersections would experience congestion that would be considered significant:

- E Street and Bay Boulevard (LOS F, PM) (Significant Impact 6.5-18)
- J Street and Bay Boulevard (LOS E, PM) (Significant Impact 6.5-19)
- J Street and I-5 NB Ramps (LOS E, AM/PM) (Significant Impact 6.5-20)

#### **Phase IV:**

Under Phase IV Conditions, the following intersections would experience congestion that would be considered significant:

- H Street and Woodlawn Avenue (LOS F, AM/PM) (Significant Impact 6.5-26)
- H Street and Broadway (LOS F, PM) (Significant Impact 6.5-27)
- J Street and I-5 NB Ramps (LOS E, PM) (Significant Impact 6.5-28).

A new mitigation measure (MM 6.5-12) is also proposed that applies to Significant Impacts 4.2-21 through 4.2-45 and 6.5-11 through 6.5-28.

### Mitigation Refinements

The proposed refinements to the transportation mitigation measures associated with Phases II through IV of the CVBMP development. These refinements aim to help clarify the timing of the impact and better identify when the associated mitigation measure should be implemented, as well as provide a mechanism to identify proportionality of the mitigation to the specific impact. Clarifying changes are proposed to the language for MM 4.2-12 through MM 4.2-30 as well as MM 6.5-2 through MM 6.5-11, which are provided below in **Table 2**. These changes require applicants to conduct a project-level transportation impact assessment for their specific development projects. The project-level transportation impact assessment will determine if the development would trigger an identified direct or cumulative impact, and be responsible for implementing the associated mitigation measure. However, the text changes require road frontages and access to each parcel shall be required to avoid any landlocked parcels and provide adequate safety, police and fire access.

**TABLE 2. PROPOSED LANGUAGE CHANGES TO THE TRANSPORTATION MITIGATION MEASURES**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-12	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-21, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-21, then prior to the issuance of the first certificate of occupancy for the development, 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 shall implement a similar measure(s) that would reduce Significant Impact 4.2-21 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p><b>consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</b></p> <p>*Applies to Significant Impact 4.2-21.</p>		
MM 4.2-13	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-22, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-22, then prior to the issuance of the <b>first certificate of occupancy</b> for the development, the Port, Port tenant, or applicant, as appropriate, shall widen J Street between Street A to I-5 Ramps to a six-lane Major Street, or secure such construction to the satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-22, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</b></p> <p>*Applies to Significant Impact 4.2-22.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>
MM 4.2-14	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant</p>	<p>Port, Port Tenant, or Applicant</p>	<p>City Engineer Port or City depending on the</p>

	<p>shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-23, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-23, then prior to the issuance of the first certificatecertificates of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-23 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the fist building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-23.</p>	<p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>jurisdiction of the development</p>
MM 4.2-15	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-24, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-24, then prior to the issuance of the first certificatecertificates of occupancy for 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 RCC Driveway, or secure such construction to the</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

<p>satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</b></p> <p>*Applies to Significant Impact 4.2-24.</p>		
<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-25, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-25, then prior to the issuance of the <b>first certificate</b> of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-25 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification</b></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p><u>that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-25.</p>		
MM 4.2-17	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-26, then prior to the issuance of the first certificate of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-26 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The traffic signal shall be constructed and opera the City Engineer. This mitigation would reduce Significant Impact 4.2-26 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-26 to the satisfaction of</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>
MM 4.2-18	<p>Prior to the issuance of certificates of occupancy for any development in Phase II of the As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p>If it is determined that the development will trigger Significant Impact 4.2-27, then prior to the issuance of the first certificate of occupancy for the development, the applicant shall construct a traffic signal at the intersection of J Street and Marina Parkway, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-27 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-27.</p>		
MM 4.2-19	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-28, then prior to the issuance of the first certificate of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-28 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The traffic signal and turning lanes shall</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p>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.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-28.</p>		
MM 4.2-20	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-31, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 4.2-31, then prior to the issuance of the first certificate of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>In addition, prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, as appropriate the Applicant 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>However, at a minimum the applicant for the development shall construct roadway frontage and access associated with the parcel being proposed for development so that the parcel is not landlocked, provides continuous frontage access</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p>along B Street with adjacent parcels, and provides adequate access to the parcel, including safety, fire and police access.</p> <p>This mitigation would reduce Significant Impact 4.2-31 to below a level of significance.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-31.</p>		
MM 4.2-21	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-32, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-32, then prior to the issuance of the first certificate of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-32 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-32.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>
MM 4.2-22	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development</p>	<p>Port, Port Tenant, or Applicant</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

<p><u>is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-33, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-33, then prior to the issuance of the first certificate/certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-33 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	
<p>MM 4.2-23 Prior to the issuance of certificates of occupancy for any development in Phase III of the development, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-34, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-34, then prior to the issuance of the first certificate/certificates of occupancy for 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 or shall implement a similar</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p>measure(s) that would reduce Significant Impact 4.2-34 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>		
MM 4.2-24	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, <b>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-38, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</b> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-38, then prior to the issuance of the <b>first certificatecertificates</b> of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-38 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-38 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

MM 4.2-25	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-39, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-39, then prior to the issuance of the first certificate of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-39 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>However, at a minimum the applicant of the development shall construct roadway frontage and access associated with the parcel being proposed for development so that the parcel is not landlocked, provides continuous frontage access along F Street with adjacent parcels, and provides adequate access to the parcel, including safety, fire and police access.</p> <p>This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-39.</p>	Port, Port Tenant, or Applicant	City Engineer Port or City depending on the jurisdiction of the development
MM 4.2-26	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the</p>	Port, Port Tenant, or Applicant	City Engineer Port or City depending on the jurisdiction of the development

	<p>proposed development would trigger Significant Impacts 4.2-40 or 4.2-41, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impacts 4.2-40 or 4.2-41, then prior to the issuance of the first certificatecertificates of occupancy for the development, 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 shall implement a similar measure(s) that would reduce Significant Impacts 4.2-40 and 4.2-41 Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic.</p> <p>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, or shall implement a similar measure(s) that would reduce Significant Impacts 4.2-40 and 4.2-41 Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impacts 4.2-40 and 4.2-41.</p>	<p><b>the first</b> Certificate of Occupancy</p>	
MM 4.2-27	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-42, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-42, then prior to the issuance of the first certificatecertificates of occupancy for the development, the Port, Port tenant, or</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p>applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-42 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>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.</p> <p>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.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-42.</p>		
MM 4.2-28	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-43, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-43, then prior to the issuance of the first certificate of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p><b>4.2-43 4.2-24</b> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port.</b> <b>The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</b></p> <p>*Applies to Significant Impact 4.2-43.</p>		
MM 4.2-29	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-44, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-44, then prior to the issuance of the <b>first certificate</b> of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact <b>4.2-44 4.2-24</b> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port.</b> <b>The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant shall provide, prior to issuance of the first building permit, a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification</b></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p><u>that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-44.</p>		
MM 4.2-30	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-45, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-45, then prior to the issuance of the first certificate of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-45 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-45.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>
MM 6.5-2	<p>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. As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 6.5-11 and 12, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where</p>	<p>Port Applicant</p> <p>Prior to issuance of the First Building Permit or Final Map for Phase II Project of the development that triggers the impact and the First Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

	<p><u>Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that a proposed development will trigger Significant Impact 6.5-11 or 12, then To to accommodate traffic from the project and to provide another route to I-5, the Port applicant, prior to issuance of the first certificate of occupancy for the development, 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, or implement similar improvement(s) which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>-</p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer prior to the issuance of either a building permit or final map for a Phase II project. If the applicant is responsible for constructing the improvement, they may would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This Mitigation would reduce Significant Impacts 6.5-11 and 6.5-12 to below a level of significance.</p> <p>*Applies to Significant Impacts 6.5-11 and 6.5-12.</p>		
MM 6.5-3	<p><u>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-13, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 6.5-13, then prior to the issuance of the first certificate of occupancy, for the development, the Port applicant shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant</u></p>	<p><u>Port Applicant</u></p> <p><u>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy for any Phase III Project</u></p>	<p><u>City Engineer Port or City depending on jurisdiction of the development</u></p>

	<p>is responsible for constructing the improvement, they <del>may</del><ins>would</ins> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-13 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-13.</p>		
MM 6.5-4	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-16, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 6.5-16, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall widen E street between the RCC Driveway and Bay Boulevard to a two-lane Class II Collector, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. If the applicant is responsible for constructing the improvement, they <del>may</del><ins>would</ins> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-16 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-16.</p>	<p><u>Port Applicant</u></p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy for any Phase III Project</p>	<p><u>City Engineer Port or City depending on jurisdiction of the development</u></p>
MM 6.5-45	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-17, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p>	<p><u>Port Applicant</u></p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy for any Phase III Project</p>	<p><u>City Engineer Port or City depending on jurisdiction of the development</u></p>

	<p>If it is determined that the development will trigger Significant Impact 6.5-17, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall widen Street A between H Street and Street C to a four-lane Class I Collector, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. If the applicant is responsible for constructing the improvement, they may would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-17 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-17.</p>		
MM 6.5-6	<p>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-18, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-18, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall construct southbound left- and right-turn lanes at the intersection of E Street and Bay Boulevard, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they may would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p>	<p><u>Port Applicant</u></p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy for any Phase III Project</p>	<p><u>City Engineer Port or City depending on jurisdiction of the development</u></p>

	<p>This mitigation would reduce Significant Impact 6.5-18 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-18.</p>		
MM 6.5-7	<p>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-19, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-19, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall construct an exclusive eastbound right-turn lane at the intersection of J Street and Bay Boulevard, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant shall, prior to first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-19 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-19.</p>	<p>Port Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy for any Phase III Project</p>	<p>City Engineer Port or City depending on jurisdiction of the development</p>
MM 6.5-8	<p>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-20, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-20, then prior to the issuance of the first certificate of occupancy, for the development, the Port applicant shall construct an exclusive westbound right-turn lane at the</p>	<p>Port Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy for any Phase III Project</p>	<p>City Engineer Port or City depending on jurisdiction of the development</p>

	<p>intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. <b>If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</b> 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.</p> <p>*Applies to Significant Impact 6.5-20.</p>		
MM 6.5-9	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, <b>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</b></p> <p><b>If it is determined that the development will trigger Significant Impact 6.5-26, then prior to the issuance of the first certificate of occupancy, for the development, the Port applicant 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, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></b></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional lanes shall be constructed to the satisfaction of the City Engineer. <b>If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</b></p> <p>This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-26.</p>	<p><u>Port Applicant</u></p> <p>Prior to <b>First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</b></p>	<p><u>City Engineer Port or City depending on jurisdiction of the development</u></p>

MM 6.5-10	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p>If it is determined that the development will trigger Significant Impact 6.5-27, <u>then prior to the issuance of the first certificate of occupancy, for the development, the Port applicant shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they <u>may</u> <u>would</u> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>With mitigation, this intersection would still operate at LOS [Level of Service] 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.</p> <p>*Applies to Significant Impact 6.5-27.</p>	Port Applicant	City Engineer Port or City depending on the jurisdiction of the development
MM 6.5-11	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p>	Port Applicant	City Engineer Port or City depending on the jurisdiction of the development

	<p>If it is determined that the development will trigger Significant Impact 6.5-28, then prior to the issuance of issuance of the first certificate of occupancy for the development, the Port applicant shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps., or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3 and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The improvement shall be implemented first building permit for the development that triggers the impact. The additional lanes shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they may/would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-28.</p>		
MM 6.5-12	<p>All developments within the Master Plan Area shall participate in the Bayfront Development Impact Fee (BFDIF) Program as a means to mitigate their portion of the identified transportation related impacts, both direct and cumulative.</p> <p>*Applies to Significant Impacts 4.2-21 through 4.2-45 as well as 6.5-11 through 6.5-28.</p>	<p><u>Applicant</u></p> <p><u>Prior to First Building Permit</u></p>	<p><u>Port and City</u></p>
Notes: The proposed changes to the existing transportation MM are provided in strikethrough/underline format.			

The project-level assessment is required because it is currently unknown when developments within the Master Plan area will occur. Thus, the timing in which the identified impacts will occur and when the associated mitigation measures will need to be in place is uncertain. As such, the prescribed project-level analysis will help to ensure a mechanism is in place to identify when these impacts will occur and require that the associated mitigation measure is in place prior to the impact occurring.

Additionally, the proposed text modifications would include the mitigation language in the FEIR be updated to include the participation in the BFDIF program for all developments within the CVBMP. This will ensure that all developments pay their cumulative fair share towards the mitigation and transportation-related infrastructure that is needed for the buildout of the CVBMP.

## 2.5 Discretionary Project Approvals Required

Implementation of the proposed text modifications would require the following actions or approvals from the District or other agencies:

- Addendum to a Final Environmental Impact Report
- Adoption of an amended Mitigation Monitoring and Reporting Program

No other approvals are required for the implementation of the proposed text modifications.

# CHAPTER 3

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## Environmental Checklist

Section 3 of this document contains the Environmental Checklist Form, with certain topic-specific discussions, and summarizes the responses to the questions in Section 1.1, relating to Section 15162 of the State CEQA Guidelines. Section 5 contains the discussion/analysis relative to cumulative impacts. A summary of the changes in potential impacts due to the development of the Project relative to the Final EIR is provided in Section 6, and the reasons why an Addendum is appropriate in this situation is provided in Section 7.

### 3.1 Environmental Checklist Form

The purpose of the Environmental Checklist Form is to compare the anticipated environmental effects of the Project with those disclosed in the certified Final EIR and to review whether any of the conditions set forth in Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a supplemental or subsequent EIR are met. The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils
<input type="checkbox"/> Greenhouse Gases	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities / Service Systems
<input type="checkbox"/> Mandatory Findings of Significance		

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no “new information of substantial importance” as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR adequately discusses the potential impacts of the project without modification.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no “new information of substantial importance” as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR adequately discusses the potential impacts of the project; however, minor changes require the preparation of an ADDENDUM.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is “new information of substantial importance,” as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are clearly reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT EIR is required.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is “new information of substantial importance,” as that term is used in CEQA Guidelines Section 15162(a)(3). However, only minor changes or additions or changes would be necessary to make the previous EIR adequate for the project in the changed situation. Therefore, a SUPPLEMENTAL EIR is required.

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Signature

Click to enter text.

Printed Name

Click to enter a date.

Date

Click to enter text.

For

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

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1. A finding of “New Potentially Significant Impact” means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document that cannot be mitigated to below a level of significance or be avoided.
2. A finding of “New Information of Substantial Importance” means that 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 previously approved Final EIR was adopted, shows that the Project would have a new significant environmental effect or more severe significant effect than identified in the previously approved Final EIR.
3. A finding of “Less than Significant Impact/No Substantial Change From Previous Analysis” means the potential impact of the Project is determined to be below known or measurable thresholds of significance and would not require mitigation; or there are no substantial changes in the Project or circumstances and no new information that would require the preparation of a new EIR pursuant to Public Resources Code Section 21166 and Section 15162 of the State CEQA Guidelines
4. A finding of “Reduced Impact” means that the significant environmental effects of the Project could be substantially reduced through imposition of mitigation measures or alternatives that although previously found to be infeasible are in fact now feasible, but the Project proponent declines to adopt them; or the significant environmental effects of the Project could be substantially reduced through imposition of mitigation measures or alternatives that are considerably different from those analyzed in the previously approved Final EIR, but the Project proponent declines to adopt them..
5. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, according to Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. **Earlier Analyses Used.** Identify and state where they are available for review.
  - b. **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. Describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the proposed action.
  - c. **Infeasible Mitigation Measures.** Since the previous EIR was certified, discuss any mitigation measures or alternatives previously found not to be feasible that would in fact be feasible or that are considerably different from those previously analyzed and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.
  - d. **Changes in Circumstances.** Since the previous EIR was certified, discuss any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that cause a change in conclusion regarding one or more effects discussed in the original document.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. **Supporting Information Sources.** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
10. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question;
  - b. differences between the proposed activity and the previously approved project described in the certified EIR; and
  - c. the previously approved mitigation measure identified, if any, to reduce the impact to less than significance.

The Environmental Checklist Form and accompanying evaluation of the responses provide the information and analysis upon which the District makes its determination that no new EIR is required for the Project relating to the Final EIR.

# CHAPTER 4

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## Environmental Checklist

### 4.1 Aesthetics

#### I. AESTHETICS — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway??	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

#### 4.1.1 Project Analysis

##### Would the project:

###### a) Have a substantial adverse effect on a scenic vista?

As determined in the Final EIR, the Project would affect two regionally important public viewing scenes: the view of the western tideland/water's edge from the Sweetwater Marsh NWR, and background views of the Bay from the Silver Strand. The Project also alters views of the San Diego Bay, a locally and regionally significant public resource, from within the Project boundary. Although the Project will affect the viewing scene, it will not result in the actual removal of any visual resources currently contributing to the quality of the viewing scene. However, as a whole, the Project was determined to have a significant and unavoidable impact.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented proportional to the specific impact. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. As such, implementation of the traffic improvements per the proposed text modifications would not adversely affect the visual resources that contribute to the quality of the viewing scene at the Project site, because the proposed text modifications would only affect the timing and responsibility of the physical improvements and not the nature, intensity, and locations of the improvements themselves. The Project would not have a substantial adverse effect on a scenic vista public view. The proposed text modifications would not result in any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

No scenic highways are located in the vicinity of the Project area. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Implementation of the proposed text modifications would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a scenic highway because none are present in the area and thus the changes to the timing and responsibility of transportation improvements would have no adverse effects. Therefore, the proposed text modifications would not result in any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Substantially degrade the existing visual character or quality of the site and its surroundings?**

As determined in the Final EIR, the Project will not result in the removal of any significant visual resources such as beaches, parks, water bodies, or significant landmark trees, nor will the Project alter the visual resources such as the wetlands to the north and south of the Project site. Although the changes to the visual quality of the site will be noticeable, the addition of more vivid visual experiences will enhance the visual quality of the Project site. The removal of park elements that currently exist may cause a low impact to the existing visual quality of the site; however, new park elements are proposed with the potential to improve the overall visual quality of the area. Impacts would be less than significant.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to or indistinguishable from what was previously analyzed in the Final EIR, but the specific timing of their implementation could vary from that assumed in the Final EIR. However, this would not result in the removal of any significant visual resources such as beaches, parks, water bodies, or significant landmark trees, nor alter the visual resources such as the wetlands to the north and south of the CVBMP. The proposed text modifications, therefore, would not substantially degrade the existing visual character or quality of the CVBMP area and its surroundings. As such, the proposed text modifications would not result in any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

As determined in the Final EIR, the Project would have a potentially significant impact with regard to light and glare, which would be reduced to less than significant with the incorporation of Mitigation Measure 4.4-2. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. The proposed text modifications would not change the nature, location, or intensity of light or glare sources in the Project area but would simply specify the timing and responsibility of each improvement. These changes would not create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area. As such, the proposed text modifications would not result in any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.1.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to aesthetics. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new aesthetics effects have been identified within the vicinity of the Project.

### 4.1.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to aesthetics would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to aesthetics as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.2 Agriculture and Forestry Resources

### II. AGRICULTURAL AND FOREST RESOURCES —

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

**Would the project:**

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.2.1 Project Analysis

**The following analysis is applicable to thresholds a) through e).**

As determined in the Final EIR, the Project site does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Final EIR also concluded that the Project site does not have a land designation for agricultural use, there is not a Williamson Act contract for the site and 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.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Additionally, the proposed text modifications 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 because none of these lands exist within the CVBMP. None of these conditions change as a result of the proposed text modifications, because they merely specify the timing and responsibility of the same improvements that were identified in the Final EIR. Therefore, impacts on agriculture and forestry resources would be less than significant.

### 4.2.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to agricultural or forestry resources. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new agricultural or forestry resource effects have been identified within the vicinity of the Project.

### 4.2.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to agricultural or forestry resources would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to agricultural and forestry resources as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.3 Air Quality

### III. AIR QUALITY —

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

**Would the project:**

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.3.1 Project Analysis

**Would the project:**

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

As documented in the Final EIR, while the CVBMP would meet several of the criteria set by the Transportation Control Measures plan, it does not conform to the planning assumptions that were used to generate the State Implementation Plan, which is the forecast of the region's ability to achieve the National Ambient Air Quality Standards. The current Regional Air Quality Standards (RAQS) are based on the City's former (1989) General Plan. However, the RAQS and State

Implementation Plan do account for air emissions associated with the City's current adopted (2005) General Plan and 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 proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. In fact, because air quality modeling assumes that air pollutant emission rates decline over time (due to continued increases in vehicle fuel efficiency and other factors), if some transportation mitigation improvements were delayed relative to what was evaluated in the Final EIR, the incremental impacts associated with construction activities may actually be reduced. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

As determined in the Final EIR, there are no air quality violations on or near the CVBMP site and the Project does not propose a use that would represent a major source of air pollution, therefore, impacts would be less than significant. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Furthermore, as noted above, the pollutant emissions associated with the transportation improvements would be expected to decline over time, and thus if implementation of specific improvements occurs later than was anticipated in the Final EIR, the actual emissions associated with those improvements, as well as associated air quality impacts, would be incrementally reduced. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

As determined in the Final EIR, impacts would be significant and unavoidable due to ROG, NOx, CO, PM10 and PM2.5 exceeding the standard during construction and operation of the Project. The proposed text modifications include refinements to the text of the adopted transportation mitigation

measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to (or incrementally reduced as discussed above) what was previously analyzed in the Final EIR. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) Expose sensitive receptors to substantial pollutant concentrations?**

As determined in the Final EIR, since construction emissions would exceed the standard for ROG, NOx, CO, PM10 and PM2.5, impacts would be significant and unavoidable. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. The modified timing of these improvements would not measurably change the nature, intensity, and location of the construction activities, and thus despite the potential variation in the timing of ultimate implementation, the air pollutant emissions associated with these activities would not vary substantially from that assumed in the Final EIR, and such emissions would not be generated more proximate to sensitive receptors in the Project area. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**e) Create objectionable odors affecting a substantial number of people?**

As determined in the Final EIR, the types of uses proposed would not generate objectionable odors. Objectionable odors are possible from construction emissions, but they would be temporary and would dissipate quickly and, therefore, would not affect substantial numbers of people. Therefore, impacts would be less than significant. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. The modified timing of these improvements would not measurably change the nature, intensity, and location of the construction activities, and thus despite the potential variation in the timing of ultimate implementation, the odor generation associated with these activities would not vary substantially from that assumed in the Final EIR, and such emissions would not be generated more proximate to sensitive receptors in the Project area. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

### 4.3.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to air quality. No substantial changes in the environment related to air quality have occurred since certification of the Final EIR and no new significant effects related to air pollutant emissions have been identified within the vicinity of the Project.

### 4.3.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to air quality would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to air quality as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.4 Biological Resources

### IV. BIOLOGICAL RESOURCES — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Have 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrologic interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

#### 4.4.1 Project Analysis

**Would the project:**

- a) **Have 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

As stated in the Final EIR, due to the presence of vegetation and open space within the CVBMP area, there is a potential for impacts to nesting raptors, as well as birds protected by the Migratory Bird Treaty Act. All active raptor nests, regardless of State or federal listing status, are protected under the California Fish and Game Code Section 3503.5. Direct impacts to nesting raptors due to the removal of an active nest would be significant, and implementation of mitigation measure MM 4.8-1 to undertake preconstruction surveys for nesting raptors in breeding season would be required as part of the Project. Similarly, destruction or removal of active nests during the breeding season could occur during construction or grading activities. Therefore, mitigation measure MM 4.8-3 would be required to reduce potentially significant impacts to birds protected by the Migratory Bird Treaty Act.

Per the Final EIR, indirect impacts to all sensitive bird species located within the CVBMP area could result during construction and operation of the CVBMP. These include impacts to breeding birds from construction noise and lighting, impacts to sensitive birds through a potential increase in perches for raptors that prey on birds, impacts to the birds and their habitat from post-development lighting and operational noise, intrusion into the habitat by pets and humans (public access), increased drainage, and exposure to additional toxins from runoff from streets and landscaping. These indirect impacts could be significant as they would potentially result in increased predation, abandonment of nests, or degradation of nesting and foraging habitat for the light-footed clapper rail (*Rallus longirostris levipes*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), and all raptor species and migratory birds, which could cause a drop in these species' population numbers. As required through mitigation measure MM 4.8-6 in the Final EIR, all new development must adhere to guidelines provided in the City's MSCP Subarea Plan, which addresses issues associated with potential indirect impacts on the MSCP area from lighting, noise, drainage, use of invasive, toxic substances, and public access. Furthermore, implementation of mitigation measure MM 4.8-23 would assist with avoiding or reducing the potential for bird strikes by providing specific guidelines related to lighting, glass and reflection, building articulation, landscaping, public education, and monitoring. Implementation of these guidelines would ensure that the future implementation of transportation mitigation measures would not result in impacts to potentially significant birds located within the open space and vegetation within the CVBMP area.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Therefore, with implementation of mitigation measures MM 4.8-1, 4.8-3, 4.8-6, and 4.8-23 in the Final EIR and MMRP, impacts would be reduced to a less-than-significant level, similar to the Project, since the physical extent of affected resources would not vary from that evaluated in the prior analysis. As such, the proposed text modifications would not create any new impacts, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species compared to what was analyzed in the Final EIR.

**b) Have a substantial adverse effect on 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 or US Fish and Wildlife Service?**

As determined in the Final EIR, the Project would impact disturbed coastal sage scrub, non-native grassland, mulefat scrub/riparian scrub, southern coastal salt marsh, disturbed riparian, and a disturbed seasonal pond. Implementation of previously approved Mitigation Measures 4.8-10 and 4.8-11 would reduce these impacts to be less than significant.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. As such, because the disturbance footprint of the proposed improvements would not change due to the text modifications, no new impacts would occur or be exacerbated, and no new mitigation measures are required.

**c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrologic interruption, or other means?**

As determined in the Final EIR, the Project would impact USACE, CDFG, and CCC wetland resources. Implementation of previously approved Mitigation Measures 4.8-12 through 4.8-22 would reduce these impacts to be less than significant.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously

analyzed in the Final EIR because the disturbance footprint of the proposed improvements would not change due to the text modifications. As such, no new impacts would occur or be exacerbated, and no new mitigation measures are required.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

As stated in the Final EIR, no significant direct impacts would occur to wildlife movement corridors for use by terrestrial wildlife, such as small mammal species. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR, since the potential for transportation system improvements to result in adverse effects on wildlife movement and migratory species is related to the physical activities themselves and not specifically the timing of such construction activities; however, while it is acknowledged that the timing of construction activities is an important consideration for migratory species and nesting birds, compliance with applicable regulations and implementation of applicable mitigation measures would preclude the potential for new significant adverse effects (e.g., construction activities adversely affecting active nests during nesting season), as is the case for the Project, irrespective of the timing and responsibility of the transportation improvements being triggered for implementation. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

As stated in the Final EIR, the District does not have any ordinances protecting biological resources; however, policies outlined in the PMP, such as Goals 4, 8, and 11, identify protection measures. The CVBMP did not conflict with these goals.

The proposed text modification include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR, as comparable, if not identical, transportation improvements would occur in the specified locations as prescribed in the Final EIR, which would affect the same number of trees as under the Project. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

As stated in the Final EIR, the District's San Diego Bay Integrated Natural Resources Management Plan is not a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and applies to water-related activities rather than land development. Therefore, this criterion does not apply to lands within the District's jurisdiction.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since no such plans are applicable to the Project area as noted above. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.4.2 Changes in Circumstances or New Information That Was Not Known and Could Not Have Been Known**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to biological resources. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new biological resources have been identified within the vicinity of the Project site.

#### **4.4.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to biological resources would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to biological resources as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.5 Cultural Resources

### V. CULTURAL RESOURCES — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.5.1 Project Analysis

#### Would the project:

a), b) **Cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Section 15064.5?**

As discussed in the Final EIR, implementation of the CVBMP is not anticipated to result in direct impacts to cultural resources in the CVBMP area. However, ground-disturbing activities would have the potential to encounter historical and archaeological resources. As such, measure 4.10 would be implemented during construction of any roadway improvements that may occur as a result of the implementation of the proposed text modifications to ensure appropriate enforcement and implementation in the event that cultural resources are discovered. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since any resources present in the areas affected by the transportation improvements would be subject to the same potential for disturbance whether construction activities occur as prescribed in

the Final EIR or when triggered for implementation per the proposed text modifications. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

As detailed in the Final EIR, the deposits beneath the CVBMP area are comprised of Bay Point Formation, consisting of at least 40 feet of loosely consolidated Pleistocene-age sedimentary rocks. As discussed in the Final EIR, the sedimentary origin of the Bay Point Formation and its general fossiliferous character suggests that this rock formation has the potential to yield significant fossils. Therefore, there would be the potential for significant impacts to sensitive paleontological resources to occur during construction of the proposed Project. Per the Final EIR, implementation of mitigation measure MM 4.11-1 would reduce impacts to paleontological resources to below a level of significance by requiring retention of a qualified paleontologist.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since any resources present in the areas affected by the transportation improvements would be subject to the same potential for disturbance whether construction activities occur as prescribed in the Final EIR or when triggered for implementation per the proposed text modifications. The proposed text modifications would not exacerbate or create any new impacts related to paleontological resources. No new mitigation would be required. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) Disturb any human remains, including those interred outside of formal cemeteries?**

Per the Final EIR, there are no cemeteries and no known or expected human remains within the CVBMP area. However, in the event that human bones are discovered during implementation of the transportation mitigation measures, implementation of measure 4.10 would be required, which mandates that the County coroner be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, would be contacted by the proposed Project's 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 would be completed and submitted to the satisfaction of the Director of Development Services.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to

better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Similar to the previously analyzed Final EIR, the proposed text modifications would not be expected to result in any changes to the physical extent, nature, or intensity of the transportation improvements such that their implementation could result in new or additional impacts to human remains. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.5.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to cultural resources. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new cultural resources have been identified within the vicinity of the Project.

#### **4.5.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to cultural resources would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to cultural resources as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.6 Geology and Soils

### VII. GEOLOGY AND SOILS — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be 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- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously

identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.6.1 Project Analysis

#### **The following analysis is applicable to thresholds a) through e)**

The proposed text modification include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since only the timing and responsibility of the improvements would be affected by the text modifications; the risks associated with existing geologic hazards identified in the Project area would not be exacerbated by the text modifications as these risks do not vary with time. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

### 4.6.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to geology and soils. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new geology and soils have been identified within the vicinity of the Project.

### 4.6.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to geology and soils would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to geology and soils as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.7 Greenhouse Gas Emissions

### VIII. GREENHOUSE GAS EMISSIONS—Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.7.1 Project Analysis

#### Would the project:

a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

As discussed in FEIR, the CVBMP would result in approximately 120,780 metric tons of greenhouse gas (GHG) emissions a year. 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 Assembly Bill (AB) 32 or related Executive Orders. Per the FEIR, all future developments would be required, as conditions of approval, to adopt GHG emission reduction measures at a project level.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. In fact, as with other air pollutant emissions, GHG emissions associated with the transportation improvements would be expected to decline over time, and thus if implementation of specific improvements occurs later than was anticipated in the Final EIR, the actual emissions associated with those improvements, as well as associated GHG emission impacts, would be incrementally reduced. Therefore, the proposed text modifications would not generate

greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment beyond those identified in the Final EIR.

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

As discussed in the Final EIR, the CVBMP would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases 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 Final EIR. Per the Final EIR, all future developments would be required, as conditions of approval, to adopt GHG emission reduction measures at a project level.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the timing of implementation of some individual transportation improvements would not be expected to notably change the Project's overall consistency with GHG reduction plans. Therefore, the proposed text modifications would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases beyond those identified in the Final EIR.

#### **4.7.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to GHG emissions. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new GHG emissions have been identified within the vicinity of the Project.

#### **4.7.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to GHG emissions would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to GHG emissions as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.8 Hazards and Hazardous Materials

### IX. HAZARDS AND HAZARDOUS MATERIALS — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.8.1 Project Analysis

**Would the project:**

**a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

As discussed in the Final EIR, construction activities of the CVBMP would temporarily involve the transportation, use, and/or disposal of hazardous materials. Additionally, during excavation, demolition, and construction activities associated with the CVBMP, hazardous materials could be encountered within or adjacent to the boundaries of the site in the vicinity of three areas of concern, including the former Goodrich South Campus and the South Bay Power Plant. However, previously approved mitigation measures MM 4.12-1, 4.12-2, 4.12-7, 4.12-8, and 4.12-9 would be applied to future projects in order to address potential exposure of contamination or hazardous materials as a result of excavation, demolition, and grading as well as potential spills or unintentional discharge during construction. Implementation of these mitigation measures, incorporated into the Final EIR and MMRP, would be required and would reduce impacts related to the routine transport, use, or disposal of hazardous material to less-than-significant levels.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the nature and location of hazardous materials activities in the Project area (i.e., ongoing transport, use, or disposal) would not be measurably affected by changes to the timing of construction activities for the required improvements. No new impacts would occur and no increase in the severity of the identified significant impact in the Final EIR would occur. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Create 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?**

As determined in the Final EIR, the Project would have the potential for spills of hazardous materials during construction activities that could potentially cause soil or groundwater contamination. However, with implementation of previously approved Mitigation Measure 4.12-2, impacts would be less than significant.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. This is because existing hazardous materials sources are located in discrete locations, and thus the variability in timing of transportation improvements would not notably change the risks associated with their release. Additionally, the types and use of hazardous materials during construction would not change. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

As determined in the Final EIR, there are two schools located within a quarter miles of the Project's eastern boundary. Construction activities have the potential to transport hazardous materials within a quarter mile of a school, but this would be a short-term activity that would comply with all established regulations. Potentially hazardous uses during operation of the Project would require permits to operate, and would be required to comply with the regulatory rules and procedures associated with the handing and use of hazardous materials. Therefore, impacts would be less than significant.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the locations of hazardous emissions and hazardous materials sources relative to schools in the Project area would not be affected by the proposed changes to the timing of the implementation of the improvements. Additionally, transportation of during construction would not change. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

As determined in the Final EIR, construction activities at the RCC site, Pacifica Parcels, and former Goodrich South Campus would be potentially significant due to prior contamination. Implementation of previously approved Mitigation Measures 4.12-1, 4.12-10, and 4.12-11 would reduce impacts to be less than significant.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the locations of listed hazardous materials sites in the Project area would not be affected by the proposed changes to the timing of the implementation of the improvements. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

As discussed in the Final EIR, the CVBMP area is not located within two miles of an airport land use plan, or where such a plan has been adopted. Therefore, no impact would occur regarding public safety hazards relating to an airport. The proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, no new impacts related to airport hazards would occur. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

As discussed in the Final EIR, the CVBMP area is not located within the vicinity of a private airstrip. Therefore, no impact would occur regarding public safety hazards relating to an airport. The proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, no new impacts related to private airstrip hazards would occur. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

As discussed in the Final EIR, the District does not have an adopted emergency response plan. The CVBMP would not interfere with a city emergency response plan or evacuation plan, and no impact would occur. The proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR. Therefore, no new impacts related to emergency response plans would occur. Similarly, implementation of the proposed improvements following incorporation of the proposed text modifications would not result in any capacity or access limitations or changes in evacuation routes in the area compared to those anticipated in the Final EIR; any construction activities that could potentially affect designated evacuation routes would be coordinated with affected jurisdictions (as would also occur without the proposed text modifications) such that evacuation routes are not adversely affected by Project implementation.

As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

The Project would be located outside the Very High, High or Moderate Fire Hazard Severity Zone and there are no Project elements that would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.<sup>4</sup> The proposed changes to the timing of transportation improvements would have no effect on the Project's potential to create or exacerbate risks associated with wildfires. Therefore, the proposed text modifications would not result in impacts involving wildfires.

#### **4.8.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to hazards and hazardous materials. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new hazards and hazardous materials have been identified within the vicinity of the Project.

#### **4.8.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to hazards and hazardous materials would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to hazards and hazardous materials as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

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<sup>4</sup> CAL FIRE. 2023. San Diego County State Responsibility Areas Fire Hazard Severity Zones. June 15, 2023. Accessed November 14, 2024. Available at: [https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map-2022/fire-hazard-severity-zones-maps-2022-files/fhsz\\_county\\_sra\\_11x17\\_2022\\_sandiego\\_2.pdf](https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map-2022/fire-hazard-severity-zones-maps-2022-files/fhsz_county_sra_11x17_2022_sandiego_2.pdf)

## 4.9 Hydrology and Water Quality

### X. HYDROLOGY AND WATER QUALITY — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**X. HYDROLOGY AND WATER QUALITY — Would the project:**

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.9.1 Project Analysis

**Would the project:**

- a) **Violate any water quality standards or waste discharge requirements?**
- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

As detailed in the Final EIR, development of the CVBMP would not substantially degrade groundwater or interfere with groundwater supplies or recharge as no direct use of groundwater would occur during any phase of development and permanent dewatering would be prohibited by on-site operations. Additionally, as discussed in the Final EIR, 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 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 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 would include erosion and sediment control best management practices, stormwater management controls, and other controls, such as measures to prevent construction vehicles from tracking sediment off the construction site.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. The proposed improvements required by the mitigation measures would occur in the same locations and subject to the same suite of regulations regarding stormwater management and water quality. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

- c) Substantially alter 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?**

As discussed in the Final EIR, and threshold a) and b) above, potential impacts on water quality during construction activities would be reduced through compliance with all applicable regulations and compliance with NPDES requirements and creation of a SWPPP. The SWPPP will be implemented during CVBMP construction to prevent water quality impacts from construction activities. The SWPPP will include erosion and sediment control best management practices, stormwater management controls and other controls such as measures to prevent construction vehicles from tracking sediment off the construction site. As discussed in the Final EIR, although grading of the CVBMP area would occur, implementation of the CVBMP would not substantially alter the drainage pattern of the Chula Vista Bayfront area, because the drainage would continue to flow toward structural controls before entering the Bay, similar to existing conditions.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR as only the timing of the implementation of the construction activities would vary from that assumed for the Project. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**

As determined in the Final EIR, the grading associated with the Project would not substantially alter the drainage pattern of the area, therefore, impacts would be less than significant. The proposed Project is proposing refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the

timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR as only the timing of the implementation of the construction activities would vary from that assumed for the Project. Also, the same grading, if any would be required for the mitigation measure improvements. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**
- f) Otherwise substantially degrade water quality?**

As discussed in the Final EIR, and threshold a) and b) above, potential impacts on water quality during construction activities would be reduced through compliance with all applicable regulations and compliance with NPDES requirements and creation of a SWPPP. The SWPPP will be implemented during CVBMP construction to prevent water quality impacts from construction activities. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the proposed improvements would occur in the same locations and subject to the same suite of regulations regarding stormwater runoff, storm drain capacity, and water quality. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

As described in the Final EIR, the CVBMP area is located in an area designated by the Federal Emergency Management Agency (FEMA) as Zone X, meaning the land is within an area of a 500-year flood or an area protected by levees from a 100-year flood. In addition, a Sea Level Rise Assessment (SLRA) was prepared for the 3<sup>rd</sup> Addendum to the Final EIR.<sup>5</sup> The SLRA determined that given the sea level rise assumptions for the Chula Vista Bayfront as well as the road and pad elevations, the CVBMP would not result in increased flooding hazards associated with sea level rise.

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<sup>5</sup> Environmental Science Associates. 2020. Chula Vista Bayfront Harbor Park Final Sea-Level Rise Analysis. February.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. This is because the proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, no new impacts would occur. Thus, development of the proposed text modifications would not alter an existing 100- year floodplain or would place structures within a 100-year flood hazard area. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

As described above, the Project site is not located within a 100-year flood zone. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Therefore, because the proposed text modifications would not introduce new buildings within a 100-year flood zone or an area susceptible to sea level rise, the proposed text modifications would not result in a flooding hazard area, which would impede or redirect flood flows. Thus, the proposed text modifications would not alter an existing 100-year floodplain or would place structures within a 100-year flood hazard area which would impede or redirect flood flows. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

As described in the Final EIR, the CVBMP area is located in an area designated by FEMA as Zone X, meaning the land is within an area of a 500-year flood or an area protected by levees from a 100- year flood. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, no new impacts would occur. Thus, development of the proposed text modifications

would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**j) Inundation by seiche, tsunami, or mudflow?**

As described in the Final EIR, the CVBMP area is located in an area designated by FEMA as Zone X, meaning the land is within an area of a 500-year flood or an area protected by levees from a 100-year flood. In addition, a SLRA was prepared as part of the 3<sup>rd</sup> Addendum to the Final EIR. The SLRA determined that given the sea level rise assumptions for the Chula Vista Bayfront as well as the road and pad elevations, the CVBMP would not result in increased flooding hazards associated with sea level rise. The Project site is located approximately 0.4-mile from the coastline, where proposed Project components would be outside the areas susceptible to sea level rise. Additionally, as discussed in the Final EIR, the primary areas of potential flood hazards in the CVBMP area are the low-lying portions and tributary areas of the Sweetwater and Otay river valleys.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, no new impacts would occur. Based on the characteristics of the modifications, the proposed text modifications would not have the potential to expose 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 mudflows. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.9.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to hydrology and water quality. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new hydrology and water quality conditions that have been identified within the vicinity of the Project.

#### **4.9.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to hydrology and water quality would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to hydrology and water quality

as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.10 Land Use and Planning

### XI. LAND USE AND LAND USE PLANNING — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict 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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with an applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.10.1 Project Analysis

#### Would the project:

##### a) Physically divide an established community?

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, there would be no potential for established communities to be physically divided by the improvements. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

##### b) Conflict 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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

As determined in the Final EIR, Mitigation Measures 4.1-1 and 4.1-2 would reduce impacts to wetlands to be less than significant but impacts related to inadequate library facilities (General Plan objective PFS 11) and aesthetics and visual resources (General Plan objective LUT 11) would be significant and unavoidable.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the proposed text modifications would result in the same improvements occurring within the same area analyzed under the Final EIR and thus, no new impacts would occur. Therefore, the proposed text modifications 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. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Conflict with any applicable habitat conservation plan or natural community conservation plan?**

As stated in the Final EIR, the District's San Diego Bay Integrated Natural Resources Management Plan is not a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and applies to water-related activities rather than land development. Therefore, this criterion does not apply to lands within the District's jurisdiction. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since no such plans are applicable to the Project area irrespective of the timing of transportation improvements. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.10.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to land use and planning. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new land use and planning have been identified within the vicinity of the Project.

#### **4.10.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to land use and planning would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to land use and planning as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.11 Mineral Resources

### XII. MINERAL RESOURCES — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.11.1 Project Analysis

**The following analysis is applicable to thresholds a) and b)**

As discussed in Section 4.15 of the Final EIR, no significant economic mineral resources have been discovered within the limits of the CVBMP area. Therefore, the potential for loss of mineral deposits due to further development of the CVBMP is considered low. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR, as no areas containing mineral resources would be affected by the proposed transportation improvements irrespective of the timing of their implementation. The future implementation of the mitigation measures revised as part of the proposed text modifications 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 mitigation measures would be required.

#### **4.11.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to mineral resources. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new mineral resources have been identified within the vicinity of the Project.

#### **4.11.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to mineral resources would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to mineral resources as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.12 Noise

### XIII. NOISE — Would the project result in:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration, or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

## 4.12.1 Project Analysis

**Would the project result in:**

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or noise ordinance, or applicable standards of other agencies?**

As discussed in the Final EIR, construction would occur between 7:00 a.m. and 10:00 p.m., Monday through Friday, and between 8:00 a.m. and 10:00 p.m. on Saturday and Sunday, in accordance with the City noise ordinance. The Final EIR indicated the types of construction equipment typically involved in construction and can individually generate noise levels that range between 78 and 91 A-weighted decibels (dB[A]) at 50 feet from the source and that ground-clearing activities generally generate the greatest average construction noise levels. These activities are estimated to generate average noise levels of 83 to 85 dB(A) Leq. As stated in the Final EIR, sensitive receptors could be exposed to construction noise levels of 85 dB(A) Leq, depending upon the location of the construction relative to the sensitive user. Furthermore, construction related traffic noise would result in exterior noise levels at proposed residential sites that would exceed 60 dB(A) Community Noise Equivalent Level (CNEL) and could result in interior noise levels that could exceed 45 dB(A) CNEL even with standard construction practices. As described in the Final EIR, construction noise during development of CVBMP could affect the sensitive uses. As such, noise impacts assessed in the Final EIR would result in a potentially significant impact. Additionally, as discussed within the Final EIR, traffic on area roadways would be expected to generate noise levels at ground level sensitive receptors in excess of the City's residential exterior standard of 65 dB(A) CNEL and future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact. Mitigation measures addressing construction-related noise would be implemented, as applicable, under the proposed text modifications, and which would include Mitigation Measures 4.7-1, 4.7-5, and 4.7-7 through 4.7-9.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. As such, because they would not measurably modify the intensity and location of construction activities relative to sensitive receptors in the Project area, the proposed text modifications would not expose persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies beyond that analyzed in the Final EIR. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Exposure of persons to or generation of excessive groundborne vibration, or groundborne noise levels?**

As discussed in the Final EIR, the CVBMP does not propose uses that generate groundborne vibration or groundborne noise levels. Therefore, the proposed text modifications would not generate or expose persons to excessive groundborne vibration or groundborne noise levels at buildout. No new or exacerbated impacts would occur, and no new mitigation is required. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

As shown in the Final EIR, traffic on area roadways would be expected to generate noise levels at ground level sensitive receptors in excess of the City's residential exterior standard of 65 dB(A) CNEL and future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the potential changes to the timing of construction activities associated with the transportation improvements (i.e., short-term construction noise) would not have any effect on long-term permanent ambient noise levels in the Project area during operation. As such, the proposed text modifications would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

As discussed in the Final EIR, construction would occur between 7:00 a.m. and 10:00 p.m., Monday through Friday, and between 8:00 a.m. and 10:00 p.m. on Saturday and Sunday, in accordance with the City noise ordinance. The Final EIR indicated the types of construction equipment typically involved in construction and can individually generate noise levels that range between 78 and 91 dB(A) at 50 feet from the source and that ground-clearing activities generally generate the greatest average construction noise levels. These activities are estimated to generate average noise levels of 83 to 85 dB(A) Leq. As stated in the Final EIR, sensitive receptors could be exposed to construction noise levels of 85 dB(A) Leq, depending upon the location of the construction relative to the sensitive user. Furthermore, construction related traffic noise would result in exterior noise levels at proposed residential sites that would exceed 60 dB(A) CNEL and could result in interior noise levels that could exceed 45 dB(A) CNEL even with standard construction practices. As described

in the Final EIR, construction noise during development of CVBMP could affect the sensitive uses. As such, noise impacts assessed in the Final EIR would result in a potentially significant impact.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since despite the potential changes in the timing of implementation of the required transportation improvements, the location, nature, and intensity of the associated construction activities (and resulting noise generation) would not vary substantially from those assumed in the Final EIR. As such, the Project would not result in a substantial temporary increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

As discussed in the Final EIR, the CVBMP area is not located within two miles of an airport land use plan, or where such a plan has been adopted. Therefore, no impact would occur regarding exposing people residing or working in the project area to excessive noise levels relating to an airport. The required transportation improvements would occur within the same area under the proposed text modifications as was analyzed under the Final EIR and thus, no new impacts related to airport noise would occur. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**f) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels??**

As discussed in the Final EIR, the CVBMP area is not located within two miles of a private airstrip. Therefore, no impact would occur regarding exposing people residing or working in the project area to excessive noise levels relating to an airport. The required transportation improvements would occur within the same area under the proposed text modifications as was analyzed under the Final EIR and thus, no new impacts related to airport noise would occur. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

## 4.12.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to noise. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new noise levels or conditions have been identified within the vicinity of the Project.

## 4.12.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to noise would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to noise as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.13 Population and Housing

### XV. POPULATION AND HOUSING — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Induce 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displaces substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.13.1 Project Analysis

#### Would the project:

a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR, as the proposed text modifications would not affect population growth in the area as was the case for the Project. As such, impacts related to substantial population growth, directly or indirectly, would remain less than significant. No new population or housing impacts would occur. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Development of the CVBMP would introduce more intensified nearby land uses with residential, hotels, commercial/retail uses, and the Resort Conference Center. The Final EIR determined that with implementation of mitigation measure MM 4.17-1, which requires that the redevelopment agency use all low and moderate income housing funds generated by the CVBMP for the production of affordable housing units, impacts would be less than significant. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the transportation improvements would have the same potential to displace housing irrespective of the relative timing of construction. The proposed text modifications would not result in new impacts or exacerbate previously identified impacts related to displacing existing housing. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the transportation improvements would not have the potential to displace any people irrespective of the relative timing of construction. The proposed text modifications would not result in new impacts or exacerbate previously identified impacts related to displacing people. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.13.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to population and housing. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new population and housing have been identified within the vicinity of the Project.

### 4.13.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to population and housing would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to population and housing as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.14 Public Services

### XVI. PUBLIC SERVICES — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Would the project result 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 public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

## 4.14.1 Project Analysis

Would the project:

a) **Would the project result 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 public services:**

**Fire Protection?**

**Police Protection?**

**Schools?**

**Parks?**

**Other public facilities?**

As discussed in the Final EIR, police, fire, and emergency medical services within the District'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 CVBMP area is currently provided by the Chula Vista Police Department, pursuant to the Service Agreement between the District and City for non-ad valorem properties.

Per the Final EIR, the CVBMP area is currently underserved by the current fire station network. As a result, 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. Environmental impacts resulting from construction of the proposed fire station on Parcel H-17 were analyzed throughout the Final EIR, and as part of the CVBMP, the fire station would reduce any program level impacts to below a level of significance.

Regarding police services, the Final EIR determined that establishing a Bayfront beat of up to six additional police officers along with related equipment would maintain current response times for service without increased travel time during Phase I. For development of Phases II through IV, the Final EIR determined that additional staffing and equipment may be required for police protection services at the CVBMP area. This additional staffing and equipment would be provided by the City and/or other funding agreements. The existing police station located at Fourth Avenue and F Street would be sufficient to accommodate additional officers needed to meet the law enforcement needs created by the increased demand associated with the CVBMP. Through additional staffing and equipment, to be provided by the City and/or other funding agreements, the proposed CVBMP would not result in significant impacts to police protection. The Project with the proposed text modifications would involve a similar level of need for police or fire services compared to what

was analyzed in the Final EIR since the improvements would not generate a need for additional services or facilities irrespective of when they are constructed.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the improvements do not themselves increase demands for public services whether constructed at one time or another, and emergency access would be maintained throughout construction activities. Additionally, the text changes require frontage roads and safety, police and fire access to newly developed parcels if they do not exist. Moreover, no impact shall occur without the corresponding mitigation measure being implemented to ensure adequate delivery of EMS, police and fire to each site.

As such, the proposed text modifications would not result in any new or more severe significant public services impacts from those previously identified in the Final EIR, and no additional mitigation is required. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.14.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to public services. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new public services have been identified within the vicinity of the Project.

#### **4.14.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to public services would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to public services as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.15 Recreation

### XVII. RECREATION:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Would the 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.15.1 Project Analysis

#### Would the project:

a) **Would the 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?**

Implementation of the proposed Project would not increase demand on surrounding parkland and recreational facilities which in turn would require the construction of new recreational facilities. In addition, implementation of the CVBMP would provide a variety of additional recreational facilities, distributing park and recreation types and facilities throughout the Project area. Therefore, the proposed text modifications would not result in or accelerate substantial physical deterioration of existing recreational facilities because the changes in the timing of the construction of required transportation improvements would not notably affect the use of parks and recreational facilities. As such, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

The Final EIR 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. However, since the proposed Project would not include the development of any housing or motel/hotel units, this standard does not apply to the proposed Project.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the transportation improvements would not include the construction of parks or recreational facilities. Therefore, the proposed text modifications would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.15.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to recreation. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new recreational resources have been identified within the vicinity of the Project.

#### **4.15.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to recreation would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to recreation as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.16 Transportation/Traffic

### XVIII. TRANSPORTATION/TRAFFIC — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

## 4.16.1 Project Analysis

**Would the project:**

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**
- f) **Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities**

As discussed in the Final EIR, the CVBMP is designed to encourage the use of alternate transportation by including the H Street transit center, bike and pedestrian pathways, water taxis, and a private employee parking shuttle.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the same improvements would be implemented in the same locations but would potentially be constructed at different times in anticipation of development. Additionally, the text changes ensure that no traffic or circulation impacts shall occur without the corresponding mitigation measure being implemented. As such, the proposed text modifications would not conflict with program plan, ordinance or policy addressing the circulation system, including mass transit, roadway, bicycle and pedestrian facilities. No new impacts would occur, and no previously identified impacts would be exacerbated.

**b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR because the timing of the implementation of transportation improvements would be tied specifically to development triggering the need for the mitigation but the improvements themselves would remain the same. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. Therefore, no changes in air traffic patterns would occur as a result of the proposed text modifications. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

As determined in the Final EIR, development of the Project components without adequate access and frontage could result in a significant impact (4.2-1) related to roadway design, however, with implementation of Mitigation Measure 4.2-1, this impact would be less than significant.

The proposed text modifications would not include any hazardous design features. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR as the same improvements would be implemented, ostensibly with the same design, such that no new hazards would result. Therefore, the proposed text modifications 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.

**e) Result in inadequate emergency access?**

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the specific timing of the transportation improvements would not measurably affect emergency vehicle access at any given location while construction is occurring. Moreover, no impact shall occur without the corresponding mitigation measure being implemented, so road and segment improvements will occur to provide adequate emergency access. The text changes also require frontage roads and safety, police and fire access to newly developed parcels if they do not exist. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.16.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to transportation and traffic. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new transportation or traffic conditions have been identified within the vicinity of the Project.

### 4.16.3 Conclusion

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to transportation and traffic would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to transportation and traffic as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.17 Tribal Cultural Resources

### XVIII. TRIBAL CULTURAL RESOURCES

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Listing or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) or				
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.17.1 Project Analysis

**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 California Native American tribe, and that is:**

a) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

As the tribal cultural resources section was not a part of Appendix G at the time the Final EIR was drafted, this issue was not analyzed in the Final EIR. As discussed on pg. 4.10-3 of the Final EIR, a records search was conducted for the entire CVBMP area and only two archeological sites were found, including the Coronado Belt Line Railroad Line Right-of-Way. The entire CVBMP area has

been disturbed by previous historic and modern activities. As such, it is not anticipated that any resources listed or eligible for listing in the California Register of Historic Resources or in a local register of historical resources would be encountered in the CVBMP area.

In addition, pursuant to California Public Resources Code, Section 21080.3.1 (AB 52), California Native American tribes traditionally and culturally affiliated with the Project site can request notification of projects in their traditional cultural territory. The District has not received a request for project notification from any local Native American tribes or any specific notification requests from tribes in regard to the proposed text modifications.

However, as there is potential to encounter historically important resources during ground-disturbing activities, measure MM 4.10 would be implemented during construction of the proposed text modifications, thus reducing any potential impacts to tribal cultural resources to a less-than-significant level.

**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. In applying the 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 discussed above, a records search was conducted for the entire CVBMP area, and only two archeological sites were found, including the Coronado Belt Line Railroad Line Right-of-Way. The entire CVBMP area has been disturbed by previous historic and modern activities. As such, it is not anticipated that any resources listed or eligible for listing in the California Register of Historic Resources or in a local register of historical resources would be encountered in the CVBMP area. However, as there is potential to encounter historically important resources during ground-disturbing activities, measure MM 4.10 would be implemented during construction of the proposed text modifications, thus reducing any potential impacts to tribal cultural resources to a less-than-significant level.

#### **4.17.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to tribal cultural resources. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new tribal cultural resources have been identified within the vicinity of the Project.

#### **4.17.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to tribal cultural resources would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to tribal cultural resources as a

result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.18 Utilities and Service Systems

### XX. UTILITIES AND SERVICE SYSTEMS — Would the project:

	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

## 4.18.1 Project Analysis

**Would the project:**

**a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

The proposed text modifications would not generate wastewater, but any future development would be required to comply with all wastewater treatment requirements of the San Diego Regional Water Quality Control Board. Therefore, the proposed text modifications would not have the potential to result in any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

As stated in the Final EIR, the CVBMP (all phases included) would use an average of 2.020 million gallons per day (MGD), or 2,262.7 acre-feet per year. It was determined in the Final EIR 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 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 Final EIR 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 proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the proposed transportation improvements would not have any effect on impacts associated with construction of new water or wastewater facilities, irrespective of the timing of implementation. It should be noted that while some infrastructure improvements such as water and sewer lines may be constructed concurrent with, with or prior to, roadway system improvements (for cost efficiency and other reasons), the changes in timing of implementation of the affected water and sewer system improvements would not be expected to increase impacts associated with their construction in the same manner that the changes in the timing of the transportation system improvements themselves would not lead to additional or exacerbated impacts. The proposed text modifications would not require or result in the construction of new water or wastewater treatment facilities or would expand existing facilities. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the proposed transportation improvements would require the same storm drainage facilities, irrespective of the timing of implementation. The proposed text modifications would not require or result in the construction of new storm water drainage facilities or would expand existing facilities. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new expanded entitlements needed?**

The Final EIR concluded that the CVBMP level of water demand is expected to fall within the level of water demand included in San Diego County Water Authority's 2005 Urban Water Management Plan. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the proposed transportation improvements would have comparable demands for water during construction, irrespective of the timing of implementation. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

As discussed in the Final EIR, the CVBMP would be expected to generate a total average flow of approximately 1.328 MGD and an approximate peak flow of 2.578 MGD. The City anticipates a future sewage generation rate of 26.2 MGD, which would require an additional needed capacity of 5.336 MGD after 2031 (buildout). This results from all the projects envisioned in the current General Plan. Because the City does not have capacity for future sewage generation, the City would not have adequate capacity to serve the additional 1.328 MGD generated by the CVBMP. Although additional capacity is being negotiated in the MWD sewer interceptor, the capacity is currently not available, resulting in a significant impact to wastewater treatment.

The proposed text modification include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures- and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the proposed transportation improvements would not generate wastewater irrespective of when they are constructed. Therefore, the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

As stated in the Final EIR, 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 proposed Project's solid waste disposal needs, and no significant impact to integrated waste management services would result.

The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure's implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR since the proposed transportation improvements would result in comparable solid waste generation, irrespective of the timing of implementation. Therefore, no new or worsened impacts are anticipated related to landfill capacity with implementation of the proposed text modifications. No new mitigation would be required and the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

**e) Comply with federal, state, and local statutes and regulations related to solid waste?**

Similar to the originally approved plan, the Project with the proposed text modifications would comply with local regulations through consistency with City of Chula Vista General Plan goals, policies, and objectives. Furthermore, the Project would be required to comply with AB 939, which requires diversion of 50 percent of construction and demolition waste. As such, no new or worsened impacts would occur related to compliance with federal, state, and local regulations related to solid wastes and the Project would not have any new significant impacts or create substantially more severe impacts than identified in the Final EIR.

#### **4.18.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to utilities and service systems. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new utilities and service systems have been identified within the vicinity of the Project.

#### **4.18.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts to utilities and service systems would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts to utilities and service systems as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

## 4.19 Mandatory Findings of Significance

### XXII. MANDATORY FINDINGS OF SIGNIFICANCE

<i>Issues (and Supporting Information Sources):</i>	<i>New Potentially Significant Impact</i>	<i>New Information of Substantial Importance</i>	<i>Less than Significant Impact/No Substantial Change From Previous Analysis</i>	<i>Reduced Impact compared to Previous Analysis</i>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following discussion includes an overview of what was analyzed in the Final EIR, a summary of project changes, and a summary of changes in circumstances or new information. The conclusion below includes a statement on whether any new impacts or a substantial increase in previously identified impacts exists and whether the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162 are met.

### 4.19.1 Project Analysis

a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Similar to the CVBMP, the Project with the proposed text modifications would include future ground-disturbing activities to implement the roadway improvements associated with the transportation mitigation measures. As such, mitigation measures MM 4.8-1, 4.8-3, 4.8-6, 4.8-23, and 4.10 would be applied to the implementation of proposed text modifications to reduce any construction-related impacts on biological and cultural resources. As discussed in Section 4.4, the future implementation of the proposed text modifications would potentially result in significant impacts to special-status species and movement of any native resident or migratory wildlife species. However, with incorporation of mitigation measures outlined in Section 4.4, all potentially significant impacts would be reduced to a level below significance. Thus, the Project would not substantially degrade the quality of the environment, impact fish or wildlife species, or plant communities. As discussed in Section 4.5, implementation of the CVBMP and the proposed text modifications are not anticipated to result in direct impacts to cultural resources in the CVBMP area. However, because future ground-disturbing activities would have the potential to encounter historic and archaeological resources, measure MM 4.10 would be implemented during construction of the proposed text modifications to ensure appropriate implementation and enforcement in the event cultural resources are discovered. Therefore, the proposed text modifications would not result in a significant impact to cultural resources, including examples of major periods of California history or prehistory, within the Project area.

b) **Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

As discussed in the Final EIR, the CVBMP would result in cumulative impacts to aesthetics, air quality, marine biological resources, energy, GHG emissions, schools, library services, wastewater, and transportation and traffic. The proposed text modifications include refinements to the text of the adopted transportation mitigation measures associated with Phases II through IV of the CVBMP development to help clarify the timing of the impact triggering each mitigation measure’s implementation, in order to better articulate when the associated mitigation measure should be implemented. The physical changes associated with the implementation of the mitigation measures and conditions under which implementation of the mitigation measures would occur would be similar to what was previously analyzed in the Final EIR. As such, the Project would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

The proposed text modifications would not cause a substantial adverse effect on human beings beyond what was analyzed in the Final EIR, since the timing of the proposed transportation improvements would not measurably change the potential effects on human beings associated with their construction provided they are carried out in accordance with applicable regulations and with implementation of applicable mitigation measures. As such, the Project would not result in any new or more severe significant impacts related to this topic, and no additional mitigation is required.

#### **4.19.2 Substantial Changes with Respect to the Circumstances under Which the Project is Undertaken/New Information of Substantial Importance**

There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to mandatory findings of significance. No substantial changes in the environment have occurred since certification of the Final EIR, and no substantial new effects related to mandatory findings of significance have been identified within the vicinity of the Project.

#### **4.19.3 Conclusion**

Based on the discussion above, no new significant impacts or a substantial increase in previously identified impacts related to mandatory findings of significance would occur as a result of the proposed text modifications in relation to the Final EIR. Therefore, the impacts related to mandatory findings of significance as a result of the proposed text modifications do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

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# CHAPTER 5

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## Assessment of Changes in Potential Impacts

Section 15164 of the State CEQA Guidelines identifies the circumstances that permit the completion of an addendum. The State CEQA Guidelines state that, “The lead agency or 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.” The State CEQA Guidelines also require that 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 findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

An explanation of why none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred is provided below.

- (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.*

As analyzed in Section 4 of this Addendum, no substantial changes are proposed 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 Final EIR are not required to reflect the proposed Project changes.

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

As analyzed in Section 4 of this Addendum, the proposed Project would not involve any new significant environmental effects or 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 or the Negative Declaration was adopted, shows any of the following:*
  - A. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration.*

There is no evidence to suggest that the changes contemplated by this Addendum would result in any new or more significant impacts on the environment. The proposed text modifications have not

changed in a way that would result in a significant physical impact on the environment that is different from the potential impacts identified in the Final EIR. All previously identified mitigation measures and Development Policies contained in the Final EIR's Mitigation Monitoring and Reporting Program applicable to the Project remain in effect and applicable per their terms.

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

None of the effects identified in this Addendum would be substantially more severe than those identified in the Final EIR. All of the effects identified in this Addendum would be similar to those identified in the Final EIR.

*C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.*

The proposed text modifications have not changed in any way that would allow for significant physical changes in the environment beyond those already contemplated, analyzed, and disclosed in the Final EIR. The modifications to the proposed Project have no effect on the mitigation measures contemplated during preparation of the Final EIR, and no mitigation measures previously found not to be feasible would become feasible with the proposed text modifications. Furthermore, all previously identified mitigation measures and Development Policies contained in the Final EIR's Mitigation Monitoring and Reporting Program applicable to the proposed Project remain in effect and applicable per their terms.

*D. Mitigation measures 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.*

This Addendum concluded that there would be no change to the significant impacts identified in the Final EIR that would result from the clarification proposed in the proposed text modifications. No additional mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR have been identified that would substantially reduce the significant impacts identified in the Final EIR. All previously identified mitigation measures and Development Policies contained in the Final EIR's Mitigation Monitoring and Reporting Program applicable to the Project remain in effect and applicable per their terms.

# CHAPTER 6

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## Conclusion

Based on this analysis and the information contained in this Addendum, there is no evidence that the proposed text modifications require major changes to the Final EIR, and only minor modification and clarifications in the scope of the Project need to be documented. Comparison of the permitted development within the Final EIR and the proposed text modifications subsequent to the certification of the Final EIR indicates that the Project would not result in a new significant impact or substantial increase in the severity of previously identified impacts in the Final EIR. There are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the Final EIR was certified has since been identified. Therefore, the proposed minor modifications to the Project do not meet the standards for a subsequent or supplemental EIR as provided pursuant to CEQA Guidelines, Section 15162. As such, this Addendum to the Final EIR satisfies CEQA requirements for the proposed text modifications.

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# CHAPTER 7

## Preparers

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### **Summit Planning Group**

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### **Environmental Science Associates**

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# **Appendix A**

## **Applicable Mitigation Measures from the Final EIR**

Significant Impact	Mitigation Measure	Section
4.1-1: During Phase III, the Proposed Project could impact CCC wetlands on HP- 13B, through development within the Coronado Railroad ROW, and on HP-7 during Phase II. These impacts would be significant.	<p><b>Mitigation Measure 4.1-2</b></p> <p><b>Port:</b></p> <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>	Land Use/Water Compatibility
4.1-6: The Proposed Project would not conform to the adopted MSCP Subarea Plan unless an HLIT Permit is obtained for the development on Parcels H-13, H-14, H-15, and HP-5.	<p><b>Mitigation Measure 4.1-4</b></p> <p><b>City:</b></p> <p>Prior to issuance of any permit for clearing, grubbing, or grading, the project applicant shall be required to obtain an HLIT 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>	Land Use/Water Compatibility
4.2-21: The Phase II roadway segment of H Street (Street A to I-5 ramps) will experience congested LOS F conditions and will require mitigation.	<p><b>Mitigation Measure 4.2-12</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-21, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-21, then prior to the issuance of <u>the first certificate of occupancy for the development</u>, the applicant shall widen H Street between Street A and I-5 Ramps to a five-lane Major Street, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-21 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision</u>. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement</p>	Traffic and Circulation

Significant Impact	Mitigation Measure	Section
	<p>will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-21 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
<p>4.2-22: 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.</p>	<p><b>Mitigation Measure 4.2-13</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-22, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-22, then prior to the issuance of the <b>first certificates of occupancy</b> for the development, the applicant shall widen J Street between Street A to I-5 Ramps to a six-lane Major Street, or shall implement a similar measure(s) that would reduce Significant Impact 4.2- 22, based on the methodologies, thresholds and standards outlined in Section 4.2.3 <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-22 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Traffic and Circulation</p>
<p>4.2-23: The Phase II roadway segment of Street A (Street C to J Street) would experience congested LOS F conditions and would require mitigation.</p>	<p><b>Mitigation Measure 4.2-14</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-23, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2- 23, then prior to the issuance of the <b>first certificates</b> of occupancy for the development, the applicant shall widen Street A between Street C and J Street to a four-lane Class I Collector, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-23 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the fist building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-23 to below a level of significance.</p>	<p>Traffic and Circulation</p>

Significant Impact	Mitigation Measure	Section
	<p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
<p>4.2-24: 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.</p>	<p><b>Mitigation Measure 4.2-15</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-24, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-24, then prior to the issuance of the <u>first certificate</u><u>certificates</u> of occupancy for the development, the applicant 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 shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-24 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
<p>4.2-25: 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.</p>	<p><b>Mitigation Measure 4.2-16</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-25, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-25, then prior to the issuance of the <u>first certificate</u><u>certificates</u> of occupancy for the development, the applicant shall construct a westbound and eastbound through lane along J Street at the intersection of J Street and Bay Boulevard, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-25 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-25 to below a level of significance.</p>	Traffic and Circulation

Significant Impact	Mitigation Measure	Section
	<p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
<p>4.2-26: 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.</p>	<p><b>Mitigation Measure 4.2-17</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-26, then prior to the issuance of the <a href="#">first certificate certificates</a> of occupancy for the development, the applicant shall construct a traffic signal at the intersection of H Street and Street A, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-26 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. <a href="#">and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</a> As a condition of project approval, the Applicant, prior to first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-26 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Traffic and Circulation</p>
<p>4.2-27: 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.</p>	<p><b>Mitigation Measure 4.2-18</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-27, then prior to the issuance of the <a href="#">first certificate certificates</a> of occupancy for the development, the applicant shall construct a traffic signal at the intersection of J Street and Marina Parkway, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-27 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. <a href="#">and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</a> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-27 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements</p>	<p>Traffic and Circulation</p>

Significant Impact	Mitigation Measure	Section
	would be subject to verification that the improvement is included in the BFDIF as well as available funding.	
4.2-28: 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.	<p><b>Mitigation Measure 4.2-19</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-28, then prior to the issuance of the <b>first certificate certificates</b> of occupancy for the development, the applicant 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 shall implement a similar measure(s) that would reduce Significant Impact 4.2-28 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-28 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
4.2-31: Development of Phase III components without adequate roadway access and frontage would result in a significant impact.	<p><b>Mitigation Measure 4.2-20</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-31, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-31, then prior to the issuance of the <b>first certificate certificates</b> of occupancy for the development, the applicant 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>In addition, the Applicant 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 or shall implement a similar measure(s) that would reduce Significant Impact</p>	Traffic and Circulation

Significant Impact	Mitigation Measure	Section
	<p>4.2-31 to less than significant, based on the standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> This mitigation would reduce Significant Impact 4.2-31 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
<p>4.2-32: 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.</p>	<p><b>Mitigation Measure 4.2-21</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-32, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-32, then prior to the issuance of the <b>first certificate of occupancy</b> for the development, the applicant shall widen Street A between H Street and Street C to a four-lane Class I Collector, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-32 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-32 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
<p>4.2-33: 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.</p>	<p><b>Mitigation Measure 4.2-22</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-33, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-33, then prior to the issuance of the <b>first certificate of occupancy</b> for the development, the applicant shall construct an exclusive eastbound right-turn lane along J Street at the intersection of J Street and Bay Boulevard, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-33 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port</p>	Traffic and Circulation

Significant Impact	Mitigation Measure	Section
	<p>in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-33 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
<p>4.2-34: 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.</p>	<p><b>Mitigation Measure 4.2-23</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-34, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-34, then prior to the issuance of the <b>first certificate certificates</b> of occupancy for the development, the applicant shall construct an exclusive westbound right-turn lane along J Street at the intersection of J Street and I-5 NB Ramps, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-34 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-34 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
<p>4.2-38: Without additional improvements to H Street, conditions on H Street from Street A to I-5 would degrade to LOS F.</p>	<p><b>Mitigation Measure 4.2-24</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-38, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-38, then prior to the issuance of the <b>first certificate certificates</b> of occupancy for the development, the applicant shall construct E Street from the RCC Driveway to Bay Boulevard as a two-lane Class III Collector, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-38 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation</p>	Traffic and Circulation

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	<p>with the City Engineer. This mitigation would reduce Significant Impact 4.2-38 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
4.2-39: Development of Phase IV components without adequate roadway access and frontage would result in a significant impact.	<p><b>Mitigation Measure 4.2-25</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-39, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-39, then prior to the issuance of the <u>first certificate certificates</u> of occupancy for the development, the applicant 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-39 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port</u>. <u>The Port shall consult with the City Engineer prior to its final decision</u>. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
4.2-40: 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.  4.2-41: 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.	<p><b>Mitigation Measure 4.2-26</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 4.2-40 or 4.2-41, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impacts 4.2-40 or 4.2-41, then prior to the issuance of the <u>first certificate certificates</u> of occupancy for the development, the applicant shall widen E Street between F Street and Bay Boulevard to a four-lane Class I Collector, shall implement a similar measure(s) that would reduce Significant <u>Impacts 4.2-40 and 4.2-41 Impact 4.2-24</u> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port</u>. <u>The Port shall consult with the City Engineer prior to its final decision</u>. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a</p>	Traffic and Circulation

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	<p>bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>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, or shall implement a similar measure(s) that would reduce <u>Significant Impacts 4.2-40 and 4.2-41</u> <u>Significant Impact 4.2-24</u> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
4.2-42: 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.	<p><b>Mitigation Measure 4.2-27</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-42, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-42, then prior to the issuance of the <u>first certificate</u><del>certificates</del> of occupancy for the development, the applicant shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street, or shall implement a similar measure(s) that would reduce Significant Impact <u>4.2-42</u> <u>4.2-24</u> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>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.</p> <p>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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
4.2-43: Under Phase IV Plus Project conditions, the intersection of E Street and Bay Boulevard would be characterized by LOS F conditions	<p><b>Mitigation Measure 4.2-28</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation</p>	Traffic and Circulation

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during PM peak hours and would require mitigation.	<p>analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-43, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-43, then prior to the issuance of the <del>first certificate</del><ins>certificates</ins> of occupancy for the development, the applicant 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 shall implement a similar measure(s) that would reduce Significant Impact <del>4.2-43</del> <ins>4.2-24</ins> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <ins>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</ins> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-43 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
4.2-44: 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.	<p><b>Mitigation Measure 4.2-29</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-44, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-44, then prior to the issuance of the <del>first certificate</del><ins>certificates</ins> of occupancy for the development, the applicant shall construct an exclusive southbound right-turn lane along Bay Boulevard at the intersection of J Street and Bay Boulevard, or shall implement a similar measure(s) that would reduce Significant Impact <del>4.2-44</del> <ins>4.2-24</ins> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <ins>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</ins> As a condition of project approval, the Applicant shall provide, prior to issuance of the first building permit, a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-44 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	Traffic and Circulation
4.2-45: 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.	<p><b>Mitigation Measure 4.2-30</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to</p>	Traffic and Circulation

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	<p>determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-45, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2- 45, then prior to the issuance of the <del>first certificate</del><ins>certificates</ins> of occupancy for the development, the applicant shall construct a dual southbound left-turn lane along Street A, or shall implement a similar measure(s) that would reduce Significant Impact <del>4.2-45</del> <ins>4.2-24</ins> to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 <ins>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</ins> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-45 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	
4.5-2 Construction-related dewatering (as required during the construction of utilities, excavation of the wet wells and emergency storage vaults for the sewer lift stations) would withdraw water from the aquifer, which may be contaminated, depending on the location in the plan area. The potential to contaminate runoff conflicts with the Basin Plan and the water quality objectives for the Bay. The project's potential to disturb contaminated soils and groundwater during construction activities would be a significant impact.	<p><b>Mitigation Measure 4.5-2</b></p> <p><b>Port/City:</b></p> <p>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.</p> <p>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>	Hydrology and Water Quality
4.5-3 Although not expected to occur, a spill or unintentional discharge of fuel, lubricants, or hydraulic fluid from the equipment used during construction, including dredge and fill activities and construction of the H Street Pier, in a worst-case scenario would result in significant impacts on water quality.	<p><b>Mitigation Measure 4.5-3</b></p> <p><b>Port/City:</b></p> <p>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:</p> <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>	Hydrology and Water Quality

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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 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 that all local, state, and federal regulations regarding hazardous materials and emergency response have been or will be complied with.</li> </ul>	
4.6-1 Construction activities would result in significant air quality impacts for each of the criteria pollutants for all phases of the Proposed Project. Unmitigated PM <sub>10</sub> and PM <sub>2.5</sub> emissions are projected to exceed the standard during mass grading operations for each project phase. Construction emissions are projected to exceed the standards for NOx and reactive organic gases (ROG) during some years of construction, but not during others. These impacts would be potentially significant.	<p><b>Mitigation Measure 4.6-1</b> (Mitigation Measure 4.6-1 would reduce impacts to air quality identified in Significant Impacts 4.6-1 and 4.6-6.)</p> <p><b>Port/City:</b> 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, <i>Air Quality</i> for a list of Best Available Control Measures for Specific Construction Activities of the Final EIR.</p>	Air Quality
4.7-1: Noise from project construction on the Pacifica project site would be expected to exceed the wildlife noise threshold of 60 dB(A) Leq during the breeding season at habitat in the J Street Marsh, which could have an adverse affect on nesting birds within the marsh. This would be considered a significant impact.	<p><b>Mitigation Measure 4.7-1</b></p> <p><b>City:</b> 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>	Noise
4.7-2: Future noise levels at the outdoor usable areas for the Pacifica development could exceed 65 dB(A), resulting in a potentially significant impact.	<p><b>Mitigation Measure 4.7-2</b></p> <p><b>City:</b> 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><b>City:</b> 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</p>	Noise

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	summarized in <i>Table 4.7-15</i> and illustrated on <i>Figure 4.7-10</i> of Section 4.7, Noise would achieve these necessary reductions.	
4.7-8 Construction noise during subsequent phases of the project could affect the sensitive uses established through the development of Phase I. Subsequent analysis of construction noise impacts would be needed during the CEQA review process of Phases II through IV. Because subsequent phases of development could result in noise impacts that would affect uses created during Phase I of development, noise impacts are significant.	<p><b>Mitigation Measure 4.7-8</b></p> <p><b>Port/City:</b></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> <li>• 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.</li> </ul>	Noise
4.8-1 There is potential for raptors to nest on site during the nesting season of January 15 to July 31 within all districts during all phases of construction. All active raptor nests, regardless of state or federal listing status, are protected under the California Fish and Game Code Section 3503.5. Direct impacts to nesting raptors due to the removal of an active nest would be significant.	<p><b>Mitigation Measure 4.8-1</b></p> <p><b>Port/City:</b></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 preconstruction 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</p>	Biological Resources

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	bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint.	
4.8-2: Impacts to the western burrowing owl or any burrowing owl burrows may occur during implementation of program-level components in the Otay District on parcels in both the Port's and City's jurisdiction. The impacts would consist of the loss of burrowing owls and/or their nests, which may result from grading and construction activities during development of the Otay District. The potential loss of western burrowing owls and/or their nests would be a significant impact.	<p><b>Mitigation Measure 4.8-2</b></p> <p><b>Port/City:</b></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>	Biological Resources
4.8-3 There is a potential for a number of birds protected by the MBTA to nest within the open space and trees in the Port's and City's jurisdiction. Destruction or removal of active nests during the breeding season could occur during construction or grading activities. These impacts would be significant.	<p><b>Mitigation Measure 4.8-3</b></p> <p><b>Port/City:</b></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 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.</p>	Biological Resources
	<b>Mitigation Measure 4.8-5</b>	Biological Resources

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<p>4.8-6: Because of the proximity of the proposed project to the F &amp; G Street Marsh and the Sweetwater Marsh National Wildlife Refuge, there is a potential for impacts to special status bird species including California least tern, light-footed clapper rail, and western snowy plover. Impacts could result from the increased predation on special status bird species as a result of the creation of perch sites in areas that do not naturally contain such vantage points. Indirect effects would be significant because they would potentially result in increased predation, abandonment of nests or degradation of nesting and foraging habitat for the light-footed clapper rail, Belding's savannah sparrow, all raptor species, and migratory birds, which can ultimately cause a drop in population numbers of these species.</p>	<p><b>Mitigation Measure 4.8-6</b></p> <p><b>Port/City:</b></p> <p>A. 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 the 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 Final EIR.</p> <p>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:</p> <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>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.</p> <p>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:</p> <p>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</p>	<p>Biological Resources</p>

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	<p>areas adjacent to the habitat buffers, Preserve Areas, habitats, or open water shall provide adequate shielding with non-invasive plant materials (preferably native), berthing, 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 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.</li> <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>E. Noise.</p> <p><i>Construction Noise.</i> 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 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.</p>	

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	<p><i>Operational Noise.</i> 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><i>Fireworks.</i> 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 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 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. 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 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>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 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.</li> <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> </ul>	

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	<ul style="list-style-type: none"> <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 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 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 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.</li> </ul> <p>In addition, the following measures will apply:</p> <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</li> </ul>	

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	<p>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.</p> <ul style="list-style-type: none"> <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 Wildlife Habitat Areas is prohibited. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas.</li> <li>• 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>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.</p> <p><i>Buffers:</i> 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 recontoured 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 Harbor Police to report trespassing within the sensitive areas.</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>	

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	<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> <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><i>Strategic Fencing:</i></p> <p>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.</p> <p>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.</p> <p>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 enforced. Appropriate signage shall be posted indicating human and domestic animal access is prohibited within the designated Preserve areas.</p> <p>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, 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>Training. 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>I. Boating Impacts. All boating, human and pet intrusion must be kept away from F &amp; G</p>	

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	<p>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 navigation channels.</li> <li>Nothing in this mitigation measure shall preclude bona fide research, law enforcement, or emergency activities.</li> </ul>	
There was no significant impact identified; however, this measure provides further mitigation to reduce impacts to biological resources.	<p><b>Mitigation Measure 4.8-7</b></p> <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> <ul 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> <li>The Wildlife Habitat Areas are depicted on Exhibit 1 to the MMRP.</li> <li>No Touch Buffer areas as depicted on Exhibit 2 to the MMRP.</li> </ul>	Biological Resources

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	<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> <ul style="list-style-type: none"> <li>i. Long term protection, conservation, monitoring, and enhancement of: <ul 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> </ul> </li> <li>ii. Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.</li> <li>iii. Protection of nesting, foraging, and rafting wildlife from disturbance.</li> <li>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.</li> <li>v. Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.</li> </ul> <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> <ul 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 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.</li> <li>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.</li> </ul>	

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	<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> <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 overviews 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 overviews 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 overviews 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, overviews, 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.</li> </ul>	

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	<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 ad 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 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> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <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</p>	

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	<p>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> <ol style="list-style-type: none"> <li>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.</li> <li>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. <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> </li> <li>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</li> </ol>	

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	<p>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. <b>DISPUTE RESOLUTION REGARDING NRMP IMPLEMENTATION AND ENFORCEMENT.</b> 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.</p> <p>i. <b>PLAN ENFORCEMENT INFORMAL NEGOTIATIONS.</b> 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. <b>PLAN ENFORCEMENT FORMAL DISPUTE RESOLUTION, PHASE I.</b> 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</p>	

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	<p>be binding on the Disputing Party subject to any periodic review and/or approval by the CCC, if required by law.</p> <ol style="list-style-type: none"> <li data-bbox="840 306 1695 404">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.</li> <li data-bbox="840 412 1695 804">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.</li> <li data-bbox="808 820 1695 886">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.</li> </ol> <p>B. Additional Habitat Management and Protection:</p> <ol style="list-style-type: none"> <li data-bbox="756 935 1632 984">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: <ol style="list-style-type: none"> <li data-bbox="808 992 1695 1261">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.</li> <li data-bbox="808 1269 1695 1431">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. The Port will</li> </ol> </li> </ol>	

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	<p>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> <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>	

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	<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 (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> <ul style="list-style-type: none"> <li>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.</li> <li>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).</li> <li>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 FFER by the Port.</li> <li>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 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.</li> <li>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.</li> </ul> <p>E. Education: An environmental education program will be developed and implemented and will include the following:</p> <ul style="list-style-type: none"> <li>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.</li> </ul>	

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	<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> <ul 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> </ul> <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>	
4.8-16: The circulation roads and bridges proposed within the Port's jurisdiction in the Sweetwater and Harbor Districts would permanently impact 0.55 acre of USACE wetlands and non-wetland waters of the U.S. Impacts would be significant.	<p><b>Mitigation Measure 4.8-12</b></p> <p><b>Port:</b></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. <i>Table 4.8-8</i> 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>	Biological Resources

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	<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 may include percent canopy cover, percent of plant survival, and percent of native/nonnative 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>City:</b></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 <i>Table 4.8-9</i>. 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><b>Port/City:</b></p> <p><b>C.</b> 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</p>	

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	USACE as described above, with regard to areas that fall under the jurisdiction of USACE.	
4.8-23 The Port would also construct a bridge on E Street over the inlet to the F & G Street Marsh as part of the circulation element. The bridge would span the wetland and would indirectly impact approximately 0.01 acre of CCC wetland through shading. This impact would be significant.	<p><b>See Mitigation Measure 4.8-14</b></p> <p><b>Mitigation Measure 4.8-14</b></p> <p><b>Port:</b></p> <p>A. Mitigation for permanent direct and indirect (from bridge shading) impacts would be at a 2:1 ratio as detailed in Table 4.8-8 of the Final EIR.</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, 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><b>City:</b></p> <p>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 of the Final EIR.</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, monitoring and maintenance practices; and shall establish a 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>	Biological Resources

Significant Impact	Mitigation Measure	Section
<p>4.8-24: During implementation of program-level components, the Port/City would construct two additional bridges in the Otay District. This includes the Street A Bridge over the J Street Channel and the Street B Bridge over the Telegraph Canyon Channel. These bridges would result in indirect permanent impacts from shading to 0.05 acre of CCC wetland. These impacts would be significant.</p>	<p><b>Mitigation Measure 4.8-15</b></p> <p><b>Port:</b></p> <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 <i>Table 4.8-8</i>. 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 <i>Table 4.8-8</i> 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 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>Biological Resources</p>
<p>4.8-28: Additional road extensions are proposed in the Otay District. This includes Street A improvements, which would permanently impact 0.55 acre of the former industrial site in the process of remediation, and Street B improvements, which would impact 0.03 acre of potential CCC wetland. If CCC claims jurisdiction over these two areas, impacts would be significant. If CCC does not assert jurisdiction over these areas, these impacts would not be significant.</p>	<p><b>Mitigation Measure 4.8-17</b></p> <p><b>Port:</b></p> <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 <i>Table 4.8-8</i> 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 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</p>	<p>Biological Resources</p>

Significant Impact	Mitigation Measure	Section
	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.	
4.8-35: The bridge proposed to cross the HP-5 drainage ditch in the Harbor District would result in 0.03 acre of permanent indirect impact to southern coastal salt marsh. This impact would be significant. There would be 0.11 acre of permanent impact in the Sweetwater District during Phase I from improvements to the existing E Street. This consists of impact to 0.06 acre of mulefat/riparian scrub and 0.02 acre of southern coastal salt marsh from development within the road easement and 0.02 acre of mulefat/riparian scrub on Parcel SP-4. These impacts would be significant.	<p><b>Mitigation Measure 4.8-22</b></p> <p><b>City:</b></p> <p>A. 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 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.</p> <p>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. 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>	Biological Resources
4.10 There were no significant impacts to cultural resources identified for the Proposed Project, although the following measure is required.	<p>Although no impacts are anticipated, 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.</p> <p>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</p>	Cultural Resources, Tribal Cultural Resources

Significant Impact	Mitigation Measure	Section
	<p>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.</p>	
<p>4.11-1 Excavation in the Sweetwater District during Phases I through IV of the Proposed Project would result in direct and significant impacts to paleontological resources of the Bay Point Formation.</p>	<p><b>Mitigation Measure 4.11-1</b></p> <p><b>Port/City:</b></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> </ul> <p>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.</p> <p>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.</p>	<p>Geology and Soils</p>
<p>4.12-1 During excavation, construction and demolition activities associated with the Proposed Project, hazardous materials may be encountered within or adjacent to the boundaries of the site in the vicinity of several on-site areas of concern and three off-site areas of concern. Although excavation, demolition, and construction activities are short-term, the potential to encounter contamination during such activities associated with the proposed project is considered a significant impact.</p>	<p><b>Mitigation Measure 4.12-1</b></p> <p>(Implementation of Mitigation Measure 4.12-1 would reduce Significant Impacts 4.12-1, 4.12-3, 4.12-7, 4.12-12, 4.12-13, 4.12-17, and 4.12-18 to below a level of significance.)</p> <p><b>Port/City:</b></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>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</p>	<p>Hazards and Hazardous Materials</p>

Significant Impact	Mitigation Measure	Section
	<p>permit shall have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).</p> <p>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 ongoing 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>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 (ie., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation for 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 for 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 offsite 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.</p> <p>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.</p> <p>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.</p>	
4.12-2 Although not expected to occur, a spill or unintentional discharge of fuel, lubricants, or hydraulic fluid from the transportation of	<p><b>Mitigation Measure 4.12-2</b></p> <p><b>Port/City:</b></p>	Hazards and Hazardous Materials

Significant Impact	Mitigation Measure	Section
construction materials and/or the equipment used during construction, including dredge and fill activities would result in significant impacts on water quality in a worst-case scenario.	<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 (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, and 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.</p>	
4.12-8 In regards to operation of the signature park throughout the site, fertilizers and landscape chemicals may be used for regular maintenance activities. The potential for hazardous irrigation runoff to contaminate surface waters and/or habitat areas is considered a significant impact.	<p><b>Mitigation Measure 4.12-8</b></p> <p><b>Port/City:</b></p> <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>	Hazards and Hazardous Materials
4.14.1-4: Construction of major infrastructure on and off site would also result in temporary traffic impacts. Depending on the location (on site and off site), equipment, and type of work being performed, vehicular and pedestrian traffic may have to be rerouted, and/or slowed. This would be a temporary but significant impact for road segments and ROWs within the Project area and outside of the Project boundaries.	<p><b>Mitigation Measure 4.14.1-4</b></p> <p><b>Port/City:</b></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>	Utilities and Service Systems
6.5-11: The addition of Phase III traffic would result in a cumulative impact on the roadway segment of H Street between Street A to the I-5 Ramps, resulting in LOS D conditions. This impact would require mitigation. 6.5-12: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact on the intersection of H Street and I-5	<p><b>Mitigation Measure 6.5-2</b></p> <p>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. As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 6.5-11 and 12, based on the methodologies, thresholds,</p>	Cumulative Impacts

Significant Impact	Mitigation Measure	Section
Southbound ramps, resulting in LOS E conditions during the PM peak hours. This impact would require mitigation.	<p>and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that a proposed development will trigger Significant Impact 6.5-11 or 12, then to accommodate traffic from the project and to provide another route to I-5, the applicant, prior to issuance of the first certificate of occupancy <b>for the development</b>, 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, or implement similar improvement(s) which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3 <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <b>may</b> <b>would</b> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. This Mitigation would reduce Significant Impacts 6.5-11 and 6.5-12 to below a level of significance.</p>	
6.5-13: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact on the intersection of J Street and I-5 northbound ramps, resulting in LOS E conditions during the PM peak hours. This impact would require mitigation.	<p><b>Mitigation Measure 6.5-3</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-13, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5- 13, then prior to the issuance of the first certificate of occupancy, for the development, the <b>Port</b> applicant shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3 <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <b>may</b> <b>would</b> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-13 to below a level of significance.</p>	Cumulative Impacts
6.5-16: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact on the roadway segment of E Street (west of Bay Blvd). This segment will experience congested LOS D conditions and would require mitigation.	<p><b>Mitigation Measure 6.5-4</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-16, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall</p>	Cumulative Impacts

Significant Impact	Mitigation Measure	Section
	<p>compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-16, then prior to the issuance of the first certificate of occupancy for the development, the applicant shall widen E street between the RCC Driveway and Bay Boulevard to a two-lane Class II Collector, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <u>may</u> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-16 to below a level of significance.</p>	
6.5-17: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact to the roadway segment of Street A (H Street to Street C). This segment would experience congested LOS F conditions and would require mitigation.	<p><b>Mitigation Measure 6.5-5</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-17, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-17, then prior to the issuance of the first certificate of occupancy for the development, the applicant shall widen Street A between H Street and Street C to a four-lane Class I Collector, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <u>may</u> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-17 to below a level of significance.</p>	Cumulative Impacts
6.5-18: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact to the intersection of E Street and Bay Boulevard. This intersection would be characterized by LOS F conditions during the PM peak hours and would require mitigation.	<p><b>Mitigation Measure 6.5-6</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-18, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p>	Cumulative Impacts

Significant Impact	Mitigation Measure	Section
	<p>If it is determined that the development will trigger Significant Impact 6.5-18, then prior to the issuance of the <b>first</b> certificate of occupancy for the development, the applicant shall construct southbound left- and right-turn lanes at the intersection of E Street and Bay Boulevard, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <b>may</b> <b>would</b> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-18 to below a level of significance.</p>	
6.5-19: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact to the intersection of J Street and Bay Boulevard. This intersection would be characterized by LOS E conditions during the PM peak hours and would require mitigation.	<p><b>Mitigation Measure 6.5-7</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-19, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-19, then prior to the issuance of the <b>first</b> certificate of occupancy for the development, the applicant shall construct an exclusive eastbound right-turn lane at the intersection of J Street and Bay Boulevard, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant shall, prior to first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <b>may</b> <b>would</b> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-19 to below a level of significance.</p>	Cumulative Impacts
6.5-20: The addition of Phase III traffic with the extension of E Street would result in a cumulative impact to the intersection of J Street and I-5 northbound ramps. This intersection would be characterized by LOS E conditions during the PM peak hours and would require mitigation.	<p><b>Mitigation Measure 6.5-8</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-20, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5- 20, then prior to the issuance of the <b>first</b> certificate of occupancy, for the development, the applicant shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies,</p>	Cumulative Impacts

Significant Impact	Mitigation Measure	Section
	<p>thresholds, and standards outlined in Section 4.2.3 <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. <u>If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-20 to below a level of significance.</p>	
6.5-26: The addition of Phase IV traffic would result in a cumulative impact to the intersection of H Street and Woodlawn Avenue. This intersection would be characterized by LOS F conditions during both the AM PM peak hours and would require mitigation.	<p><b>Mitigation Measure 6.5-9</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5- 26, then prior to the issuance of the <u>first</u> certificate of occupancy, for the development, the applicant 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, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <u>may</u> <del>would</del> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.</p>	Cumulative Impacts
6.5-27: The addition of Phase IV traffic would result in a cumulative impact to the intersection of H Street and Broadway. This intersection would be characterized by LOS F conditions during the PM peak hours and would require mitigation.	<p><b>Mitigation Measure 6.5-10</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-27, <u>then prior to the</u> issuance of the <u>first</u> certificate of occupancy, for the development, the applicant shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p>	Cumulative Impacts

Significant Impact	Mitigation Measure	Section
	<p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. If the applicant is responsible for constructing the improvement, they <del>may</del><ins>would</ins> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>With mitigation, this intersection would still operate at LOS [Level of Service] 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.</p>	
<p>6.5-28: The addition of Phase IV traffic would result in a cumulative impact to the intersection of J Street and I-5 northbound ramps. This intersection would be characterized by LOS E conditions during the PM peak hours and would require mitigation.</p>	<p><b>Mitigation Measure 6.5-11</b></p> <p>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-28, then prior to the <del>issuance of the</del> <ins>first</ins> certificate of occupancy <del>for the development</del>, the applicant shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <del>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</del></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The improvement shall be implemented first building permit for the development that triggers the impact. If the applicant is responsible for constructing the improvement, they <del>may</del><ins>would</ins> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.</p>	Cumulative Impacts
<p>Applies to MM 4.2-12 through MM 4.2-30 as well as MM 6.5-2 through MM 6.5-11.</p>	<p><b>Mitigation Measure 6.5-12</b></p> <p>All developments within the Master Plan Area shall participate in the Bayfront Development Impact Fee (BFDIF) Program as a means to mitigate their portion of the identified transportation related impacts, both direct and cumulative.</p>	Cumulative Impacts
<p>6.8-1: Because of the air basin's non-attainment status for ozone, PM2.5, and PM10, the potential increase in residential units and the construction activities associated with the proposed project, the project would contribute to cumulative construction related air quality impacts.</p>	<p><b>Mitigation Measure 6.8-1</b></p> <p>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)).</p> <p>See Mitigation Measure 6.8-1 in <i>Chapter 6, Cumulative Impacts</i>, for a list of Best Available Control Measures for Specific Construction Activities.</p>	Cumulative Impacts

# **Appendix B**

## **Proposed Amended Mitigation Monitoring and Reporting Program**

### 3.0 MITIGATION MONITORING PROGRAM TABLE

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
MM 4.2-12	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-21, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-21, then prior to the issuance of the first certificate of occupancy for the development, 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 shall implement a similar measure(s) that would reduce Significant Impact 4.2-21 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-21.</p>				
MM 4.2-13	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-22, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-22, then prior to the issuance of the first certificate of occupancy for the development, the Port, Port tenant, or applicant, as appropriate, shall widen J Street between Street A to I-5 Ramps to a six-lane Major Street, or secure such construction to the satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-22, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-22.</p>				
MM 4.2-14	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-23, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-23, then prior to the issuance of the first certificate of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-23 to less than significant, based</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>on the methodologies, thresholds and standards outlined in Section 4.2.3, <u>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-23.</p>				
MM 4.2-15	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-24, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-24, then prior to the issuance of the first certificate of occupancy for the</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p><u>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 RCC Driveway, or secure such construction to the satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-24.</p>				
MM 4.2-16	<p><u>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-25, based on the methodologies, thresholds, and standards</u></p>	<p>Port, Port Tenant, or Applicant</p> <p><u>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</u></p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-25, then prior to the issuance of the <b>first certificate of occupancy for the development</b>, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-25 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><b>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</b></p> <p>*Applies to Significant Impact 4.2-25.</p>				
MM 4.2-17	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or</p>	<p>Port, Port Tenant, or Applicant</p>	<p>City Engineer Port or City depending on the</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-26, then prior to the issuance of the first certificate of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-26 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The traffic signal shall be constructed and operate the City Engineer. This mitigation would reduce Significant Impact 4.2-26 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to</p>	<p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p><u>jurisdiction of the development</u></p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-26.</p>				
MM 4.2-18	<p>Prior to the issuance of certificates of occupancy for any development in Phase II of the As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-27, then prior to the issuance of the first certificate certificates of occupancy for the development, the applicant development, the developer shall construct a traffic signal at the intersection of J Street and Marina Parkway, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-27 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The traffic signal shall be constructed and operate to the satisfaction of the City Engineer. This</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>mitigation would reduce Significant Impact 4.2-27 to below a level of significance.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-27.</p>				
MM 4.2-19	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p>If it is determined that the development will trigger Significant Impact 4.2-28, then prior to the issuance of the <u>first certificate</u> of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-28 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to <u>First issuance of the first Building Permit of the development that triggers the impact and the first</u> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-28.</p>				
MM 4.2-20	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-31, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-31, then prior to the issuance of the first certificate of occupancy for the development, the Port, Port tenants, or</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>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 <u>or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>In addition, prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, as appropriate the Applicant 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 <u>or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision</u></p> <p>However, at a minimum the applicant for the development shall construct roadway frontage and access associated with the parcel being proposed for development so that the parcel is not landlocked, provides continuous frontage access along B Street with adjacent parcels, and provides adequate access to the parcel, including safety, fire and police access.</p>				

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	<p>This mitigation would reduce Significant Impact 4.2-31 to below a level of significance.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-31.</p>				
MM 4.2-21	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-32, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 4.2-32, then prior to the issuance of the first certificate certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-32 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3 and to</u></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to <u>First issuance of the first Building Permit of the development that triggers the impact and the first</u> Certificate of Occupancy</p>	<p><u>City Engineer Port or City depending on the jurisdiction of the development</u></p>		

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	<p><u>the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-32.</p>				
MM 4.2-22	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-33, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-33, then prior to the issuance of the <u>first certificate</u> of occupancy for the development, the Port, Port tenants, or applicant, as appropriate, shall construct an</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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	<p>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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-33 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-33.</p>				
MM 4.2-23	<p>Prior to the issuance of certificates of occupancy for any development in Phase III of the development, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-34, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-34, then prior to the issuance of the <b>first certificate of occupancy for the development</b>, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-34 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-34.</p>				
MM 4.2-24	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, <b>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis.</b></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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	<p>which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-38, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-38, then prior to the issuance of the first certificate of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-38 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-38 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-38.</p>	<p>the impact and the first Certificate of Occupancy</p>			

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MM 4.2-25	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-39, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 4.2-39, then prior to the issuance of the first certificate of occupancy for the development, 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, <u>or shall implement a similar measure(s) that would reduce Significant Impact 4.2-39 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed <u>to the satisfaction of the Port in consultation with the City Engineer.</u></u></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to <u>First issuance of the first Building Permit of the development that triggers the impact and the first</u> Certificate of Occupancy</p>	<p>City Engineer <u>Port or City depending on the jurisdiction of the development</u></p>		

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	<p>However, at a minimum the applicant of the development shall construct roadway frontage and access associated with the parcel being proposed for development so that the parcel is not landlocked, provides continuous frontage access along F Street with adjacent parcels, and provides adequate access to the parcel, including safety, fire and police access.</p> <p>This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-39.</p>				
MM 4.2-26	<p><u>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 4.2-40 or 4.2-41, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impacts 4.2-40 or 4.2-41, then prior to the issuance of the first certificate of occupancy for the development, the Port, Port tenant, or</u></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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	<p>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 <u>shall implement a similar measure(s) that would reduce Significant Impact Impacts 4.2-40 and 4.2-41 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u> As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic.</p> <p>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, <u>or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3.</u> This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impacts 4.2-40 and 4.2-41.</p>				
MM 4.2-27	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or</p>	<p>Port, Port Tenant, or Applicant</p>	<p>City Engineer Port or City depending on the</p>		

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	<p>City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-42, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-42, then prior to the issuance of the first certificate of occupancy for the development, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-42 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>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.</p> <p>Improvements associated with these secondary impacts would be required as a result of cumulative and growth-related traffic overall, of which the Proposed Project</p>	<p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p><u>jurisdiction of the development</u></p>		

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	<p>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.</p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p>*Applies to Significant Impact 4.2-42.</p>				
MM 4.2-28	<p><u>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-43, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 4.2-43, then prior to the issuance of the first certificate of occupancy for the development, 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</u></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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	<p>the satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-43 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-43.</p>				
MM 4.2-29	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-44, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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	<p>If it is determined that the development will trigger Significant Impact 4.2-44, then prior to the issuance of the <u>first certificate</u> of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-44 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant shall provide, prior to issuance of the first building permit, a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-44.</p>				
MM 4.2-30	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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	<p>cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-45, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2- 45, then prior to the issuance of the <u>first certificate</u><u>certificates</u> of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-45 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-45.</p>				

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MM 6.5-2	<p>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. <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 6.5-11 and 12, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that a proposed development will trigger Significant Impact 6.5-11 or 12, then <u>To to accommodate traffic from the project and to provide another route to I-5, the Port applicant, prior to issuance of the first certificate of occupancy for the development, 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, or implement similar improvement(s) which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with</u></p>	<p><u>Port Applicant</u></p> <p><u>Prior to issuance of the First Building Permit or Final Map for Phase II Project of the development that triggers the impact and <u>the First</u> Certificate of Occupancy</u></p>	<p><u>City Engineer Port or City depending on the jurisdiction of the development</u></p>		

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	<p><u>the City Engineer prior to the issuance of either a building permit or final map for a Phase II project. If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This Mitigation would reduce Significant Impacts 6.5-11 and 6.5-12 to below a level of significance.</p> <p>*Applies to Significant Impacts 6.5-11 and 6.5-12.</p>				
MM 6.5-3	<p><u>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-13, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 6.5-13, then prior to the issuance of the first certificate of occupancy, for the development, the Port applicant shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p>	<u>Port Applicant</u>  <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>		

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	<p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they <u>may</u> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-13 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-13.</p>				
MM 6.5-4	<p>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-16, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-16, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall widen E street between the RCC Driveway and Bay Boulevard to a two-lane Class II Collector, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to</p>	<p><u>Port Applicant</u></p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy for any Phase III Project</p>	<p>City Engineer Port or City depending on jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p><u>the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. If the applicant is responsible for constructing the improvement, they <u>may</u><del>would</del> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-16 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-16.</p>				
MM 6.5-45	<p>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-17, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5- 17, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall widen Street A between H Street and Street C to a four-lane Class I Collector, or similar improvements which</p>	<p><u>Port Applicant</u></p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy for any Phase III Project</p>	<p><u>City Engineer</u> <u>Port or City</u> <u>depending on</u> <u>jurisdiction of the</u> <u>development</u></p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-17 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-17.</p>				
MM 6.5-6	<p>Prior to issuance of a certificate of occupancy for any Phase III project, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-18, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-18, then prior</p>	<p>Port Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy for any Phase III Project</p>	<p>City Engineer Port or City depending on jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>to the issuance of the <b>first</b> certificate of occupancy for the development, the Port applicant shall construct southbound left- and right-turn lanes at the intersection of E Street and Bay Boulevard, <b>or similar</b> improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant, prior to issuance of the <b>first</b> building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they <b>may</b> <b>would</b> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-18 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-18.</p>				
MM 6.5-7	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <b>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-19, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</b> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the</p>	<p><u>Port Applicant</u></p> <p>Prior to <b>First issuance of the first Building Permit of the development that triggers the impact and the first</b> Certificate of Occupancy for any Phase III Project</p>	<p><u>City Engineer</u> <u>Port or City</u> <u>depending on jurisdiction of the development</u></p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p><u>year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 6.5-19, then prior to the issuance of the <b>first</b> certificate of occupancy for the development, the Port applicant shall construct an exclusive eastbound right-turn lane at the intersection of J Street and Bay Boulevard, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p><u>As a condition of project approval, the Applicant shall, prior to first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they <b>may</b> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-19 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-19.</p>				
MM 6.5-8	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-20, based on the methodologies,</u></p>	<p>Port Applicant</p> <p>Prior to First issuance of the <u>first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy for any Phase III Project</u></p>	<p>City Engineer Port or City depending on jurisdiction of the development</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5- 20, then prior to the issuance of the <b>first</b> certificate of occupancy, for the development, the Port applicant shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, <b>and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</b></p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. <b>If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</b> 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.</p> <p>*Applies to Significant Impact 6.5-20.</p>				
MM 6.5-9	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable</p>	<p>Port Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <b>the first</b> Certificate of Occupancy</p>	<p>City Engineer Port or City depending on jurisdiction of the development</p>		

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5- 26, then prior to the issuance of the first certificate of occupancy, for the development, the Port applicant 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, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional lanes shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-26.</p>				
MM 6.5-10	Prior to the issuance of certificates of occupancy for any development in Phase IV	Port Applicant	City Engineer Port or City		

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	<p>of the development. As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-27, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>With mitigation, this intersection would still operate at LOS [Level of Service] E during</p>	<p>Prior to First issuance of the first Building Permit of the development that triggers the impact and the first Certificate of Occupancy for any development in Phase IV</p>	<p>depending on the jurisdiction of the development</p>		

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	<p>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.</p> <p>*Applies to Significant Impact 6.5-27.</p>				
MM 6.5-11	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, <u>As part of the development</u> application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p><u>If it is determined that the development will trigger Significant Impact 6.5-28, then prior to the issuance of the first certificate of occupancy for the development, the Port applicant shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3, and to the satisfaction of the Port. The Port shall consult with the City Engineer prior to its final decision.</u></p> <p>-</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, shall provide a bond, letter of</p>	<p>Port Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and <u>the first</u> Certificate of Occupancy for any development in Phase IV</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>		

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Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency	Date of Completion	Date of Verification
	<p>credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The improvement shall be implemented first building permit for the development that triggers the impact. The additional lanes shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they <u>may</u><u>would</u> be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-28.</p>				
<u>MM 6.5-12</u>	<p><u>All developments within the Master Plan Area shall participate in the Bayfront Development Impact Fee (BFDIF) Program as a means to mitigate their portion of the identified transportation related impacts, both direct and cumulative.</u></p> <p><u>*Applies to Significant Impacts 4.2-21 through 4.2-45 as well as 6.5-11 through 6.5-28.</u></p>	<u>Applicant</u> <u>Prior to First Building Permit</u>	<u>Port and City</u>		

# **Appendix C**

## **Applicable Development Policies**

Development Policy	Policy Details	Section
1.3: Environmental Management Policies	<p>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> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>c) Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.</li> <li>d) Protection of nesting, foraging, and rafting wildlife from disturbance.</li> <li>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.</li> <li>f) Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.</li> </ul> <p>Wildlife Habitat Areas is defined below and are depicted on Exhibit 1:</p> <ul 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Parcels 1 g and 2a from the City's Bayfront Specific Plan.</li> </ul>	Hydrology and Water Quality
2.1: Wetlands	The biological productivity and the quality of wetlands shall be protected and, where feasible, restored.	Biological Resources
2.6: Wetlands	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	Biological Resources
2.7: Wetlands	At the time of adoption of the Chula Vista Bayfront plan, the seasonal ponds designated "Former Industrial Areas in Process of Remediation" on 0-1 and 0-4 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.	Biological Resources
3.1: Climate Change and Sea Level Rise	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.	Biological Resources

Development Policy	Policy Details	Section
	<p>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.</p>	
5.2: Buffer Areas for Wildlife Protection	<p>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.</p>	Biological Resources
5.11: Buffer Areas for Wildlife Protection	<p>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.</p> <p>Site-specific studies to assess the extent and quality of natural resources on a site will be required at the time development is proposed</p>	Biological Resources
5.14: Buffer Areas for Wildlife Protection	<p>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.</p>	Biological Resources
5.15: Buffer Areas for Wildlife Protection	<p>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.</p>	Biological Resources
5.19: Buffer Areas for Wildlife Protection	<p>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.</p>	Biological Resources
7.1: Lighting and Illumination	<p>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.</p>	Aesthetics; Biological Resources
7.2: Lighting and Illumination	<p>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.</p>	Aesthetics; Biological Resources
7.3: Lighting and Illumination	<p>All street and walkway lighting should be shielded to minimize sky glow.</p>	Aesthetics

Development Policy	Policy Details	Section
7.7: Lighting and Illumination	Construction lighting will be controlled to minimize Wildlife Habitat Areas impacts.	Aesthetics; Biological Resources
8.1: Noise	Construction noise shall be controlled to minimize impact to Wildlife Habitat Areas.	Noise
13.1: Stormwater and Urban Runoff Quality	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.	Hydrology and Water Quality
13.2: Stormwater and Urban Runoff Quality	<p>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:</p> <ul style="list-style-type: none"> <li>a) Comply with the Regional Water Quality Control Board Order No. R9-2007-0001, National Pollutant Discharge Elimination System Permit No. CASO1 08758, 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.</li> <li>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.</li> <li>c) Be designed and managed to minimize the introduction of pollutants into coastal waters to the maximum extent practicable.</li> <li>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.</li> <li>e) Include Site Design and Source Control BMPs and Low Impact Development practices, where feasible, in all developments.</li> <li>f) Implement the requirements of Hydromodification Management Plan developed pursuant to the Municipal Permit, as required.</li> <li>g) Minimize impervious surfaces in new development, especially directly connected impervious areas, and, where feasible, increase the area of pervious surfaces in redevelopment.</li> <li>h) Minimize erosion, sedimentation, and polluted runoff from construction-related activities of development, to the maximum extent practicable.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul>	Hydrology and Water Quality

Development Policy	Policy Details	Section
13.4 Stormwater and Urban Runoff Quality	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	Hydrology and Water Quality
14.5: Additional Habitat Management and Protection	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.	Biological Resources, Hazards and Hazardous Materials
23.10: Views and Aesthetics	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 1 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.	Aesthetics
24.8: Transit	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	Transportation

# **Appendix D**

## **Intersecting Metrics**

### **Memorandum**

# **Appendix D**

## **Intersecting Metrics**

### **Memorandum**



## MEMORANDUM

**To:** Rebecca Harrington, Port of San Diego  
**From:** Stephen Cook, TE, Intersecting Metrics  
**Date:** April 7, 2025  
**Regarding:** Chula Vista Bayfront Master Plan - Transportation Mitigation Timing Refinement

### 1.0 Background

The Chula Vista Bayfront Master Plan (CVBMP or Master Plan) is located on the southeastern edge of the San Diego Bay in the San Diego Unified Port District (District) and the City of Chula Vista (City). In 2002, the District and City joined together to create a master plan for the Chula Vista Bayfront Area with a goal to promote public access to and engagement with the water while enhancing the quality and protection of key habitat areas. The CVBMP includes the following:

- New public park spaces
- The conservation of open space, habitat replacement, wetlands, and ecological buffers to protect wildlife habitat, species, and other coastal resources
- The development of a shoreline promenade, walking trails, and a bicycle path network
- New hotel rooms
- Restaurants, Retail, and other Marina-support uses
- Mixed-use commercial recreation/marine-related office uses

The CVBMP was unanimously approved by the California Coastal Commission on August 9, 2012.

The CVBMP project area is divided into three districts: the northern Sweetwater District, the central Harbor District, and the southern Otay District. The CVBMP project is proposed to be developed in four phases over an estimated 24-year period. It should be noted that each phase of development does not adhere to a specific district, and most districts include development within each of the four phases.

The Phase I components of the CVBMP, consisting of development on Parcels H-13, H-14, HP-5, and H-17, as well as proposed roadway and infrastructure improvements in the Sweetwater and Harbor Districts, were analyzed in the FEIR at a project-specific level while all other phases (2-4) were analyzed at a programmatic level. As noted in the FEIR, the nature and extent of additional environmental review, which may be required for Phases 2-4, will be determined pursuant to State CEQA Guidelines Section 15168. **Figure 1** displays the parcels located within District as well as their associated development phase.

## Legend

### Phase

- 1
- 2
- 3
- 4

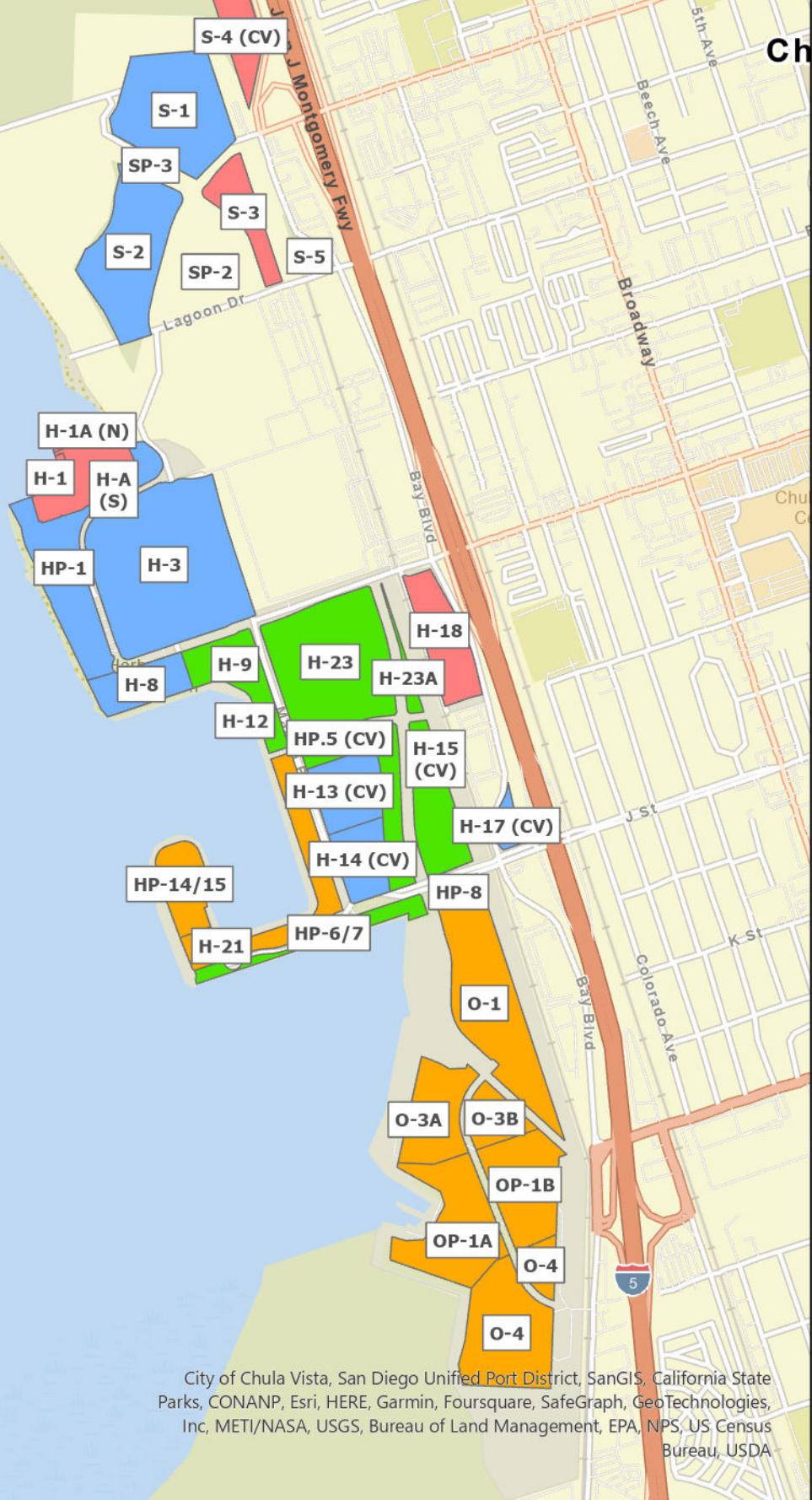
San Diego Bay

San Diego Bay  
Nat'l Wildlife  
Refuge



Living Coast  
Discovery  
Center

San Diego Bay



## 2.0 Identified Transportation Mitigation Measures

The FEIR Identified a total of 78 transportation related impacts (50 direct and 28 cumulative) associated with all phases of the CVBMP, as well as 41 mitigation measures, (30 direct and 11 cumulative) which reduce the majority of the impacts to less than significant. **Figures 2 and 3** display the identified mitigations measures, by phase, for impacted intersections and roadway segments, respectively. It should be noted that all impacts identified at intersections or along roadway segments were reduced to less than significant with the implementation of the identified mitigation measures. However, no feasible mitigation was identified for the 29 impacts identified along I-5 (12 direct and 17 cumulative), as well as for the impacts associated with the trolley crossings.

### Phase 1 Mitigation

Phase 1 of the CVBMP was evaluated at a project level. As such, the 10 mitigation measures identified for Phase 1 of the CVBMP are linked to, and triggered by, the development of specific parcels within Phase 1 of the CVBMP. Mitigation triggers have been identified under Phase 1, including the development's responsibility of implementing the identified mitigation.

### Phase 2-4 Mitigation

Unlike Phase 1, the mitigation measures identified for Phases 2-4 of the CVBMP do not identify specific trigger points that correspond with a specific parcel development or the overall trip generation of a District. Instead, these mitigation measures are tied to the overall development of the phase in which they are triggered requiring development of all or most roadway and intersection improvements identified in the mitigation measures for a Phase by the first developed parcel in that Phase. This arguably results in over mitigating for the traffic and transportation impacts associated with the development of the first parcel.

### Bayfront Development Impact Fee Program

The Bayfront Development Impact Fee Program (BFDIF) was developed in 2014 to create a mechanism to fairly distribute the burden requirement of the mitigation measures in the FEIR in a proportional manner to the planned development proposed in the CVBMP. All of the transportation related mitigation measures outlined within the FEIR are included in the BFDIF. Project applicants pay into the BFDIF when they pull their building permits. Improvements from the BFDIF are implemented by the City of Chula Vista Public Works Department based on time of need and the City's Capital Improvement Program (CIP). Applicants that are required to build facilities included within the BFDIF, can receive reimbursement or fee credits in kind for those facilities. Applicants may be required to build roadway facilities included within the BFDIF to provide project access, mitigate direct impacts, and serve as frontage improvements. However, when a mitigation measure included in the BFDIF is triggered, the developer may not necessarily be required to pay for the entirety of the mitigation measure as they can receive a fee credit or be reimbursed by the City for using BFDIF funds. The amount of the credits or reimbursement is the delta between the applicant's fair share cost and the total cost for the improvement identified in mitigation measure. An applicant may be reimbursed for fees paid to the BFDIF where the applicant has implemented a required improvement that is also covered in the BFDIF. Additionally, even if an impact is not triggered, the City may be required to build the remaining improvement(s) using available BFDIF funds. The proposed text changes will not alter these requirements, ensuring that the traffic and circulation mitigation measures do not lose their effectiveness, and the improvements will be implemented prior to an impact being triggered. Notably, the BFDIF was developed after the FEIR was approved, and thus it is not currently identified within the FEIR as a mechanism or tool for a proposed development project to contribute its fair share to mitigate cumulative impacts related to transportation.

## Legend

### Phase

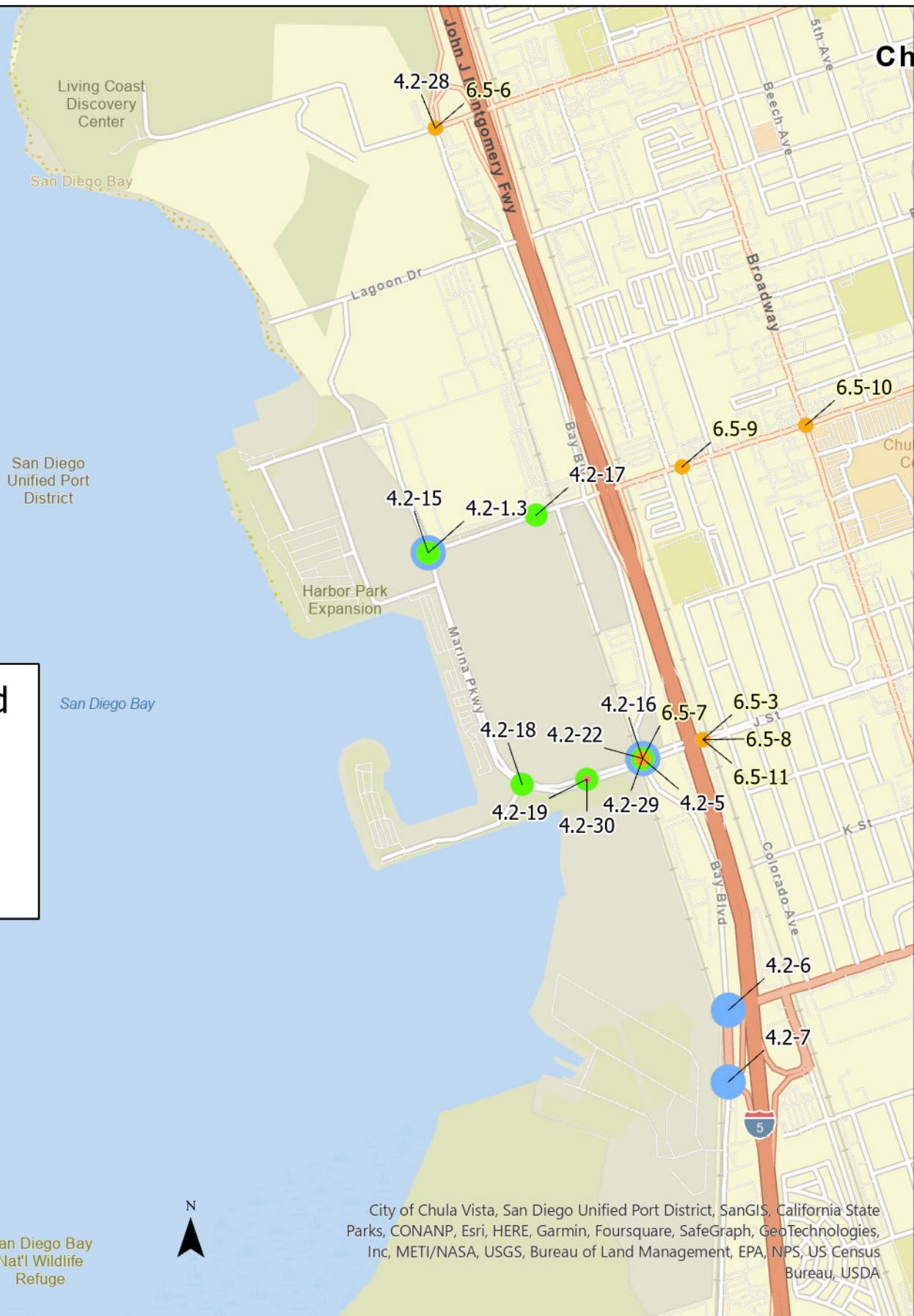
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- 2
- 3
- 4

San Diego Bay

San Diego Bay  
Nat'l Wildlife  
Refuge



City of Chula Vista, San Diego Unified Port District, SanGIS, California State Parks, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA



## Legend

### Phase

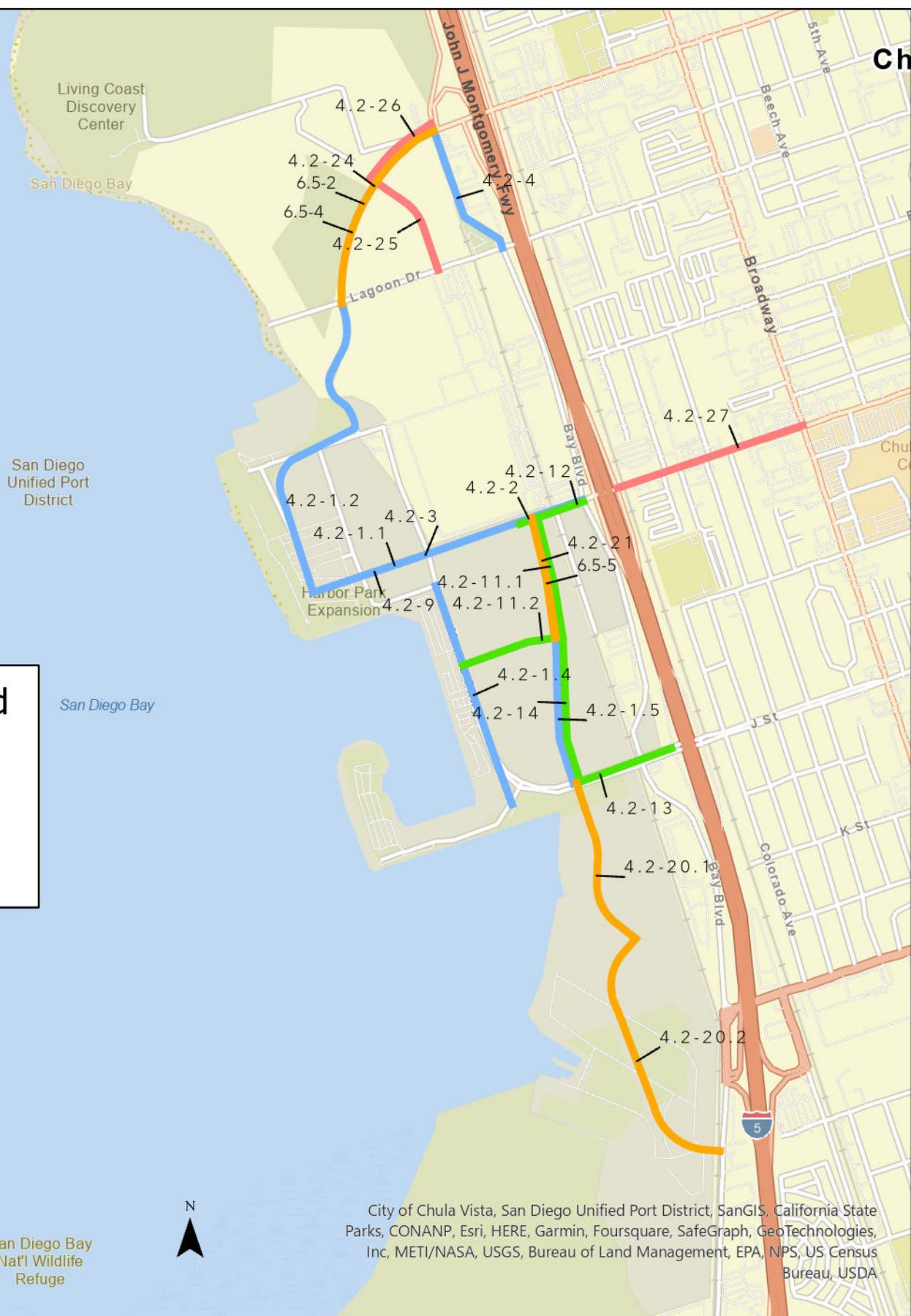
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San Diego Bay

San Diego Bay  
Nat'l Wildlife  
Refuge



City of Chula Vista, San Diego Unified Port District, SanGIS, California State Parks, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA



## **3.0 Mitigation Refinements**

The District is proposing refinements to the transportation mitigation measures associated with phases 2-4 of the Master Plan development. These refinements aim to help clarify the timing of the impact and better identify when the associated mitigation measure should be implemented, as well as provide a mechanism to identify proportionality of the mitigation to the specific impact. Clarifying changes are proposed to the language for measures MM 4.2-12 through MM 4.2-30 as well as MM 6.5-2 through MM 6.5-11. These changes require applicants to conduct a project-level transportation impact assessment for their specific development projects. The project-level transportation impact assessment will determine if the development triggers an identified direct or cumulative impacts and be responsible for implementing the associated mitigation measure. However, the text changes require road frontages and access to each parcel shall be required to avoid any landlocked parcels and provide adequate safety, police and fire access.

The project-level assessment is required because it is currently unknown when developments within the Master Plan area will occur. Thus, the timing in which the identified impacts will occur, and the mitigation measures will need to be in place is also uncertain. As such, the prescribed project-level analysis will help to ensure a mechanism is in place to identify when these impacts will occur and require that the associated mitigation measure is in place prior to the impact occurring.

Additionally, it is proposed that the mitigation language in the FEIR also be updated to include the participation in the BFDIF program for all developments within the CVBMP. This will ensure that all developments pay their cumulative fair share towards the mitigation and transportation-related infrastructure that is needed for the buildup of the CVBMP.

**Table 1** outlines the language changes in strikeout / underline format that are proposed to be incorporate into the Master Plan's Mitigation, Monitoring, and Reporting Program (MMRP) to resolve the implementation and issues identified in the previous section.

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-12	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-21, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-21, then prior to the issuance of certificate of occupancy, 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 shall implement a similar measure(s) that would reduce Significant Impact 4.2-21 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-21.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-13	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-22, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-22, then prior to the issuance of the certificates of occupancy for the development, the Port, Port tenant, or applicant, as appropriate, shall widen J Street between Street A to I-5 Ramps to a six-lane Major Street, or secure such construction to the satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-22, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-22.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-14	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-23, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-23, then prior to the issuance of the certificates of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-23 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the fist building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-23.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-15	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-24, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-24, then prior to the issuance of the certificates of occupancy for 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 RCC Driveway, or secure such construction to the satisfaction of the City Engineer or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

\*Applies to Significant Impact 4.2-24.

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-16	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-25, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-25, then prior to the issuance of the certificates of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-25 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-25.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-17	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-26, then prior to the issuance of the certificates of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-26 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The traffic signal shall be constructed and opera the City Engineer. This mitigation would reduce Significant Impact 4.2-26 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-26 to the satisfaction of</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-18	<p>Prior to the issuance of certificates of occupancy for any development in Phase II of the As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-27, then prior to the issuance of the certificates of occupancy for the development, the applicant development, the developer shall construct a traffic signal at the intersection of J Street and Marina Parkway, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-27 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-27.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-19	<p>Prior to the issuance of certificates of occupancy for any development in Phase II, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-28, then prior to the issuance of the certificates of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-28 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

\*Applies to Significant Impact 4.2-28.

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-20	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-31, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-31, then prior to the issuance of the certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>In addition, prior to the issuance of certificates of occupancy for any development in Phase III, the Port, Port tenants, as appropriate the Applicant 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-31 to less than significant, based on the standards outlined in Section 4.2.3.</p> <p>However, at a minimum the applicant for the development shall construct roadway frontage and access associated with the parcel being proposed for development so that the parcel is not landlocked, provides continuous frontage access along B Street with adjacent parcels, and provides adequate access to the parcel, including safety, fire and police access.</p> <p>This mitigation would reduce Significant Impact 4.2-31 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

\*Applies to Significant Impact 4.2-31.

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-21	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-32, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-32, then prior to the issuance of the certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-32 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-32.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-22	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-33, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-33, then prior to the issuance of the certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-33 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-33.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-23	<p>Prior to the issuance of certificates of occupancy for any development in Phase III of the development, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-34, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that the development will trigger Significant Impact 4.2-34, then prior to the issuance of the certificates of occupancy for 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-34 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</u></p> <p><u>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</u></p> <p><u>*Applies to Significant Impact 4.2-34.</u></p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-24	<p>Prior to the issuance of certificates of occupancy for any development in Phase III, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-38, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-38, then prior to the issuance of the certificates of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-38 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. This mitigation would reduce Significant Impact 4.2-38 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-38.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-25	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-39, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-39, then prior to the issuance of the certificates of occupancy for the development, 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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-39 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>However, at a minimum the applicant of the development shall construct roadway frontage and access associated with the parcel being proposed for development so that the parcel is not landlocked, provides continuance frontage access along F Street with adjacent parcels, and provides adequate access to the parcel, including safety, fire and police access.</p> <p>This mitigation would reduce Significant Impact 4.2-39 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-39.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-26	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 4.2-40 or 4.2-41, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impacts 4.2-40 or 4.2-41, then prior to the issuance of the certificates of occupancy for the development, 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 shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic.</p> <p>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, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. This mitigation would reduce Significant Impacts 4.2-40 and 4.2-41 to below a level of significance.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impacts 4.2-40 and 4.2-41.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-27	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-42, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-42, then prior to the issuance of the certificates of occupancy for the development, the Port, Port tenant, or applicant, as appropriate, shall widen H Street between I-5 Ramps and Broadway to a 6-lane Gateway Street, or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer.</p> <p>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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-42.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-28	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-43, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-43, then prior to the issuance of the certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

\*Applies to Significant Impact 4.2-43.

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-29	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-44, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-44, then prior to the issuance of the certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant shall provide, prior to issuance of the first building permit, a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-44.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 4.2-30	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 4.2-45, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 4.2-45, then prior to the issuance of the certificates of occupancy for the development, 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 or shall implement a similar measure(s) that would reduce Significant Impact 4.2-24 to less than significant, based on the methodologies, thresholds and standards outlined in Section 4.2.3. As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with 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.</p> <p>The applicant responsible for constructing the improvement may be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs. Credits and reimbursements would be subject to verification that the improvement is included in the BFDIF as well as available funding.</p> <p>*Applies to Significant Impact 4.2-45.</p>	<p>Port, Port Tenant, or Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-2	<p>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. <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impacts 6.5-11 and 12, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</u></p> <p><u>If it is determined that a proposed development will trigger Significant Impact 6.5-11 or 12, then to accommodate traffic from the project and to provide another route to I-5, the Port applicant, prior to issuance of the first certificate of occupancy, 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, or implement similar improvement(s) which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u></p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer prior to the issuance of either a building permit or final map for a Phase II project. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This Mitigation would reduce Significant Impacts 6.5-11 and 6.5-12 to below a level of significance.</p> <p>*Applies to Significant Impacts 6.5-11 and 6.5-12.</p>	<u>Port Applicant</u> <u>Prior to issuance of the First Building Permit or Final Map for Phase II Project of the development that triggers the impact and Certificate of Occupancy</u>	<u>City Engineer Port or City depending on the jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-3	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-13, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-13, then prior to the issuance of the first certificate of occupancy, for the development, the <u>Port applicant</u> shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-13 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-13.</p>	<u>Port Applicant</u> <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-4	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-16, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-16, then prior to the issuance of certificate of occupancy for the development, the <u>Port applicant</u> shall widen E street between the RCC Driveway and Bay Boulevard to a two-lane Class II Collector, <u>or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u></p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-16 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-16.</p>	<u>Port Applicant</u>  <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-45	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-17, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-17, then prior to the issuance of the certificate of occupancy for the development, the Port applicant shall widen Street A between H Street and Street C to a four-lane Class I Collector, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional roadway capacity would facilitate the flow of project traffic. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-17 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-17.</p>	<u>Port Applicant</u> <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-6	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-18, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-18, then prior to the issuance of the certificate of occupancy for the development, the Port applicant shall construct southbound left- and right-turn lanes at the intersection of E Street and Bay Boulevard, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p><u>As a condition of project approval, the Applicant, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-18 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-18.</p>	<u>Port Applicant</u> <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-7	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-19, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-19, then prior to the issuance of the certificate of occupancy for the development, the <u>Port applicant</u> shall construct an exclusive eastbound right-turn lane at the intersection of J Street and Bay Boulevard, <u>or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u></p> <p><u>As a condition of project approval, the Applicant shall, prior to first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</u></p> <p>This mitigation would reduce Significant Impact 6.5-19 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-19.</p>	<u>Port Applicant</u> <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-8	<p>Prior to issuance of a certificate of occupancy for any Phase III project, <u>As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-20, based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</u> The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-20, then prior to the issuance of the certificate of occupancy, for the development, the <u>Port applicant</u> shall construct an exclusive westbound right-turn lane at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p><u>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer.</u> This mitigation would reduce Significant Impact 6.5-20 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-20.</p>	<u>Port Applicant</u> <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any Phase III Project</u>	<u>City Engineer</u> <u>Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-9	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-26, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-26, then prior to the issuance of the certificate of occupancy, for the development, the Port applicant 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, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The additional lanes shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-26 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-26.</p>	<u>Port Applicant</u>  <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy</u>	<u>City Engineer Port or City depending on jurisdiction of the development</u>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-10	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-27, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-27, issuance of the certificate of occupancy, for the development, the Port applicant shall construct a westbound through- and right-turn lane along H Street at the intersection of H Street and Broadway, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The lane shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>With mitigation, this intersection would still operate at LOS [Level of Service] 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.</p> <p>*Applies to Significant Impact 6.5-27.</p>	<p>Port Applicant</p> <p>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any development in Phase IV</p>	<p>City Engineer Port or City depending on the jurisdiction of the development</p>

**Table 1: Proposed Language Changes to the Transportation Mitigation Measures**

Number	Mitigation Measure	Responsible Party and Mitigation Timing	Monitoring Agency
MM 6.5-11	<p>Prior to the issuance of certificates of occupancy for any development in Phase IV of the development, As part of the development application, the Project Applicant shall submit to the Port or City, as applicable depending on the jurisdiction that the development is located, a project specific transportation analysis, which shall be reviewed and approved by the applicable agency, at the Applicant's cost, to determine if the traffic associated with the proposed development would trigger Significant Impact 6.5-28, based on the methodologies, thresholds, and standards outlined in Section 4.2.3. The analysis shall compare Existing to Existing Plus Project conditions, where Existing conditions represents the year in which the project specific analysis is conducted.</p> <p>If it is determined that the development will trigger Significant Impact 6.5-28, then prior to the issuance of issuance of the certificate of occupancy, the Port applicant shall construct a dual eastbound left-turn lane along J Street at the intersection of J Street and I-5 NB Ramps, or similar improvements which reduce the identified impact to a less than significant level based on the methodologies, thresholds, and standards outlined in Section 4.2.3.</p> <p>As a condition of project approval, the Applicant shall, prior to issuance of the first building permit, shall provide a bond, letter of credit or other financial assurance that the improvement will be completed to the satisfaction of the Port in consultation with the City Engineer. The improvement shall be implemented first building permit for the development that triggers the impact. The additional lanes shall be constructed to the satisfaction of the City Engineer. If the applicant is responsible for constructing the improvement, they would be eligible for BFDIF credit, or potential reimbursement in an amount not to exceed the verified improvement costs.</p> <p>This mitigation would reduce Significant Impact 6.5-28 to below a level of significance.</p> <p>*Applies to Significant Impact 6.5-28.</p>	<u>Port Applicant</u> <u>Prior to First issuance of the first Building Permit of the development that triggers the impact and Certificate of Occupancy for any development in Phase IV</u>	<u>City Engineer Port or City depending on the jurisdiction of the development</u>
MM 6.5-12	<p>All developments within the Master Plan Area shall participate in the Bayfront Development Impact Fee (BFDIF) Program as a means to mitigate their portion of the identified transportation related impacts, both direct and cumulative.</p> <p>*Applies to Significant Impacts 4.2-21 through 4.2-45 as well as 6.5-11 through 6.5-28.</p>	<u>Applicant</u> <u>Prior to First Building Permit</u>	<u>Port and City</u>

Notes: The proposed changes to the existing transportation MM are provided in ~~strike~~through/underline format.