Mitigated Negative Declaration

PROJECT NAME:	Otay River Restoration Project Habitat Mitigation and Monitoring Plan
PROJECT LOCATION:	Otay River Valley
ASSESSOR'S PARCEL NO.:	APNs: 644-090-04 (Mitigation Site) Portions of 647-130-00, 647-130-01, 647-130-02, 647-130-07, 647-130-08, 647-130-10, 647-130-12, and 644-100-01-9 (Weed Treatment Activities to protect Restoration Site)
PROJECT APPLICANT:	HomeFed Otay Land II, LLC
CASE NO.:	IS-15-006
DATE OF DRAFT DOCUMENT:	March 14, 2016
DATE OF FINAL DOCUMENT:	May 10, 2016

A. Project Setting

The project site, the focus of which is a 100-acre restoration site, encompasses an approximately 300-acre parcel (mitigation site) located in and owned by the City of Chula Vista in southwestern San Diego County, California (see Attachment 1 for all figures; see Figures 1 and 2, Regional and Local Vicinity Maps). The project site also includes portions of seven additional parcels upstream owned by the County of San Diego, City of San Diego, and United States of America Public Domain, that would be treated for weeds to protect the restoration site (see Figure 3, Parcels Map).

The site occurs within the upper portion of the Lower Otay River Watershed, approximately 1 mile downstream from Savage Dam. It is generally south and west of the Lower Otay Reservoir and surrounded by open space largely within the Multi-Species Conservation Program (MSCP) preserve system managed in partnership by the City of Chula Vista, City of San Diego, and County of San Diego. The project site is designated as Open Space Preserve by the City of Chula Vista and Open Space Conservation and Recreation by the County of San Diego. The existing land uses surrounding the site are as follows.

North: Chula Vista Water Treatment Plan and Open Space

South: Mostly Open Space with the exception of a cluster of development (Otay Water District Roll Reservoir, George F. Bailey Detention Facility, City of San Diego's Otay Treatment Plant, and Richard J. Donovan Correctional Facility)

East: Mostly Open Space with the exception of a cluster of development (Otay Water District Roll Reservoir, George F. Bailey Detention Facility, and City of San Diego's Otay Treatment Plant)

West: Open Space and River Valley

B. Project Description

The proposed project involves implementation of the Otay River Restoration Project Habitat Mitigation and Monitoring Plan (HMMP) to guide the restoration and enhancement of approximately 100 acres of aquatic and terrestrial habitat in the Otay River Valley. The HMMP would be used to mitigate unavoidable impacts on aquatic and terrestrial resources associated with the implementation of the Otay Ranch University Villages currently under review by regulatory agencies (Village 3 and Village 8 West), located adjacent to and west of the project site. In addition, a mitigation bank would be developed through the U.S. Army Corps of Engineers (USACE) and other regulatory agencies to secure the restoration acreage for projects within the watershed and approved service area, including the remaining Otay Ranch University Villages, the City of Chula Vista University Project, and other private and public projects if approved by the regulatory agencies.

The purpose of the HMMP is to address impacts on waters of the United States and State associated with the Village 3 and Village 8 West project, including wetlands and riparian habitat regulated by the federal Clean Water Act (CWA), the California Fish and Game Code, and California's Porter-Cologne Water Quality Control Act (Porter-Cologne Act). In this regard, the HMMP supports applications to discharge dredged or fill material into waters of the United States (e.g., a USACE 404 permit and a Regional Water Quality Control Board [RWQCB] 401 water quality certification) and to obstruct the natural flow of a river, stream, or lake, including changes to sediment and deposition of debris (e.g., a California Department of Fish and Wildlife [CDFW] 1602 streambed alteration agreement).

The project proponent, Otay Land Company (OLC), and its contractors would be responsible for installation, maintenance, and monitoring of restoration project activities. It is currently anticipated that the project would be implemented in several phases, the first beginning in Fall 2016. Implementation of the proposed project would occur between September and February (outside the breeding season for nesting birds protected under the Migratory Bird Treaty Act [MBTA]) of each year and would be followed by the completion of a minimum 5-year maintenance, monitoring, and reporting phase. The HMMP includes a detailed description of the project design, project implementation, and project maintenance and monitoring activities associated with the proposed project. Figure 4 depicts the proposed phases for the restoration project. Figure 5 illustrates the Conceptual Plan for the parcel proposed for restoration.

The project site and surrounding area are included within the City of Chula Vista General Plan, the Otay Ranch General Development and Resource Management Plan, the County of San Diego MSCP, City of Chula Vista MSCP Subarea Plan, Otay River Watershed Management Plan, the Draft Otay River Watershed Special Area Management Plan, City of Chula Vista Greenbelt Master Plan, and the Otay Valley Regional Park (OVRP) Concept Plan and Trails Guidelines. In addition, the proposed project and the HMMP have been developed in compliance with the U.S. Environmental Protection Agency and USACE Compensatory Mitigation for Losses of Aquatic Resources: Final Rule (40 Code of Federal regulations [CFR] Part 230 and 33 CFR Parts 325 and 332) and the USACE Final 2015 Regional Compensatory Mitigation and Monitoring Guidelines for South Pacific Division.

The project site is designated as Open Space Preserve by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan. The project site is zoned Residential by the City of Chula Vista's Zoning Code and Agriculture and Special Purpose by the San Diego County Zoning Code. Figures 6 and 7 show the land use and zoning designations for the project site.

The City of Chula Vista is the lead agency under the California Environmental Quality Act (CEQA) and responsible for permitting the project; USACE, CDFW, and RWQCB have some approval and/or discretionary authority over the project. Table 1, below, indicates the discretionary approvals that would be required to implement the project.

Table 1. Discretionary Approvals Required

Agency	Role	Permit/Approval
City of Chula Vista	Lead Agency	• Mitigated Negative Declaration Adoption • Mitigation Monitoring and Reporting Program (MMRP) Adoption • HMMP Approval • Finance Plan Approval (including retaining the appropriate qualified personnel, as described in the proposed plan [e.g., landscape installation/maintenance contractor, restoration ecologist]). • Grading Permit • Habitat Loss and Incidental Take Approval
U.S. Army Corps of Engineers	Federal Agency with Permitting Authority	• 404 Permit
U.S. Fish and Wildlife Service	Federal Agency with Permitting Authority	• Section 7 Informal Consultation Letter
California Department of Fish and Wildlife	Trustee/Responsible Agency	• 1602 Streambed Alteration Agreement
Regional Water Quality Control Board	Responsible Agency	• 401 Water Quality Certification

To restore the river valley, the proposed project would temporarily affect small areas of jurisdictional waters of the United States and State as well as native upland habitats, which would need to be authorized by regulatory agencies. These temporary impacts, and the project as a whole, have been evaluated by USACE in accordance with Section 404 of the CWA, the RWQCB in accordance with Section 401 of the CWA and the Porter-Cologne Act, U.S. Fish and Wildlife Service (USFWS) in accordance with Section 7 of the Endangered Species Act, and CDFW in accordance with Section 1600 of the California Fish and Game Code. The resource agencies have reviewed the proposed project in detail, visited the site on numerous occasions, and provided feedback on design and phasing. It is anticipated that USACE will authorize the proposed project through issuance of a Nationwide Permit (NWP) for unavoidable impacts associated with Otay Ranch University Village 3, conclude Section 7 and Section 106 consultation, and issue a provisional 404 permit, pending 401 certification from the RWQCB. The RWQCB is also anticipating authorizing the proposed project

through issuance of 401 certification for Otay Ranch University Village 3 and awaiting only the conclusion of CEQA compliance (i.e., completion of this initial study and mitigated negative declaration). CDFW has approved the proposed project as mitigation for Otay Ranch University Village 3 and issued a Streambed Alteration Agreement (SAA) for Village 3 but will also be processing a separate SAA for the proposed project. The application and fee for the project SAA have been submitted; the SAA is anticipated as soon as CEQA compliance is concluded.

Trails

As mentioned above, the approximately 100-acre restoration site and the larger 300-acre mitigation parcel owned by the City of Chula Vista are within a portion of the City of Chula Vista Greenbelt Master Plan boundaries and are entirely within the OVRP Concept Plan boundaries. Both of these plans identify future multi-use trails where existing dirt roads and unofficial trails[1] are currently located (see Figure 8). These existing dirt roads and unofficial trails are used for a variety of purposes by the U.S. Border Patrol, San Diego Gas and Electric, City of San Diego, and Otay Water District, as well as by hikers, cyclists, and equestrians. Altogether there are approximately 5,720 linear feet of the future Greenbelt Master Plan trail and approximately 9,319 linear feet of OVRP trails that occur on the project site.

To prevent the restoration site from being disturbed by existing and future users, wood split-rail fencing would be installed at key locations. The fencing, along with signage indicating the general sensitivity of the restoration site and providing wayfinding, would help to minimize trespassing from trail users who would otherwise be unaware of the sensitivity of the habitat restoration area. The existing roads and trails may be moved slightly to accommodate the installation of the fencing and signage while also avoiding road ponds that support San Diego fairy shrimp. Only disturbed areas would be used to designate the narrow trail corridor or pathway. In addition, educational kiosks would be installed at key viewing locations within the disturbed areas to help inform the readers of the importance of the restoration site.

Improvements associated with the portion of the trail identified within the City of Chula Vista's Greenbelt Master Plan would be consistent with the guidelines of that plan and would be installed on existing roads or disturbed habitat that cross and meander in and out of and along the restoration site's northern boundary. Per the Master Plan, the proposed project would identify a 14-foot-wide trail location (width required per SDG&E right-of-way guidelines) for the Greenbelt Trail to accommodate multiple ~~issues~~ uses. Improvements associated with trails identified under the OVRP Concept Plan would be consistent with the guidelines of that plan and would be installed on existing roads that cut through the restoration site and also meander south and east of it. The restoration project would allow for trail corridors consistent with trail classifications A, B, and C as defined in the OVRP Trail Guides that range between 4 and 8 feet in width. Depending on the classification, these trails function for emergency, maintenance, recreation, and remote recreation uses. Figure 8

[1] Unofficial trails are existing roads, trails, and paths that have not been officially designated or opened by the County, City, or other official entity. These roads and trails have been cut or created either for utilities and utility access (San Diego Gas and Electric or Otay Water District), by the Border Patrol for national security, or illegally by humans on foot, bicycles, off-road vehicles, or horses.

identifies the designated Greenbelt Master Plan trail and the OVRP trails, and indicates where these are located within the project site. The figure also indicates which trails (i.e., existing roads) would receive trail improvements such as split-rail fencing, signage, and educational kiosks. All trails within the mitigation site, as identified on Figure 8, are the same as the trails described in the OVRP Concept Plan and City Greenbelt Master Plan, with the exception of the potential scenic trail which will be a narrow 4' wide trail. Approximately, half of the potential scenic trail is currently used by SDG&E as an access road to existing SDG&E poles and will remain at 14' wide.

The proposed project would armor two at-grade road crossings through the active floodplain and would require the roads be over-excavated, underlain by native large rock, and reformed to match the stream profile as much as possible for safe crossing. The armoring would be provided to prevent the washing away of the crossings during flood events and eliminate the current berming resulting from consistent vehicle use during wet conditions. In addition, there are four proposed road closures that would be revegetated per the HMMP as these are either redundant or relocated as discussed with the U.S. Border Patrol, San Diego Gas & Electric, and the Otay Water District. One of these road closures, located in the northern portion of the restoration site, would be revegetated except for a 4- to 6-foot swath that would remain for potential future trail creation under the OVRP Concept Plan. ICF and the City of Chula Vista have been in communication with these entities on these road closures and all are in agreement that they would not limit their ability to achieve their missions. The Border Patrol has asked to install reflectors along trail fencing at road intersections, trail closures, and at the river crossings at specific locations. The exact location of these reflectors will be coordinated with the Border Patrol to ensure safe passage.

With the exception of some grading and avoidance of sensitive resources within the restoration site, no grading, resurfacing, or changes to the drainage patterns of these existing roads would occur under the proposed project. Furthermore, no fencing or other structures would be placed in the floodplain. The split-rail fencing would be made out of wood and installed into the existing roadways using manual and mechanized tools such as a post hole digger or auger. Trail signage and educational kiosks would be developed per the guidelines in the City of Chula Vista Greenbelt Master Plan and the OVRP Concept Plan, and would also be installed using manual and mechanized tools.

Altogether, the proposed project would (1) improve approximately 12,800 linear feet of existing dirt roadways with fencing, signs, and kiosks; (2) improve approximately 1,600 linear feet of road crossings in the active floodplain; and (3) close approximately 4,500 linear feet of existing dirt roads. Additional improvements that are not part of the proposed project that would take place within the mitigation site and that may occur at a future date under the OVRP Concept Plan and Greenbelt Master Plan could be developed with subsequent environmental review, if necessary, and would not be precluded as a result of implementation of the proposed project. All proposed improvements would be implemented in compliance with the City of Chula Vista Greenbelt Master Plan and the OVRP Concept Plan. The long-term operation and maintenance of the Chula Vista Greenbelt trail would be performed and managed by the City of Chula Vista per the guidelines in the City of Chula Vista Greenbelt Master Plan. The long-term operation and maintenance of the OVRP trails would be shared by the three responsible jurisdictions (County of San Diego, City of Chula Vista, and City of San Diego) per the guidelines in the OVRP Concept Plan and Trail Guidelines.

C. Compliance with Zoning and Plans

The project site and surrounding area are designated as Open Space Preserve by the General Plan and within the planning boundaries of the Chula Vista MSCP Subarea Plan. Other applicable planning documents include the Otay Ranch General Development and Resource Management Plan, the County of San Diego Multiple Species Conservation Program Subarea Plan, the Otay River Watershed Management Plan (ORWMP), and the Otay River Watershed Special Area Management Plan. The proposed project would restore and enhance hydrologic and sediment transport processes and native habitats in the Otay River Valley. Implementation of the proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project. Figures 6 and 7 provide the existing land use designations and zoning within and surrounding the project site.

D. Public Comments

On March 14, 2016, a Notice of Availability was circulated to property owners within a 500-foot radius of the proposed project site. The public review period ~~will~~ ended on April 12, 2016. Five comment letters were received. The comment letters and responses to comments are provided in Attachment 2. Additions to the MND and Initial Study in response to comments received on the Draft are indicated as underlined text, and deletions are indicated as ~~strikeout~~ text.

E. Identification of Environmental Effects

An Initial Study conducted by the City of Chula Vista (including the attached Environmental Checklist form) determined that, although the proposed project could have a significant environmental effect, there would not be a significant effect in this case because mitigation measures described in Section F below have been added to the project. The preparation of an Environmental Impact Report will not be required. This Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the CEQA Guidelines.

Air Quality

Construction of the proposed project would result in short-term emissions of reactive organic gases, nitrogen oxides, carbon monoxide, sulfur oxides, particulate matter 10 microns in diameter or less (PM10), and particulate matter 2.5 microns in diameter or less (PM2.5) through the use of off-road construction equipment, material haul trucks, and employee vehicles. Ground disturbance and material movement would also generate fugitive PM10 and PM2.5. Emissions would vary from day to day, depending on the level of activity, the specific type of construction activity occurring, and, for fugitive dust, prevailing weather conditions. The proposed project's construction emissions were estimated and compared to San Diego County Air Pollution Control District (SDAPCD) air quality impact analysis trigger levels, as shown in SDAPCD Rule 20.2. Although proposed project construction emissions would be below applicable SDAPCD trigger levels for all criteria pollutants, the proposed project would include **Mitigation Measure AQ-1,** requiring implementation of construction best management practices (BMPs) during construction and grading activities, to ensure it would meet SDAPCD Rules 50, 51, and 55 (SDAPCD 2010) for regulating dust emissions. Thus, construction of the proposed project would not result in an impact on air quality because emissions would not exceed applicable air quality standards or contribute to existing air quality violations.

Project maintenance and monitoring activities are expected to be minimal, requiring only hand tools and some minor equipment (e.g., chainsaws, hedge trimmers). In addition, only two truck trips per year are anticipated to haul debris. Maintenance and monitoring activities would be far less disruptive than construction activities, and consequently, emissions would be expected to be minimal and far below SDAPCD trigger levels. Therefore, operation of the proposed project would not result in an impact on air quality because emissions would not exceed applicable air quality standards or contribute to existing air quality violations.

Cumulative impacts could result if the proposed project were to exceed established thresholds for pollutants for which the region is in nonattainment status and be constructed at the same time as other development projects in the area, thereby exposing sensitive receptors to cumulative emission concentrations. However, as discussed above, the proposed project would implement **Mitigation Measure AQ-1** to ensure that it would not result in construction emissions that would exceed SDAPCD trigger levels; therefore, it would not negatively affect regional air quality. Maintenance and monitoring activities would be minor and would not contribute to any significant cumulative impacts related to the nonattainment status for ozone, PM10, or PM2.5. Given the rural nature of the project area, it is not anticipated that extensive construction or operational activities related to other development projects would be occurring while the proposed project is being constructed. Possible cumulative impacts on air quality as a result of construction activities in the area would be addressed by compliance with SDAPCD rules and regulations, which apply to all construction projects. Therefore, project construction and maintenance and monitoring would not result in a cumulatively considerable net increase in emissions. This impact would be less than significant with mitigation incorporated.

Biological Resources

To assess potential biological resources impacts, a biological resources technical report, dated March 2016, was prepared by ICF International (ICF International 2016). The analysis evaluated potential impacts on biological resources with the implementation of the proposed project.

Wildlife: Special-Status Species

Fifteen special-status wildlife species have been documented on site: San Diego fairy shrimp, western spadefoot toad, Belding's orange-throated whiptail, Blainville's horned lizard, least Bell's vireo, coastal California gnatcatcher, western yellow-billed cuckoo, northern harrier, white-tailed kite, San Diego cactus wren, grasshopper sparrow, yellow warbler, yellow-breasted chat, San Diego black-tailed jackrabbit, and San Diego woodrat. The project site also provides suitable habitat for other special-status wildlife species. Project grading activities would temporarily impact special-status wildlife species via the temporary loss of vegetation and the potential loss of individuals and direct impacts on avian species protected under the MBTA. However, as described in the project description and the *Biological Resources Report* (ICF International 2016), to the extent practicable (and consistent with Mitigation Measure BIO-6), all construction activities would occur between September and February of each year and, therefore, take place outside the breeding season and avoid impacts on nesting birds. Furthermore, **Mitigation Measures BIO-1** through **BIO-8** would be implemented, requiring approval of all applicable resource agency permits, biological awareness training for all construction personnel, temporary fencing to clearly distinguish the limits of the project site, biological monitoring to ensure grading activities occur within

designated areas, implementing BMPs outlined in the *Biological Resources Report* (ICF International 2016), and ensuring nesting birds, burrowing owl, and vernal-pool-dependent species are avoided. These mitigation measures would avoid or minimize impacts on sensitive natural communities and special-status wildlife species that could occur as a result of the temporary loss of habitat, direct impacts on individuals, or the loss of active nests for birds that are protected under the MBTA. Restoration of native vegetation communities would ultimately increase the acreage and quality of suitable breeding habitat for special-status wildlife species over the long term. Moreover, as a project feature, wood split-rail fencing would be installed to designate trail corridors in compliance with the OVRP Concept Plan and City of Chula Vista Greenbelt Master Plan, as well as signage (educational kiosks and general trail signage) would be installed to limit trespassing into the restoration project and adjacent habitats (**Mitigation Measure BIO-10**). Therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-8** and **BIO-10,** impacts related to special-status wildlife species would be less than significant.

Wildlife: Critical Habitat

The project site is within USFWS-designated critical habitat for both the coastal California gnatcatcher and the Quino checkerspot butterfly. Grading and restoration activities would temporarily impact designated critical habitat for both species. Coastal California gnatcatcher critical habitat is designated over the entire City of Chula Vista parcel, while Quino checkerspot butterfly critical habitat is located to the east of the City of Chula Vista parcel. Grading activities would occur in areas not typically used by coastal California gnatcatcher for nesting; enhancement activities would take place in Diegan coastal sage scrub, which is appropriate breeding habitat for coastal California gnatcatcher. Ultimately, restoration actions would improve the acreage and quality of habitat for coastal California gnatcatcher. The restoration grading is located outside of designated Quino critical habitat on previously gravel-mined riverwash alluvium that does not support the Quino checkerspot butterfly. However, as described above, the proposed project would implement **Mitigation Measures BIO-1** through **BIO-6** to avoid and minimize impacts that could occur on sensitive natural communities and special-status wildlife species as a result of the temporary loss of habitat, as well as direct impacts on individuals or the loss of active nests for birds protected under the MBTA. Therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-6**, impacts related to special-status species critical habitat would be less than significant.

Flora: Special-Status Species

Twenty-two special-status plant species were identified on site: singlewhorl burrobrush, Otay manzanita, south coast salt scale, San Diego sunflower, San Diego goldenstar, Otay Mountain ceanothus, snake cholla, Otay tarplant, variegated dudleya, San Diego barrel cactus, Palmer's grapplinghook, Tecate cypress, graceful tarplant, decumbent goldenbush, San Diego marsh elder, Southwestern spiny rush, small flowered microseris, spreading navarretia, Munz's sage, ashy spike-moss, blue streamwort, and San Diego County needlegrass. Grading activities would result in the temporal loss of vegetation that could result in impacts on special-status plant species, including the loss of individuals. However, implementation of **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9** would require biological awareness training for all construction personnel, temporary fencing to clearly distinguish the limits of the project site, biological monitoring to ensure grading activities occur within designated areas, implementing BMPs, and developing and implementing a

salvage plan for special-status plants that would be directly impacted by grading activities. These mitigation measures would avoid or minimize impacts on sensitive natural communities and special-status plant species that could occur as a result of the temporary loss of habitat. The restoration of native vegetation communities would, however, ultimately increase the acreage and quality of suitable habitat for these special-status floral species over the long term. As a project feature, wood split-rail fencing would be installed to designate trail corridors in compliance with the OVRP Concept Plan and City of Chula Vista Greenbelt Master Plan, as well as signage (educational kiosks, general trail signage) and safety reflectors to limit trespassing into the restoration project and special-status plant populations (**Mitigation Measure BIO-10**). Therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9 and BIO-10**, impacts related to special-status floral species would be less than significant.

Flora: Critical Habitat

A portion of the project site is within USFWS-designated critical habitat for Otay tarplant, and enhancement and grading activities would temporarily affect a portion of the habitat. However, Otay tarplant does not have reasonable potential to occur in the grading area because of the lack of appropriate soils and the disturbed nature of the former gravel mine. However, as mentioned above, **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9** would be implemented to minimize potential impacts on critical habitat. As mentioned above, the proposed project is a restoration project that would ultimately increase and enhance suitable habitat for special-status plant species; therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9**, impacts on USFWS-designated critical habitat for Otay tarplant would be less than significant.

Federally Protected Waters

The existing Otay River channel was substantially altered by gravel and sand mining activities that began in the 1920s and lasted until approximately the late 1980s; consequently, the floodplain has undergone the removal of a significant amount of streambed material and now contains a multitude of tailing rows and mounds, several pits, and other artifacts of such operations. As a result, floodplain drainage patterns have been significantly changed. The proposed project would restore a portion of the Otay River and re-create appropriate channel morphology, along with a floodplain with low and high terraces that would be activated during various flood events.

Restoration efforts would be conducted in compliance with applicable state and federal water quality laws. The temporary impacts on small areas of jurisdictional waters of the United States and State and native upland habitats, and the project as a whole, have been evaluated by USACE in accordance with Section 404 of CWA, the RWQCB in accordance with Section 401 of the CWA and the Porter-Cologne Act, USFWS in accordance with Section 7 of the Endangered Species Act, and the CDFW in accordance with Section 1600 of the California Fish and Game Code. The resource agencies have reviewed the project in detail, visited the site on numerous occasions, and provided feedback on design and phasing. It is anticipated that USACE will authorize the proposed project through issuance of an NWP for unavoidable impacts associated with Otay Ranch University Village 3, conclude Section 7 and Section 106 consultation, and issue a provisional 404 permit, pending 401 certification from the RWQCB. The RWQCB is also anticipating authorizing the proposed project through issuance of 401 certification for Otay Ranch University Village 3 and awaiting only

the conclusion of CEQA compliance (i.e., completion of this initial study and mitigated negative declaration). CDFW has approved the proposed project as mitigation for Otay Ranch University Village 3 and issued an SAA for Village 3 but will also be processing a separate SAA for the proposed project itself. The application and fee for the project SAA have been submitted; the SAA is anticipated as soon as CEQA compliance is concluded (i.e., completion of this initial study and mitigated negative declaration). Furthermore, implementation of **Mitigation Measure BIO-1**, Obtain Approval of All Necessary Resource Agency Permits, would be required prior to the issuance of grading permits and the start of restoration activities to ensure that all necessary agency permits have been approved and impacts on protected waters are minimized per the conditions set forth in the permits. Therefore, after implementation of **Mitigation Measure BIO-1**, the proposed project would not have a substantial adverse effect on federally protected waters, as defined by Section 404 of the CWA, and impacts would be less than significant.

With implementation of **Mitigation Measures BIO-1** through **BIO-10**, as outlined in Section F, *Mitigation Necessary to Avoid Significant Impacts*, biological resources impacts would be less than significant.

Cultural Resources

To assess potential impacts affecting cultural resources, a *CEQA Cultural Resources Technical Report* was prepared by ICF International (ICF International 2016). The cultural resources analysis is summarized below.

A records review revealed that two isolated artifacts and one archaeological site were previously documented within the restoration site: site CA-SDI-10875 and isolates 37-015385 and 37-015386. The artifacts associated with the isolates were collected during their initial documentation (Kyle et al. 1993a, 1993b). A subsequent cultural resources survey performed in support of the proposed project between June 2 and 3, 2015, did not locate any additional artifacts in the vicinity of either isolated find. This same survey identified only two surface-exposed lithic artifacts within the previously defined boundary for CA-SDI-10875. Historic documentation review and a pedestrian survey revealed that the central portion of the project area has been subject to deep and widespread ground disturbance associated with a sand and gravel mining operation that occurred in the project area during the late twentieth century. This area is considered to have limited potential to contain archaeological resources and intersects with the southern edge of the previously defined boundary for CA-SDI-10875.

CA-SDI-10875 has not been determined eligible for, or listed in, the California Register of Historical Resources (CRHR) or National Register of Historic Places (NRHP). Considering that only two non-diagnostic lithic artifacts were documented within a 17-acre portion of the site that occurs within the restoration site, that previous recent studies could not relocate any artifacts within the site boundary (AECOM 2013), and that no features or chronologically diagnostic artifacts have been documented within the site, the portion of the site that occurs within the project area does not appear to be eligible under Criterion 4 of the CRHR (Public Resources Code SS5024.1, Title 14, Section 4852). This site is not directly associated with any recognized historic or prehistoric event or person (Criteria 1 and 2), does not appear to embody a characteristic or method of construction that would warrant special recognition, and is not located in a cohesive neighborhood or grouping (Criterion 3). Therefore, impacts related to the proposed project causing a substantial adverse change in the significance of an

archaeological resource pursuant to State CEQA Guidelines Section 15064.5 would be less than significant.

One archaeological site, CA-SDI-14218, is located within the mitigation parcel where project-related ground disturbing activities (i.e., fence and sign installation) are proposed. The resource was not surveyed during the June 2 and 3, 2015, cultural resources survey and has not been evaluated for its eligibility for listing in the CRHR or NRHP. In accordance with guidance from the California Office of Historic Preservation, the site must be treated as though it were a significant resource until the necessary studies have been performed to determine its eligibility for the CRHR or NRHP. In order to minimize impacts to the resource, the proposed project would incorporate **Mitigation Measure CUL-1**, which would redesign the portion of the project that would result in ground disturbance within CA-SDI-14218 to avoid the site by relocating it to an area that does not occur within CA-SDI-14218 or any other previously documented archaeological sites. Implementation of **Mitigation Measure CUL-1** would reduce impacts to archaeological sites to less than significant. If CA-SDI-14218 cannot be avoided, the proposed project would incorporate **Mitigation Measure CUL-2**. This mitigation measure would require cultural resources investigations designed to evaluate the CRHR and NRHP eligibility of CA-SDI-14218 and consider whether proposed project activities would result in significant impacts to this resource. If CA-SDI-14218 is determined not eligible for listing in the CRHR or NRHP, or that the project would not result in significant impacts to the character-defining elements of the resource, then impacts to archaeological sites would be less than significant. If CA-SDI-14218 is determined eligible for listing in the CRHR or NRHP, then an archaeological treatment plan will need to be developed and implemented to reduce impacts to less than significant.

Despite the paucity of archaeological deposits identified within the 300-acre mitigation site during previous surveys, the proposed project would incorporate **Mitigation Measure CUL-3**, which would require the development and implementation of an unanticipated discovery plan, and **Mitigation Measure CUL-4,** which would require archaeological monitoring for any ground-disturbing activities within the 300-acre mitigation parcel. These mitigation measures would be used to account for the potential for encountering redeposited artifacts in the sediment stockpiles on site and the potential for encountering as-yet undocumented archaeological deposits in areas with poor ground surface visibility. Therefore, after implementation of **Mitigation Measures CUL-3** and **CUL-4**, impacts related to archaeological resources would be less than significant.

Geology and Soils

Implementation of the proposed project would not result in substantial soil erosion or the loss of topsoil. Erosion is a condition that could adversely affect development on any site. Construction activities would include the removal of all invasive nonnative tree, shrub, and herbaceous species, followed by grading of the channel and floodplain areas to remove spoil piles, berms, and pits and restore the area to the desired functions. Other improvements would include installation of wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. The proposed project would not add any new impervious surfaces. Construction activities could exacerbate erosion conditions by exposing soils and adding water to the soil from irrigation. As discussed in more detail below in Section IX, *Hydrology and Water Quality*, the General Construction Permit, which was adopted by the State Water Resources Control Board as

Water Quality Order 2012-0006-DWQ on July 17, 2012, is required for soil disturbance activities that greater than 1 acre. Compliance with the General Construction Permit requires development and implementation of a site-specific Storm Water Pollution Prevention Plan (SWPPP) by a Qualified SWPPP Developer that includes BMPs to be employed during construction to control soil erosion. The selection of erosion control BMPs is based on minimizing disturbed areas, stabilizing disturbed areas, and protecting water quality. Preliminary erosion control measures for the proposed project would include, but not be limited to, the use of hydraulic mulch, soil binders, geotextiles and mats, hydroseeding, straw mulch, earth dikes, and velocity dissipation devices. Furthermore, as discussed above in Section V, *Biological Resources*, the proposed project would implement **Mitigation Measure BIO-1** to ensure that all necessary agency permits, including a CWA Section 402 National Pollutant Discharge Elimination System (NPDES) Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, are approved before initiating grading activities and impacts related to geology and soils are minimized per the conditions set forth in the permits. As a result, after implementation of **Mitigation Measure BIO-1,** the proposed project would result in less-than-significant impacts related to soil erosion during construction activities.

Operation of the proposed project would restore the portion of the Otay River within the boundaries of the restoration site by creating complex channel morphology, including primary and secondary channels. A floodplain would be re-created with low and high terraces that would be activated during various flood events. This would improve drainage patterns compared with existing conditions and would not increase erosion because the restoration site would be restored to the desired functions, with native habitat that would prevent substantial erosion or siltation on- or off site. Furthermore, a restoration ecologist, be retained by the project applicant, would work in coordination with the installation and maintenance contractors and oversee the protection of existing native vegetation, nonnative plant removal, contour grading, site preparation, planting and seeding, maintenance and monitoring, and reporting. If deemed necessary by the restoration ecologist, maintenance activities would include remedial measures for erosion control. In addition, operation and maintenance of the minor trail improvements would be performed and managed by the City of Chula Vista per the guidelines in the City of Chula Vista Greenbelt Master Plan and OVRP Concept Plan and Trail Guidelines. As these improvements would occur in the disturbed areas of existing dirt roads, long-term soil erosion is not expected to be an issue for these project components. Thus, long-term operational impacts related to soil erosion or loss of topsoil would be less than significant.

Hazards and Hazardous Materials

Implementation of the proposed project is not expected to 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. Construction-related hazardous materials would be used during construction of the proposed project, including fuel, solvents, chemicals, and oils, for the operation of construction equipment. It is possible that any of these substances could be released in small amounts during construction activities. However, compliance with federal, state, and local regulations in combination with construction BMPs implemented from a Stormwater Pollution Prevention Plan (SWPPP) as required under the State Water Resources Control Board's Construction General Permit

would ensure that all hazardous materials are transported, used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during the construction phase of the project. Furthermore, **Mitigation Measure BIO-1** would ensure that all necessary agency permits, including a CWA Section 402 NPDES Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, are approved before initiating grading activities. No hazardous materials are expected to be transported, used, disposed of, or stored on site during the operational phase, which would be similar to the existing operations at the project site.

A records search was conducted to determine if there are any known hazards or hazardous materials located on or close to the project site that could result in a significant hazard to the public or the environment. The following summarizes the findings of this records search.

GeoTracker and EnviroStor

Existing Leaking Underground Storage Tanks

Research conducted on GeoTracker and EnviroStor during an online records review provided no current or historical hazardous material information regarding the proposed project site. However, two Leaking Underground Storage Tank (LUST) sites were identified within a 1-mile radius of the proposed project site; the Lower Lake Filtration Plant located northeast of the proposed project at 2200 Wueste Road and the East Mesa Detention Center located southeast of the proposed project at 446 Alta Road (State Water Resources Control Board 2015). Contamination found in the Lower Lake Filtration Plant site included gasoline-impacted soil only, while the East Mesa Detention Center was a diesel-impacted soil-only site. Remediation was conducted and both sites were granted closure in September of 2006 and December of 2007, respectively. Thus, the likelihood of contamination migrating to the proposed project area and adversely affecting construction workers or the environment from the two surrounding sites is very low.

Brown Field Bombing Range Formerly Used Defense Site

The western portion of the project site is located within the Brown Field Bombing Range Formerly Used Defense Site (FUDS). Figure 9 shows where the project site, restoration site, trails, and the FUDS property boundaries overlap. The Brown Field Bombing Range was identified in the EnviroStor database as being part of the Department of Toxic Substances Control's (DTSC's) Hazardous Waste and Substances Site List – Site Cleanup (Cortese List). The Cortese List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites (DTSC 2015).

The Brown Field Bombing Range (also known as the Otay Mesa Bombing Range, the Otay Bombing Target, or Otay Mesa Bombing Target #32) was used by the Navy between 1942 and 1960 as a dive-bombing practice range, and later as an aerial rocket range. In 1961, the bombing range was assigned for disposal. Construction of the proposed project could create a significant hazard to construction workers or the environment by exposing or encountering any remaining unearthed unexploded ordnances (UXO), munitions and explosives of concern (MEC), and munitions debris (MD). UXOs are defined as military munitions that have been prepared for action, remain unexploded, and have been fired, dropped, launched, projected, or placed in such a manner as to constitute an explosive hazard. MECs specify specific categories of military munitions that may pose unique explosive safety risks, of which UXOs

are one. Other MECs include discarded military munitions, which are munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for proper disposal, and munitions constituents, which are any materials originating from unexploded ordnances, discarded military munitions, or other military munitions (Office of the Under Secretary 2003). MD are remnants of munitions (i.e., penetrators, projectiles, shell casings, links, fins) remaining after munitions use, demilitarization, or disposal (Parsons 2007).

Parsons Site Inspection Report

A site inspection (SI) evaluation consisting of a qualitative reconnaissance and surface soil sampling was conducted by Parsons in 2007 to evaluate the presence of MECs, MDs, and munitions constituents (MCs) within the Former Brown Field Bombing Range. The qualitative reconnaissance encompassed 15.9 miles of the former bombing range and a total of 10 soil samples (as depicted in Figure 9). Results of the laboratory analysis were as follows.

- Explosives were not detected in any of the soil samples collected.
- MC contamination was detected in surface soil samples, in particular, aluminum, copper, iron, lead, potassium, manganese, and zinc.

Due to the laboratory results, a MC Screening Level Risk Assessment (SLRA) and a Screening Level Ecological Risk Assessment (SLERA) were conducted for aluminum, copper, lead, manganese, and zinc (iron and potassium were determined to not pose an unacceptable risk). Based on the results of the SLRA and SLERA, the Former Brown Field Bombing Range was determined not to pose an unacceptable risk to human health or ecological receptors resulting from potential exposure to MC in surface soil. As surface water and sediment samples were not collected at the time of the evaluation, the SI recommended the need for further investigation to determine the presence of MEC hazards in these types of media. **Mitigation Measure HAZ-1** would reduce potential impacts associated with unacceptable risks to human health or ecological receptors resulting from exposure to MC in surface water and sediment by requiring sampling and completion of the associated SLRA and SLERA studies, along with either avoidance or remediation of any affected areas before any construction activities may proceed. Implementation of **Mitigation Measure HAZ-2** would further reduce potential impacts related to historic Brown Field FUDS site activities by performing a surface clearance sweep prior to initiating any construction activities and removing and disposing of any remaining unearthing UXO, MEC and MD. In addition, **Mitigation Measure HAZ-2** would require two UXO qualified technicians to support the project's restoration and grading activities to detect the presence of MEC in disturbed soil. Impacts would be less than significant with mitigation incorporated.

Hydrology and Water Quality

Pollutant Discharges to Receiving Waters

The proposed project would not result in an increase in pollutant discharges to receiving waters, result in significant alteration of receiving water quality during or following construction, or violate any water quality standards or waste discharge requirements. The project area is situated within the Otay River watershed and contains a floodplain and the Otay River main channel. Three creeks flow into the project area. Two are un-named

drainages that meet the Otay River from the south; the third is O'Neal Canyon Creek, which meets the Otay River toward the downstream end of the project area and originates in the Otay Mountain Wilderness near Otay Mountain. The restoration area is in a post-disturbance state. The floodplain was mined for sand/gravel in the 1980s, and a portion near Savage Dam was burned in 2003. As a result, floodplain drainage patterns have been significantly altered, creating a poorly defined channel and a number of large and small avulsions and abandoned channels. The Otay River is not listed as a 303d impaired water body (State Water Resources Control Board 2010).

Construction activities would include the removal of all invasive nonnative tree, shrub, and herbaceous species, followed by grading of the channel and floodplain areas to remove spoil piles, berms, and pits and restore the area to the desired functions. In addition, the project would include installation of fencing around the borders of the restoration site and signs and educational kiosks on existing dirt roads. The potential impacts of these construction activities on water quality are related primarily to sediment and sediment-bound pollutants that may be mobilized during construction. Ground-disturbing construction activities, such as grading, excavation, and stockpiling of spoil materials, and runoff from construction areas could cause soil erosion and sedimentation and reduce water quality in the Otay River. Additionally, hazardous materials (e.g., gasoline, oils, grease, lubricants) from construction equipment could be accidently released during construction. Accidental discharge of these materials to surface waters could adversely affect water quality, endanger aquatic life, and/or result in a violation of water quality standards.

Because the proposed project would disturb more than 1 acre of land, the proposed project would be subject to the California State Water Resources Control Board's NPDES General Permit for Stormwater Discharges Associated with Constructions and Land Disturbance Activities (General Construction Permit). The General Construction Permit was adopted by the State Water Resources Control Board as Water Quality Order 2012-0006-DWQ and became effective on July 17, 2012. Compliance with the General Construction Permit requires development and implementation of a SWPPP by a Qualified SWPPP Developer, elimination of or reductions to non-stormwater discharges off-site into storm drainage systems or other water bodies, and the implementation of BMPs throughout the construction period. The SWPPP requires a description of the restoration site, identification of sources of sediment and other pollutants that may affect the quality of stormwater discharges, a list of BMPs to provide sediment and erosion control, waste handling measures, and non-stormwater management. The preliminary list of BMPs to be employed at the restoration site is shown in Table 3 (see Environmental Checklist Form). Various BMPs may be needed at different times during construction because activities are constantly changing site conditions. The selection of erosion control BMPs is based on minimizing disturbed areas, stabilizing disturbed areas, and protecting water quality. The selection of sediment control BMPs is based on retaining sediment on-site and controlling the site perimeter. The SWPPP would contain the final BMP list and meet or exceed measures required by the Construction General Permit. In addition, the SWPPP is required to be implemented by a Qualified SWPPP Practitioner to ensure all BMPs are implemented correctly to protect water quality. Furthermore, as discussed under Biological Resources, the proposed project would implement **Mitigation Measure BIO-1** to ensure that all necessary agency permits would be approved before initiating grading activities and impacts on hydrology and water quality would be minimized per the conditions set forth in the permits. As a result, after

implementation of **Mitigation Measure BIO-1,** the proposed project would result in less-than-significant impacts related to water quality standards during construction activities.

Alter Existing Drainage Patterns

The existing channel has been disturbed through gravel and sand mining during the twentieth century. Dozens of mine tailing mounds exist within the historic channel, and drainage patterns have been severely altered as a result. In addition, regular vehicular and foot traffic have created disruptions in the floodplain hydrology, and artificial ruts or ponds have developed in existing roads and unofficial trails where they cross the river. Moreover, the artificial ruts or ponds are causing artificial deepening and the subsequent creation of berms, which are impounding water upstream and forcing the limited surface hydrology subsurface. Construction activities would include the removal of all invasive nonnative tree, shrub, and herbaceous species, followed by grading of the channel and floodplain areas to remove spoil piles, berms, and pits and restore the area to the desired functions. The proposed project would armor two at-grade road crossings through the active floodplain and would require the roads be over-excavated, underlain by native large rock, and reformed to match the stream profile as much as possible for safe crossing. The armoring would be provided to prevent erosion of the crossings during flood events and eliminate the current berming resulting from regular vehicle and foot traffic. The SWPPP, required as part of compliance with the Construction General Permit identified above, would address impacts from erosion or siltation on- or off site during construction. Furthermore, implementation of **Mitigation Measure BIO-1** would ensure that all necessary agency permits would be approved before initiating grading activities and impacts on hydrology and water quality would be minimized per the conditions set forth in the permits. Operation of the proposed project would restore the portion of the Otay River within the boundaries of the restoration site by creating complex channel morphology, including primary and secondary channels. A floodplain would be re-created with low and high terraces that would be activated during various flood events. This would improve drainage patterns compared with existing conditions and would not increase erosion or siltation off-site. The restoration site would be restored to the desired functions with native habitat that would prevent substantial erosion or siltation on- or off-site. As previously stated, the proposed project would armor two at-grade road crossings through the active floodplain to allow for safe crossing and prevent erosion during flood events. The proposed project is required to comply with the OVRP Trail Guidelines, which identify erosion control requirements for trail design, especially for soft-surface, multi-use trails. Trails designed for multiple user groups may need additional maintenance due to higher use and the potential for higher levels of erosion. Per City requirements, the OVRP Trail Guidelines shall be implemented in order to reduce soil erosion and ensuing trail damage. A restoration ecologist, retained by the project applicant, would work in coordination with the installation and maintenance contractors and oversee the protection of existing native vegetation, nonnative plant removal, contour grading, site preparation, planting and seeding, maintenance and monitoring, and well as reporting. Therefore, after implementation of **Mitigation Measure BIO-1**, the proposed project would not substantially alter the existing drainage pattern of the restoration site or area in a manner that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

Land Use and Planning

Implementation of the proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project. The project site is designated as Open Space Preserve by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan. The project site is zoned Residential by the City of Chula Vista's Zoning Code and Agriculture and Special Purpose by the San Diego County Zoning Code. Other applicable planning documents include the Otay Ranch Phase 1 and 2 Resource Management Plan (RMP), the County of San Diego Multiple Species Conservation Program and City of Chula Vista MSCP Subarea Plan, Otay River Watershed Management Plan (ORWMP), and the Draft Otay River Watershed Special Area Management Plan (SAMP), City of Chula Vista Greenbelt Master Plan, and the OVRP Concept Plan and Trails Guidelines. As discussed within the initial study environmental checklist, the project would be consistent with all applicable plans. Moreover, to ensure all trail improvements are consistent with the City's Greenbelt Master Plan and the OVRP Concept Plan and Trail Guidelines, **Mitigation Measure LU-1** is required. **Mitigation Measure LU-1** would require that all applicable grading plans would contain the applicable trail guidelines from both the City's Greenbelt Master Plan and the OVRP Trail Guidelines. It would also require approval of the design of the proposed fencing and signage, which would be designed in accordance with these two documents. Finally, it would require the City to confirm installation of these improvements matched the approved designs. With this mitigation, impacts related to land use and planning would be less than significant.

F. Mitigation Necessary to Avoid Significant Impacts

Air Quality

1. **Mitigation Measure AQ-1: Implement Construction BMPs**. The following best management practices shall be shown on all applicable grading and building plans as details, notes, or as otherwise appropriate:

   - Minimize simultaneous operation of multiple construction equipment units.
   - Use low pollutant-emitting construction equipment.
   - Use electrical construction equipment as practical.
   - Use catalytic reduction for gasoline-powered equipment.
   - Use injection-timing retard for diesel-powered equipment.
   - Water the construction area at least three times daily to minimize fugitive dust.
   - Stabilize graded areas as quickly as possible to minimize fugitive dust.
   - Pave permanent roads as quickly as possible to minimize dust.
   - Use electricity from power poles instead of temporary generators during building, if available.
   - Apply stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry.
   - Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.

- Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour.

Biological Resources

2. **Mitigation Measure BIO-1: Obtain Approval of All Necessary Resource Agency Permits**. Prior to the issuance of a grading permit, the applicant shall obtain all necessary resource agency permits and provide copies to the City. All conditions identified within each of the resource agency permits shall be implemented in accordance with the permit. The applicable resource agency permits for the proposed project include a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, a Section 7 Informal Consultation Letter from the U.S. Fish and Wildlife Service, a Clean Water Act Section 401 Water Quality Certification from the Regional Water Quality Control Board, a Clean Water Act Section 402 National Pollutant Discharge Elimination System Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife. In addition to the agency permits, a conservation easement or other approved site protection mechanism and endowment would be established per the U.S. Army Corps of Engineers and Environmental Protection Agency Compensatory Mitigation Rule.
3. **Mitigation Measure BIO-2: Biological Awareness Training**. Prior to initiation of grading activities, biological resource awareness training will be provided by a qualified biologist to all construction personnel. The training will include information regarding sensitive species with the potential to occur at the site as well as minimization and avoidance measures to reduce potential indirect effects on the habitat. A log of personnel who have completed the training and a copy of the training report/outline (including special-status species photos, targeted invasive plant species, and descriptions of the measures discussed in the training session) will be maintained at the construction office.
4. **Mitigation Measure BIO-3: Temporary Fencing**. Prior to the initiation of grading activities, the limits of grading will be clearly marked by well-installed temporary fencing that is prominently colored. The fence will be installed by the construction contractor and will remain in place during all grading activities.
5. **Mitigation Measure BIO-4: Biological Monitor**. A qualified biological monitor will be on site during vegetation clearing activities to ensure that grading activities occur within designated areas. The monitor will also ensure that any special-status species that becomes entrapped within the grading limits is moved away from construction equipment. The biological monitor will also periodically inspect the limits of disturbance

fence to ensure that it is in good condition. Any parts of the fence that need repair will be brought to the contractor's attention to be fixed immediately. In the event that a special-status species is located within the grading limits, the biological monitor would temporarily stop construction. Removal of sensitive species should be done by a biologist qualified to handle that specific species. If needed, the California Department of Fish and Wildlife will be informally consulted if there is a question on the best manner to safely address a situation with a sensitive wildlife species.

6. **Mitigation Measure BIO-5: Best Management Practices**. Best management practices (BMPs) will be implemented per the conditions outlined in the *Biological Resources Report* (ICF International 2016) by the construction contractor during all grading activities to reduce potential indirect effects on special-status species and habitat. BMPs will include but will not be limited to the following.

   - All trash will be properly stored and removed from the site daily to prevent attracting wildlife to the construction area.
   - Vehicles and equipment will be stored only on pre-designated staging areas in disturbed or developed areas. Fueling should be conducted in a manner that prevents spillage of fuel into the Otay River or into riparian or wetland habitats.
   - All maintenance of vehicles and equipment will be conducted in a manner so that oils and other hazardous materials will not discharge into the Otay River, or into riparian habitat areas (including Freshwater and Freshwater Marsh).
   - Dust control measures will be implemented to minimize the settling of dust on vegetation.
   - Appropriate firefighting equipment (e.g., extinguishers, shovels, water tankers) will be available on the site during all phases of project construction, and appropriate fire prevention measures will be taken to help minimize the chance of human-caused wildfires.
   - All construction will be performed between dawn and dusk to the degree feasible to minimize potential indirect effects (e.g., increased depredation) on the species beyond the limits of disturbance.

7. **Mitigation Measure BIO-6: Nesting Bird Avoidance**. To avoid any direct impacts on nesting coastal California gnatcatchers (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), raptors, or other birds protected under the Migratory Bird Treaty Act, removal of habitat, including the removal of any riparian woodland, upland vegetation, and eucalyptus trees that may support active nests on the proposed area of disturbance will occur outside of the breeding season when feasible. The breeding season is defined as February 15–September 15. If work, including any trail improvement work, must be conducted during the breeding season, nesting bird surveys would need to be completed in order to clear the area or locate active nests for avoidance. Adequate avoidance buffers would be established around any active nests and coordinated with the wildlife agencies.

8. **Mitigation Measure BIO-7**: **Preconstruction Burrowing Owl Survey**. To avoid any direct impacts on burrowing owls (*Athene cunicularia*), an approved biologist shall conduct focused pre-construction surveys for burrowing owls. The surveys shall be performed no earlier than 10 days prior to the commencement of any clearing, grubbing, or grading activities. If occupied burrows are detected, the biologist shall prepare a

passive relocation mitigation plan, subject to review and approval by the Wildlife Agencies and the City, including any subsequent burrowing owl relocation plans to avoid impacts from construction-related activities.

9. **Mitigation Measure BIO-8: Vernal Pool–Dependent Species Avoidance.** The San Diego Mesa vernal pool complex located in the northeastern corner of the property is outside of the restoration boundary and will be completely avoided. To avoid all other potential fairy shrimp habitat areas and potential impacts on San Diego fairy shrimp (*Branchinecta sandiegonensis*), other ponding features such as road ruts and road ponds will be identified by an aquatic resource and fairy shrimp specialist and fenced by the construction contractor ensuring they are not impacted by restoration activities including truck traffic and storage. Construction access routes will be rerouted within the proposed grading footprint to avoid these ponding features. These new routes will replace existing roads/trails to avoid future impacts associated with vehicular and recreational use. The uplands surrounding the ponds will be restored with native species. Wood split-rail fencing, boulders, and signage will be installed outside of these sensitive areas and used to inform the public of the sensitivity of the area and deter them from trespassing into the ponded areas and river restoration project.

10. **Mitigation Measure BIO-9: Special-Status and Succulent Plant Salvage Plan.** During grading and enhancement activities, special-status and succulent plant species should be avoided where feasible. Salvage and relocation of target species to adjacent areas will be implemented for unavoidable impacts. Target species include the special-status plant species detected within the restoration project boundary: singlewhorl burrobush (*Ambrosia monogyra*), San Diego sunflower (*Bahiopsis laciniata*), San Diego barrel cactus (*Ferocactus viridescens*), Palmer's grapplinghook (*Harpagonella palmeri*), Tecate cypress (*Hesperocyparis forbesii*), decumbent goldenbush (*Isocoma menziesii* var. *decumbens*), San Diego marsh-elder (*Iva hayesiana*), southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*), small-flowered microseris (*Microseris douglasii* ssp. *platycarpha*), blue streamwort (*Stemodia durantifolia*), and San Diego needlegrass (*Stipa diegoensis*), as well as Otay tarplant if detected within the restoration project boundary.

    A special-status plant and succulent salvage plan will be prepared for the areas of grading and habitat enhancement. The plan will be prepared and implemented prior to grading and enhancement activities. The plan will include a special-status and succulent plant target species list, seed collection, succulent plant salvage, and transplanting methods.

11. **Mitigation Measure BIO-10: Public Access, Trails, and Recreation.** To deter trespassing into the restoration site, wood split-rail fencing will be installed to designate road/trail corridors along existing roads and existing unofficial trails that border the restoration site. Other barriers (boulders, brush piles, logs. and plantings) will be placed at strategic locations when protection of sensitive resources is required where fencing is not present. For safety purposes, reflective material will be placed on the wood fencing at specific locations to aid Border Patrol and other night-time users from unintentionally breaking through fencing into sensitive habitat. Additionally, signage and informational kiosks will be installed for educational purposes and to inform the public of the sensitivity of the restoration site and adjacent habitats. All installation activities (signage, fencing, kiosks) and reflective materials will occur outside of the breeding season defined

as February 15–September 15 or be in accordance with Mitigation Measure BIO-6 and require preconstruction surveys.

Cultural Resources

12. **Mitigation Measure CUL-1: Avoidance of CA-SDI-14218.** The portion of the proposed project that would require ground disturbance within CA-SDI-14218 will be redesigned to avoid the resource, either by rerouting or eliminating the activity that would require ground disturbance within the site boundary. If rerouting is selected, the new route would avoid any other previously documented unevaluated, CRHR-eligible, or NRHP-eligible resources.

13. **Mitigation Measure CUL-2: Testing of CA-SDI-14218.** If ground disturbance within CA-SDI-14218 cannot be avoided, a cultural resources study designed to evaluate the CRHR and NRHP eligibility of the resource will be performed prior to ground disturbing activities. If the archaeological site is determined to be eligible for the CRHR and NRHP, the study will also determine whether the proposed ground disturbance would result in significant impacts to CA-SDI-14218. If the study determines that CA-SDI-14218 is not eligible for listing in the CRHR or NRHP, or that the project would not result in significant impacts to the character-defining elements of the resource, then impacts to archaeological resources would be less than significant. If CA-SDI-14218 is determined eligible for listing in the CRHR or NRHP, then an archaeological treatment plan will need to be developed and implemented for CA-SDI14218 to reduce impacts to archaeological resources to less than significant.

14. **Mitigation Measure CUL-3: Unanticipated Discovery Plan.** Prior to any ground disturbing activities associated with project construction, an unanticipated discovery plan will be developed and will be implemented and enforced during all project-related ground disturbance activities. The plan will establish the procedures to follow in the event of an unanticipated discovery of archaeological deposits or human remains, describe the anticipated range of archaeological resource types, list the character-defining elements that would render archaeological resources eligible for listing in the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) and identify documentation procedures to follow in the event that an archaeological discovery does not retain the necessary character-defining elements to be considered eligible for listing in the NRHP or CRHR. In the event that an unanticipated discovery is determined to be eligible for listing in the NRHP and/or CRHR, the procedures to follow regarding the treatment of the resource will be developed in consultation with the State Historic Preservation Officer and the affected tribes. The plan will contain resource avoidance procedures to follow while treatment is being developed.

15. **Mitigation Measure CUL-4: Archaeological Monitoring.** All ground disturbing activities within the 300-acre mitigation parcel will be monitored by a professional archaeologist. In the event of an unanticipated archaeological discovery, the archaeological monitor will assess the discovery in accordance with the project's Unanticipated Discovery Plan described in Mitigation Measure CUL-3.

Hazards and Hazardous Materials

16. **Mitigation Measure HAZ-1: Sampling and SLRA/SLERA Studies for On-site Surface Water and Sediment and Water/Sediment Remediation if Necessary.** Prior

to construction activities associated with the project, surface water and sediment sampling will be conducted by an environmental consultant with experience in proper sample handling procedures. Samples will be collected from the western portion of the site where the project site boundaries overlap with the Brown Field Bombing Range Formerly Used Defense Site boundary, the number and location of which will be determined by a qualified environmental professional with experience in screening level risk assessments. Using the laboratory results, a Munitions Constituents Screening Level Risk Assessment and a Screening Level Ecological Risk Assessment will be conducted to assess potential risk associated with munitions constituents exposure to human and ecological receptors. A report will be prepared with the results of the study and submitted to the City for review and approval. Should results indicate the presence of contamination levels that would pose a risk to human health, the project proponent (in consultation with the City) will coordinate with the San Diego County Department of Environmental Health, the Department of Toxic Substances Control, and the Regional Water Quality Control Board regarding avoidance or remediation of affected water and soils in compliance with applicable federal, state, and local laws prior to any project-specific construction activities occurring. If the condition at the site requires it, the project proponent will not proceed with construction activities until a letter of closure is provided by the lead hazardous materials agency. Should the results indicate that no serious risk is present, project-related construction activities may proceed, pending compliance with any other applicable mitigation.

17. **Mitigation Measure HAZ-2: Surface Clearance Prior to Construction.** Prior to initiating invasive species removal, restoration site grading activities, or trail improvements, a surface clearance will be conducted where the restoration site and trail improvements intersect the Brown Field Bombing Range Formerly Used Defense Site (FUDS) boundary and along any access roads and staging areas to identify all munitions and explosives of concern (MEC) and munitions debris (MD). A qualified survey company with experience in unearthed unexploded ordnances (UXO) will be retained to sweep the area for metallic items including those that may be obscured by vegetation or surface debris, and MD will be evaluated to determine if any explosive residue remains. If it is determined that there is the potential for an explosive hazard, the City of Chula Vista and County of San Diego will be contacted to respond to the item and dispose of it appropriately. Upon identifying an explosive hazard, the survey company will establish an exclusion zone around the material. The exclusion zone radius will depend on the type of material identified and will be expanded, if needed, while material is being worked on or if setting a charge to explode the material in place. If setting a charge, all personnel will be required to evacuate the area. All personnel will be required to remain out of the exclusion zone until the responders provide clearance. All MD determined to no longer contain explosive residue will be inspected by qualified personnel and containerized in lockable 55-gallon drums for later disposal by an approved recycler.

    During construction, the qualified survey company will supply two UXO–qualified technicians to support the project's restoration and grading activities. The technicians will use magnetometers to detect the presence of MEC in disturbed soil. If no MEC items are identified, excavations will be advanced to desired depth. If MEC are detected during excavation/grading, these activities will stop immediately and the survey company technician(s) will contact the City of Chula Vista and County of San Diego for disposal

of the material. The technicians will remain on site during disposal response actions to provide site safety and security and for technical consultation with emergency responders.

Land Use and Planning

18. **LU-1: Trail Improvements Consistent with Applicable City of Chula Vista Greenbelt Master Plan and Otay Valley Regional Park Trail Guidelines.** All applicable trail guidelines from the City of Chula Vista's Greenbelt Master Plan and Otay Regional Park Trail Guidelines shall be shown on all applicable grading plans as details, notes, or as otherwise appropriate. All proposed designs for signage and fencing will be submitted to the City to verify consistency with the above mentioned guidelines. Finally, installation of all trail-related improvements will be subject to inspection by the City to confirm the improvements were constructed in accordance with the approved designs.

G. Agreement to Implement Mitigation Measures

By signing the line(s) provided below, the Applicant and Operator stipulate that they have each read, understood and have their respective company's authority to and do agree to the mitigation measures contained herein, and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign the line(s) provided below prior to posting of this Mitigated Negative Declaration with the County Clerk shall indicate the Applicant's and Operator's desire that the Project be held in abeyance without approval and that the Applicant and Operator shall apply for an Environmental Impact Report.

Paul Borden, President _____ _____
Printed Name and Title of Applicant (or authorized representative) — Date

_____ 5/10/16
Signature of Applicant (or authorized representative) — Date

N/A _____ _____
Printed Name and Title of Operator (if different from Applicant) — Date

N/A _____ _____
Signature of Operator (if different from Applicant) — Date

H. Consultation

1. Individuals and Organizations

City of San Diego: Laura Ball, Project Officer II

City of San Diego: Nikki McGinnis, Natural Resources Manager

California Department of Fish and Wildlife: Kelly Fisher, Environmental Scientist

County of San Diego: Melanie Tylke, Land Use and Environmental Planner

Otay Valley Regional Park – Citizen Advisory Committee, Trails Subcommittee

Otay Water District: Lisa Coburn-Boyd, Environmental Compliance Specialist

Regional Water Quality Control Board: Lisa Honma, Environmental Scientist

San Diego Border Patrol: Amber Craig, Supervisory Border Patrol Agent

San Diego Border Patrol: Agent Ben Hollinder, Special Operations Office

San Diego Gas & Electric: Scott Boczkiewicz, Environmental Programs Manager

U.S. Army Corps of Engineers: Rose Galer, Project Manager, Carlsbad Field Office

U.S. Fish and Wildlife Service: Eric Porter, Carlsbad Office

2. Documents

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3. Initial Study

This environmental determination is based on the attached Initial Study, any comments received on the Initial Study, and any comments received during the public review period for this Mitigated Negative Declaration. The report reflects the independent judgment of the City of Chula Vista. Further information regarding the environmental review of this project is available from the Chula Vista Planning and Building Department, 276 Fourth Avenue, Chula Vista, CA 91910.

Steve Power
Principal Planner
City of Chula Vista

Date: 5/9/16

ATTACHMENT 1: FIGURES

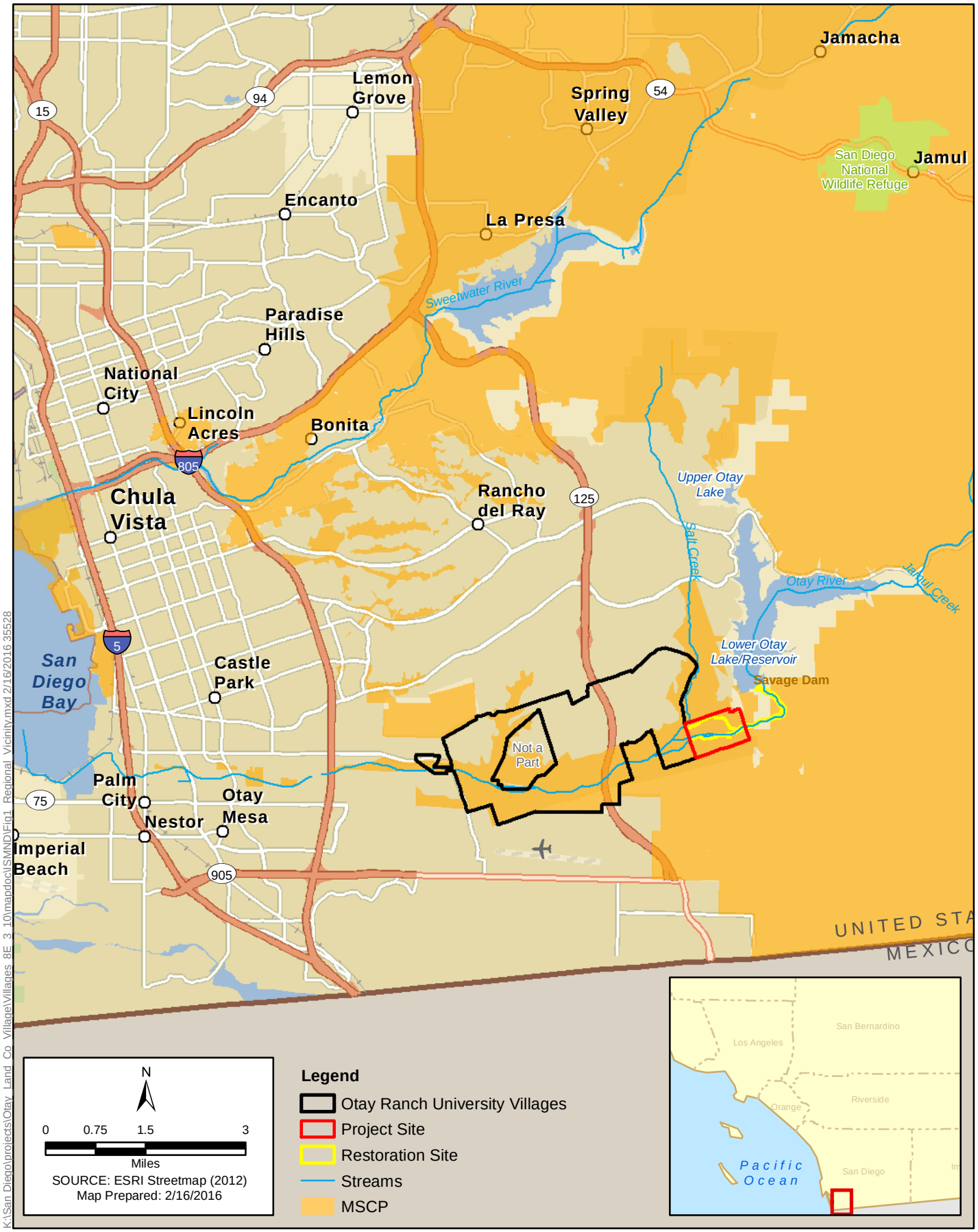

Figure 1
Regional Vicinity
Otay River Restoration Project HMMP IS/MND

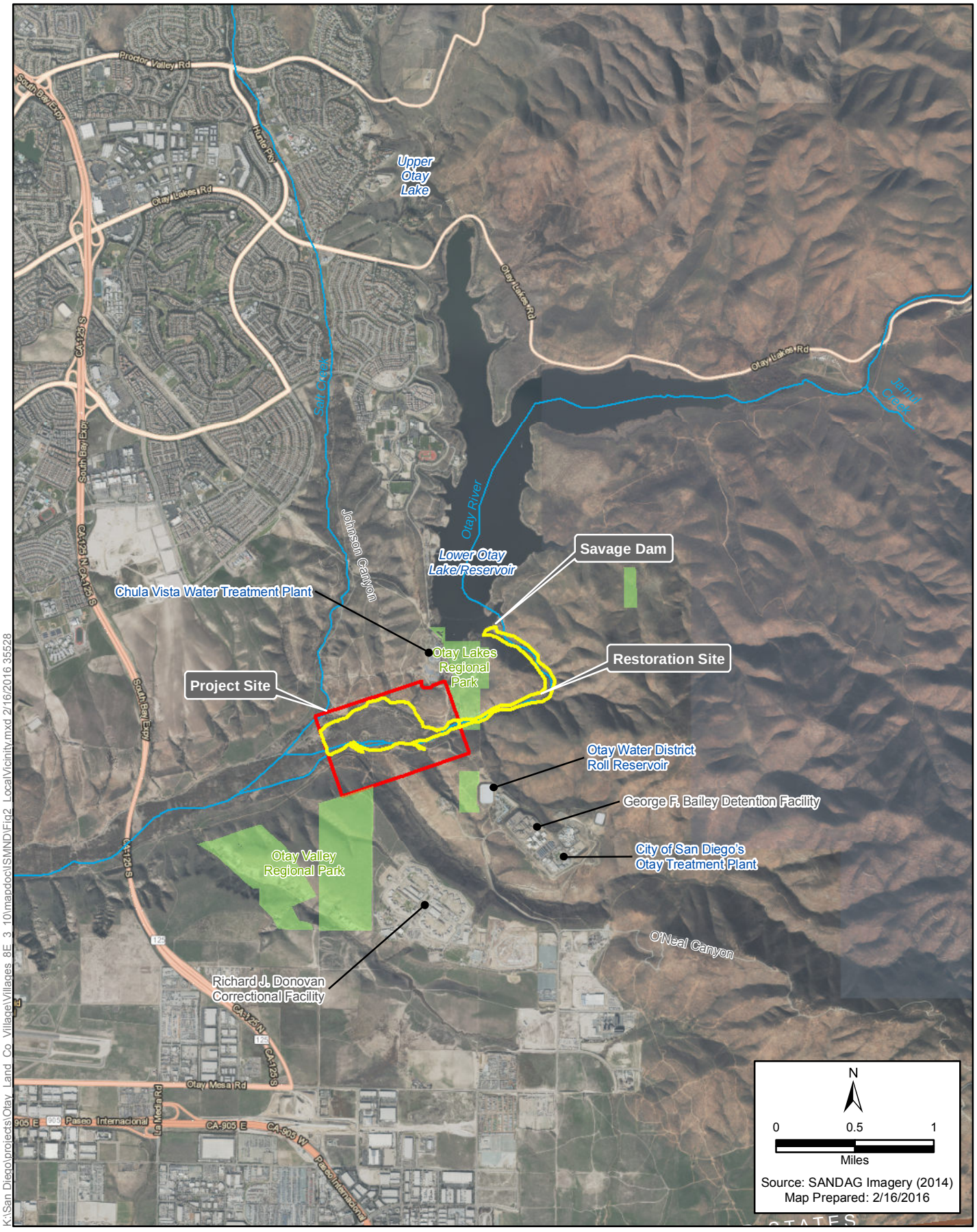

Figure 2
Local Vicinity
Otay River Restoration Project HMMP IS/MND

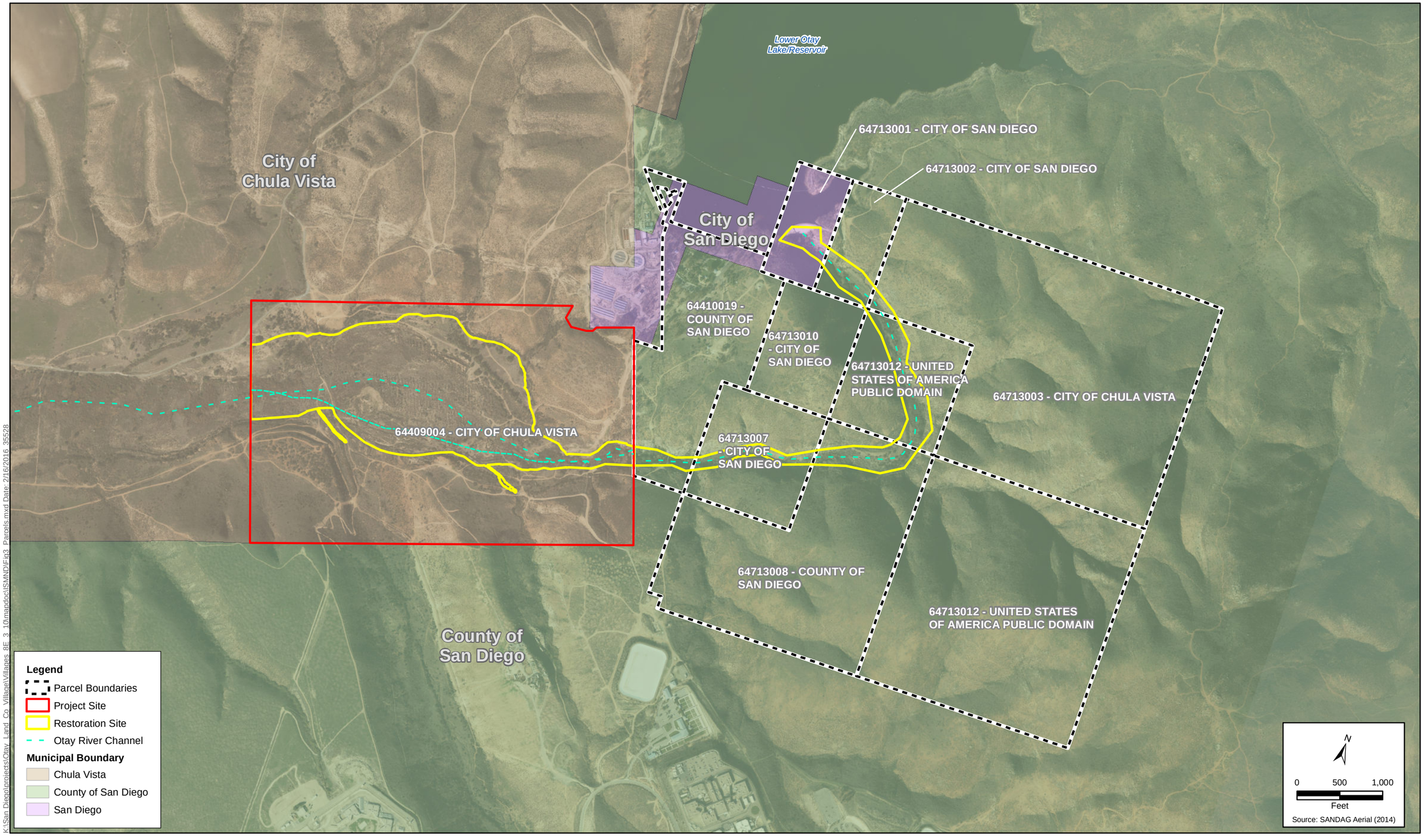

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Figure 3
Parcels
Otay River Restoration Project HMMP IS/MND

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Legend

- Restoration Site
- Project Site
- Tributaries (Existing)

Potential Restoration Phase

- Phase 1 (Invasive Removal)
- Phase 2 Boundary
- Future Phase(s)

Phase 2 Mitigation

- Village 3
- Village 8W

Otay Concept Plan

- Primary Channel
- Secondary Channel
- Bank
- Seasonal Pond

Existing Road/Trail

- Existing Road/Trail Closure/Potential Scenic Trail
- Existing Road/Trail Complete Closure
- Existing Road/Trail Crossing Improvement
- Utility Road

OVRP Concept Trail

- OVRP Concept Trail Corridor
- OVRP Concept Trail Corridor - Add Fencing & Signage

OVRP Existing Trail

- OVRP Existing Trail

City of Chula Vista Future Greenbelt Trail Corridor

- City of Chula Vista Greenbelt Trail Corridor
- OVRP & Greenbelt Trail Corridor - Add Fencing & Signage

N

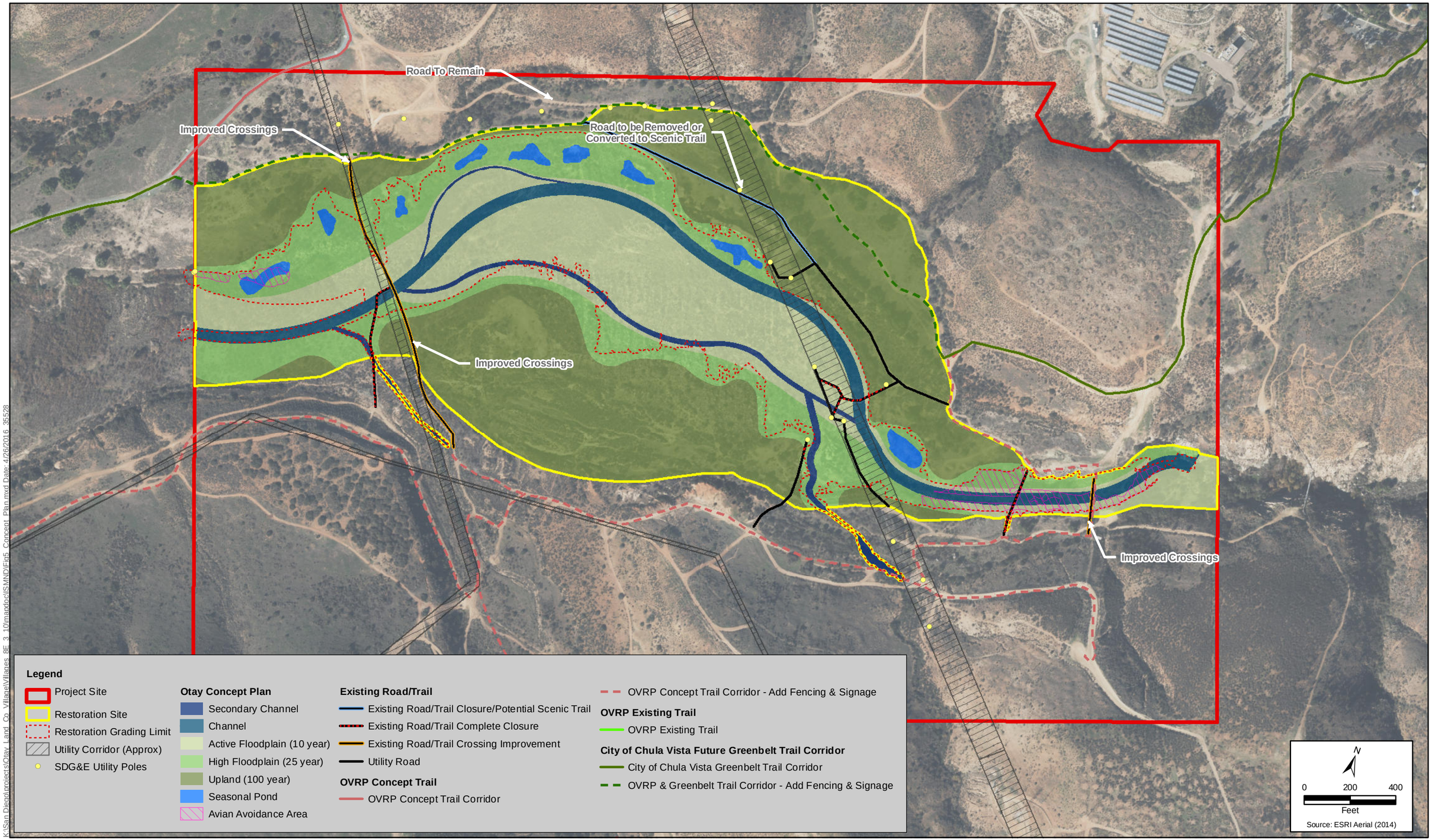
0 300 600

Feet

Source: ESRI Aerial (2014)

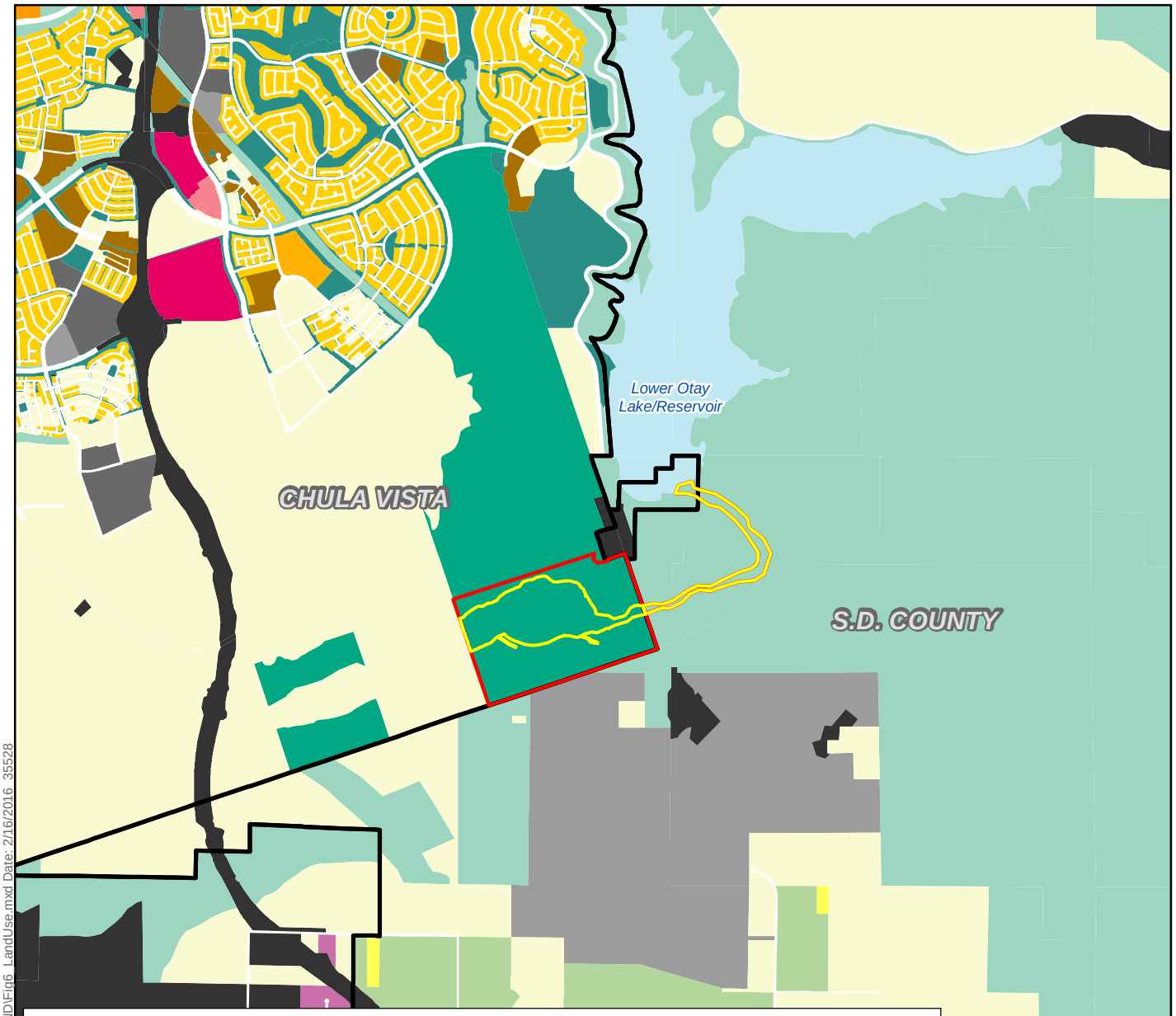
*As part of construction the road will be closed and revegetated with the exception of a 4-6 foot swath for potential future trail creation. The trail is not included as part of this HMMP.

Figure 4
Potential Restoration Phases
Otay River Restoration Project HMMP IS/MND



K:\San Diego\projects\Otay Land Co. Village 8E 3.10\mandocs\IS\MND\Fig5 Concept Plan.mxd Date: 4/26/2016 35528

Figure 5
Mitigation Parcel Concept Plan Map
Otay River Restoration Project HMMP IS/MND



Legend

- Restoration Site
- Project Site
- Municipal Boundaries

Land Use

Residential

- Spaced Rural Residential
- Single Family Detached
- Single Family
- Mobile Homes
- Multiple Family

Commercial and Office

- Shopping Centers
- Commercial and Office

Industrial

- Light Industry

Public Facilities and Utilities

- Transportation, Communications, Utilities
- Education
- Institutions

Parks & Recreation

- Recreation
- Open Space Preserve (City of Chula Vista)
- Open Space Conservation and Recreation (County of San Diego)

Agriculture

- Intensive
- Extensive

Undeveloped

- Undeveloped
- Water
- Road Rights of Way

N

0 2,000 4,000

Feet

Sources: ESRI Basemaps (2015)
Sangis Land Use (2015)

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Figure 6
Land Use
Otay River Restoration Project HMMP IS/MND

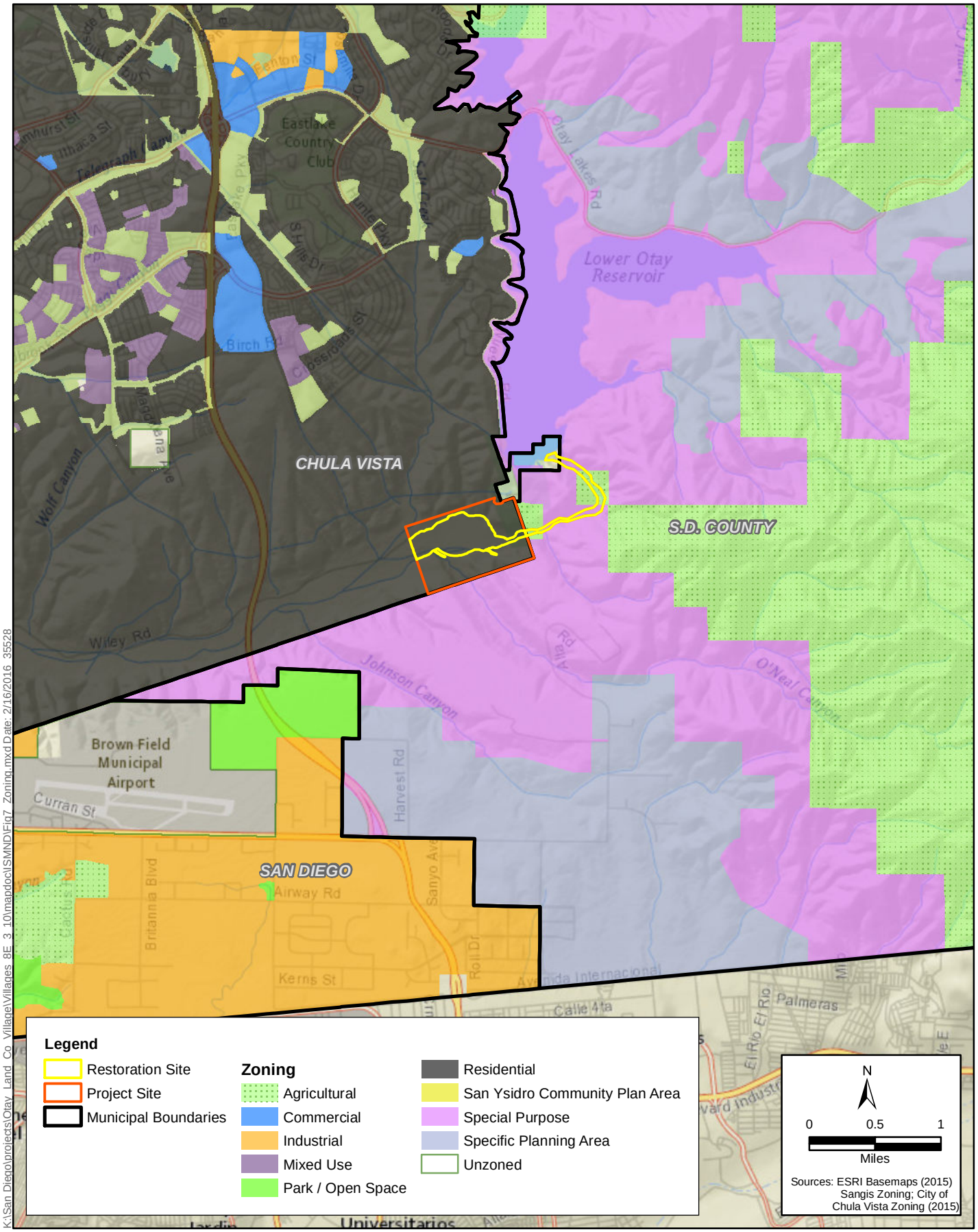

Figure 7
Zoning
Otay River Restoration Project HMMP IS/MND

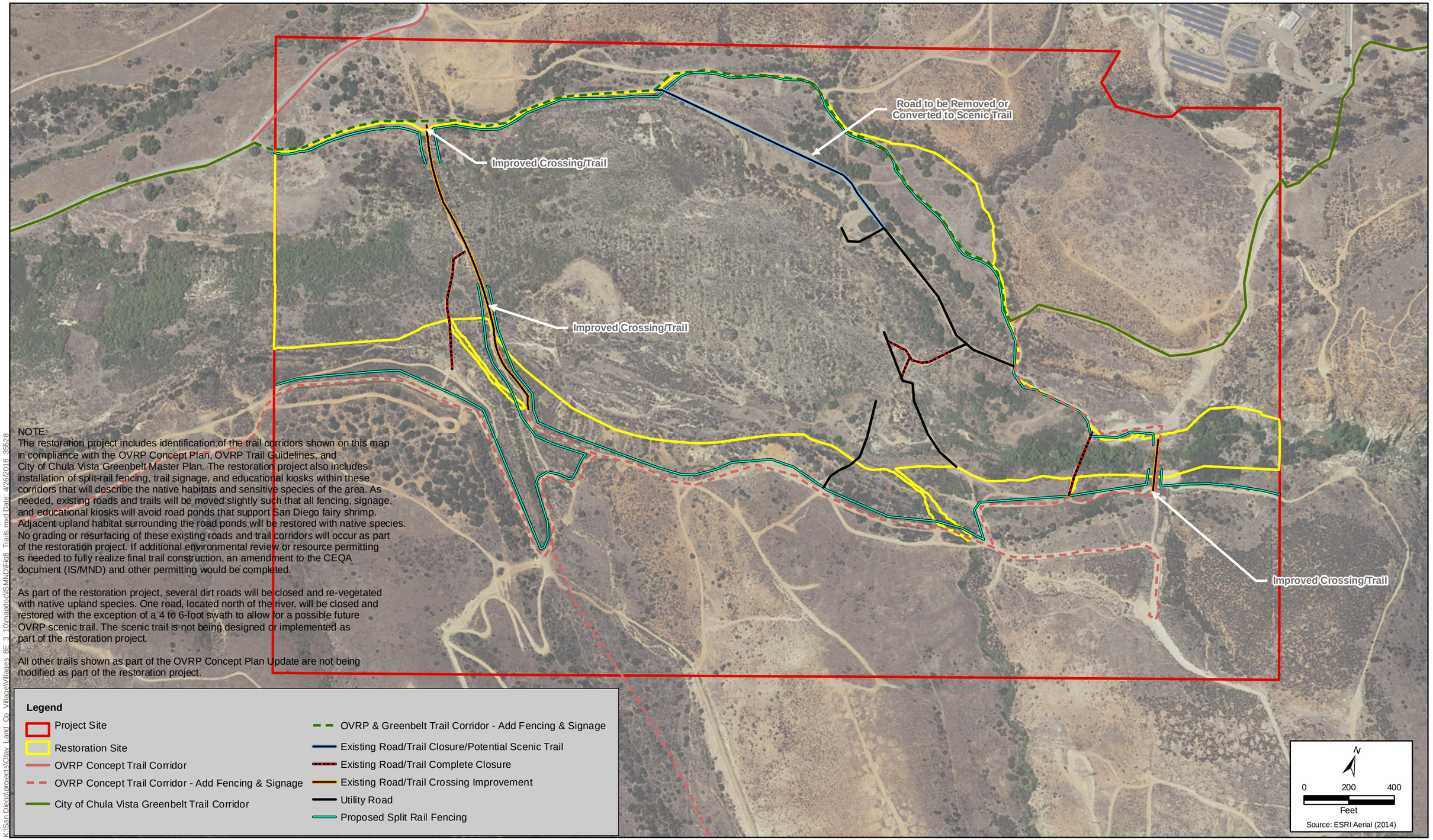

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Figure 8
Project Site Trails
Otay River Restoration Project HMMP IS/MND

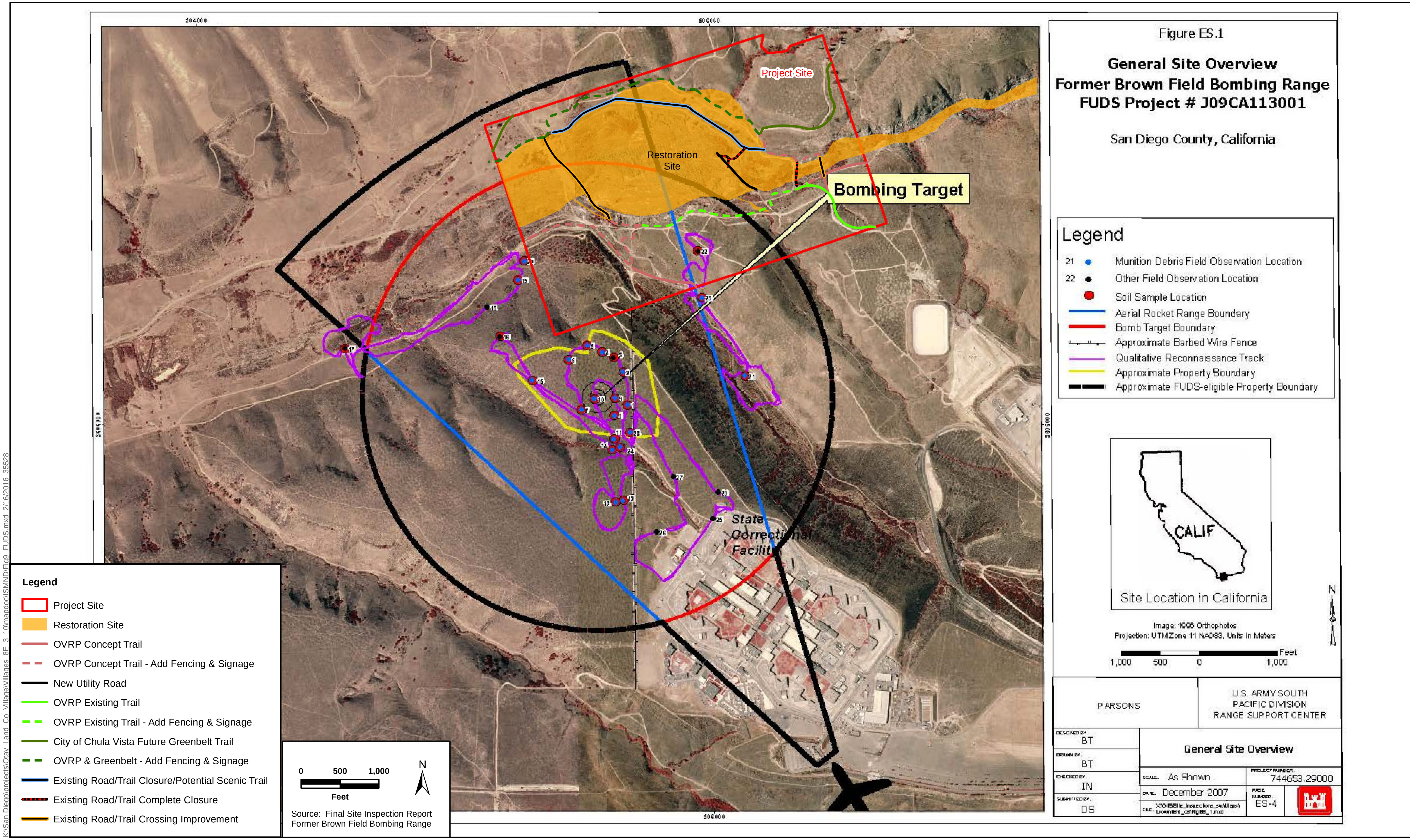
Figure ES.1
General Site Overview
Former Brown Field Bombing Range
FUDS Project # J09CA113001
San Diego County, California
Project Site
Restoration Site
Bombing Target
State Correctional Facility
Legend
21 Munition Debris Field Observation Location
22 Other Field Observation Location
Soil Sample Location
Aerial Rocket Range Boundary
Bomb Target Boundary
Approximate Barbed Wire Fence
Qualitative Reconnaissance Track
Approximate Property Boundary
Approximate FUDS-eligible Property Boundary
CALIF
Site Location in California
Image: 1996 Orthophotos
Projection: UTM Zone 11 NAD83, Units in Meters
Feet
1,000 500 0 1,000
PARSONS
U.S. ARMY SOUTH PACIFIC DIVISION RANGE SUPPORT CENTER
BT
BT
IN
DS
General Site Overview
As Shown
December 2007
744653.29000
ES-4
Legend
Project Site
Restoration Site
OVRP Concept Trail
OVRP Concept Trail - Add Fencing & Signage
New Utility Road
OVRP Existing Trail
OVRP Existing Trail - Add Fencing & Signage
City of Chula Vista Future Greenbelt Trail
OVRP & Greenbelt - Add Fencing & Signage
Existing Road/Trail Closure/Potential Scenic Trail
Existing Road/Trail Complete Closure
Existing Road/Trail Crossing Improvement
0 500 1,000
Feet
N
Source: Final Site Inspection Report Former Brown Field Bombing Range

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Figure 9
FUDS & Site Overlay
Otay River Restoration Project HMMP IS/MND

CALIFORNIA GEOLOGICAL SURVEY
JAMES F. DAVIS, STATE GEOLOGIST

STATE OF CALIFORNIA - GRAY DAVIS, GOVERNOR
THE RESOURCES AGENCY - MARY NICHOLS, SECRETARY FOR RESOURCES
DEPARTMENT OF CONSERVATION - DARRYL YOUNG, DIRECTOR

Prepared in cooperation with the U.S. Geological Survey

DEPARTMENT OF CONSERVATION
California Geological Survey

GEOLOGIC MAP OF THE OTAY MESA 7.5' QUADRANGLE SAN DIEGO COUNTY, CALIFORNIA: A DIGITAL DATABASE

by
Siang S. Tan and Michael P. Kennedy

Digital Preparation by
Kelly Correia and Sybil Jorgensen
2002

Oligocene to Pleistocene

Holocene

Oligocene to Pleistocene

Miocene to Pleistocene

Oligocene to Pleistocene

Pliocene to Holocene

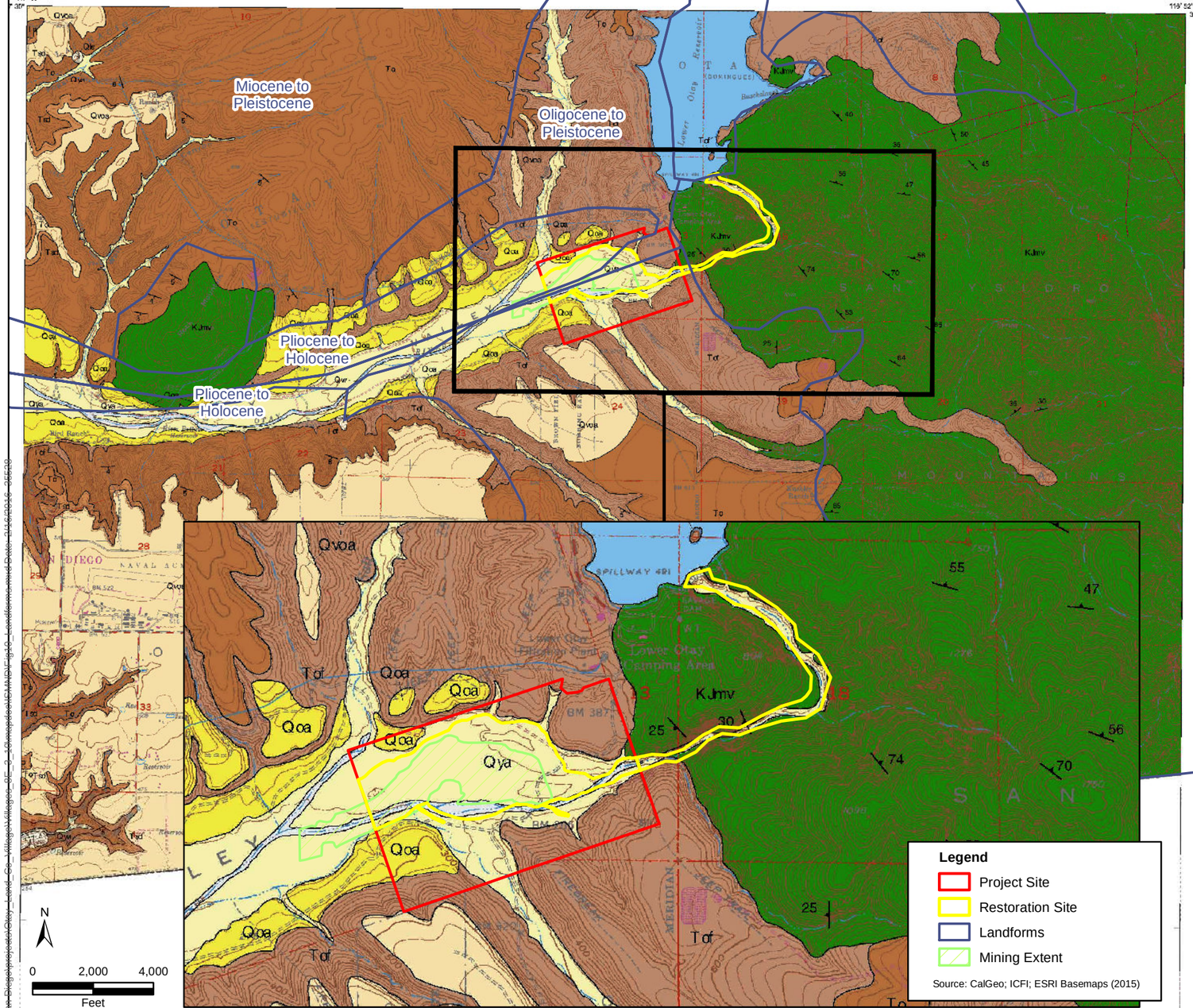
Pliocene to Holocene

Late Jurassic to Early Cretaceous

CORRELATION OF MAP UNITS

Qw, Qya, Qls	Holocene	QUATERNARY	CENOZOIC
	Pleistocene		
Tsd	Pliocene	TERTIARY	
To, Tof	Oligocene/ Miocene		
KJmv		CRETACEOUS	MESOZOIC
		JURASSIC	

Cont
Air p faulti
Strik
Strik
Land Inclu



DESCRIPTION OF MAP UNITS

Qw Late Holocene active channel and wash deposits; unconsolidated sand, silt, gravel and clay. Deposits along smaller drainage channels are included in Qya.

Qya Holocence alluvial deposits; unconsolidated to poorly consolidated silt, clay, sand and gravel. Includes modern active sedmients along small drainage channels.

Qls Landslide deposits (Holocene and Late Pleistocene); landslide slump and rock fall deposits. On map, the deposit is depicted by landslide arrows (see "MAP SYMBOLS")

Qoa Alluvial deposits (late to middle Pleistocene); moderately consolidated, poorly sorted flood plain deposits consisting of gravelly sandy silt and clay.

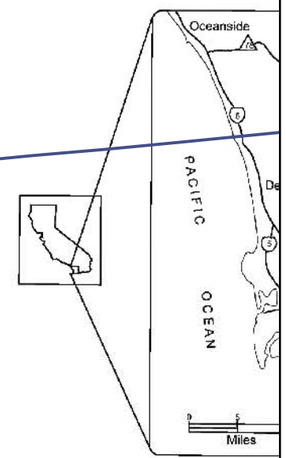
Qvoa Alluvial deposits (middle to early Pleistocene); well consolidated, poorly sorted flood plain deposits consisting of gravel, sand, silt and clay.

Tsd San Diego Formation (Pliocene); poorly indurated, fine- to medium-grained sandstone, typically yellowish light brown.

To Otay Formation (Oligocene to Miocene); poorly indurated massive light-colored sandstone, siltstone and claystone, interbedded with bentonite lenses.

Tof Otay Formation-fanglomerate facies (Oligocene to Miocene); poorly cemented bouldery conglomerate and coarse-grained sandstone. Interfingered with overlying To.

KJmv Metavolcanic rocks (Jurassic and Cretaceous); mildly metamorphosed volcanic, volcaniclastic and sedimentary rocks. Volcanic rocks range from basalt to rhyolite, but are predominantly andesite and dacite. In general, metavolcaniclastic rocks are most abundant.



1. San Vincente Re
2. El Cajon quadran
3. Jamul Mountains
4. Otay Mesa quadr

Figure 10
Holocene-aged and Pleistocene-aged Landforms
Otay River Restoration Project HMMP IS/MND

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Figure 11
Noise Measurement and Modeling Locations
Otay River Restoration Project HMMP IS/MND

Figure 12
Cumulative Projects
Otay River Restoration Project HMMP IS/MND

ATTACHMENT 2: COMMENTS RECEIVED AND RESPONSES TO COMMENTS

Introduction

The City of Chula Vista (City) has evaluated the comments received on the Otay River Restoration Project Habitat Mitigation and Monitoring Plan (HMMP) Draft Initial Study/Mitigated Negative Declaration (IS/MND). This Attachment contains copies of the comments received during the public review process and provides written responses for each of the comments. In accordance with Section 15074 of the California Environmental Quality Act (CEQA) Guidelines, the lead agency will consider the IS/MND together with any comments received during the public review process. While written responses are not required for an IS/MND, the City has elected to provide written responses to all comments received during the public review process for the record.

Comments Received

The Draft IS/MND was made available by the City for public review from March 14, 2016 through April 12, 2016. During this time, five comment letters were received from state and local agencies and one utility provider. The comments addressed concerns related to conservation easements, utility easements, trails, development of a mitigation bank, restoration credits, and biological resources. The commenting parties are listed below. Each of the commenting parties is labeled with a letter, which corresponds to the comment letters and the responses to comments provided herein.

State Agencies

State Clearinghouse (SCH) – Comment Letter A

California Department of Fish and Wildlife (CDFW) – Comment Letter B

Local Agencies

County of San Diego Department of Parks and Recreation (DPR) – Comment Letter C

City of San Diego – Comment Letter D

Utilities

San Diego Gas & Electric Company (SDG&E) – Comment Letter E

Letter A – State Clearinghouse

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

April 13, 2016

Steve Power
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Subject: Otay River Restoration Project Habitat Mitigation and Monitoring Plan
SCH#: 2016031039

Dear Steve Power:

A-1 The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on April 12, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Response to Comment A-1:

This comment notes the public review period, states that no state agencies submitted comments during the public review period, and acknowledges the proposed project has complied with the State Clearinghouse's public review requirements for draft environmental documents. This comment does not raise an environmental issue; therefore, no response is required.

Document Details Report
State Clearinghouse Data Base

SCH# 2016031039
Project Title Otay River Restoration Project Habitat Mitigation and Monitoring Plan
Lead Agency Chula Vista, City of

Type MND Mitigated Negative Declaration

Description The project involves implementation of the Otay River Restoration Project HMMP to restore over 100 acres of hydrologic and sediment transport processes and native habitats in the Otay River Valley on a roughly 300-acre parcel. The project includes establishment, re-establishment, and rehabilitation of roughly 2.74 acres of upstream habitat; 63.31 acres of onsite habitat; 10.88 acres of primary channel habitat; 4.09 of secondary habitat; 53.75 acres of terraces; 2.36 acres of seasonal ponds; and 31.96 acres of upland habitat. There is also an additional 63.89 acres of upland habitat; enhancement proposed as an optional project component that may be carried out in the future by other entitles. It is anticipated the project would begin in the summer/fall 2016. Completion would take approx. 5 years including a 5-year maintenance, monitoring, reporting phase.

Lead Agency Contact

Name Steve Power
Agency City of Chula Vista
Phone 619-409-5884 **Fax**
email
Address 276 Fourth Avenue
City Chula Vista **State** CA **Zip** 91910

Project Location

County San Diego
City Chula Vista
Region
Lat / Long 32° 36' 0.10" N / 116° 56' 19.99" W
Cross Streets
Parcel No. 644-090-04
Township **Range** **Section** **Base**

Proximity to:

Highways 125
Airports Brown Field Municpal Airport
Railways
Waterways Otay River; Otay Resrvoir; Salt Creek
Schools Tetra Tech High School
Land Use Open Space Preserve by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Air Resources Board; Regional Water Quality Control Board, Region 9; Native American Heritage Commission; Department of Fish and Wildlife, Marine Region

Date Received 03/14/2016 **Start of Review** 03/14/2016 **End of Review** 04/12/2016

Letter B – California Department of Fish and Wildlife

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

April 12, 2016

Mr. Steve Power
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Subject: Comments on the Draft Mitigated Negative Declaration for the Otay River Restoration Project Habitat Mitigation and Monitoring Plan (CEQA-2016-0184-0000-R5)

Dear Mr. Power:

B-1 This letter provides California Department of Fish and Wildlife (Department) comments on the March 14, 2016 draft Mitigated Negative Declaration (MND) for the Otay River Restoration Project Habitat Mitigation and Monitoring Plan (HMMP). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§ 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) program. The City of Chula Vista (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

B-2 The proposed project involves the implementation of the Otay River Restoration Project (ORVP) HMMP, which plans to restore 100 acres of hydrologic and sediment transport processes, and native habitats in the Otay River Valley on approximately 300 acres of land. The proposed project includes establishment, re-establishment, and rehabilitation of approximately: 2.74 acres of habitat upsteam of the mitigation parcel; 63.31 acres of on-site habitat (i.e., mitigation parcel); 10.88 acres of primary and 4.09 acres of secondary channel habitats; 53.71 acres of terraces; 2.36 acres of seasonal ponds; and 31.96 acres of upland habitat. This project is intended to serve as mitigation for CDFW jurisdictional habitat from Village 3 and Village 8 West, which are identified as a Covered Project in the City's MSCP SAP. The project may also provide advanced mitigation for impacts from other projects but this will require further discussion among the City, applicant, and Resource Agencies (e.g. Department, USFWS, Army Corps of Engineers, and Regional Water Quality Control Board). An additional 63.75 acres of upland habitat enhancement is proposed as an optional project component that may be carried out in the future by other entities; these projects are described as future phases. The project, which includes Phase I and Phase II of the HMMP, would begin summer/fall of 2016, and will take approximately 5 years, including a 5-year maintenance and monitoring period.

Response to Comment B-1:

This comment notes the intent of CDFW, as a Trustee and Responsible Agency pursuant to CEQA, to provide comments on the IS/MND and HMMP. It also identifies CDFW as the administrator of the Natural Community Conservation Planning (NCCP) program and the City as participating in the NCCP by implementing the Multiple Species Conservation Program (MSCP) Subarea Plan (SAP). This comment does not raise an environmental issue; therefore, no response is required.

Response to Comment B-2:

This comment summarizes the proposed project and does not raise an environmental issue; therefore, no response is required.

B-3 The Department appreciates the efforts that have been made to comply with the SAP and offer the following comments and recommendations to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources and to ensure that the project is consistent with ongoing regional habitat conservation planning efforts.

B-4 1. The draft MND identifies the proposed project as mitigation for Villages 3 and 8 West, and Mitigation Measure BIO-1 is "Obtain Approval of All Necessary Resource Agency Permits," all of which include an obligation of preservation in perpetuity. Although it is described in the HMMP, the draft MND does not elaborate on the need for a conservation easement and endowment to ensure conservation occurs in perpetuity.

B-5 2. Although the draft MND states that the trails identified within the restoration plan would be consistent with the OVRP Concept Plan and Greenbelt Master Plan, the draft MND does not clarify if the trails identified within the HMMP are the same as the future trails that are described within the OVRP Concept Plan and Greenbelt Master Plan. Other potential future uses will need to be agreed to by the Department and USFWS, and identified in the conservation easement. Section 7.5.3 of the Chula Vista SAP states that "land acquired for mitigation may preclude public access." Areas that are being set aside for mitigation (or future mitigation credits) will need to be carefully evaluated for compatibility with future trails and trail areas.

B-6 3. Mitigation Measure BIO-4 states that "the monitor will also ensure that any special-status species that becomes entrapped within the grading limits is moved away from construction equipment." In the event that a special status species is located within the grading limits, the biological monitor should temporarily stop construction. Removal of sensitive species should be done by a biologist qualified to handle that specific species. The Department is available for informal consultation if there is some question on the best manner to safely address a situation with a sensitive wildlife species.

B-7 4. Mitigation Measure BIO-5 lists a number of best management practices. Bullet point one, which states "all trash will be stored properly," should also require removal from the site daily to prevent attracting wildlife to the construction area. Bullet point 2 should also include fueling as an activity that should be conducted in a manner that prevents spillage of fuel into the Otay River or into riparian or wetland habitats.

B-8 5. Although there is no current documentation of nesting owls on site per the Biological Technical Report, the draft MND identifies mitigation measure BIO-7 for burrowing owls (*Athene cunicularia*) and burrows within the project site. The Department recommends early coordination should any burrowing owls be identified on or adjacent to the project site so that we (in conjunction with the USFWS, City, and applicant) can develop an appropriate relocation or avoidance strategy to prevent significant project delays.

B-9 6. There are a few discrepancies between the species lists that are included within Table 3 and Appendices B, C, D, and E of the Biological Technical Report, and the HMMP Appendices C and D. Notable inconsistencies are found for Quino checkerspot butterfly

Response to Comment B-3:

This comment notes the efforts that have been made to comply with the SAP and again expresses CDFW's intent to provide comments and recommendations on the IS/MND. This comment does not raise an environmental issue; therefore, no response is required.

Response to Comment B-4:

This comment notes that the IS/MND does not elaborate on the need for a conservation easement and endowment to ensure conservation occurs in perpetuity. The IS/MND identified the proposed project as compensatory mitigation for Villages 3 and 8 West through the implementation of Phases 1 and 2. The "Future Phases" of the HMMP, also analyzed and covered by the IS/MND, would be authorized by resource and regulatory agencies as compensatory mitigation through the development of a mitigation bank for future projects within the approved Service Area. Impacts associated with the Restoration Project described in the HMMP (Phases 1, 2, and "Future Phases") is currently being authorized by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and U.S. Fish and Wildlife Service (USFWS) through Village 3 permits. CDFW has requested a separate permit authorization (Streambed Alteration Agreement [SAA]) for the Restoration Project. The applicant has submitted the application for an SAA and provided an extension to CDFW on issuance of the SAA to May 23, 2016.

The Restoration Area will be protected in a conservation easement or other approved site protection mechanism per the USACE and U.S. Environmental Protection Agency (EPA) Compensatory Mitigation Rule. This text has been updated in Mitigation Measure BIO-1 of the IS/MND, Mitigation Monitoring and Reporting Program (MMRP), and Biological Resources Report (BRR). No other changes to the IS/MND are required as a result of this comment.

Response to Comment B-5:

This comment states that the IS/MND does not clarify if the trails identified within the HMMP are the same as the future trails that are described within the Otay Valley Regional Park (OVRP) Concept Plan and City's Greenbelt Master Plan, and that other potential future uses will need to be agreed to by CDFW and USFWS and identified in the conservation easement or other approved site protection mechanism. In addition, the comment references the City's SAP and notes that areas being set aside for mitigation (or future mitigation credits) will need to be carefully evaluated for compatibility with future trails and trail areas.

The trails identified in the IS/MND and HMMP are consistent with and the same as those identified in the OVRP Concept Plan and City's Greenbelt Master Plan, with the exception of the potential scenic trail which will be a narrow 4' wide trail. Approximately, half of the potential scenic trail is currently used by SDG&E as an access road to existing SDG&E poles and will remain at 14' wide.

Response to Comment B-6:

This comment recommends additional measures for Mitigation Measure BIO-4 related to removal of special-status species. Mitigation Measure BIO-4 has been updated in the IS/MND, MMRP, and BRR. No other changes to the IS/MND are required as a result of this comment.

Response to Comment B-7:

This comment recommends additional measures for Mitigation Measure BIO-5 related to trash removal and fueling activities. Mitigation Measure BIO-5 has been updated in the IS/MND, MMRP, and BRR. No other changes to the IS/MND are required as a result of this comment.

Response to Comment B-8:

The comment requests early coordination with CDFW should any burrowing owls be identified on or adjacent to the project site so an appropriate relocation or avoidance strategy can be developed. Per Mitigation Measure BIO-7, if occupied burrows are detected, the applicant would prepare a passive relocation mitigation plan, subject to review and approval by the Wildlife Agencies and the City, including any subsequent burrowing owl relocation plans to avoid impacts from construction-related activities. No changes to the IS/MND are required as a result of this comment.

Response to Comment B-9:

This comment identifies discrepancies between the species lists that are included within Table 3 and Appendices B, C, D, and E of the BRR, and Appendices C and D of the HMMP. A thorough review of Table 3 and corresponding appendices for both the BRR and HMMP was conducted. All inconsistences have been corrected in both documents. No other changes are required as a result of this comment.

B-9 Cont.

(*Euphydryas editha quino*), western spadefoot (*Spea [=Scaphiopus] hammondii*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), coastal California cactus wren (*Campylorhynchus brunneicapillus sandiegensis*), snake cholla (*Cylindropuntia californica* var. *californica*), and San Diego barrel cactus (*Ferocactus viridescens*).

B-10

7. Will Thorne's hairstreak be addressed within the salvage and relocation plan? It is an obligate species to Tecate cypress and a San Diego County Narrow Endemic, and is not addressed within the avoidance and minimization measures of the HMMP, but is shown as present within the Biological Technical Report.

B-11

Thank you for the opportunity to comment on the draft MND. If you have any questions, please contact Elyse Levy of the Department at (858) 467-4237 or Elyse.Levy@wildlife.ca.gov.

Sincerely,

Dal A. Mayer

FOR Gail K. Sevrens
Environmental Program Manager
South Coast Region

Response to Comment B-10:

This comment asks if Thorne's hairstreak will be addressed within the salvage and relocation plan. Mitigation Measure BIO-9 focuses on the salvage and relocation of special-status species and specifically references Tecate cypress. The intent of the salvage plan is to minimize the impact not only on sensitive plant species but also on the wildlife that depend upon them. Therefore, the inclusion of Tecate cypress in the salvage and relocation plan (BIO-9) also directly supports Thorne's hairstreak. No changes to the IS/MND are required as a result of this comment.

Response to Comment B-11:

This comment thanks the City for the opportunity to comment on the IS/MND and provides contact information for any questions the City may have. The City appreciates CDFW's interest in the project and the agency's expertise in biological resources. The City will continue to coordinate with CDFW and will notify CDFW of any future environmental documents related to the proposed project.

Letter C – County of San Diego Department of Parks and Recreation

County of San Diego

BRIAN ALBRIGHT
DIRECTOR
(858) 966-1301

DEPARTMENT OF PARKS AND RECREATION
5500 OVERLAND AVENUE, SUITE 410, SAN DIEGO, CA 92123
Administrative Office (858) 694-3030
www.sdparks.org

April 12, 2016

Chula Vista Development Services Department
276 Fourth Avenue
Chula Vista, CA 91910
Attn: Steve Power

COMMENTS ON THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE OTAY RIVER RESTORATION PROJECT DATED MARCH 14, 2016

C-1 The County of San Diego Department of Parks and Recreation (DPR) has received and reviewed the Draft Initial Study and Mitigated Negative Declaration for the Otay River Restoration Project Habitat Mitigation and Monitoring Plan (Draft MND), dated March 2016. DPR supports this project and the wetland restoration and habitat enhancement it will bring to the Otay River Valley Regional Park (OVRP).

DPR has the following comments on the Draft MND:

Mitigated Negative Declaration

C-2 1. Section B. Project Description, page 2:
"In addition, a mitigation bank would be developed through the U.S. Army Corps of Engineers (USACE) and other regulatory agencies to secure the restoration acreage for projects within the watershed and approved service area, including the remaining Otay Ranch University Villages, the City of Chula Vista University Project, and other private and public projects if approved by the regulatory agencies." DPR requests that passive and active recreation projects developed within the OVRP have the opportunity to utilize the restoration acreage of the proposed mitigation bank, as they would be considered public projects.

C-3 2. Section B. Project Description, Trails Section, page 4:
Do the trail widths provided include the adjacent vegetation clearance (horizontal)? The last paragraph indicates a "14-foot-wide Greenbelt Trail," however the City of *Chula Vista Greenbelt Master Plan* indicates trails to be constructed at a width of 10 feet wide. It is recommended that this reference is revised to 10-foot-wide, as the two foot vegetation clearance on each side of the trail is not typically included in trail width measurements.

PARKS AND RECREATION
COUNTY OF SAN DIEGO

CAPRA ACCREDITED

Response to Comment C-1:

This comment notes DPR has received and reviewed the IS/MND and supports the project and the wetland restoration and habitat enhancement it will bring to the OVRP. This comment does not raise an environmental issue; therefore, no response is required.

Response to Comment C-2:

This comment requests that passive and active recreation projects developed within the OVRP have the opportunity to utilize the restoration acreage of the proposed mitigation bank, as they would be considered public projects. At this time the applicant and the City will be initiating development of a formal mitigation bank for the future phases of this restoration project. The approved service area is anticipated to be Otay River Watershed, Tijuana River Watershed, and Sweetwater River Watershed and it is anticipated that credits will be available for purchase. No changes to the IS/MND are required as a result of this comment.

Response to Comment C-3:

This comment asks if the trail widths provided in the IS/MND include the adjacent vegetation clearance because the City of Chula Vista Greenbelt Master Plan indicates trails shall be constructed at a width of 10 feet. The comment recommends that reference to a 14-foot-wide Greenbelt Trail be revised. Section B, Project Description, of the MND has been updated to indicate that the 14-foot-wide trail is a width requirement associated with SDG&E right-of-way guidelines.

C-4 3. Attachment 1: Figure 5: Project Site Trails is inconsistent with Figures 4, 8 and 9 in regards to the delineation of Existing Road/Trail Closure/Potential Scenic Trail.
Figure 5 indicates the northern portion of the "Road to be Removed or Converted to Scenic Trail" as blue and black, which resembles an Existing Road/Trail Closure/Potential Scenic Trail while the southern portion of this road as a black line, which resembles a Utility Road. Please clarify if this whole segment will be Existing Road/Trail Closure/Potential Scenic Trail or if Figures 4, 8, and 9 will be updated to reflect the southern portion as a utility easement to remain.

Environmental Checklist Form

C-5 4. Section I. Aesthetics, comment a), Page 2, paragraph 3.
Please revise reference document from OVRP Concept Plan Guidelines to *Otay Valley Regional Park Trail Guidelines (2003).* The OVRP Concept Plan (1997) does not include language regarding specific signage dimensions or measurements.

C-6 5. Section XV. Recreation, comment a), page 56.
Please update comment a) to match the accurate statement in comment b) that the existing "dirt roads serve as unofficial trails that are present." The surfaces that accommodate various trail uses are not recognized by County DPR as formalized built trails at this time.

C-7 DPR appreciates the opportunity to participate in the environmental review process for this project. We look forward to receiving any future environmental documents related to this project or providing additional assistance at your request. If you have any questions regarding these comments, please contact Melanie Tylke at (858) 966-1377 or email at melanie.tylke@sdcounty.ca.gov.

Sincerely,

Deborah Mosley
Resource Management Division
Group Program Manager

PARKS AND RECREATION
COUNTY OF SAN DIEGO

CAPRA ACCREDITED

Response to Comment C-4:

This comment states that Figure 5 is inconsistent with Figures 4, 8, and 9 in regard to the delineation of existing road/trail closure/potential scenic trail and asks for further clarification. The discrepancies have been noted and updated in all figures associated with the IS/MND, HMMP, and BRR. The southern portion will remain a utility easement. No other changes to the IS/MND are required as a result of this comment.

Response to Comment C-5:

This comment recommends revising the reference document in the Aesthetics analysis from OVRP Concept Plan Guidelines to OVRP Trail Guidelines. The reference has been updated to OVRP Trail Guidelines in Section I, Aesthetics, (a) paragraph 3. No other changes to the IS/MND are required as a result of this comment.

Response to Comment C-6:

This comment recommends the Recreation analysis be revised to be consistent between discussions (a) and (b) in regard to dirt roads serving as unofficial trails. An update has been made to Section XV, Recreation, (a) indicating that dirt roads serve as unofficial trails that are present. No other changes to the IS/MND are required as a result of this comment.

Response to Comment C-7:

This comment expresses DPR's appreciation for the opportunity to participate in the environmental review process and its interest in receiving future environmental documents related to the proposed project. The comment also provides contact information should the City have any questions. The City appreciates DPR's interest in the project and will notify DPR of any future environmental documents or the need for additional assistance related to the proposed project.

Letter D – City of San Diego

The City of San Diego
MEMORANDUM

DATE: April 12, 2016

TO: City of Chula Vista Development Services Department
Attn: Steve Power, Senior Planner
276 Fourth Avenue
Chula Vista, CA 91910
Submitted via email to: SPower@chulavistaca.gov

FROM: Kurtis Steinert, Senior Planner, Environmental and Policy Analysis, Planning Department

SUBJECT: **CITY OF SAN DIEGO COMMENTS ON THE PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE OTAY RIVER RESTORATION PROJECT HMMP (SCH# 2016031039)**

D-1 The City of San Diego ("City") CEQA has received the Proposed Mitigated Negative Declaration (MND) prepared by the City of Chula Vista Development Services Department and distributed it to multiple City departments for review. The City, as a Responsible Agency under CEQA, has reviewed the MND and appreciates this opportunity to provide comments to the City of Chula Vista. In response to this request for public comments, the City has identified several areas needing clarification, and potential environmental issues that may result in a significant impact to the environment. Continued coordination between the City of San Diego, City of Chula Vista, and other local, regional, state, and federal agencies will be essential. Following are comments on the MND for your consideration.

Both the City's Transportation & Storm Water Department and the Parks and Recreation Department have provided comments to the City of Chula Vista on the Proposed MND for this project, as further detailed below.

Mark Stephens, Associate Planner
Transportation & Storm Water Department
mgstephens@sandiego.gov, 858-541-4361

D-2 **Otay River Restoration Project Habitat Mitigation and Monitoring Plan (HMMP)**
The City of San Diego Storm Water Division also is in the preliminary planning phase for a small mitigation site in the Otay River watershed, among other storm water management and water pollution prevention activities in the watershed. To maximize potential mutual benefits, consider expanding the project service area or the opportunity for an agreement to allow contributions toward obtaining restoration credits.

D-3 **Otay River Restoration Project HMMP Proposed Mitigated Negative Declaration**
Assure downstream pollution is prevented from herbicides used as proposed in removing invasive vegetation.

Planning Department
1010 Second Avenue, MS 413 – San Diego, CA 92101

Response to Comment D-1:

This comment states the City of San Diego has received and appreciates the opportunity to comment on the IS/MND. The comment also notes that both the Transportation & Storm Water Department and the Parks and Recreation Department have provided comments, and continued coordination will be essential. This comment does not raise an environmental issue; therefore, no response is required.

Response to Comment D-2:

This comment is related to the HMMP and states the City of San Diego Storm Water Division is in the preliminary planning phase for a small mitigation site in the Otay River watershed, and suggests the project service area be expanded to maximize potential mutual benefits or provide for the opportunity for an agreement to allow contributions toward obtaining restoration credits. At this time the applicant and the City will be initiating development of a formal mitigation bank for the future phases of this restoration project. The approved service area is anticipated to be Otay River Watershed, Tijuana River Watershed, and Sweetwater River Watershed. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-3:

This comment relates to the HMMP and requests that the proposed project ensures downstream pollution is prevented from herbicides used as proposed in removing invasive vegetation. Text has been added to the HMMP to reflect the requirement to use appropriate herbicides when close to water. See Sections 5.9.1 and 6.5. No changes to the IS/MND are required as a result of this comment.

Laura Ball, Project Officer II
Parks and Recreation Department, Open Space Division
619-685-1301

HMMP:

D-4 Figure 1-2 – Increase the Service Area for the project to include other OVRP areas in the OVRP Concept Plan boundary (including the I-805 to the Service Area identified and the area around the Otay Lakes Reservoirs) to allow for the site's potential use for mitigation needs associated with OVRP Concept Plan.

D-5 Page 1-6 – Is a "14-foot-wide pathway" width required? Seems very wide, and in excess of OVRP Trail Guidelines. The Guidelines Trail Development Guideline Matrix (page 21) include: The widest trail types A & D which identify an 8' tread maximum width with 2' clearance beyond the tread for a max 12' disturbance, and also notes "Trails located within utility easements may be improved to a maximum tread width of 12'." If the paths onsite are all utility paths as well as trails, then the 14–foot-wide pathways may be justified (if they include 1' shoulders beyond the tread boundary), but may want to clarify as is done in the Project Summary in the IS-MND (page 4).

D-6 Pages 1-6 to 1-7 – Estimated Mitigation Credits (Table 1-2) exceed Estimated Mitigation Obligations (Table 1-1). Address what happens with the excess credits. Will they be available for other projects (public and/or private)? Could they be used for mitigation, for instance, for OVRP Concept Plan Implementation? Would the Service Area need to be increased to allow this (see comment above)?

D-7 Page 2-2 – Project description indicates that the Phase 1 treatment of invasive species in the Enhancement Area is a one-time effort that will occur over the course of a single season and that no subsequent work or maintenance is proposed. Is the one-time effort adequate to control the invasive seed source?

D-8 Page 5-11 and 5-12 – Sources for Container and seed materials indicate that they would be from "within 1 mile of coast." While we applaud using plant material from as close as possible to the site, this seems restrictive, as the site itself is not even within 1 mile of the coast. Evaluate the need to expand the allowable area?

D-9 Pages 5-11 and 5-14 state: "Final 30% plans and specifications" and "Final 30% construction drawings." How can drawings, plans and specs be both final and 30%?

D-10 Chapter 6 Site Maintenance – Does this section apply to Phase I as well as later Phases? If not, what is the maintenance for the enhancement area? Please clarify.

D-11 Page 6-3, Table 6-1: Table 6-1 doesn't match Appendix B. Seems like there are quite a few missing from Table 6-1 based on the documented species list in the Appendix.

D-12 Page 9-2, Sections 9.2 and 9.3 – Ensure that the Long Term Management Plan and Site Protection Mechanism proposed are compatible with the existing OVRP JEPA. Although the site is owned by Chula Vista, management of the eastern portion of the OVRP (Area B) in the JEPA is the management responsibility of the County of San Diego. Ensure that an adequate funding

Response to Comment D-4:

This comment is related to the HMMP and requests that the service area for the proposed project include other OVRP areas in the OVRP Concept Plan boundary to allow for the site's potential use for mitigation needs associated with the OVRP Concept Plan. See Response to Comment D-2. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-5:

This comment is related to the HMMP and states the 14-foot-wide pathway seems very wide and in excess of the OVRP Trail Guidelines. The 14-foot width requirement is associated with the multiuse needs of most of the trails, including Border Patrol and SDG&E vehicles. Per SDG&E guidelines as detailed in its *Guide for Encroachment SDG&E Transmission Rights of Way*, a minimum of 14 feet is required for access. A minor edit was made to the HMMP in Sections 3.12 and 1.2. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-6:

This comment is related to the HMMP and notes that the estimated mitigation credits exceed the estimated mitigation obligations. The comment also requests that the HMMP address what happens with the excess credits. At this time, the applicant and the City will be initiating development of a formal mitigation bank for the future phases of this restoration project. The approved service area is anticipated to be Otay River Watershed, Tijuana River Watershed, and Sweetwater River Watershed, and it is anticipated that credits will be available for purchase. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-7:

This comment is related to the HMMP and asks if the one-time effort for treatment of invasive species in the Enhancement Area is adequate to control the invasive seed source. Section 2.2 of the HMMP has been revised to reflect that this treatment measure is intended to control non-native seed sources. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-8:

This comment is related to the HMMP and suggests evaluating the need to expand the allowable area for sources of container and seed material. Sections 5.10.1 and 5.10.4 of the HMMP have been revised to indicate that if plant/seed material is not available from within the allowable area, stock will be obtained from within the watershed or within 10 miles of the mitigation site. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-9:

This comment is related to the HMMP and questions how drawings, plans, and specifications can be both final and 30%. The term "final" was removed when referring to 30% plans and specifications. The original intent of the term "final" was to indicate the future versions of the plans that would incorporate all of the design edits and details that were not included in the current 30% plans. Rather than using the term "final," the HMMP now refers to the next plan set as the 60% plans and specifications. The update has been made throughout the HMMP where appropriate. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-10:

This comment is related to the HMMP and asks what the maintenance plan is for the enhancement area. The introductory paragraph to Chapter 6 of the HMMP has been modified to clarify that maintenance activities described in the Chapter are also applicable to the upstream enhancement area. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-11:

This comment is related to the HMMP and notes that Table 6-1 does not match Appendix B. A comparison was done between Table 6-1 and Appendix B of the HMMP, and all missing non-native species have been added. It should be noted that Table 6-1 is not intended to be a comprehensive list of species for management, but rather an initial list based on known occurrences. As stated in Section 6.3 of the HMMP, the Restoration Ecologist will add species to this list as needed. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-12:

This comment is related to the HMMP and requests that the Long Term Management Plan and Site Protection Mechanism proposed are compatible with the existing OVRP Joint Exercise of Powers Agreement (JEPA) and that an adequate funding mechanism is provided for in-perpetuity management for any mitigation obligations in excess of typical open space management. A non-wasting endowment or other approved financial mechanism would be established per the USACE and EPA compensatory mitigation rule to fund long-term management of the restoration area in perpetuity. Sections 9.2 and 9.5 of the HMMP have been revised accordingly. No changes to the IS/MND are required as a result of this comment.

D-12 Cont. | mechanism is provided for in-perpetuity management for any mitigation obligations in access of typical open space management.

D-13 | Appendix B "Sensitive Wildlife Species and Their Potential to Occur"
Labeling on the final column:
The consultant did not conduct any sensitive plant or wildlife surveys, so "verified on site" isn't accurate.
The title of the table is "Species and their potential to occur" so the last column should discuss if there is potential for the site to support the species, not whether or not it was in the CNDDB record.

D-14 | **IS-MND:**
Pages 4-5, Project Description appears to adequately address planned and future trails through the site. Also IS page 43-44.

D-15 | Mitigation Measure Bio-8 includes "Construction access routes will be rerouted to avoid these ponding features. These new routes will replace existing roads/trails to avoid these ponding features." Are mitigation measures included to allow for any additional habitat impacts associated with these reroutes?

D-16 | Thank you for the opportunity to provide comments on the Proposed MND. Please contact me directly if there are any questions regarding the contents of this letter or if City of Chula Vista staff or the consultant team would like to meet with City staff to discuss our comments. Please feel free to contact me directly via email at ksteinert@sandiego.gov or by phone at 619-235-5206.

Sincerely,

Kurtis Steinert, Senior Environmental Planner
Planning Department

cc: Reviewing Departments (via email)

Response to Comment D-13:

This comment is related to the HMMP and notes that table headings in Appendix B of the HMMP may not be accurate. It is believed that this comment is intending to reference Appendix D; as such, the response takes this into consideration. In addition, this comment appears applicable to Appendix C.

Although the consultant did not conduct any formal sensitive plant or wildlife surveys, ICF International (ICF) biologists were on site conducting a series of baseline evaluations in 2015 and 2016. As such, the last column in each table titled "Verified On Site" is intended to reflect species observed by ICF biologists. In addition, this column captures species previously observed by RECON biologists in association with their preserve management activities, as well as species documented in the California Natural Diversity Database. A footnote describing this has been added to the tables in Appendices C and D of the HMMP.

Appendices C and D are intended to list only species with the potential to occur; as such, the table titles have been updated to properly reflect this. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-14:

This comment is related to the IS/MND notes that the project description appears to adequately address planned and future trails through the project site. No changes to the IS/MND are required as a result of this comment.

Response to Comment D-15:

This comment is related to Mitigation Measure BIO-8 of the IS/MND and questions if any mitigation measures are included to allow for any additional habitat impacts associated with rerouting construction access to avoid ponding features. Mitigation Measure BIO-8 has been updated to state that any

reroutes will occur within the already proposed grading footprint. As such, no additional mitigation measures are required to offset the habitat impacts. No other changes to the IS/MND are required as a result of this comment.

Response to Comment D-16:

This comment thanks the City for the opportunity to provide comments on the IS/MND and provide contact information should the City or consultant team have any questions or would like to meet to discuss any comments. The City appreciates the City of San Diego's interest in the project and will notify the City of San Diego of any future environmental documents related to the proposed project.

Letter E – San Diego Gas & Electric Company

Scott Boczkiewicz
Environmental
Programs Manager
8315 Century Park Court
Mailstop: CP21E
San Diego, CA 92123

SDGE
A Sempra Energy utility®

April 11, 2016

City of Chula Vista
Development Services Department
276 Fourth Avenue
Chula Vista, CA 91910
Attn: Steve Power

Subject: SDG&E Comments on the Notice of Availability of the Proposed Mitigated Negative Declaration for Initial Study #15-006.

Dear Mr. Power:

E-1 San Diego Gas & Electric Company (SDG&E) appreciates the opportunity to comment on the Notice of Availability for the Proposed Mitigated Negative Declaration (MND) for IS-15-006. SDG&E is a utility regulated by the California Public Utilities Commission (CPUC) and, as such, the CPUC mandates that SDG&E maintain its utility infrastructure and easements. It is critical for SDG&E to be able to maintain and utilize its electric power line corridors, natural gas pipeline corridors and related facilities to ensure safe and reliable service to its customers. Accordingly, SDG&E has reviewed the proposed MND and submits the following comments for your consideration, related to the placement of conservation easements on existing utility ROWs, revegetating or installing mitigation on SDG&Es existing access roads and cleared work areas, maintaining pipeline safety and maintaining reliable access to all SDG&E facilities.

E-2 The proposed Otay River Restoration Project evaluated in the Initial Study would serve as advance mitigation for anticipated impacts to jurisdictional wetlands and/or waters for the planned Village 3 and Village 8 communities. The proposed restoration site would occur on APN 644-090-04, which currently contains existing SDG&E assets including 230kV and 69kV electric transmission lines, a 12kV electric distribution circuit, a 36" natural gas transmission main and associated access roads. In the event long-term conservation easements are placed on this parcel (for the proposed mitigation site) with these existing SDG&E facilities, the easement language could directly conflict with the ability for SDG&E to access, repair or upgrade these facilities. Therefore, SDG&E requests that the existing utility easements and ROWs on the parcel be excluded from any future conservation easements associated with jurisdictional habitat mitigation and/or upland habitat mitigation on the parcel.

E-3 In addition, SDG&E outlines in the *Guide for Encroachment, SDG&E Transmission Rights of Way* (SDG&E, 2009) that "supplemental planting, re-vegetation or mitigation measures will not be placed in, or interfere with SDG&E's existing access roads or existing cleared work areas such as maintenance pads".

1

Response to Comment E-1:

This comment acknowledges SDG&E's appreciation for the opportunity to comment on the IS/MND and the California Public Utilities Commission's mandate for SDG&E to maintain its utility infrastructure and easements. This comment does not raise an environmental issue; therefore, no response is required.

Response to Comment E-2:

This comment provides a summary of the proposed project and requests that the existing utility easements and rights-of-way on the parcel be excluded from any future conservation easements or other approved site protection mechanisms associated with jurisdictional habitat mitigation and/or upland habitat mitigation on the parcel. Any future conservation easements or other approved site protection mechanisms associated with the proposed project would exclude existing SDG&E utility easements and the rights-of-way within the City parcel. No changes to the IS/MND are required as a result of this comment.

Response to Comment E-3:

This comment states that according to SDG&E's *Guide for Encroachment, SDG&E Transmission Rights of Way*, supplemental planting, re-vegetation, or mitigation measures will not be placed in, or interfere with, SDG&E's existing access roads or existing cleared work areas such as maintenance pads. The comment also requests that the project proponent coordinate with SDG&E to ensure that project design would not restrict SDG&E's ability to operate and maintain the existing infrastructure on site by placing mitigation within these areas. The project proponent understands the need for SDG&E to maintain access to existing facilities while minimizing impacts on natural resources. The project proponent will coordinate with SDG&E regarding

revegetation within its existing access roads or cleared work areas such as maintenance pads. The project includes access roads and spur roads to all SDG&E facilities, which will remain un-vegetated. The project proponent will coordinate with SDG&E regarding the plant palette for any areas where revegetation may occur within the right-of-way, such as maintenance pads and under transmission lines. This information will be documented in the 60% plans and specifications, which will also be provided to SDG&E for review and comment. No changes to the IS/MND are required as a result of this comment.

E-3 Cont. The intent of these measures is to ensure that SDG&E will not be penalized for disturbance to the planted areas by having to replant or mitigate. Therefore, SDG&E requests that the project proponent carefully coordinate with SDG&E to ensure that the proposed mitigation project design would not restrict SDG&E's ability to operate and maintain the existing infrastructure onsite by placing mitigation within these areas.

E-4 An additional SDG&E concern is associated with the proposed crossing of the natural gas transmission main onsite by a newly created (or restored or rehabilitated) jurisdictional stream channel. The project proponents should carefully coordinate with SDG&E during the project design and implementation phases of the proposed project to ensure that the integrity of the existing gas main is not compromised by increased surface or subsurface hydrology inputs associated with the mitigation project. In addition to maintaining SDG&E's minimum cover specifications of at least four feet at all times above the pipeline, concerns about surface or subsurface water flows being inadvertently diverted to the existing gas pipeline trench and contributing to corrosion should be addressed by the project proponents. No analysis of this potential conflict with the pipeline was included in the IS, MND or HMMP.

E-5 Finally, SDG&E requires safe and reliable access to all existing electric transmission poles and lattice towers, the electric distribution poles and the gas pipeline alignment and on the proposed mitigation site. The easements SDG&E has secured on the parcel are designed to ensure this access is maintained to facilitate maintenance, repair, replacement and/or upgrades of all facilities. Some of the proposed mitigation elements outlined in the Otay River Restoration Project HMMP appear to eliminate existing access. SDG&E requires maintaining existing access, and requests that if alternative access must be constructed that it be maintained at the current elevation grades onsite, if possible.

E-6 Thank you for your consideration of these comments. SDG&E is committed to achieving environmental compliance and minimizing potential impacts when executing its mission of providing safe and reliable gas and electric service. Please feel free to contact me directly at 858-503-5043 or sboczkiewicz@semprautilities.com if you have any questions.

Sincerely,

Scott Boczkiewicz
Environmental Programs Manager
SDG&E

Cc: Tom Acuna, Land Planning, SDG&E
Lisa Murphy, Land Services, SDG&E
Claudia Valenzuela, Regional Public Affairs, SDG&E

Response to Comment E-4:

This comment expresses SDG&E's concern related to the proposed crossing of the natural gas transmission main on site by a newly created (or restored or rehabilitated) jurisdictional stream channel. The comment requests that the project proponent coordinate with SDG&E during project design and implementation to ensure the integrity of the existing gas main is not compromised by increased surface or subsurface hydrology inputs associated with the mitigation project. In addition, the comment notes that no analysis of potential conflicts with the pipeline easement was included in the IS/MND or HMMP. A hydrology study was prepared to support the 30% design of the restoration project and does not indicate a risk of erosion due to the wide floodplain within this reach of the valley and limited watershed hydrology (70% of the watershed is contained behind Savage Dam). However, additional hydrologic evaluation is planned and will be completed as part of the 60% design and will ensure that the planned improvements to road crossings and underground pipeline are protected.

The project proponent will coordinate directly with SDG&E during preparation of the 60% design plans and implementation phase to ensure the integrity of the existing 36-inch gas main is not compromised by changes to surface and subsurface hydrology associated with the mitigation project. Draft plans and specifications will be provided to SDG&E for review and comments prior to being finalized. Text has been added to Section 3.12 of the HMMP, sixth paragraph. No other changes are required as a result of this comment.

Response to Comment E-5:

This comment states that SDG&E requires safe and reliable access to all existing electric transmission poles and lattice towers, the electric distribution poles, and the gas pipeline alignment and on the proposed mitigation site. It also notes that

some of the mitigation elements outlined in the HMMP appear to eliminate existing access, and requests that if alternative access must be constructed that it be maintained at the current elevation grades on site, if possible.

The project proponent understands the need for SDG&E to maintain access to its existing facilities including existing electric transmission poles and lattice towers, electric distribution poles, and the gas pipeline. The project has been designed to provide access to all SDG&E facilities including primary access routes and spur roads. Figures in the IS/ MND and the HMMP have been updated to reflect these routes. No other changes to the IS/MND are required as a result of this comment.

Response to Comment E-6:

This comment thanks the City for considering SDG&E's comments and provides contact information should the City have any questions. The City appreciates SDG&E's interest in the project and looks forward to future coordination with SDG&E regarding the proposed project.

1. Name of Proponent:	HomeFed Otay Land II, LLC
2. Lead Agency Name and Address:	City of Chula Vista Development Services Department 276 Fourth Avenue Chula Vista, CA 91910
3. Address and Phone Number of Proponent:	1903 Wright Place, Suite 220 Carlsbad, CA 92008
4. Name of Proposal:	Otay River Restoration Project Habitat Mitigation and Monitoring Plan
5. Date of Checklist:	March 14, 2016
6. Case No.:	IS-15-006

ENVIRONMENTAL ANALYSIS QUESTIONS:

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	■	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	■	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	■	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

Comments:

a) **Less-than-Significant Impact**. Implementation of the proposed project would not have an adverse effect on a scenic vista. The proposed project is located in the Otay River Valley, which is designated as a scenic resource and Open Space Preserve by the City of Chula Vista General Plan (City of Chula Vista 2015) and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan. The Otay River Valley along with several other open space areas including the Sweetwater River Valley, Upper and Lower Otay Lakes, Sweetwater Reservoir, San Miguel/Mother Miguel Mountains, and the San Diego Bay make up the majority of the City's open space and park system and are also valued as scenic resources (City of Chula Vista 2015). Open space also bounds the western, eastern, and southern boundaries of the project site as well as large portions of the northern boundary. The visual setting includes the valley floor of the Otay River Valley. At the upstream end of the project site, the valley floor is narrow (approximately 100–200 feet) for several hundred feet before widening to approximately 1,000–1,500 feet. Most of the project site resides in this wide section of the valley floor. Elevations of the valley floor range from approximately 228 feet at the downstream end to 252 feet at the upstream end; typically the valley floor is 10–20 feet below the adjacent ground of the surrounding foothills. Given the rolling topography of the surrounding area and the location of the project site on the river valley floor, the only public views of the project site are from the Otay Lake County Park and recreational trails surrounding the area. The viewer groups include users of the park facilities and nearby trails.

Implementation of the proposed project would restore and enhance the proper hydrology of the river and channels and native habitat within the boundaries of the restoration site, bringing the area back to its natural state. This would improve views of the project site by removing invasive species and improving hydrological conditions. In addition, trail improvements would include installation of wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. As described in the Project Description, the fencing, along with proposed signage indicating the general sensitivity of the restoration site and providing wayfinding, would help to minimize trespassing from trail users who would otherwise be

unaware of the sensitivity of the habitat restoration area. Reflective material will also be installed along the fencing at strategic locations to aid in Border Patrol agents navigating the site at night. The final locations of reflective material will be made in coordination with the Border Patrol. The educational kiosks would be installed at key viewing locations within the disturbed areas near the existing dirt roadways to help inform the readers of the importance of the restoration site. Armoring the road crossings would involve installation of native local rock to harden the crossing to allow for safe crossing, and three of the four road closures would be revegetated per the Habitat Mitigation and Monitoring Plan (HMMP). One of these road closures, located in the northern portion of the restoration site, would be revegetated except for a 4- to 6-foot swath that would remain for potential future trail creation under the Otay Valley Regional Park (OVRP) Concept Plan. All of these improvements would be performed in compliance with the City of Chula Vista Greenbelt Master Plan and the OVRP Concept Plan.

The City of Chula Vista Greenbelt Master Plan includes guidelines for signs that state that visitors should be greeted by a consistent, unique logo that identifies the Greenbelt and guides users along the Greenbelt. All signs should be painted with graffiti-resistant paint and be in English and Spanish. Greenbelt kiosks should be located at active trailheads and staging areas and include the Greenbelt logo, a trail map, regulations for use of the trails, community events, and other information (City of Chula Vista 2003). The 2003 OVRP ~~Concept Plan~~Trail Guidelines include guidance for kiosks to include regulatory, interpretive, and directional information, and state that kiosks should be placed at strategic access points along trails. Typical sign dimensions highlighted in the plans are 4- by 4- by 2-foot wood trail signs constructed on and attached to a 6-foot-tall post with 4-foot-tall trail markers. Kiosks could be up to 8 feet tall. Fencing should follow the natural grades along the trails and could be up to 4 feet tall (~~County of San Diego, City of Chula Vista, and City of San Diego 1997;~~ County of San Diego, City of Chula Vista, City of San Diego, and Otay Valley Regional Park Citizen Advisory Committee 2003~~n.d.~~).

Views of the site during the construction phase would not substantially affect a scenic vista because site disturbance activities would be temporary and phased and limited to invasive species removal, grading, watering, planting, and minor trail improvements. As a result, implementation of the proposed project would have a beneficial effect and would not result in a substantial adverse effect on a scenic vista. Impacts would be less than significant.

b) **Less-than-Significant Impact**. Implementation of the proposed project would not substantially damage scenic resources along a scenic highway. There are no officially designated state scenic highways in the vicinity of the proposed project (Caltrans 2015). According to Figure 5-4 of the General Plan's Land Use and Transportation Element, the nearest scenic roadway is Hunte Parkway located west of the project site (City of Chula Vista 2015). However, given the rolling topography of the surrounding area and the location of the project site on the river valley floor, the project site is not visible from this scenic roadway. In addition, there are no sensitive historic resources located on the project site. Further, the proposed project would improve habitat and hydrological conditions as well as add minor trail improvements to existing dirt roads and unofficial trails on site and would not adversely affect rock outcroppings within or adjacent to the project area. The proposed project would also not remove any sensitive trees. Therefore, the proposed project would not substantially damage scenic resources along a state scenic highway or local roadway. Impacts would be less than significant.

c) **Less-than-Significant Impact**. Implementation of the proposed project would not significantly degrade the existing visual character of the site or its surroundings. The proposed project would enhance the existing visual quality of the site. The visual character of the site vicinity is best described as being in a natural but disturbed state, with mounds from mine tailings and dense stands of invasive nonnative plants in the river valley and existing dirt roads and unofficial trails used for a variety of purposes by the U.S. Border Patrol, San Diego Gas and Electric, City of San Diego, and Otay Water District, as well as by hikers, cyclists, and equestrians crossing the site. The proposed project would not change the character or degrade the visual quality of the site; on the contrary, the

proposed project would keep the current character and enhance it by restoring native habitat and hydrological functions and adding minor trail improvements to existing dirt roads and unofficial trails. As a result, the proposed project would not substantially degrade the character or quality of the site or its surroundings and impacts related to visual quality of the project site would be less than significant.

d) **No Impact**. Implementation of the proposed project would not create a new source of substantial light or glare. The proposed project would not install any lighting, nor would the implementation, monitoring, and maintenance effort require any lighting because all such work would be conducted during daylight hours. Furthermore, no glare would be produced because there would not be any reflective surfaces proposed as part of the restoration effort. No impacts would occur.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES. Would the project:				
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?	☐	☐	■	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	■	☐
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))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
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?	☐	☐	■	☐

Comments:

a) **Less-than-Significant Impact**. Implementation of the proposed project would not convert farmland to a non-agricultural use. The entire upstream enhancement area is designated as Grazing Land, as is approximately 11.3 acres within the restoration area in the Otay River mainstem by the Farmland Mapping and Monitoring Program and 97.8 acres in the overall 300-acre mitigation site. There is also approximately 0.8 acre of Farmland of Local Importance located at the western end of the Otay River mainstem and 32.7 acres in the overall mitigation site (California Department of Conservation 2015a). The project site and surrounding area are designated as Open Space Preserve by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan. In addition, the project site is zoned Residential by the City of Chula Vista's Zoning Code and Agriculture and Special Purpose by the San Diego County Zoning Code. Although portions of the upstream enhancement area are zoned by the County of San Diego for agricultural uses, no agricultural activities currently occur in these areas, and project activities in this portion of the project site would be limited to specific areas totaling approximately 2.7 acres (see Attachment 1 for all figures; see Figure 4) and would involve nonnative species removal by hand tools only. In addition, although 0.8 acre of land in the western portion of the project site is

designated as Farmland of Local Importance, this area is zoned for residential use by the City of Chula Vista and no agricultural activities occur in the area. Upon completion of the proposed project, no further project activities would take place in this area and future agricultural uses would be precluded within the restoration site. In addition, open space conservation and recreation land uses are allowed under special circumstances with the County of San Diego's agricultural zoning. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, and impacts would be less than significant.

b) **Less-than-Significant Impact**. Implementation of the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. The project site and surrounding area are designated as Open Space Preserve by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan, and are within the planning boundaries of the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan (see Attachment 1 for all figures; see Figure 1). Thus, there are no Williamson Act contracts on the project site (County of San Diego 2006). Although portions of the upstream enhancement area are zoned by the County of San Diego for agricultural uses, no agricultural activities currently occur in these areas, and project activities in this portion of the project site would be limited to specific areas, totaling approximately 2.7 acres (see Attachment 1 for all figures, see Figure 4), and would involve nonnative species removal by hand tools only. Once Phase 1 activities have been completed in the upstream enhancement area, no further project activities would take place in this area and future agricultural uses would be precluded within the restoration site. In addition, open space conservation and recreation land uses are allowed under special circumstances with the County of San Diego's agricultural zoning. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and impacts would be less than significant.

c) **No Impact.** The project site is zoned residential, agricultural, and special purpose and is designated as Open Space Preserve and Open Space Conservation and Recreation. Additionally, the project site is not located in an area zoned as forest land, timberland, or a Timberland Production Zone (University of California, Davis 2010). Therefore, no impacts on forest land or timberland would occur as a result of the proposed project.

d) **No Impact**. As discussed above, the project site is not located in an area zoned as forest land, timberland, or a Timberland Production Zone (University of California, Davis 2010). Therefore, no impacts on forest land or conversion of forest land to non-forest use would occur as a result of the proposed project.

e) **Less-than-Significant Impact**. Implementation of the proposed project would not involve other changes that would result in conversion of farmland to a non-agricultural use. See responses II.a and II.b. Although portions of the upstream enhancement area are zoned by the County of San Diego for agricultural uses, no agricultural activities currently occur in these areas, and project activities in this portion of the project site would be limited to specific areas, totaling approximately 2.7 acres (see Attachment 1 for all figures, see Figure 4), and would involve nonnative species removal using hand tools only. Once Phase 1 activities have been completed in the upstream enhancement area, no further project activities would take place in this area, and future agricultural uses would be precluded within the restoration site. In addition, open space conservation and recreation land uses are allowed under special circumstances with the County of San Diego's agricultural zoning. Therefore, the proposed project would not involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to non-agricultural use, and impacts would be less than significant.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	■	☐	☐
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)?	☐	■	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	■	☐

Comments:

a) **Less-than-Significant Impact**. The project site is in the San Diego Air Basin (SDAB), the boundaries of which are contiguous with San Diego County. Within San Diego County, the San Diego Air Pollution Control District (SDAPCD) has primary responsibility for the development and implementation of rules and regulations designed to attain national ambient air quality standards (NAAQS) and California ambient air quality standards (CAAQS), as well as the permitting of new or modified sources and the development of air quality management plans.

The San Diego Regional Air Quality Strategy (RAQS) is the region's plan for improving regional air quality and attaining the CAAQS, while the State Implementation Plan (SIP) is the region's plan for attaining the NAAQS. Both the RAQS and SIP include a set of emissions control measures to reduce emissions within the basin. These emission controls are adopted as local air quality rules and regulations by SDAPCD. Both the RAQS and SIP rely on information from the California Air Resources Board (ARB) and the San Diego Association of Governments (SANDAG), including projected growth in the County and emission inventory data. ARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the region's cities, county, and special districts.

The federal Clean Air Act (CAA) requires areas that are designated nonattainment to submit a SIP outlining the emission control regulations necessary to bring the area into attainment as expeditiously as practicable. Likewise, the California Clean Air Act (CCAA) requires areas that are designated nonattainment of State ambient air quality standards to prepare and implement plans (RAQS) to attain the standards by the earliest practicable date. San Diego County is currently designated as a nonattainment area for the federal and state ozone (O_3) standards, a partial maintenance area for

federal carbon monoxide (CO), and a nonattainment area for the state particulate matter less than 2.5 microns (PM2.5) and particulate matter less than 10 microns (PM10) standards (U.S. Environmental Protection Agency 2015; California Air Resources Board 2014).

Projects that propose development that is consistent with the growth anticipated by the relevant planning documents that were used in the formulation of the RAQS and SIP would be consistent with the RAQS and SIP. The project area has a land use designation of "Open Space Preserve" and is within the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan for the permanent conservation of biological resources. The proposed project would restore over 100 acres of hydrologic and sediment transport processes and native habitats in the Otay River Valley on an approximately 300-acre parcel owned by the City of Chula Vista. Thus, because the proposed project would not result in a change in land use, the proposed project is consistent with the City's General Plan land use designation. Once constructed, operations and maintenance would be minor, and the proposed project would not result in any population or employment growth and is therefore consistent with regional growth projections. Additionally, the proposed project would implement all applicable SDAPCD rules, including Rule 55 (fugitive dust control), and both short-term construction and long-term operations would result in minimal emissions far below thresholds, as described below under response III.b. The proposed project would not result in any land use or zoning changes that would conflict with the General Plan or zoning designations or result in growth beyond that prescribed in the City's General Plan. As such, because the proposed project would be consistent with the City's General Plan, which was used in the formulation of the RAQS and SIP, the proposed project is considered consistent with the RAQS and SIP. Impacts would be less than significant.

b) **Less-than-Significant Impact with Mitigation Incorporated**. Construction of the proposed project would result in short-term emissions of reactive organic gases (ROG), nitrogen oxides (NO_X), CO, sulfur oxides (SO_X), PM10, and PM2.5 through the use of off-road construction equipment, material haul trucks, and employee vehicles. Ground disturbance and material movement would also generate fugitive PM10 and PM2.5. Emissions would vary from day to day, depending on the level of activity, the specific type of construction activity occurring, and, for fugitive dust, prevailing weather conditions. The proposed project's construction emissions were estimated and compared to SDAPCD air quality impact analysis (AQIA) trigger levels, as shown in SDAPCD Rule 20.2. A significant impact on air quality would result if the emission levels from the proposed project were to exceed any of the AQIA trigger levels.

Construction emissions were calculated using the California Emissions Estimator Model (CalEEMod), version 2013.2.2. Construction information, including phasing schedule, equipment numbers and types, equipment hours of use, and the number of vehicle trips were provided by the project applicant. CalEEMod defaults for vehicle trip lengths and equipment horsepower and load factors were assumed. Construction would occur in three phases. Invasive Species Removal ("Phase 1") would require 4 weeks and partially overlap with Primary Grading ("Phase 2"), which would occur over a period of 6 weeks. Secondary Grading ("Phase 3") would begin after Phase 2 and require 8 weeks.

Note that equipment data for Phase 3 were not available at the time of this analysis. However, construction activities for Phases 2 and 3 were assumed to be identical, and thus daily emissions from Phase 3 are expected to be the same as Phase 2, or even lower if activity occurs in later calendar years due to newer fleet-average equipment and the anticipated reduction of vehicle emission factors in future years. It was also assumed that 20,000 cubic yards (cy) of material would be moved around and balanced on site during Phase 2; thus, no offsite hauling trips were assumed. Note that the modeling assumed 50,000 cy, which was the preliminary estimate.

As shown in Table 1, project construction emissions would be below applicable SDAPCD trigger levels for all criteria pollutants. However, the proposed project has included **Mitigation Measure AQ-1** requiring implementation of construction best management practices (BMPs) during

construction and grading activities to ensure the proposed project would meet SDAPCD Rules 50, 51, and 55 (SDAPCD 2010) for regulating dust emissions. Thus, construction of the proposed project would not result in an impact on air quality because emissions would not exceed applicable air quality standards or contribute to existing air quality violations.

Table 1. Estimated Construction Criteria Pollutant Emissions

	Pounds per Day					
Construction Phase	ROG	NO_X	CO	SO_X	PM10	PM2.5
Phase 1 + Phase 2[a]	4.2	43.8	28.4	<0.1	11.2	5.6
Phase 3	3.7	40.5	25.1	<0.1	10.8	5.4
Maximum Daily Emissions	***4.2***	***43.8***	***28.4***	***<0.1***	***11.2***	***5.6***
AQIA Trigger Levels	75	250	550	250	100	55
Exceed Trigger Levels?	No	No	No	No	No	No

ROG = reactive organic gases.
CO = carbon monoxide.
PM10 = particulate matter equal to or less than 10 microns.
PM2.5 = particulate matter less than 2.5 microns.
NO_X = oxides of nitrogen.
SO_X = sulfur oxides.

[a] Phases 1 and 2 would occur concurrently for a portion of construction. Emissions were therefore modeled assuming all construction equipment for Phases 1 and 2 would occur on the same day. This ensures a worst-case estimate of maximum daily emissions.
Source: ICF International 2015a.

Project maintenance and monitoring activity is expected to be minimal and would include hand tools and some minor equipment (e.g., chainsaws, hedge trimmers). In addition, two truck trips per year are anticipated in order to periodically off-haul debris. Maintenance and monitoring activities would be far less than construction activities, and consequently emissions are expected to be minimal and far below SDAPCD trigger levels. Therefore, operation of the proposed project would not result in an impact on air quality because emissions would not exceed applicable air quality standards or contribute to existing air quality violations.

c) **Less-than-Significant Impact with Mitigation Incorporated**. See response III.b above and response III.d below. As discussed above, San Diego County is currently designated as a nonattainment or maintenance area for multiple criteria pollutants. These designations are a result of emissions generated by past and present projects, and will continue to be influenced by reasonably foreseeable future projects. Cumulative impacts could result if the proposed project exceeds established thresholds for pollutants in which the region is nonattainment. In addition, cumulative impacts could result if the proposed project would be constructed at the same time as other development projects in the area, thereby exposing sensitive receptors to cumulative emission concentrations.

As discussed in response III.b, the proposed project would implement **Mitigation Measure AQ-1** to ensure the proposed project would not result in construction emissions that exceed SDAPCD trigger levels and therefore would not negatively impact regional air quality (see Table 1). Maintenance and monitoring activities would also be minor and would not contribute to any significant cumulative impacts related to the nonattainment status for ozone, PM10, or PM2.5. Given the rural nature of the project area, it is not anticipated that extensive construction or operation of cumulative projects would occur while the proposed project is being constructed. Possible cumulative impacts on air quality as a result of construction activities in the area would be addressed by compliance with SDAPCD rules and regulations, which apply to all construction projects. Therefore, project

construction and maintenance and monitoring would not result in a cumulatively considerable net increase in emissions. This impact would be less than significant with mitigation incorporated.

d) **Less-than-Significant Impact**. Diesel Particulate Matter (DPM), which is classified as a carcinogenic toxic air contaminant by ARB, is the primary pollutant of concern with regard to health risks to sensitive receptors. Diesel-powered construction equipment and heavy duty on-road vehicles operating on- and off site during construction will emit diesel exhaust, which can be inhaled by nearby sensitive receptors. Other localized pollutants of concern to human health are fugitive dust (PM) and CO. Dust can be an irritant and cause watering eyes or irritation to the lungs, nose, and throat. Breathing CO can cause headaches, dizziness, vomiting, and nausea, and long-term exposure has been linked to increased risk of heart disease.

   According to the SDAPCD, sensitive receptors include facilities that generally house people (e.g., schools, hospitals, jails, clinics, elderly housing, and residences) that may experience adverse effects from unhealthful concentrations of air pollutants. Sensitive receptors near the project area include the George F Bailey Detention Facility about 0.5 mile to the south and east and the Richard J Donovan Correctional Facility over 0.5 mile to the south. Residences and school areas are sparse in the project vicinity, with the nearest residences and schools located over 1 mile from the project site. Inmates at the George F Bailey Detention Facility Complex and the Richard J Donovan Correctional Facility may be exposed to DPM, localized PM, and CO during daytime hours of construction and operations.

   Construction of Phases 1 and 2 would occur over an approximate 10-week period, and would be followed by construction of Phase 3 occurring over an 8-week period. This is much shorter than the assumed 30-year exposure period used to estimate lifetime cancer risks. Construction activities would be sporadic, transitory, short-term in nature, and occur over a large area. Once construction activities have ceased, so too will the source emissions. Diesel activity occurring on site would be short-term and at distances that would not expose sensitive receptors to substantial pollutant concentrations. Long-term maintenance and monitoring would be limited to periodic vehicle trips and minimal onsite fuel combustion. Onsite truck idling would be limited to a maximum of 5 minutes per truck, consistent with ARB's Heavy Duty Idling Reduction Program. Additionally, adherence to SDAPCD Rules, particularly Rule 55 (Fugitive Dust Control), would limit emissions that could impact nearby receptors. Therefore, the potential human health impact from exposure to DPM and localized fugitive dust is considered to be minimal. In addition, the proposed project would not create congestion at nearby roadways or intersections, so the exposure to elevated CO concentrations is considered minimal. This impact would be less than significant.

e) **Less-than-Significant Impact**. Project-related odor emissions would be limited primarily to the construction period, during which emissions from diesel-powered construction equipment could be temporarily evident in the immediately surrounding area. Potential sources of odors during construction activities include diesel exhaust from construction equipment and diesel vehicles. These odors would not affect a substantial number of people, as the scale of construction would be small and the frequency of vehicle trips would be low. Odor emissions would also dissipate as a function of distance and would be lower at the nearest sensitive receptor. Therefore, the proposed project's odor impact would be less than significant.

Mitigation:

AQ-1: Implement Construction BMPs. The following best management practices shall be shown on all applicable grading and building plans as details, notes, or as otherwise appropriate::

- Minimize simultaneous operation of multiple construction equipment units.
- Use low pollutant-emitting construction equipment.
- Use electrical construction equipment as practical.

- Use catalytic reduction for gasoline-powered equipment.
- Use injection-timing retard for diesel-powered equipment.
- Water the construction area at least three times daily to minimize fugitive dust.
- Stabilize graded areas as quickly as possible to minimize fugitive dust.
- Pave permanent roads as quickly as possible to minimize dust.
- Use electricity from power poles instead of temporary generators during building, if available.
- Apply stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry.
- Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.
- Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. GREENHOUSE GAS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

Comments:

a) **Less-than-Significant Impact**. Although there is currently no federal law specifically related to climate change or the reduction of greenhouse gases (GHGs), the U.S. Environmental Protection Agency (EPA) is developing proposed regulations under the Clean Air Act (CAA). California has adopted statewide legislation addressing various aspects of climate change and GHG emissions mitigation. Much of this establishes a broad framework for the state's long-term GHG reduction and climate change adaptation program. Of particular importance is Assembly Bill 32 (AB 32), which establishes a statewide goal to reduce GHG emissions back to 1990 levels by 2020 and directs the ARB to develop and periodically update its AB 32 Scoping Plan, which describes the state's approach to achieve GHG reduction targets. The governor has also issued several executive orders related to the state's evolving climate change policy, including post-2020 reduction targets. The State CEQA Guidelines do not prescribe specific thresholds or indicate what amount of GHG emissions would constitute a significant impact on the environment. Instead, they leave the determination of the significance of GHG emissions up to the lead agency provided this decision is supported by substantial evidence (State CEQA Guidelines Sections 15064.4(a) and 15064.7(c)). A number of expert lead agencies throughout the state, including multiple air districts, have drafted and/or adopted varying threshold approaches and guidelines for analyzing GHG emissions and climate change in CEQA documents, and each of these approaches are tied to AB 32 reduction targets. At the local level, the City of Chula Vista has been implementing a Climate Action Plan (CAP) titled, *CO_2 Reduction Plan*, since 2000. The CAP was updated in 2008 to include GHG mitigation strategies and again in 2011 to include climate adaptation strategies. The CAP contains 20 GHG reduction measures aimed at reducing emissions, improving air quality, and encouraging energy conservation. However, the City's CAP does not yet qualify for "tiering" per Section 15183.5 of the State CEQA Guidelines, as the CAP has not undergone CEQA review, and reduction targets are not tied to AB 32. Additionally, the City has not drafted or adopted GHG significance thresholds for use in CEQA documents. Therefore, this analysis utilizes San Diego County's (2015) interim GHG threshold of 900 metric tons carbon dioxide equivalent ($MTCO_2e$). This interim threshold is based on the California Air Pollution Control Officers Association's (CAPCOA) *CEQA & Climate Change*. Projects that emit less than 900 $MTCO_2e$ would be considered to have a less-than-significant cumulative impact on climate change. Additionally, given the proposed project is designed to enhance, rehabilitate, and re-establish hydrological processes, vegetation communities, and wildlife habitats, this assessment discusses the project's consistency with local and statewide efforts to increase carbon sequestration and habitat.

Project construction would result in GHG emissions from off-road equipment, employee vehicles, and material delivery haul trucks. The primary emissions occur as carbon dioxide (CO_2) from gasoline and diesel combustion, with more limited vehicle tailpipe emissions of methane (CH_4) and nitrous oxide (N_2O). Project maintenance and monitoring would result in minor GHG emissions from landscaping equipment (e.g., chainsaws, hedge trimmers) and debris off-haul. These emissions would be minimal and would be far below San Diego County's interim GHG threshold. Accordingly, they are not discussed further.

Construction-related GHG emissions were estimated using CalEEMod and equipment data provided by the project applicant. The estimate of the project GHG emissions during construction is provided in Table 2. Consistent with County guidance, construction emissions are summed and amortized over a 30-year project life. Phase 1 and Phase 2 were assumed to take place in 2016, while Phase 3 is assumed to occur in 2017. Note that equipment data for Phase 3 were not available at the time of this analysis. However, construction activities required for Phases 2 and 3 were assumed to be identical; thus, daily emissions from Phase 3 are expected to be the same as Phase 2. However, as Phase 3 would occur over a period of 8 weeks, total emissions would be greater than Phase 2, which requires 6 weeks of construction activity. Total Phase 3 emissions were therefore calculated by scaling Phase 2 emissions by 1.33 (8 weeks/6 weeks).

As shown in Table 2, the proposed project's emissions are low and are expected to be far below the County's currently recommended 900 metric ton CO_2e threshold. Additionally, the project's goal of enhancing, re-habilitating, and re-establishing vegetation communities and wildlife habitats would inevitably increase carbon sinks, as the project would replace many of nonnative shrub communities with trees, which have a much higher rate of carbon uptake and sequestration than disturbed shrubs and habitat. The AB 32 Scoping Plan includes measures to increase carbon sequestration (Sustainable Forests), and the proposed project would be consistent with this goal by increasing sequestration in the project area. Consequently, the impact of emissions from the proposed project is considered less than significant and not adverse. Therefore, the proposed project would not generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment.

Table 2. Estimated Annual Greenhouse Gas Emissions from Project Construction (metric tons per year)

Year	CO_2	CH_4	N_2O	CO_2e[a]
2016	85	<1	<1	86
2017	61	<1	<1	61
Total Emissions	**146**	**<1**	**<1**	**147**
Amortized Emissions[b]	5	<1	<1	5
San Diego County Threshold	--	--	--	900

[a] Refers to carbon dioxide equivalent, which includes the relative warming capacity (i.e., Global Warming Potential) of each GHG.

[b] Total emissions have been amortized over a 30-year project life.

Source: ICF International 2015a

b) **Less-than-Significant Impact**. At the local level, the City has a GHG reduction plan, originally drafted in 2000 and amended in 2008 and 2011, which outlines the City's plan to achieve GHG reductions over time. At the state level, the most applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions is AB 32, which codified the state's GHG emissions reduction targets for the future. ARB adopted the AB 32 Scoping Plan as a framework for achieving AB 32. The Scoping Plan outlines a series of technologically feasible and cost-effective measures to reduce statewide GHG emissions. These strategies are geared towards sectors and activities that generate significant amounts of GHGs. For example, the majority of measures address building, energy, waste and wastewater generation, goods movement, water usage, and high global warming potential gases. Activities associated with the proposed project are not considered by the AB 32

Scoping Plan as having a high potential to emit GHGs. The proposed project consists of short-term construction and minimal long-term maintenance and monitoring and would result in a low level of emissions (147 metric tons CO_2e over the course of a 2-year construction period) far below thresholds. Moreover, the project would rehabilitate and enhance the aquatic and terrestrial habitat in the Otay River Valley, which would increase carbon uptake and sequestration in perpetuity. Therefore, the proposed project would not hinder implementation of AB 32 and the City's CAP and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. This impact is considered less than significant.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. BIOLOGICAL RESOURCES. 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?	☐	■	☐	☐
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 U.S. Fish and Wildlife Service?	☐	☐	■	☐
c) Have a substantial adverse effect on federally protected waters as defined by Section 404 of the Clean Water Act (including, but no limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	☐	■	☐	☐
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?	☐	☐	■	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
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?	☐	■	☐	☐

Comments:

a) **Less-than-Significant Impact with Mitigation Incorporated**. Biological resources on the project site were evaluated in a Biological Resources Report prepared by ICF International (ICF International 2016b). Although no formal plant or wildlife surveys were conducted for this project, Recon Environmental has conducted a variety of surveys within portions of the project site on the Otay Ranch Preserve and the Salt Creek Preserve, and those survey reports were used to compile

species data. The project site supports a large number of native and nonnative animal and plant species, including 15 special-status wildlife species and 22 special-status plant species. A special-status species is one designated as endangered, threatened, or otherwise imperiled by local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). The following summarizes the existing resources present within the project area.

Wildlife: Special-Status Species

Fifteen special-status wildlife species have been documented on site: San Diego fairy shrimp, western spadefoot toad, Belding's orange-throated whiptail, Blainville's horned lizard, least Bell's vireo, coastal California gnatcatcher, western yellow-billed cuckoo, northern harrier, white-tailed kite, San Diego cactus wren, grasshopper sparrow, yellow warbler, yellow-breasted chat, San Diego black-tailed jackrabbit, and San Diego woodrat. The project site provides suitable habitat for other special-status wildlife species. Project grading activities would temporarily impact special-status wildlife species via the temporary loss of vegetation and the potential loss of individuals and direct impacts on avian species protected under the Migratory Bird Treaty Act. However, as described in the project description and *Biological Resources Report* (ICF International 2016b), to the extent practicable (and consistent with Mitigation Measure BIO-6), all construction activities would occur between September and February of each year and therefore would take place outside the breeding season and would avoid impacts to nesting birds. Furthermore, **Mitigation Measures BIO-1** through **BIO-8**, would be implemented and would require approval of all applicable resource agency permits, biological awareness training for all construction personnel, temporary fencing to clearly distinguish the limits of the project site, biological monitoring to ensure grading activities occur within designated areas, implementing BMPs as outlined in the *Biological Resources Report* (ICF International 2016b), and ensuring nesting birds, burrowing owl, and vernal-pool-dependent species are avoided. These mitigation measures would avoid and minimize impacts that could occur on sensitive natural communities and special-status wildlife species as a result of the temporary loss of habitat, direct impacts on individuals, or the loss of active nests for birds protected under the Migratory Bird Treaty Act (MBTA). Restoration of native vegetation communities would, however, ultimately increase the acreage and quality of suitable breeding habitat for those special-status wildlife species over the long term. Moreover, as a project feature, wood split-rail fencing would be installed to designate trail corridors in compliance with the OVRP Concept Plan and City of Chula Vista Greenbelt Master Plan, as well as signage (educational kiosks, general trail signage) and safety reflectors to limit trespassing into the restoration project and adjacent habitats. Therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-8** impacts related to special-status wildlife species would be less than significant.

Wildlife: Critical Habitat

The project site is within USFWS-designated critical habitat for both the coastal California gnatcatcher and the Quino checkerspot butterfly. Grading and restoration activities would temporarily impact designated critical habitat for both species. Coastal California gnatcatcher critical habitat is designated over the entire City of Chula Vista parcel, while Quino checkerspot butterfly critical habitat is located to the east of the City of Chula Vista parcel. Grading activities would occur in areas not typically used by coastal California gnatcatcher for nesting; enhancement activities would take place in Diegan coastal sage scrub, which is appropriate breeding habitat for coastal California gnatcatcher. Ultimately, restoration actions would improve the acreage and quality of habitat for coastal California gnatcatcher. The restoration grading is located outside of designated Quino critical habitat on previously gravel-mined riverwash alluvium which does not support the Quino checkerspot butterfly. However, as described above, the proposed project would implement **Mitigation Measures BIO-1** through **BIO-6** to avoid and minimize impacts that could occur to sensitive natural communities and special-status wildlife species as a result of the temporary loss of habitat, direct impacts on individuals, or the loss of active nests for birds protected under the MBTA.

Therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-6**, impacts related to special-status species critical habitat would be less than significant.

Flora: Special-Status Species

Twenty-two special-status plant species were identified on site: singlewhorl burrobrush, Otay manzanita, south coast salt scale, San Diego sunflower, San Diego goldenstar, Otay Mountain ceanothus, snake cholla, Otay tarplant, variegated dudleya, San Diego barrel cactus, Palmer's grapplinghook, Tecate cypress, graceful tarplant, decumbent goldenbush, San Diego marsh elder, Southwestern spiny rush, small flowered microseris, spreading navarretia, Munz's sage, ashy spike-moss, blue streamwort, and San Diego County needlegrass. Grading activities would result in the temporal loss of vegetation that could result in impacts on special-status plant species, including the loss of individuals. However, implementation of **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9** would require biological awareness training for all construction personnel, temporary fencing to clearly distinguish the limits of the project site, biological monitoring to ensure grading activities occur within designated areas, implementing BMPs, and developing and implementing a salvage plan for special-status plants that would be directly impacted by grading activities. These mitigation measures would avoid and minimize impacts that could occur on sensitive natural communities and special-status plant species as a result of the temporary loss of habitat. The restoration of native vegetation communities would, however, ultimately increase the acreage and quality of suitable habitat for these special-status floral species over the long term. As a project feature, wood split-rail fencing would be installed to designate trail corridors in compliance with the OVRP Concept Plan and City of Chula Vista Greenbelt Master Plan, as well as signage (educational kiosks, general trail signage) and safety reflectors to limit trespassing into the restoration project and special-status plant populations. Therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9**, impacts related to special-status floral species would be less than significant.

Flora: Critical Habitat

A portion of the project site is within USFWS-designated critical habitat for Otay tarplant, and enhancement and grading activities would temporarily impact a portion of the habitat; however, Otay tarplant does not have reasonable potential to occur in the grading area due to the lack of appropriate soils and the disturbed nature of the former gravel mine. However, as mentioned above, **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9** would be implemented to minimize potential impacts on critical habitat. As mentioned above, the proposed project is a restoration project that would ultimately increase and enhance suitable habitat for special-status plant species; therefore, after implementation of **Mitigation Measures BIO-1** through **BIO-5** and **BIO-9**, impacts on USFWS-designated critical habitat for Otay tarplant would be less than significant.

b) **Less-than-Significant Impact**. Twenty-two vegetation communities and land cover types were mapped within the project site and include a variety of sensitive riparian and upland habitats as well as disturbed natural communities and developed lands. Sensitive vegetation communities on the project site include southern mixed chaparral, chamise chaparral, Diegan coastal sage scrub, mule fat scrub, riparian forest and scrub, freshwater marsh, arundo-dominated riparian, southern riparian scrub, southern willow scrub, southern cottonwood–willow riparian forest, southern interior cypress forest, oak woodland, valley and foothill grassland, and nonnative grassland. Non-sensitive vegetation communities or land cover types include open water, eucalyptus woodland, nonnative vegetation, tamarisk scrub, disturbed habitat, and urban/developed land. These various communities serve as important breeding and foraging habitats for a variety of birds, reptiles, and mammals, including special-status species. The proposed project would avoid most significant stands of riparian habitat in the project site and enhancement of these areas would be carefully conducted by hand. The goal of the proposed project is to restore natural vegetation communities and hydrological function to the portion of the Otay River Valley within the project area; any project-related impacts would be minimal and temporary, and the proposed project would result in improved habitats.

Therefore, there would not be substantial adverse effects on any riparian habitat or other sensitive natural community, and impacts would be less than significant.

c) **Less-than-Significant Impact with Mitigation Incorporated**. The existing Otay River channel was substantially altered by gravel and sand mining activities that began in the 1920s and lasted until approximately the late 1980s; consequently, the floodplain has undergone the removal of a significant amount of streambed material and now contains a multitude of tailing rows and mounds, several pits, and other artifacts of such operations. As a result, floodplain drainage patterns have been significantly changed. The proposed project would restore a portion of the Otay River and re-create appropriate channel morphology and a floodplain composed of low and high terraces that would be activated at various flood events.

   Restoration efforts would be conducted in compliance with applicable state and federal water quality laws. The temporary impacts on small areas of jurisdictional waters of the U.S. and State and native upland habitats, and the project as a whole, have been evaluated by USACE in accordance with Section 404 of CWA, the RWQCB in accordance with Section 401 of the CWA and the State Porter Cologne Act, USFWS in accordance with Section 7 of the Endangered Species Act, the CDFW in accordance with Section 1600 of the State Fish and Game Code. The resource agencies have reviewed the project in detail, visited the site on numerous occasions, and provided feedback on design and phasing. Implementation of **Mitigation Measure BIO-1**, Obtain Approval of all Necessary Resource Agency Permits, would be required prior to the issuance of grading permits and the start of restoration activities to ensure all necessary agency permits have been approved and impacts to protected waters are minimized per the conditions set for in the permits. Therefore, after implementation of **Mitigation Measure BIO-1**, the proposed project would not have a substantial adverse effect on federally protected waters as defined by Section 404 of the Clean Water Act, and impacts would be less than significant.

d) **Less-than-Significant Impact**. Restoration of the project site would ultimately improve habitat connectivity in the region and would not prevent wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction. Short-term construction activity is expected to take place primarily within existing disturbed areas during daylight hours, with minimal impacts on local wildlife movement during construction. Therefore, the proposed project would not interfere with the movement of any native resident species or with established wildlife corridors, or impede the use of native wildlife nursery sites. Impacts would be less than significant.

e) **No Impact**. The County of San Diego General Plan contains an Open Space Element and a Conservation Element that provides guiding principles for the conservation of biological resources. The Open Space Element outlines the goals and policies pertaining to each type of open space, not all of which are for the preservation of biological resources. The Conservation Element addresses County policies relating to water, vegetation, and wildlife habitat. The City of Chula Vista Municipal Code contains the City's Tree Ordinance, which controls and protects plantings within the public rights-of-way and includes provisions for the planting of street trees and other landscaping materials. It also contains the Habitat Loss and Incidental Take (HLIT) Ordinance, which identifies specific impact and mitigation requirements for impacts on native and some nonnative communities. In addition, the proposed project is located within the jurisdiction of a number of regional conservation plans. The proposed project includes enhancement of water, vegetation, and wildlife habitat in open space and does not conflict with goals and principles of the above-mentioned local ordinances or elements of general plans, and no impact would occur.

f) **Less-than-Significant Impact with Mitigation Incorporated**. The project site is within the boundaries of the Otay Ranch General Development and Resource Management Plan, the Otay River Watershed Management Plan, the Otay River Watershed Special Area Management Plan (SAMP), the City of Chula Vista MSCP Subarea Plan, the City of San Diego MSCP Subarea Plan, and the County of San Diego (South County) MSCP Subarea Plan. The Otay Ranch General Development and Resource Management Plan is a comprehensive planning document that addresses the

preservation, enhancement, and management of sensitive natural and cultural resources and is designed to be the functional equivalent of the County of San Diego Resource Protection Ordinance for Otay Ranch. The Otay River Watershed Management Plan (ORWMP) is a framework management plan that provides 17 strategies intended to protect, enhance, restore, and/or manage watershed resources and uses that is consistent with the local General Plans and conservation plans. The Otay River Watershed SAMP provides a comprehensive plan for aquatic resources protection while allowing for reasonable development. The City of Chula Vista, City of San Diego, and County of San Diego MSCP Subarea Plans are components of the San Diego Multiple Species Conservation Program, which is designed for the preservation of numerous sensitive plant and animal species in the region, and the Chula Vista General Plan Open Space Preserve designation is intended for areas designated within the City of Chula Vista MSCP Subarea Plan for the permanent conservation of biological resources. The project site currently exists in a degraded state and contains numerous noxious nonnative plant species; the proposed project would restore native plant associations and wildlife connections and provide funding for the long-term maintenance and management of the project site in perpetuity through a non-wasting endowment required by USACE. The proposed project is consistent with the goals of all applicable conservation plans. Moreover, trails and public access are discussed in Section 7.5.3 of the City of Chula Vista MSCP Subarea. The measures outlined in Section 7.5.3 would be implemented as **Mitigation Measure BIO-10** to avoid impacts to sensitive resources by installing fencing and signage. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Impacts would be less than significant after mitigation is incorporated.

Mitigation:

BIO-1: Obtain Approval of All Necessary Resource Agency Permits. Prior to the issuance of a grading permit, the applicant shall obtain all necessary resource agency permits and provide copies to the City. All conditions identified within each of the resource agency permits shall be implemented in accordance with the permit. The applicable resource agency permits for the proposed project include a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, a Section 7 Informal Consultation Letter from the U.S. Fish and Wildlife Service, a Clean Water Act Section 401 Water Quality Certification from the Regional Water Quality Control Board, a Clean Water Act Section 402 National Pollutant Discharge Elimination System Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife. In addition to the agency permits, a conservation easement or other approved site protection mechanism and endowment would be established per the U.S. Army Corps of Engineers and Environmental Protection Agency Compensatory Mitigation Rule.

BIO-2: Biological Awareness Training. Prior to initiation of grading activities, biological resource awareness training will be provided by a qualified biologist to all construction personnel. The training will include information regarding sensitive species with the potential to occur at the site as well as minimization and avoidance measures to reduce potential indirect effects on the habitat. A log of personnel who have completed the training and a copy of the training report/outline (including special-status species photos, targeted invasive plant species, and descriptions of the measures discussed in the training session) will be maintained at the construction office.

BIO-3: Temporary Fencing. Prior to the initiation of grading activities, the limits of grading will be clearly marked by well-installed temporary fencing that is prominently colored. The fence will be installed by the construction contractor and will remain in place during all grading activities.

BIO-4: Biological Monitor. A qualified biological monitor will be on site during vegetation clearing activities to ensure that grading activities occur within designated areas. The monitor will also ensure that any special-status species that becomes entrapped within the grading limits is moved

away from construction equipment. The biological monitor will also periodically inspect the limits of disturbance fence to ensure that it is in good condition. Any parts of the fence that need repair will be brought to the contractor's attention to be fixed immediately. In the event that a special-status species is located within the grading limits, the biological monitor would temporarily stop construction. Removal of sensitive species should be done by a biologist qualified to handle that specific species. If needed, the California Department of Fish and Wildlife will be informally consulted if there is a question on the best manner to safely address a situation with a sensitive wildlife species.

BIO-5: Best Management Practices. Best management practices (BMPs) will be implemented per the conditions outlined in the *Biological Resources Report* (ICF International 2016b) by the construction contractor during all grading activities to reduce potential indirect effects on special-status species and habitat. BMPs will include but will not be limited to the following.

- All trash will be properly stored and removed from the site daily to prevent attracting wildlife to the construction area.
- Vehicles and equipment will be stored only on pre-designated staging areas in disturbed or developed areas. Fueling should be conducted in a manner that prevents spillage of fuel into the Otay River or into riparian or wetland habitats.
- All maintenance of vehicles and equipment will be conducted in a manner so that oils and other hazardous materials will not discharge into the Otay River, or into riparian habitat areas (including Freshwater and Freshwater Marsh).
- Dust control measures will be implemented to minimize the settling of dust on vegetation.
- Appropriate firefighting equipment (e.g., extinguishers, shovels, water tankers) will be available on the site during all phases of project construction, and appropriate fire prevention measures will be taken to help minimize the chance of human-caused wildfires.
- All construction will be performed between dawn and dusk to the degree feasible to minimize potential indirect effects (e.g., increased depredation) on the species beyond the limits of disturbance.

BIO-6: Nesting Bird Avoidance. To avoid any direct impacts on nesting coastal California gnatcatchers (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), raptors, or other birds protected under the Migratory Bird Treaty Act, removal of habitat, including the removal of any riparian woodland, upland vegetation, and eucalyptus trees that may support active nests on the proposed area of disturbance will occur outside of the breeding season when feasible. The breeding season is defined as February 15–September 15. If work, including any trail improvement work, must be conducted during the breeding season, nesting bird surveys would need to be completed in order to clear the area or locate active nests for avoidance. Adequate avoidance buffers would be established around any active nests and coordinated with the wildlife agencies.

BIO-7: Preconstruction Burrowing Owl Survey. To avoid any direct impacts on burrowing owls (*Athene cunicularia*), an approved biologist shall conduct focused pre-construction surveys for burrowing owls. The surveys shall be performed no earlier than 10 days prior to the commencement of any clearing, grubbing, or grading activities. If occupied burrows are detected, the biologist shall prepare a passive relocation mitigation plan, subject to review and approval by the Wildlife Agencies and the City, including any subsequent burrowing owl relocation plans to avoid impacts from construction-related activities.

BIO-8: Vernal Pool–Dependent Species Avoidance. The San Diego Mesa vernal pool complex located in the northeastern corner of the property is outside of the restoration boundary and will be completely avoided. To avoid all other potential fairy shrimp habitat areas and potential impacts on

San Diego fairy shrimp (*Branchinecta sandiegonensis*), other ponding features such as road ruts and road ponds will be identified by an aquatic resource and fairy shrimp specialist and fenced by the construction contractor ensuring they are not impacted by restoration activities including truck traffic and storage. Construction access routes will be rerouted within the proposed grading footprint to avoid these ponding features. These new routes will replace existing roads/trails to avoid future impacts associated with vehicular and recreational use. The uplands surrounding the ponds will be restored with native species. Wood split-rail fencing, boulders, and signage will be installed outside of these sensitive areas and used to inform the public of the sensitivity of the area and deter them from trespassing into the ponded areas and river restoration project.

BIO-9: Special-Status and Succulent Plant Salvage Plan. During grading and enhancement activities, special-status and succulent plant species should be avoided where feasible. Salvage and relocation of target species to adjacent areas will be implemented for unavoidable impacts. Target species include the special-status plant species detected within the restoration project boundary: singlewhorl burrobush (*Ambrosia monogyra*), San Diego sunflower (*Bahiopsis laciniata*), San Diego barrel cactus (Ferocactus viridescens), Palmer's grapplinghook (*Harpagonella palmeri*), Tecate cypress (*Hesperocyparis forbesii*), decumbent goldenbush (*Isocoma menziesii* var. *decumbens*), San Diego marsh-elder (*Iva hayesiana*), southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*), small-flowered microseris (*Microseris douglasii* ssp. *platycarpha*), blue streamwort (*Stemodia durantifolia*), and San Diego needlegrass (*Stipa diegoensis*), as well as Otay tarplant if detected within the restoration project boundary.

A special-status plant and succulent salvage plan will be prepared for the areas of grading and habitat enhancement. The plan will be prepared and implemented prior to grading and enhancement activities. The plan will include a special-status and succulent plant target species list, seed collection, succulent plant salvage, and transplanting methods.

BIO-10: Public Access, Trails, and Recreation. To deter trespassing into the restoration site, wood split-rail fencing will be installed to designate road/trail corridors along existing roads and existing unofficial trails that border the restoration site. Other barriers (boulders, brush piles, logs. and plantings) will be placed at strategic locations when protection of sensitive resources is required where fencing is not present. For safety purposes, reflective material will be placed on the wood fencing at specific locations to aid Border Patrol and other night-time users from unintentionally breaking through fencing into sensitive habitat. Additionally, signage and informational kiosks will be installed for educational purposes and to inform the public of the sensitivity of the restoration site and adjacent habitats. All installation activities (signage, fencing, kiosks) and reflective materials will occur outside of the breeding season defined as February 15–September 15 or be in accordance with Mitigation Measure BIO-6 and require preconstruction surveys.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in State CEQA Guidelines § 15064.5?	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines § 15064.5?	☐	■	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	■	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

Comments:

a) **No Impact**. A records review and cultural resources survey identified no existing structures or buildings within the 300-acre mitigation site boundary (ICF International 2015b). Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.

b) **Less-than-Significant Impact with Mitigation Incorporated**. A records review revealed that two isolated artifacts and one archaeological site were previously documented within the restoration site: site CA-SDI-10875 and isolates 37-015385 and 37-015386. The artifacts associated with the isolates were collected during their initial documentation (Kyle et al. 1993a, 1993b). A subsequent cultural resources survey performed in support of the proposed project between June 2 and 3, 2015, did not locate any additional artifacts in the vicinity of either isolated find. This same survey identified only two surface-exposed lithic artifacts within the previously defined boundary for CA-SDI-10875. Historic documentation review and a pedestrian survey revealed that the central portion of the project area has been subject to deep and widespread ground disturbance associated with a sand and gravel mining operation that occurred in the project area during the late twentieth century. This area is considered to have limited potential to contain archaeological resources and intersects with the southern edge of the previously defined boundary for CA-SDI-10875 (ICF International 2015b).

CA-SDI-10875 has not been determined eligible for, or listed, in the California Register of Historical Resources (CRHR) or National Register of Historic Places (NRHP). Considering that only two non-diagnostic lithic artifacts were documented within a 17-acre portion of the site that occurs within the project area, that previous recent studies could not relocate any artifacts within the site boundary (AECOM 2013), and that no features or chronologically diagnostic artifacts have been documented within the site, the portion of the site that occurs within the project area does not appear to be eligible under Criterion 4 of the CRHR (Public Resources Code SS5024.1, Title 14, Section 4852). This site is not directly associated with any recognized historic or prehistoric event or person (Criteria 1 and 2), does not appear to embody a characteristic or method of construction that would warrant special recognition, and is not located in a cohesive neighborhood or grouping (Criterion 3).Therefore, impacts

related to the proposed project causing a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5 would be less than significant.

One archaeological site, CA-SDI-14218, is located within the 300-acre mitigation parcel where project-related ground disturbing activities (i.e., fence and sign installation) are proposed. The resource has not been evaluated for its eligibility for listing in the CRHR or NRHP. In accordance with guidance from the California Office of Historic Preservation, the site must be treated as though it were a significant resource until the necessary studies have been performed to determine its eligibility for the CRHR or NRHP. In order to minimize impacts to the resource, the proposed project would incorporate **Mitigation Measure CUL-1**, which would redesign the portion of the project that would result in ground disturbance within CA-SDI-14281 to avoid the site by relocating it to an area that does not occur within CA-SDI-14218 or any other previously documented archaeological sites. Implementation of **Mitigation Measure CUL-1** would reduce impacts to archaeological sites to less than significant. If CA-SDI-14218 cannot be avoided, the proposed project would incorporate **Mitigation Measure CUL-2**. This mitigation measure would require cultural resources investigations designed to evaluate the CRHR and NRHP eligibility of CA-SDI-14218 and consider whether proposed project activities would result in significant impacts to this resource. If CA-SDI-14218 is determined not eligible for listing in the CRHR or NRHP, or that the project would not result in significant impacts to the character-defining elements of the resource, then impacts to archaeological sites would be less than significant. If CA-SDI-14218 is determined eligible for listing in the CRHR or NRHP, then an archaeological treatment plan will need to be developed and implemented to reduce impacts to less than significant.

Despite the paucity of archaeological deposits identified within the 300-acre mitigation site during previous surveys, the proposed project would incorporate **Mitigation Measure CUL-3**, which would require the development and implementation of an unanticipated discovery plan, and **Mitigation Measure CUL-4**, which would require archaeological monitoring for any ground-disturbing activities within the 300-acre mitigation parcel. These mitigation measures would be used to account for the potential for encountering redeposited artifacts in the sediment stockpiles on site and the potential for encountering as-yet undocumented archaeological deposits in areas with poor ground surface visibility. Therefore, after implementation of **Mitigation Measures CUL-3 and CUL-4**, impacts related to archaeological resources would be less than significant.

c) **Less-than-Significant Impact**. The proposed project would not directly destroy a unique paleontological resource, site, or unique geologic feature. Figure 10 (see Attachment 1 for all figures) shows the location of Holocene- and Pleistocene-aged landforms on the project site. Project activities such as grading, vegetation removal, floodplain recontouring, plantings, installation of at-grade channel crossings, and decommissioning of existing roads would primarily occur in an area that was previously disturbed to great depths by gravel mining operations (ICF International 2015) or on Holocene-aged alluvial landforms (Tan and Kennedy 2002). In these locations, paleontological sensitivity is considered to be low. In instances where the proposed project would occur on Pleistocene-aged landforms composed of sedimentary rock, which tend to be paleontologically sensitive, project activities would be limited to plantings, decommissioning of existing roads, and minor trail improvements. Both of these activities would result in disturbance limited to the topsoil and would not be sufficient to encounter as-yet undocumented paleontological resources. Therefore, impacts related to paleontological resources would be less than significant.

d) **Less-than-Significant Impact**. A records review and cultural resources survey performed in support of the proposed project did not identify any evidence of significant prehistoric activities in the project area. Based on the widespread extent and great depth of previous ground disturbance across much of the project area, and very sparse distribution and limited variety of artifacts within the only archaeological site documented in the project area (CA-SDI-10875), it is considered unlikely that human remains would be encountered during construction of the proposed project. In the unlikely event that human remains are discovered, the project construction manager would be required to comply with Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.

These regulations outline the procedures to follow in the event that human remains are uncovered, and the penalty for disobeying these procedures. Therefore, given the low likelihood of discovering human remains, as well as the existing laws in place that govern the handling of human remains, impacts related to the disturbance of human remains would be less than significant.

Mitigation:

CUL-1: Avoidance of CA-SDI-14218. The portion of the proposed project that would require ground disturbance within CA-SDI-14218 will be redesigned to avoid the resource, either by rerouting or eliminating the activity that would require ground disturbance within the site boundary. If rerouting is selected, the new route would avoid any other previously documented unevaluated, CRHR-eligible, or NRHP-eligible resources.

CUL-2: Testing of CA-SDI-14218. If ground disturbance within CA-SDI-14218 cannot be avoided, a cultural resources study designed to evaluate the CRHR and NRHP eligibility of the resource will be performed prior to ground disturbing activities. If the archaeological site is determined to be eligible for the CRHR and NRHP, the study will also determine whether the proposed ground disturbance would result in significant impacts to CA-SDI-14218. If the study determines that CA-SDI-14218 is not eligible for listing in the CRHR or NRHP, or that the project would not result in significant impacts to the character-defining elements of the resource, then impacts to archaeological resources would be less than significant. If CA-SDI-14218 is determined eligible for listing in the CRHR or NRHP, then an archaeological treatment plan will need to be developed and implemented for CA-SDI14218 to reduce impacts to archaeological resources to less than significant.

CUL-3: Unanticipated Discovery Plan. Prior to any ground disturbing activities associated with project construction, an unanticipated discovery plan will be developed and will be implemented and enforced during all project-related ground disturbance activities. The plan will establish the procedures to follow in the event of an unanticipated discovery of archaeological deposits or human remains, describe the anticipated range of archaeological resource types, list the character-defining elements that would render archaeological resources eligible for listing in the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) and identify documentation procedures to follow in the event that an archaeological discovery does not retain the necessary character-defining elements to be considered eligible for listing in the NRHP or CRHR. In the event that an unanticipated discovery is determined to be eligible for listing in the NRHP and/or CRHR, the procedures to follow regarding the treatment of the resource will be developed in consultation with the State Historic Preservation Officer and the affected tribes. The plan will contain resource avoidance procedures to follow while treatment is being developed.

CUL-4: Archaeological Monitoring. All ground disturbing activities within the 300-acre mitigation parcel will be monitored by a professional archaeologist. In the event of an unanticipated archaeological discovery, the archaeological monitor will assess the discovery in accordance with the project's Unanticipated Discovery Plan described in Mitigation Measure CUL-3.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
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?	☐	☐	☐	■
ii. Strong seismic ground shaking?	☐	☐	■	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
iv. Landslides?	☐	☐	☐	■
b) Result in substantial soil erosion or the loss of topsoil?	☐	■	□	☐
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?	☐	☐	■	☐
d) Be located on expansive soil, creating substantial risks to life or property?	☐	☐	■	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■

Comments:

a) **i. No Impact**. The nearest active fault to the project site is the La Nacion Fault, located approximately 5 miles to the west. The La Nacion Fault extends south from the Collwood Boulevard-Montezuma Road area along 54th Street, crosses State Highway 94 in the vicinity of Federal Boulevard, and then angles to the southeast through Paradise Hills. It reenters the City of San Diego at Otay Valley just easterly of Interstate 805, and roughly parallels the latter into the San

Ysidro area (City of San Diego 2008). Because no active faults traverse the project footprint, fault rupture is unlikely to occur during implementation of the proposed project. Additionally, the project area is not located within a State of California Alquist-Priolo Earthquake Fault Hazard Zone, and project features do not include the addition of new structures meant for human occupancy within 50 feet of the nearest fault (California Department of Conservation 2015). As such, people or structures would not be exposed to substantial adverse effects from a rupture of a known earthquake fault. No impact would occur.

ii. Less-than-Significant Impact. As with most southern California regions, the project site would be subject to strong ground shaking in the event of a major earthquake. Three major faults zones and some subordinate fault zones are found in the Peninsular Ranges Geomorphic Province (where the proposed project is located). The Elsinore Fault zone and the San Jacinto Fault zones trend northwest-southeast, and are found near the middle of the province. The San Andreas Fault zone borders the northeasterly margin of the province. Additionally, the Otay Ranch area is located in Seismic Zone 4, which is a designation previously used in the Uniform Building Code to denote the areas of the highest risk to earthquake ground motion (California Seismic Safety Commission 2005). As a result, the proposed project could be subject to future seismic shaking and strong ground motion resulting from seismic activity, and damage could occur.

Due to the nature of the proposed project, it is not expected to draw a substantial amount of people, either during project implementation activities or permanently and thus, would remain similar to existing conditions. Moreover, no structures intended for human occupation (or otherwise) would be built, thus potential risk to people as a result of strong seismic ground shaking would be extremely limited while potential impacts on property would not exist. As a result, impacts would be less than significant.

iii. Less-than-Significant Impact. Implementation of the proposed project would not expose people or structures to substantial adverse effects from seismic-related ground failure, including liquefaction. Liquefaction occurs when saturated, low-density, loose materials (e.g., sand or silty sand) are weakened and transformed from a solid to a near-liquid state as a result of increased pore water pressure. The increase in pressure is caused by strong ground motion from an earthquake. Liquefaction more often occurs in areas underlain by silts and fine sands and where shallow groundwater exists. According to the City of Chula Vista's General Plan, the Otay River Valley lies within a liquefaction hazard area (City of Chula Vista 2015). However, the proposed project is not expected to draw a substantial amount of people, either during project implementation activities or permanently and thus, would remain similar to existing conditions. Moreover, no structures intended for human occupation (or otherwise) would be built and the potential risk to people as a result of ground failure or liquefaction would be extremely limited while potential impacts on property would not exist. As a result, impacts would be less than significant.

iv. No Impact. The project site lies within the existing Otay River Valley. As noted in the Otay River Restoration Project Habitat Mitigation and Monitoring Plan (HMMP), the valley floor itself is mostly flat, but does feature several (minor) topographic features. There are several ponds located north of the proposed channel alignment (average depth of approximately 5–8 feet relative to adjacent ground) and mine tailing mounds (approximately 8–10 feet tall) on both the north and south (of the channel alignment). As such, topography of the site and the features mentioned above are not expected to impact the proposed project as it relates to the exposure of people or structures to landslides. Furthermore, according to the City of Chula Vista's General Plan, the project area is not located within a landslide hazard area. No impact would occur.

b) **Less-than-Significant Impact with Mitigation Incorporated**. Implementation of the proposed project would not result in substantial soil erosion or the loss of topsoil. Erosion is a condition that could adversely affect development on any site. Construction activities would include the removal of all invasive nonnative tree, shrub, and herbaceous species followed by grading of the channel and floodplain areas to remove spoil piles, berms, and pits to restore the area to the desired functions.

Other improvements would include installation of wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. The proposed project would not add any new impervious surfaces. Construction activities could exacerbate erosion conditions by exposing soils and adding water to the soil from irrigation. As discussed in more detail below in Section IX, *Hydrology and Water Quality*, the General Construction Permit, which was adopted by the State Water Resources Control Board as Water Quality Order 2012-0006-DWQ on July 17, 2012, is required for soil disturbance activities that would be greater than 1 acre. Compliance with the General Construction Permit requires the development and implementation of a site-specific Storm Water Pollution Prevention Plan (SWPPP) by a Qualified SWPPP Developer and would include BMPs to be employed during construction to control soil erosion. Selection of erosion control BMPs is based on minimizing disturbed areas, stabilizing disturbed areas, and protecting water quality. Preliminary erosion control measures for the proposed project would include, but would not be limited to, the use of hydraulic mulch, soil binders, geotextiles and mats hydro seeding, straw mulch, earth dikes, and velocity dissipation devices. Furthermore, as discussed above in Section V, *Biological Resources*, the proposed project would implement **Mitigation Measure BIO-1** to ensure all necessary agency permits, including a Clean Water Act Section 402 NPDES Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, have been approved before initiating grading activities and impacts to geology and soils would be minimized per the conditions set forth in the permits. As a result, after implementation of **Mitigation Measure BIO-1,** the proposed project would result in less-than-significant impacts related to soil erosion during construction activities.

Operation of the proposed project would restore the portion of the Otay River within the boundaries of the restoration site by creating complex channel morphology including primary and secondary channels. A floodplain would be recreated with low and high terraces that would be activated at various flood events. This would be an improvement to drainage patterns over existing conditions, and would not increase erosion because the restoration site would be restored to the desired functions with native habitat that would prevent substantial erosion or siltation on- or off site. Furthermore, a restoration ecologist would be retained by the project applicant and would work in coordination with the installation and maintenance contractors and oversee the protection of existing native vegetation, nonnative plant removal, contour grading, site preparation, planting and seeding, maintenance and monitoring, and reporting. If deemed necessary by the restoration ecologist, maintenance activities would include remedial measures for erosion control. In addition, operation and maintenance of the minor trail improvements would be performed and managed by the City of Chula Vista per the guidelines in the City of Chula Vista Greenbelt Master Plan and OVRP Concept Plan and Trail Guidelines. As these improvements would occur in the disturbed areas of existing dirt roads and unofficial trails, long-term soil erosion is not expected to be an issue for these project components. Thus, long-term operational impacts related to soil erosion or loss of topsoil would be less than significant.

c) **Less-than-Significant Impact**. As mentioned in the HMMP, soils in the Otay East sub-basin are predominantly clay with some loam pockets in O'Neal Canyon. The riparian areas and previously active floodplains of the Otay River lack distinct layers and are generally well drained and poorly developed. Soils in the floodplain area are characterized as having a high infiltration rate when thoroughly wetted, comprising primarily deep well-drained sand and gravel. The project site is composed of five soil types; Olivenhain-cobbly loam, Huerhuero loam, Visalia gravely sandy loam, Riverwash, San Miguel-Exchequer rocky silt loams, and Terrace escarpments (ICF International 2016a).

Due to the prevalence of clays, sand and gravel and the availability of water in the project area, the potential for soil instability during a seismic event exists. However, the proposed project would not draw a substantial amount of people, either during project implementation activities or permanently and thus, would remain similar to existing undeveloped conditions. Moreover, no structures intended for human occupation (or otherwise) would be built, thus potential risk to people as a result of

unstable soil would be extremely limited while potential impacts on property would not exist. As a result, impacts would be less than significant.

d) **Less-than-Significant Impact**. Implementation of the proposed project would not create substantial risks to life or property as a result of expansive soils. Expansive soils are fine-grained soils (generally high-plasticity clays) that can undergo a significant increase in volume with an increase in water content as well as a significant decrease in volume with a decrease in water content. Changes in the water content of highly expansive soils can result in severe distress for structures constructed on or against the soils. As discussed under threshold c., clays exist throughout the project area and thus soil expansion potential exists. However, due to the nature of the proposed project, it is not expected to draw a substantial amount of people, either during project implementation activities or permanently and thus, would remain similar to the existing undeveloped conditions. Moreover, no structures intended for human occupation (or otherwise) would be built, thus potential risk to people would be extremely limited while potential impacts on property would not exist. As a result, impacts would be less than significant.

e) **No Impact.** No septic tanks or alternative wastewater disposal systems are proposed; therefore, no impact would occur.

Mitigation:

Implement **Mitigation Measure BIO-1**.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
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?	☐	■	□	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
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?	☐	■	☐	☐
e) For a project 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?	☐	☐	■	☐
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?	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
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?	☐	☐	■	☐

Comments:

a) **Less-than-Significant Impact.** Implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would involve the transport, use, and disposal of hazardous materials such as fuel, solvents, chemicals, and oils associated with operating construction equipment. Such transport, use, and disposal must be compliant with applicable regulations such as the federal Resource Conservation and Recovery Act (RCRA), which regulates the generation, transport, treatment, storage, and disposal of hazardous waste; Department of Transportation Hazardous Materials Regulations, which cover all aspects of hazardous materials packaging, handling, and transportation; and the local Certified Unified Program Agency (CUPA) regulations, which consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities of local environmental and emergency response programs. Although small amounts of fuel, solvents, chemicals, and oils would be transported, used, and disposed of during the construction phase, these materials are typically used in construction projects and would not represent the transport, use, and disposal of acutely hazardous materials.

   Once completed, the proposed project would maintain approximately 100 acres of hydrologic and sediment transport processes and native habitats. The long-term operation and maintenance of the Chula Vista Greenbelt trail would be performed and managed by the City of Chula Vista per the guidelines in the City of Chula Vista Greenbelt Master Plan. The long-term operation and maintenance of the OVRP trails would be shared by the three responsible jurisdictions (County of San Diego, City of Chula Vista, and City of San Diego) per the guidelines in the OVRP Concept Plan and Trail Guidelines. As such, no hazardous materials would be transported, used, disposed of, or stored on site during project operations. Impacts would be less than significant.

b) **Less-than-Significant Impact with Mitigation Incorporated.** Implementation of the proposed project is not expected to 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 mentioned under response VIII.a. above, construction-related hazardous materials would be used during construction of the proposed project, including fuel, solvents, chemicals, and oils, for the operation of construction equipment. It is possible that any of these substances could be released in small amounts during construction activities. However, compliance with federal, state, and local regulations noted in response VIII.a., in combination with construction BMPs implemented from a SWPPP as required under the State Water Resources Control Board's Construction General Permit and listed in Section IX, *Hydrology and Water Quality*, would ensure that all hazardous materials are transported, used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during the construction phase of the project. Furthermore, **Mitigation Measure BIO-1** would ensure all necessary agency permits, including a Clean Water Act Section 402 NPDES Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, have been approved before initiating grading activities. As discussed above, no hazardous materials are expected to be transported, used, disposed of, or stored on site during the operational phase, which would be similar to the existing operations at the project site.

   A records search was conducted to determine if there are any known hazards or hazardous materials located on or close to the project site that could result in a significant hazard to the public or the environment. The following summarizes the findings of this records search.

   GeoTracker and EnviroStor

   Existing Leaking Underground Storage Tanks

   Research conducted on GeoTracker and EnviroStor during an online records review provided no current or historical hazardous material information regarding the proposed project site. However, two Leaking Underground Storage Tank (LUST) sites were identified within a 1-mile radius of the

proposed project site; the Lower Lake Filtration Plant located northeast of the proposed project at 2200 Wueste Road and the East Mesa Detention Center located southeast of the proposed project at 446 Alta Road (State Water Resources Control Board 2015). Contamination found in the Lower Lake Filtration Plant site included gasoline-impacted soil only, while the East Mesa Detention Center was a diesel-impacted soil only site. Remediation was conducted and both sites were granted closure in September of 2006 and December of 2007, respectively. Thus, the likelihood of contamination migrating to the proposed project area and adversely affecting construction workers or the environment from the two surrounding sites is very low.

Brown Field Bombing Range Formerly Used Defense Site

The western portion of the project site is located within the Brown Field Bombing Range Formerly Used Defense Site (FUDS). Figure 9 (see Attachment 1 for all figures) shows where the project site, restoration site, trails, and the FUDS property boundaries overlap. The Brown Field Bombing Range was identified in the EnviroStor database as being part of the Department of Toxic Substances Control's (DTSC's) Hazardous Waste and Substances Site List – Site Cleanup (Cortese List). The Cortese List is a planning document used by the state, local agencies and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites (DTSC 2015).

The Brown Field Bombing Range (also known as the Otay Mesa Bombing Range, the Otay Bombing Target, or Otay Mesa Bombing Target #32) was used by the Navy between 1942 and 1960 as a dive-bombing practice range, and later as an aerial rocket range. In 1961, the bombing range was assigned for disposal. Construction of the proposed project could create a significant hazard to construction workers or the environment by exposing or encountering any remaining unearthed unexploded ordnances (UXO), munitions and explosives of concern (MEC), and Munitions Debris (MD). UXOs are defined as military munitions that have been prepared for action, remain unexploded and have been fired, dropped, launched, projected, or placed in such a manner as to constitute an explosive hazard. MECs specify categories of military munitions that may pose unique explosive safety risks, of which UXOs are one. Other MECs include discarded military munitions, which are munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for proper disposal, and munitions constituents which are any materials originating from unexploded ordnances, discarded military munitions, or other military munitions (Office of the Under Secretary 2003). MDs are remnants of munitions (i.e., penetrators, projectiles, shell casings, links, fins) remaining after munitions use, demilitarization, or disposal (Parsons 2007).

Parsons Site Inspection Report

A site inspection (SI) evaluation consisting of a qualitative reconnaissance and surface soil sampling was conducted by Parsons in 2007 to evaluate the presence of MECs, MDs, and munitions constituents (MCs) within the Former Brown Field Bombing Range. The qualitative reconnaissance encompassed 15.9 miles of the former bombing range and a total of 10 soil samples (as depicted in Figure 9 (see Attachment 1 for all figures)). Results of the laboratory analysis were as follows.

- Explosives were not detected in any of the soil samples collected.
- MC contamination was detected in surface soil samples; in particular aluminum, copper, iron, lead, potassium, manganese, and zinc.

Due to the laboratory results, a MC Screening Level Risk Assessment (SLRA) and a Screening Level Ecological Risk Assessment (SLERA) were conducted for aluminum, copper, lead, manganese, and zinc (iron and potassium were determined to not pose an unacceptable risk). Based on the results of the SLRA and SLERA, the Former Brown Field Bombing Range was determined not to pose an unacceptable risk to human health or ecological receptors resulting from potential exposure to MC in surface soil. As surface water and sediment samples were not collected at the time of the evaluation, the SI recommended the need for further investigation to determine the

presence of MEC hazards in these types of media. **Mitigation Measure HAZ-1** would reduce potential impacts associated with unacceptable risks to human health or ecological receptors resulting from exposure to MC in surface water and sediment by requiring sampling and completion of the associated SLRA and SLERA studies, along with either avoidance or remediation of any affected areas before any construction activities may proceed. Implementation of **Mitigation Measure HAZ-2** would further reduce potential impacts related to historic Brown Field FUDS site activities by performing a surface clearance sweep prior to initiating any construction activities and removing and disposing of any remaining unearthing UXO, MEC and MD. In addition, **Mitigation Measure HAZ-2** would require two UXO qualified technicians to support the project's restoration and grading activities to detect the presence of MEC in disturbed soil. Impacts would be less than significant with mitigation incorporated.

c) **No Impact.** Implementation of the proposed project would not create any impacts associated with hazardous emissions or handling of acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. There are no existing or proposed schools within 0.25 mile of the proposed project area. The closest school, High Tech High School, is approximately 1 mile northwest of the project site. No impact would occur.

d) **Less-than-Significant Impact with Mitigation Incorporated.** As discussed under response VIII.b, the western portion of the project site overlaps with the former Brown Field Bombing Range FUDS site which was identified as being part of the Cortese List. Results of an SLRA and SLERA conducted in the former Brown Field Bombing Range determined that potential exposure to MC in surface soil would not pose an unacceptable risk to human health or ecological receptors. However, mitigation is proposed in the event that UXO, MEC, or MD are encountered during construction to protect construction workers and the environment. The SI identified the need for further investigation to determine the presence of MEC hazards in surface water and sediment. Implementation of **Mitigation Measure HAZ-1** would reduce potential impacts associated with unacceptable risks to human health or ecological receptors resulting from exposure to MC in surface water and sediment by testing for presence and remediating as needed. In addition, implementation of **Mitigation Measure HAZ-2** would reduce potential impacts related to historic Brown Field FUDS site activities by performing a surface clearance sweep prior to initiating any construction activities and providing removal and disposal support of any remaining UXO, MEC, and MD during construction. Impacts would be less than significant with mitigation incorporated.

e) **Less-than-Significant Impact.** The project site is approximately 1.75 miles northeast of the Brown Field Municipal Airport. Although the project site is within 2 miles of an airport, and overlaps with the San Diego County Airport Land Use Commission's Compatibility Policy Safety Zones associated with the airport (San Diego County Airport Land Use Commission 2010), the proposed project would not include elevated features that could interfere with navigable airspace. Therefore, implementation of the proposed project would not result in a safety hazard for people residing or working in the project area. Impacts would be less than significant.

f) **No Impact.** Implementation of the proposed project would not result in a safety hazard for people residing or working in the project area because the project site is not within the vicinity of a private airstrip. The closest private airstrip is John Nichol's Field, approximately 3.10 miles to the northeast, which is considered too far to be a hazard concern at the project site. No impact would occur.

g) **Less-than-Significant Impact.** Implementation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project would not result in any substantial traffic queuing along Wiley Road and would not allow any construction vehicles or equipment to park or remain stationary within the roadway. Moreover, the proposed project does not include any characteristics (e.g., permanent public road closures, long-term blocking of public road access) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. All large

construction vehicles entering and existing the site would be guided by the use of personnel using signs and flags to direct traffic.

During construction activities, the proposed project would be required to comply with applicable requirements set forth by the County of San Diego Office of Emergency Services' Emergency Operations Plan, Chula Vista Police Department, and City of Chula Vista Fire Department, such as requirements related to evacuation during wildfires. The Office of Emergency Services provides coordination of emergency response at the local level in the event of a disaster, including wildland fires. This emergency response coordination is facilitated by the Operational Area Emergency Operations Center (OAEOC) and responding agencies to the proposed project; the Chula Vista Police Department, and City of Chula Vista Fire Station No. 3. Furthermore, development of trails and access roads on the project site has been conducted in coordination with the U.S. Border Patrol to ensure the proposed project provides adequate access.

Project features such as not allowing construction vehicles and equipment to park or stop along Wiley Road, the use of flag personnel to ensure the continued flow of traffic, and compliance with the aforementioned programs, rules, and regulations for emergency response would ensure that the proposed project would not interfere with an emergency response plan or evacuation plan, and impacts would be to less than significant.

h) **Less-than-Significant Impact.** According to information obtained from CalFire, the eastern portion of the project site exists within a CalFire Very High Fire Hazard Severity Zone (CalFire 2007). Fire Hazard Severity Zones are identified as moderate, high, and very high hazard severity zones using a science-based and field-tested computer model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior. Factors considered include fire history, existing and potential fuel (natural vegetation), flame length, blowing embers, terrain, and typical weather for the area.

Although a fire can be a significant threat in in the project area, people or structures would not be exposed to significant risk of loss, injury, or death. Due to the nature of the proposed project, it is not expected to draw a substantial amount of people, either during project implementation activities or permanently and, thus, would remain similar to existing conditions. Also, the proposed project does not include any habitable structures that could expose people and buildings to potential wildfires. Furthermore, the proposed project is expected to follow fire management policies, rules, and regulations established by the County of San Diego Office of Emergency Services, the City of Chula Vista Fire Department, and the California Department of Forestry and Fire Protection such as policies and regulations addressing wildfire evacuation and fire prevention. Compliance with these established procedures, rules, and regulations would reduce the impacts related to exposure of people or structures to a significant risk of loss, injury, or death from wildfires to less than significant.

Mitigation:

Implement **Mitigation Measure BIO-1.**

HAZ-1: **Sampling and SLRA/SLERA Studies for On-site Surface Water and Sediment and Water/Sediment Remediation if Necessary.** Prior to construction activities associated with the project, surface water and sediment sampling will be conducted by an environmental consultant with experience in proper sample handling procedures. Samples will be collected from the western portion of the site where the project site boundaries overlap with the Brown Field Bombing Range Formerly Used Defense Site boundary, the number and location of which will be determined by a qualified environmental professional with experience in screening level risk assessments. Using the laboratory results, a Munitions Constituents Screening Level Risk Assessment and a Screening Level Ecological Risk Assessment will be conducted to assess potential risk associated with munitions constituents exposure to human and ecological receptors. A report will be prepared with the results of the study and submitted to the City for review and approval. Should results indicate the presence of contamination levels that would pose a risk to human health, the project proponent (in

consultation with the City) will coordinate with the San Diego County Department of Environmental Health, the Department of Toxic Substances Control, and the Regional Water Quality Control Board regarding avoidance or remediation of affected water and soils in compliance with applicable federal, state, and local laws prior to any project-specific construction activities occurring. If the condition at the site requires it, the project proponent will not proceed with construction activities until a letter of closure is provided by the lead hazardous materials agency. Should the results indicate that no serious risk is present, project-related construction activities may proceed, pending compliance with any other applicable mitigation.

HAZ-2: Surface Clearance Prior to Construction. Prior to initiating invasive species removal, restoration site grading activities, or trail improvements, a surface clearance will be conducted where the restoration site and trail improvements intersect the Brown Field Bombing Range Formerly Used Defense Site (FUDS) boundary and along any access roads and staging areas to identify all munitions and explosives of concern (MEC) and munitions debris (MD). A qualified survey company with experience in unearthed unexploded ordnances (UXO) will be retained to sweep the area for metallic items including those that may be obscured by vegetation or surface debris, and MD will be evaluated to determine if any explosive residue remains. If it is determined that there is the potential for an explosive hazard, the City of Chula Vista and County of San Diego will be contacted to respond to the item and dispose of it appropriately. Upon identifying an explosive hazard, the survey company will establish an exclusion zone around the material. The exclusion zone radius will depend on the type of material identified and will be expanded, if needed, while material is being worked on or if setting a charge to explode the material in place. If setting a charge, all personnel will be required to evacuate the area. All personnel will be required to remain out of the exclusion zone until the responders provide clearance. All MD determined to no longer contain explosive residue will be inspected by qualified personnel and containerized in lockable 55-gallon drums for later disposal by an approved recycler.

During construction, the qualified survey company will supply two UXO–qualified technicians to support the project's restoration and grading activities. The technicians will use magnetometers to detect the presence of MEC in disturbed soil. If no MEC items are identified, excavations will be advanced to desired depth. If MEC are detected during excavation/grading, these activities will stop immediately and the survey company technician(s) will contact the City of Chula Vista and County of San Diego for disposal of the material. The technicians will remain on site during disposal response actions to provide site safety and security and for technical consultation with emergency responders.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Result in an increase in pollutant discharges to receiving waters (including impaired water bodies pursuant to the Clean Water Act Section 303(d) list), result in significant alteration of receiving water quality during or following construction, or 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)? Result in a potentially significant adverse impact on groundwater quality?	☐	☐	■	☐
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?	☐	■	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or place structures within a 100-year flood hazard area which would impede or redirect flood flows?	☐	☐	■	☐
e) 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?	☐	☐	☐	■
f) 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?	☐	☐	☐	■

Comments:

a) **Less-than-Significant Impact with Mitigation Incorporated**. The proposed project would not result in an increase in pollutant discharges to receiving waters, result in significant alteration of receiving water quality during or following construction, or violate any water quality standards or waste discharge requirements. The project area is situated within the Otay River Watershed and contains a floodplain and the Otay River main channel. Three creeks flow into the project area: two are un-named drainages that meet the Otay River from the south; the third is O'Neal Canyon Creek, which meets the Otay River toward the downstream end of the project area and originates in the Otay Mountain Wilderness near Otay Mountain. The restoration site is in a post-disturbance state; the floodplain was mined for sand/gravel in the 1980s, and a portion near the Savage Dam was burned in 2003. As a result, floodplain drainage patterns have been significantly altered, creating a poorly defined channel and a number of large and small avulsions and abandoned channels. The Otay River is not listed as 303d impaired water body (State Water Resources Control Board 2010).

Construction activities would include the removal of all invasive nonnative tree, shrub, and herbaceous species followed by grading of the channel and floodplain areas to remove spoil piles, berms, and pits to restore the area to the desired functions. In addition, the project would include installation of fencing around the borders of the restoration site and signs and educational kiosks on existing dirt roads and unofficial trails. The potential impacts of these construction activities on water quality are primarily related to sediment and sediment bound pollutants that may be mobilized during construction. Ground-disturbing construction activities such as grading, excavation, and stockpiling of spoil materials, and runoff from construction areas could cause soil erosion and sedimentation, and reduce water quality in the Otay River. Additionally, hazardous materials (e.g., gasoline, oils, grease, lubricants) from construction equipment could be accidently released during construction. Accidental discharge of these materials to surface waters could adversely impact water quality, endanger aquatic life, and/or result in a violation of water quality standards.

Because the proposed project would disturb over 1 acre of land, the proposed project is subject to the California State Water Resources Control Board's National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Constructions and Land Disturbance Activities (General Construction Permit). The General Construction Permit was adopted by the State Water Resources Control Board as Water Quality Order 2012-0006-DWQ and became effective on July 17, 2012. Compliance with the General Construction Permit requires the development and implementation of a SWPPP by a Qualified SWPPP Developer, the elimination or reduction of non-stormwater discharge off site into storm drainage systems or other water bodies, and the implementation of BMPs throughout the construction period. The SWPPP requires a description of the restoration site, identification of sources of sediment and other pollutants that may affect the quality of stormwater discharges, a list of BMPs to provide sediment and erosion control, waste handling measures, and non-stormwater management. The preliminary list of BMPs to be employed at the restoration site is shown in Table 3. Various BMPs may be needed at different times during construction because activities are constantly changing site conditions. Selection of erosion control BMPs is based on minimizing disturbed areas, stabilizing disturbed areas, and protecting water quality. Selection of sediment control BMPs is based on retaining sediment on site and controlling the site perimeter. The SWPPP would contain the final BMP list and would meet or exceed measures required by the Construction General Permit. In addition, the SWPPP is required to be implemented by a Qualified SWPPP Practitioner to ensure all BMPs are implemented correctly to protect water quality. Furthermore, as discussed above in Section V, *Biological Resources*, the proposed project would implement **Mitigation Measure BIO-1** to ensure all necessary agency permits, including a Clean Water Act Section 402 NPDES Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, have been approved before initiating grading activities and impacts to hydrology and water quality would be minimized per the conditions set forth in the permits. As a result, after implementation of **Mitigation Measure BIO-1,** the proposed

project would result in less-than-significant impacts related to water quality standards during construction activities.

Table 3. Preliminary List of Construction Site BMPs for the Restoration Site

	BMP	Implementation	Duration
Erosion and Sediment Controls	EC-1, Scheduling	Prior to Construction	Entirety of Project
	EC-2, Preservation of Existing Vegetation	Start of Construction	Entirety of Project
	EC-3, Hydraulic mulch	After Site Grading	As Needed During Completion of Construction Phases
	EC-4, Hydroseeding	After Noxious Weed Removal and Site Grading	As Needed During Completion of Construction Phases
	EC-5, Soil Binders	After Site Grading	Entirety of Project
	EC-6, Straw Mulch	During Construction	Entirety of Project
	EC-7, Geotextiles and Mats	After Site Grading	Entirety of Project
	EC-9, Earth Dikes	During Channel Grading	Entirety of Project
	EC-10, Velocity Dissipation Devices	After Channel Excavation	Entirety of Project
	EC-12, Stream Bank and Soil Stabilization	After Channel Excavation	Entirety of Project
Sediment Control	SE-3, Sediment Trap	During Channel Grading	Entirety of Project
	SE-5, Fiber Rolls	Prior to Construction, within Staging Area	Entirety of Project
	SE-4, Check Dam	After Channel Grading	Entirety of Project
Tracking Control	TC-1, Stabilized Construction Entrance/Exit	Prior to Construction	Entirety of Project
	TC-2, Stabilized Construction Roadway	Prior to Construction	Entirety of Project
Wind Erosion	WE-1, Wind Erosion Control	During Construction	Entirety of Project
Material Management	WM-1, Material Delivery and Storage	Start of Construction	Entirety of Project
	WM-2, Material Use	Start of Construction	Entirety of Project
	WM-3, Stockpile Management	During construction	Entirety of Project
	WM-4, Spill Preservation and Control	Start of Construction	Entirety of Project
	WM-5, Solid Waste Management	Start of Construction	Entirety of Project
	WM-6, Hazardous Waste Management	Start of Construction	Entirety of Project
	WM-10, Liquid Waste Management	Start of Construction	Entirety of Project
Non-Stormwater Control	NS-1, Water Conservation Practices	Start of Construction	Entirety of Project
	NS-9, Vehicle and Equipment Fueling	Start of Construction	Entirety of Project
	NS-14, Material and Equipment Use Over Water	Start of Construction	Entirety of Project

Source: California Stormwater Quality Association 2009.

The proposed project would restore a portion of the Otay River and re-create appropriate channel morphology and a floodplain composed of low and high terraces that would be activated at various flood events. As a result, the proposed project is designed to enhance, rehabilitate, and re-establish hydrological processes and vegetation communities with the Lower Otay River Watershed that would be self-sustaining and can adjust to dynamic natural processes. Long-term operation of the proposed project would result in stabilized banks and channels that would result in a reduction in sediment load from the restoration site compared to existing conditions. This would result in a small improvement of the quality of water discharging from the restoration site. Because the proposed project would re-establish primary and secondary flow channels, low and high flood terraces, and native transitional habitat as well as remove nonnative invasive species and restore native vegetation, this would serve to improve hydrological conditions. On-going maintenance of the proposed project would include nonnative weed control. The following methods would be used to control populations of invasive weeds: (1) hand removal, (2) cutting or mowing, (3) chemical herbicide application, and (4) light exclusion. Herbicides used during maintenance could be accidently released during application. Accidental discharge of these materials could adversely impact water quality, endanger

aquatic life, and/or result in a violation of water quality standards. However, any herbicide treatment would be applied by a licensed or certified Pest Control Applicator and would be applied to manufacturer's specifications. As a result, operation and maintenance-related impacts on water quality and water quality standards are expected to be less than significant, and no mitigation is required.

b) **Less-than-Significant Impact**. The proposed project is located within the Otay Valley Groundwater Basin (California Groundwater Basin Number 9-18). Primary water-bearing formations within the basin include alluvium, the San Diego Formation, and the Otay Formation. The alluvium yields shallow groundwater freely to wells; however, the alluvium is considered too thin to be a viable aquifer because the thickness is not more than 50 feet (DWR, 2003). SANDAG characterizes the Otay Groundwater basin to be in hydrologic equilibrium, such that recharge and discharge are approximately equal (SANDAG 1985). Groundwater elevations are believed to be shallow (e.g., within 10 feet of the ground surface), as evidenced by the series of seasonal ponds in the northern section of the site. Groundwater flow within the watershed generally mimics surface topography. Most of the groundwater in the watershed occurs west and downstream of the project area. Although the project site is degraded and the wetlands within the site are limited as a result of past activities, there are still various functions provided by the existing wetlands and the adjacent upland areas, including groundwater recharge due to the extensive alluvium soils on site.

   The proposed project would intercept shallow groundwater from the alluvium layer, which would subject shallow groundwater to small losses from evaporation and transpiration. Interception of shallow groundwater would not be expected to cause a measureable drawdown in groundwater levels as the existing presence of dense stands of invasive nonnative trees and other invasive species already intercept shallow groundwater from the alluvium layer. These invasive species would be removed and replaced with native vegetation. In addition, grading and contouring would improve conditions for water and sediment flow during rain events and improve elevations, which would allow for potential expansion of the riparian habitat. These improvements would potentially increase the recharge characteristics of the project area over existing conditions. Therefore, the proposed project would not 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, and impacts would be less than significant.

c) **Less-than-Significant Impact with Mitigation Incorporated**. The existing channel has been disturbed through gravel and sand mining during the twentieth century. Dozens of mine tailing mounds exist within the historic channel, and drainage patterns have been severely altered as a result. In addition, regular vehicular and foot traffic have created disruptions in the floodplain hydrology, and artificial ruts or ponds have developed in existing roads and unofficial trails where they cross the river. Moreover, the artificial ruts or ponds are causing artificial deepening and the subsequent creation of berms, which are impounding water upstream and forcing the limited surface hydrology subsurface. Construction activities would include the removal of all invasive nonnative tree, shrub, and herbaceous species followed by grading of the channel and floodplain areas to remove spoil piles, berms, and pits to restore the area to the desired functions. The proposed project would armor two at-grade road crossings through the active floodplain and would require the roads be over-excavated, underlain by native large rock, and reformed to match the stream profile as much as possible for safe crossing. The armoring would be provided to prevent erosion of the crossings during flood events and eliminate the current berming resulting from regular vehicle and foot traffic. The SWPPP, required as part of compliance with the Construction General Permit identified in response IX.a above, would address impacts from erosion or siltation on- or off site during construction to less-than-significant levels. Furthermore, implementation of **Mitigation Measure BIO-1** would ensure all necessary agency permits, including a Clean Water Act Section 402 NPDES Construction General Permit (Order No. 2012-0006-DWQ) from the Regional Water Quality Control Board, have been approved before initiating grading activities and impacts to hydrology and water quality would be minimized per the conditions set forth in the permits. Operation of the proposed

project would restore the portion of the Otay River within the boundaries of the restoration site by creating complex channel morphology including primary and secondary channels. A floodplain would be recreated with low and high terraces that would be activated at various flood events. This would be an improvement to drainage patterns over existing conditions, and would not increase erosion or siltation off site because the restoration site would be restored to the desired functions with native habitat that would prevent substantial erosion or siltation on- or off site. Moreover, any project improvements to OVRP-designated trails would be required to comply with OVRP Trail Guidelines, which identify erosion control requirements for trail design, especially for soft-surface, multi-use trails, including regarding installation of the proposed fence, signs, and educational kiosks. Per City requirements, the OVRP Trail Guidelines shall be implemented in order to reduce soil erosion and any ensuing trail damage. A restoration ecologist would be retained by the project applicant and would work in coordination with the installation and maintenance contractors and oversee the protection of existing native vegetation, nonnative plant removal, contour grading, site preparation, planting and seeding, maintenance and monitoring, and well as reporting. Therefore, after implementation of **Mitigation Measure BIO-1**, the proposed project would not substantially alter the existing drainage pattern of the restoration site or area in a manner which would result in substantial erosion or siltation on- or off-site, and impacts would be less than significant.

d) **Less-than-Significant Impact**. As discussed in response IX.c above, the proposed project would alter an existing stream, but would represent an improvement in drainage patterns over existing conditions. The proposed project would slightly decrease 100-year flood elevations in the vicinity of the project site because the restoration site would be restored to the desired hydrologic functions with native habitat. No increase in runoff would occur as a result of the proposed project. This would be an incremental improvement to drainage patterns over existing conditions, and would not affect flooding off site. Therefore, the proposed project would not substantially alter the existing drainage pattern of the restoration site or area, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or place structures within a 100-year flood hazard area which would impede or redirect flood flows. Impacts would be less than significant.

e) **No Impact**. The City of Chula Vista General Plan shows the project site is within the Savage Dam potential zone of dam inundation due to failure (City of Chula Vista 2015). Savage Dam is a 149-foot dam operated by the City of San Diego to store water from the San Diego Aqueduct. The original dam failed in 1916 and was subsequently reconstructed in 1919. Since its reconstruction, Savage Dam has experienced 27 spill events in 11 of the water years from 1919 to 2015. Dams typically fail due to overtopping by reservoir water during heavy rainfall episodes, structural damage, and earthquake-related hazards (City of Chula Vista 2015). No habitable structures are proposed as part of the proposed project. The proposed project would improve hydrological conditions because the proposed project would re-establish primary and secondary flow channels, low and high flood terraces, and native transitional habitat. As such, the proposed project would result in a reduction of potential flood damages via the channel improvements. Therefore, the proposed project 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. No impacts would occur.

f) **No Impact**. The proposed project would not create or contribute additional runoff nor would it provide additional sources of polluted runoff. The proposed project would remove spoil piles, berms, and pits to restore the area to the desired hydrologic functions, including restoring native vegetation; as such, the proposed project would decrease the potential discharge of polluted runoff downstream. In addition, the proposed project would slightly decrease 100-year flood elevations in the vicinity of the restoration site, which would not contribute additional runoff downstream. No impacts would occur.

Mitigation:

Implement **Mitigation Measure BIO-1**.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	■
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?	☐	■	☐	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	■

Comments:

a) **No Impact**. Implementation of the proposed project would not physically divide an established community. The proposed project would restore and enhance hydrologic and sediment transport processes and native habitats in the Otay River Valley. No structures that could divide an established community are proposed, Therefore, the proposed project would not physically divide an established community, and no impacts would occur.

b) **Less-than-Significant Impact with Mitigation Incorporated**. The proposed project would restore and enhance natural hydrologic and sediment transport processes and native habitats in the Otay River Valley. Other proposed improvements would include installation of wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. Implementation of the proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project. The project site is designated as Open Space Preserve by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan. The project site is zoned Residential by the City of Chula Vista's Zoning Code and Agriculture and Special Purpose by the San Diego County Zoning Code. Other applicable planning documents include the Otay Ranch Phase 1 and 2 Resource Management Plan (RMP), the County of San Diego Multiple Species Conservation Program and City of Chula Vista MSCP Subarea Plan, Otay River Watershed Management Plan (ORWMP), and the Draft Otay River Watershed Special Area Management Plan (SAMP), City of Chula Vista Greenbelt Master Plan, and the OVRP Concept Plan and Trails Guidelines. The following describes the proposed project's consistency with these plans.

Chula Vista General Plan, County MSCP, and City of Chula Vista Subarea Plan

The General Plan Open Space Preserve designation is intended for areas designated within the City of Chula Vista MSCP Subarea Plan for the permanent conservation of biological resources. Implementation of the proposed project would restore and enhance the Otay River Valley and would be consistent with the General Plan Open Space Preserve designation for the site.

The Chula Vista MSCP Subarea Plan is a comprehensive program for the preservation of numerous sensitive plant and animal species in the region. The proposed project is located within the Otay Valley Parcel, which is in the Otay Ranch planning area. Stream, floodplain, and upland restoration proposed as part of the project would be consistent with the Chula Vista MSCP Subarea Plan management goals. These include direct implementation of goals through restoration of native plant associations and wildlife connections, and indirectly through funding a non-wasting endowment for the long-term maintenance and management of the restored portion of the City Parcel in perpetuity (approximately 100 acres). Specifically, Section 7.1 of the MSCP Subarea Plan states that the overall management goal is to ensure that the biological values of natural resources are maintained over time. The MSCP Subarea Plan further states

> Land located in the Preserve will be managed and maintained in accordance with specific management objectives as follows:
>
> - To ensure the long-term viability and sustainability of native ecosystem function and natural processes throughout the Preserve.
>
> - To protect existing and restored biological resources from intense or disturbing activities within the Preserve while accommodating compatible uses.
>
> - To enhance and restore, where feasible, appropriate native plant associations and wildlife connections to adjoining habitat in order to provide viable wildlife and sensitive species habitat.
>
> - To facilitate monitoring of selected target species, habitats, and linkages in order to ensure long-term persistence of viable populations of priority plant and animal species and to ensure functional habitats and linkages for those species.

The restoration project will also add direct benefits to adjacent uplands within the same City of Chula Vista parcel and adjacent parcels, and City of San Diego and County lands within the preserve system, which include various restoration efforts already initiated by the Preserve Owner/Manager (POM). For example, the stream restoration will complement adjacent Quino checkerspot butterfly and cactus wren habitat restoration efforts, both of which are happening to the north of the project boundary. The stream restoration project proposes enhancing upstream riparian habitat areas through treatment (killing) of highly invasive species such as tamarisk and arundo, which will increase the function and services of this habitat to support sensitive species covered by the MSCP. In short, the restoration project will directly and indirectly establish, restore, and/or enhance habitat for MSCP protected species including, but not limited to, the least Bell's vireo, California gnatcatcher, Quino checkerspot butterfly, and cactus wren.

Otay River Watershed Management Plan

The project site is a key location identified within the restoration recommendations described in the ORWMP, which was completed in partnership with the County of San Diego, City of Chula Vista, City of San Diego, the USACE, Regional Water Quality Control Board (RWQCB) and community stakeholders. The ORWMP provides recommendations for BMPs and restoration opportunities based on five key goals identified by stakeholders. The ORWMP provides 17 strategies that are focused on achieving one or more of the stakeholder-identified goals. Specifically, the proposed project addresses one of the key strategies identified in the ORWMP, "Restore the Lower Otay River Floodplain to Enhance the Quality of Water Entering San Diego Bay." The strategy is ranked as a HIGH priority along with 8 other strategies based on their expected large benefits to the watershed and capacity to build upon other efforts being planned or underway (Aspen 2006). Implementation of the proposed project would restore and enhance the Otay River Valley within the limits of the project boundaries and would be not only consistent with the ORWMP, but would facilitate the largest restoration recommendation in the ORWMP. In addition, this restoration project is necessary for restoring the rest of the Otay River Valley from the site to the USFWS Refuge in San Diego Bay.

Otay Ranch Phase 1 and 2 Resource Management Plan

The Otay Ranch Phase 1 and Phase 2 RMP is a comprehensive planning document that addresses the preservation, enhancement, and management of sensitive natural and cultural resources and is designed to be the functional equivalent of the County of San Diego Resource Protection Ordinance for Otay Ranch. Phase 1 of the RMP provides overall objectives and policies that guide implementation and designated the 11,375 acre preserve to protect and enhance the multiple resources present within Otay Ranch. Phase 2 of the RMP encompasses a series of tasks that must be performed over time to implement the program. The goal of the RMP is "to establish a permanent preserve within Otay Ranch to protect and enhance biological, paleontological, cultural and scenic resources, maintain biological diversity, and promote the survival and recovery of native species and habitats." Phase 2 includes additional studies that have or will be performed, including a Vernal Pool Study, Wildlife Corridor Study, Raptor Study, and Resource Identification and Mapping. Additional tasks are identified in the document to acknowledge their importance, including development of an Otay Valley Riparian Habitat Restoration Plan, Demonstration Agricultural Plan, and The Otay Valley Regional Park Active Use Plan.

The proposed project would not only be in compliance with RMP Phase 1, but would help to implement policies and tasks identified in RMP Phase 2. The proposed project accomplishes this in part by developing the project's Otay River HMMP and all associated technical studies, gaining approvals from the USFWS, USACE, CDFW, and RWQCB, as well as the City of Chula Vista (CEQA compliance) and implementation. These documents and approvals can be used to achieve the identified "Otay Valley Riparian Habitat Restoration Plan." Other policies that are implemented within the project area include, but are not limited to, Policy 5.2 and tasks that include maintenance of existing high quality resources, implementation and monitoring of restoration activities, and implementation of maintenance activities such as removal of exotic plant species (weeds). In summary, the project is in compliance with these plans by designing and funding the largest opportunity of river restoration in the watershed, facilitating restoration opportunities downstream, and funding long-term maintenance and monitoring for 100 acres within the preserve in perpetuity.

Draft Otay River Watershed Special Area Management Plan

The Draft Otay River Watershed SAMP was intended to provide a comprehensive plan for aquatic resources protection while allowing for reasonable development. Unfortunately, USACE lost funding for the program, and it was not finalized. However, many quality technical studies and stakeholder goals and objectives were achieved. Similar to the other plans listed above, the proposed project would be in compliance with the goals and objectives of this draft plan by designing and funding the largest opportunity of river restoration in the watershed and facilitating restoration opportunities downstream and supporting the overall protection of aquatic resources.

City of Chula Vista Greenbelt Master Plan

The Greenbelt Master Plan provides guidance and continuity for planning open space and constructing and maintaining trails that encircle the City of Chula Vista. The plan's primary purpose is to provide goals and policies, trail design standards, and implementation tools that guide the creation of the Greenbelt system. The Greenbelt system is composed of a series of open space segments connected by a multi-use trail extending through each segment; from the channelized Sweetwater River, along golf courses and banks of the Otay Lakes, following the Otay River valley to the Chula Vista Bayfront.

The proposed project would implement minor improvements to a portion of the existing dirt road/trail identified within the Otay Valley Regional Park East/Otay Ranch Village Greenway Segments. Improvements would include installation of wood split-rail fencing that would help to minimize trespassing from trail users who would otherwise be unaware of the sensitivity of the habitat restoration area as well as signage that would indicate the general sensitivity of the restoration site and would also provide wayfinding. In addition, educational kiosks would be

installed at key viewing locations within the disturbed areas near the existing dirt roadway to help inform the readers of the importance of the restoration site. The proposed project would be consistent with goals and policies designed to provide connected open space areas around the City of Chula Vista, to enhance and protect native biological and sensitive habitats, as well as establish a greenbelt system. The greenbelt system ensures public access utilizing existing fire roads, access roads, and/or utility easements for the trail system when possible and limits the use of multi-use trails to non-motorized uses except for motorized wheelchairs, and utility, maintenance, and emergency vehicles. The proposed project would also comply with greenbelt design standards for trail signage, educational kiosks, and wood split-rail fencing; also to ensure the proposed improvements are consistent with the City of Chula Vista Greenbelt Master Plan trail guidelines, **Mitigation Measure LU-1** is required. The intent of this component of the proposed project is to ensure the Greenbelt trail is accommodated by identifying a realistic corridor; installing trail signage, split-rail fencing, and educational kiosks; and avoiding any sensitive resources. The Greenbelt Master Plan trail may be moved or modified as needed to avoid road ponds, to protect the San Diego fairy shrimp, and protect the restoration area. The proposed project would not preclude the future implementation of new or upgraded trail facilities identified in the City of Chula Vista Greenbelt Master Plan in the project area.

Otay Valley Regional Park Concept Plan and Trails Guidelines

The OVRP is located in the southern portion of San Diego County, 4 miles north of the United States/Mexico International Border. It is a 13-mile linear park, covering more than 8,000 acres and crossing three jurisdictions: City of San Diego, City of Chula Vista and the County of San Diego. It encompasses the core of the Otay River Valley from South San Diego Bay to the Otay Lake Reservoirs and is under private, semi-private, and public land ownership. The OVRP Concept Plan provides for the protection of environmentally sensitive areas and important cultural resources in the open space core of the OVRP; identifies areas adjacent to the open space for active and passive recreational development opportunities; includes a trail system with staging areas, viewpoints, and overlooks and connections to adjacent public lands and trails; and envisions two interpretive centers for environmental and educational programs. The OVRP Trails Guidelines focuses on the development of the trail system within the park and provides guidelines for development, management, and maintenance of this trail system.

The proposed project has identified trail corridors in compliance with the OVRP Concept Plan and would implement trail improvements to a portion of the existing dirt roads and existing unofficial trails identified in the Heritage Road to Otay Lakes Vicinity and Otay Lakes Vicinity segments. Improvements would include installation of wood split-rail fencing that would help to minimize trespassing from trail users who would otherwise be unaware of the sensitivity of the habitat restoration area as well as signage that would indicate the general sensitivity of the restoration site and would also provide wayfinding. In addition, educational kiosks would be installed at key viewing locations within the disturbed areas near the existing dirt roadway to help inform the readers of the importance of the restoration site. The existing roads and trails may be moved slightly to accommodate the installation of the fencing and signage while also avoiding road ponds that support San Diego fairy shrimp. Only disturbed areas would be used to designate the narrow trail corridor or pathway. The proposed project would also armor two at-grade road crossings through the active floodplain and close and revegetate four existing roadways per the HMMP. The proposed project would be consistent with goals and policies to site and develop park features and facilities, consistent with the requirements and guidelines of the MSCP and all federal, state, and local policies; encourage recreational uses as buffers between the Open Space/Core Preserve Area and new private development; and encourage development standards for new roads across the Otay River to minimize impacts on habitat and wildlife movement as well as trail connectivity. The proposed project would also comply with the OVRP Trail Guidelines for education, design and layout, erosion control, signage, fencing, and kiosks; also, to ensure the proposed improvements are consistent with the OVRP Trail Guidelines, **Mitigation Measure LU-1** is required. As with the considerations taken

into account regarding the City of Chula Vista Greenbelt Master Plan, the intent of this component of the proposed project is to ensure the OVRP Concept Plan is accommodated as part of the project, and it does not preclude the future implementation of the OVRP Concept Plan in the project area.

The proposed project would restore and enhance hydrologic and sediment transport processes and native habitats in the Otay River Valley as well as provide City of Chula Vista Greenbelt Master Plan and OVRP Concept Plant trail improvements; and has been designed to be in compliance and align with the goals and policies of the documents mentioned above. Therefore, with mitigation, the proposed project would not conflict with any applicable land use plan, policy, or regulation, and impacts would be less than significant.

c) **No Impact**. As discussed in response V.e, the project site is within the boundary of the Otay Ranch General Development and Resource Management Plan, County of San Diego Multiple Species Conservation Program Subarea Plan, Otay River Watershed Management Plan, Otay River Watershed Special Area Management Plan, and Chula Vista MSCP and as indicated in response V.e., is consistent with these plans. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.

Mitigation:

LU-1: Trail Improvements Consistent with Applicable City of Chula Vista Greenbelt Master Plan and Otay Valley Regional Park Trail Guidelines. All applicable trail guidelines from the City of Chula Vista's Greenbelt Master Plan and Otay Regional Park Trail Guidelines shall be shown on all applicable grading plans as details, notes, or as otherwise appropriate. All proposed designs for signage and fencing will be submitted to the City to verify consistency with the above mentioned guidelines. Finally, installation of all trail-related improvements will be subject to inspection by the City to confirm the improvements were constructed in accordance with the approved designs.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
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?	☐	☐	■	☐
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?	☐	☐	■	☐

Comments:

a) **Less-than-Significant Impact**. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. Valuable mineral resources to the region and state that are also present in the City of Chula Vista include sand, gravel, and crushed rock resources. These are collectively known as construction aggregate. According to General Plan Figure 9-4, most of the project site is located in a portion of the Otay River Valley that has been identified as a Mineral Resource Zone (MRZ)-2 area (City of Chula Vista 2015). This is an area where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists (City of Chula Vista 2015). The Otay River Valley is known to contain significant deposits of construction quality sand reserves, and sand mining activities took place on the project site from 1982 to 1985. However, Nelson and Sloane Materials ceased their operations in 1985 because they were unable to complete new permitting processes required for in-stream mining. Since that time, the project site has been relatively unaltered and left in a highly disturbed state. It has also been designated as Open Space Preserve and delineated within the jurisdiction of the Chula Vista MSCP Preserve where the long-term vision for the entire Preserve area, including the project site, is to cease mining, extraction, and processing activities altogether (City of Chula Vista 2015). Therefore, because mining activities at the project site ceased three decades ago and the future plans for the Chula Vista MSCP Preserve is to cease mining-related activities altogether, the proposed project would not 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. Impacts would be less than significant.

b) **Less-than-Significant Impact**. Implementation of the proposed project would not result in the loss of availability of a locally important mineral resource. As discussed above under response XI.a, although the project site is within a portion of the Otay River Valley that has been identified as an MRZ-2 area for construction aggregate resources and mining activities have occurred on the project site in the past, no such activities have occurred on site in the last three decades and there are no plans to commence such activities in the future. Furthermore, the project site is designated as Open Space Preserve per the General Plan and is within the planning boundaries for the Chula Vista MSCP Preserve, which has long-term goals to cease mining-related activities altogether within the entire Preserve. Moreover, since the proposed project does not include the construction of physical structures, it would not preclude access to such resources in the future. Therefore, the proposed project would not 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, and impacts would be less than significant.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE. 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?	☐	☐	■	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	■	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	■	☐
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?	☐	☐	■	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■

Comments:

a) **Less-than-Significant Impact.** Temporary traffic volume increases due to construction worker commutes and truck trips would not increase noise levels on local roadways by a significant amount. Noise levels associated with construction activities are predicted to be well below the 75 dBA[1] threshold set by the San Diego County Code. Furthermore, as discussed further below construction noise would only occur during the permitted hours of 7 a.m. to 7 p.m., Monday through Friday, and would be exempt from the City of Chula Vista's City's exterior noise standards. In addition, ongoing routine maintenance and monitoring activities would generate very low noise levels. As discussed above in Section V, *Biological Resources*, there would be no significant impacts on sensitive bird species because all construction activity would be scheduled between September 15 and February 15 in order to avoid the breeding season.

[1] dBA = A-weighted sound level, the sound pressure level in decibels as measured using the A weighting filter network, which de-emphasizes the very low- and very high-frequency components of the sound in a manner similar to the frequency response of the human ear.

Existing Conditions

The closest noise-sensitive receptors to the proposed project are the Otay Lakes County Park, George Bailey Detention Facility, and High Tech High Chula Vista (a public charter school serving approximately students in grades 9 through 12). The Otay Lake County Park also contains one residence used by the park ranger and staff. All of these noise-sensitive locations are shielded from the Otay River Valley floor to various degrees by the intervening topography.

In order to document the existing noise levels, three short-term (ST) measurements were obtained near the project site (see Attachment 1 for all figures; see Figure 11) on October 23, 2015. These locations were selected to document the ambient noise levels at the nearest noise-sensitive receptors, as well as at the project site itself. Ambient noise levels were not directly measured at High Tech High Chula Vista because it is farther from the project site than the other measurement locations. However, it can reasonably be assumed that ambient noise levels at the school would be at least as high as those measured at Otay Lakes County Park; this is considered to be a conservative assumption because the school is located in a more developed area than the park and would be exposed to higher ambient noise levels. Each short-term measurement was conducted over a period of approximately 20 minutes. Noise measurements indicate that the average noise levels at these locations range from approximately 39 to 48 dBA L_{eq}[2] (1-hour average noise level). Additional details and a summary of the measurement results are provided in Table 4.

Table 4. Existing Ambient Noise Levels in Study Area

Location Number, Location Description (date, time)	Measured Noise Levels, dBA							
	L_{eq}	L_{min}	L_{90}	L_{50}	L_{25}	$L_{8.33}$	$L_{1.67}$	L_{max}
ST-1: Otay Lakes County Park (10/23/2015, 11:39 a.m. – 12:05 p.m.)	40.9	32.7	34.4	37.2	40.5	45.7	48.7	54.9
ST-2: South of the Otay Water Treatment Plant, adjacent to the project site (10/23/2015, 12:54 p.m. – 1:20 p.m.)	39.3	26.5	27.9	31.9	38.8	44.5	47.9	58.5
ST-3: George Bailey Detention Facility (10/23/2015, 10:02 a.m. – 10:56 a.m.)	47.5	38.2	40.5	44.1	47.2	51.1	56.6	63.7

ST= short-term; dBA = A-weighted sound level, the sound pressure level in decibels as measured using the A weighting filter network, which de-emphasizes the very low- and very high-frequency components of the sound in a manner similar to the frequency response of the human ear; L_{eq} = equivalent sound level, the average of the sound energy occurring over the measurement period; L_{max} = maximum sound level; L_{min} = minimum sound level; L_{xx} = percentile-exceeded sound level, the sound level exceeded for a given percentage of a specified period (e.g., L_{25} is the sound level exceeded 25% of the time, and L_{50} is the sound level exceeded 50% of the time)

The majority of the project site and High Tech High are located within the City of Chula Vista. The upstream enhancement area of the project site, Otay Lakes County Park, and the George Bailey Detention Facility are located in unincorporated San Diego County. Because the study area spans both municipalities, the noise standards for both are considered in the discussion and analyses, below.

[2] L_{eq} = equivalent sound level, the average of the sound energy occurring over the measurement period.

Construction

Two types of short-term noise impacts could occur during construction of the proposed project. First, construction workers who would commute to the site and trucks that would transport equipment and materials would incrementally increase noise levels on access roadways. The project-specific Traffic Analysis Report (Chen Ryan Associates 2015) indicates that the restoration is anticipated to generate a total of 22 daily vehicle trips. This includes 10 vehicle trips during the AM peak hour and 10 vehicle trips during the PM peak hour associated with worker commutes, and 1 truck trip departing and arriving at the project site during hours of construction activity. Workers would access the site using Interstate (I-) 805, Main Street, and Wiley Road. Trucks, primarily hauling materials to the Otay Landfill (located at the northern terminus of Maxwell Road), would access the site using Maxwell Road, Main Street, and Wiley Road. Noise impacts associated with construction worker commutes and truck trips would be less than significant for the following reasons:

- According to the Traffic Analysis Report, average daily traffic (ADT) volumes on Main Street are in excess of 39,000 vehicles per day. The 22 daily vehicles generated by the proposed project would represent a very minor increase (much less than 1%), resulting in a negligible increase in average traffic noise levels.
- There are no noise-sensitive receptors within 1,000 feet of Wiley Road. This large distance, combined with the low number of project-generated vehicle trips, would result in extremely low average traffic noise levels at the closest noise-sensitive receptors to Wiley Road.
- Up to two daily truck trips (one arriving at the Otay Landfill, and one departing) would be generated on Maxwell Road. Although there could be a relatively high single-event noise level associated with each truck trip (e.g., passing trucks at 50 feet could generate up to 76 dBA), the truck pass-by at any single location would be very brief and the contribution of project-generated truck traffic to average noise levels (such as the daily Community Noise Equivalent Level [CNEL]) would be low due to the extremely low truck traffic volume.

The second type of short-term noise impact is related to noise generated from construction equipment. Project construction will last approximately 18 weeks. Chapter 19.68 of the City of Chula Vista municipal code provides the noise control ordinance, but construction/demolition activities are exempted from the City's exterior noise standards. However, Chapter 17.24 of the City of Chula Vista municipal code prohibits the operation of construction equipment in residential zones on weekdays between 10 p.m. and 7 a.m., and on weekends between 10 p.m. and 8 a.m. Chapter 4, Sections 36.408 and 36.409, of the San Diego County Code set limits on the level and duration of noise that may be produced by construction equipment. Section 36.408 prohibits the operation of construction equipment on any day between 7 p.m. and 7 a.m., or at any time on a Sunday or a holiday. Section 36.409 provides thresholds for noise levels produced by construction equipment when operated during the permitted hours; it states the following.

> Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 decibels for an eight-hour period, between 7 a.m. and 7 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

The project HMMP indicates that all construction activity would occur on week days between the hours of 7 a.m. and 5 p.m. As such, the proposed project's construction noise would be exempt from the City of Chula Vista's exterior noise standards. For this reason, and to provide a consistent analysis at each of the closest noise-sensitive receptors, all construction noise levels are calculated and assessed based on the County's 8-hour L_{eq} standard of 75 dBA.

Construction-related noise was analyzed based on the Federal Highway Administration's (FHWA's) Roadway Construction Noise Model (RCNM 2008), which predicts average noise levels (L_{eq}) at

nearby receptors by analyzing the type of equipment, usage factor, number of hours in a workday, the distance from source to receptor, ground type, and the presence, or absence, of intervening shielding between source and receptor.

The anticipated equipment needed for each phase of construction is shown in Table 5. The distances used in the modeling were the acoustical average distances from the project site to nearby noise-sensitive receptors. The acoustical average distance is calculated by multiplying the shortest distance by the farthest distance and then taking the square root of the product. The topography of the project area provides shielding for nearby noise-sensitive receptors. However, shielding effects due to topography were not considered in this analysis in order to provide a conservative estimate of noise levels at receptor locations. It is also noted that the construction equipment used on any given day could be mobile across the entire project site. Therefore, actual noise levels during construction would vary depending on the relative distance from a given receptor to the current construction activities.

The results of the analysis at the closest noise-sensitive receptors are summarized in Table 5. Figure 11 (see Attachment 1 for all figures) shows the locations of the noise-sensitive receptors in relation to the project site.

Table 5. Predicted Construction Noise Levels at Noise-Sensitive Receptors

			Estimated 8-Hour L_{eq}, dBA		
Phase	Expected Duration of Phase	Expected Equipment Needed (Number needed)	Receptor 1: Otay Lakes County Park (2,100 feet*)	Receptor 2: High Tech High Chula Vista (7,000 feet*)	Receptor 3: George Bailey Detention Facility (5,300 feet*)
Phase 1	4 weeks	Backhoe (1)	34	21	24
Phase 2	6 weeks	Dump Truck (1)	45	32	35
		Excavator (1)			
		Scraper (1)			
		Loader (1)			
		Water Truck (1)			
		Bulldozer (1)			
Phase 3	8 weeks	Dump Truck (10)	52	38	41
		Excavator (1)			
		Scraper (6)			
		Loader (2)			
		Water Truck (2)			
		Bulldozer (4)			
		Grader (1)			
		Generator (1)			

* Acoustical average distance to the construction site.
Source: ICF International 2015c

At all three receptor locations, the predicted noise level associated with construction activities would be well below the 75 dBA threshold set by the San Diego County Code. Because the noise would occur during the permitted hours of 7 a.m. to 7 p.m. the impact would be less than significant.

Nonnative species removal in the upstream enhancement area (see Attachment 1 for all figures; see Figure 11) would occur during Phase 1 of construction activities, but would only involve the use of handheld equipment. Therefore, construction activities occurring in the upstream enhancement area are not anticipated to produce significant noise and a quantitative analysis of noise levels was not conducted.

There would be no significant noise impacts on sensitive bird species because all construction activity would be scheduled between September 15 and February 15 in order to avoid the breeding season. **Mitigation Measure BIO-6** is provided in under Section V, *Biological Resources*, to reiterate these scheduling restrictions for avoiding nesting birds.

Project Operation

Following completion of the three construction phases, ongoing routine maintenance and monitoring, which would include trash, debris, and weed removal, would continue for approximately 7 years. It is anticipated that each year approximately two dumpsters of material would be hauled off site. Due to the low levels of activity, the large distances to the closest noise-sensitive receptors, and the low volume of traffic associated with commuting workers and dumpster hauling during routine maintenance and monitoring noise impacts would be less than significant.

b) **Less-than-Significant Impact.** Groundborne vibration generated by construction activities would be well below the applicable criteria for perceptibility, and operation of the proposed project would not include any new activities or equipment that would generate perceptible groundborne vibration levels.

Heavy construction equipment has the potential to produce groundborne vibration levels that would be perceptible to people in the surrounding area. Section 19.68 of the Chula Vista Municipal Code defines the vibration perception threshold to be a motion velocity of 0.01 inches per second (in/sec). The County of San Diego does not provide any quantitative vibration standards or thresholds. Therefore, all construction vibration levels are calculated and assessed based on the City's threshold of 0.01 in/sec.

Based on the anticipated construction equipment list for the proposed project, the worst-case vibration levels would be associated with the operation of heavy earthmoving equipment such as excavators and bulldozers. Based on data published by the California Department of Transportation (Caltrans 2013), similar heavy equipment items (large bulldozers) produce peak particle velocity (PPV) vibration levels of 0.089 in/sec at a distance of 25 feet.

Vibration levels from construction equipment attenuate as they radiate from the source. The equation to determine vibration levels at a specific distance states that

$$(\textit{Equation 1})\ PPV_{equip} = PPV_{ref} \times (25/D)^{1.1}$$

where PPVref is the PPV at a reference distance of 25 feet, and D is the distance from the equipment to the sensitive receptor (Caltrans 2013). The value of 1.1 is determined based on the soil conditions at the project site, and was chosen to represent hard soil in order to provide a conservative estimate of vibration levels. Using this equation, Table 6 summarizes the estimated vibration levels at the closest sensitive receptors to the project site and compares them to the City's vibration perception threshold.

Table 6. Construction Vibration Levels at Sensitive Receptors

	Distance to Closest Earthmoving Equipment (feet)	Predicted Vibration level, PPV (in/sec)	Vibration Perception Threshold (in/sec)	Exceeds Vibration Perception Threshold?
Receptor 1: Otay Lakes County Park	800	0.002	0.01	No
Receptor 2: High Tech High Chula Vista	5500	0.0002	0.01	No
Receptor 3: George Bailey Detention Facility	3700	0.0004	0.01	No

Vibration levels at nearby sensitive receptors are predicted to be well below the City's vibration perception threshold, and the impact would be less than significant.

There would be no significant vibration impacts on sensitive bird species because, as noted previously, all construction activity would be scheduled between September 15 and February 15 in order to avoid the breeding season. **Mitigation Measure BIO-6** is provided in under Section V, *Biological Resources*, to reiterate these scheduling restrictions for avoiding nesting birds.

c) **Less-than-Significant Impact.** Construction noise would be temporary and, as such, would not cause any permanent increases in ambient noise levels. Referring to *Project Operation* under response XII.a, above, after completion of the restoration process, the proposed project is not anticipated to generate any operational noise or significant vehicular traffic. Therefore, all permanent noise impacts would be less than significant.

d) **Less-than-Significant Impact.** Implementation of the proposed project would result in a short-term, temporary increase in ambient noise levels in the project vicinity associated with construction equipment. Referring to *Project Construction* under response XII.a, above, Table 5 shows that construction noise levels are predicted to range from approximately 21 to 52 dBA (L_{eq}) at the closest noise-sensitive receptors. Average (L_{eq}) ambient noise levels at the George Bailey Detention Facility and Otay Lakes County Park are provided in Table 6. As discussed under Existing Conditions in response XII.a, above, ambient noise levels at High Tech High Chula Vista can conservatively be assumed to be the same as those measured at Otay Lakes County Park. Predicted construction noise levels at the George Bailey Detention Facility and High Tech High Chula Vista are below the existing ambient noise levels at those locations, and the impact would be less than significant. Predicted construction noise levels at the Otay Lakes County Park would range from 7 dB below (Phase 1) to 11 dBA above (Phase 3) the measured ambient noise level at that location. Although construction noise would be audible at the park, the overall impacts would be less than significant because construction noise would only occur during the permitted hours of 7 a.m. to 7 p.m. and the noise levels would be well below the County's standard of 75 dBA (8-hour L_{eq}). Therefore, impacts would be less than significant.

e) **Less-than-Significant Impact.** The closest public airport to the project site is the Brown Field Municipal Airport, approximately 2 miles southwest of the project site. The airport accommodates both general aviation aircraft and military aircraft. The project site is outside of the 60 CNEL contour as illustrated in Exhibit III-1 in the Brown Field Municipal Airport Land Use Compatibility Plan (San Diego County Airport Land Use Commission 2010). Therefore, the impact is considered less than significant.

f) **No Impact.** The closest private airstrip to the project site is John Nichol's Field Airport, over 3 miles northeast of the project site. Given the distance between the airport and the project site, there would be no impact.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. 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 road or other infrastructure)?	☐	☐	☐	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Comments:

a) **No Impact**. The proposed project would not construct any homes or businesses, extend roads, or involve the addition of any growth-inducing infrastructure. As such, impacts would not be considered substantially growth-inducing either directly or indirectly, and no impacts would occur.

b) **No Impact**. The proposed project is located in the Otay River Valley where no housing or residential uses occur; therefore, the proposed project would not displace any housing. No impacts would occur.

c) **No Impact**. The proposed project is located in the Otay River Valley where no housing or residential uses occur. Therefore, the proposed project would not displace any people and would not require the construction of replacement housing elsewhere. No impacts would occur.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES. 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 public services:				
a) Fire protection?	☐	☐	☐	■
b) Police protection?	☐	☐	☐	■
c) Schools?	☐	☐	☐	■
d) Parks?	☐	☐	■	☐
e) Other public facilities?	☐	☐	☐	■

Comments:

a) **No Impact**. The proposed project would enhance and restore hydrologic and sediment transport processes and native habitats on the restoration site, thus improving the site's hydrological and habitat value. Other improvements would include installation of wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. No buildings or habitable structures that may require fire protection services are proposed. Moreover, once operational, the proposed project would be similar to the existing condition in terms of the need for fire protection services. Therefore, the proposed project would not result in an increased demand requiring the need for new or physically altered fire protection facilities, and no impacts would occur.

b) **No Impact**. The proposed project would enhance and restore hydrologic and sediment transport processes and native habitats on the restoration site, thus improving the site's hydrological and habitat value. Other improvements would include installation of wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. No buildings or habitable structures that may require police protection services are proposed. Moreover, no people would reside on the project site. Once operational, the proposed project would be similar to the existing condition in terms of the need for police protection services. Therefore, the proposed project would not result in an increased demand requiring the need for new or physically altered police protection facilities, and no impacts would occur.

c) **No Impact**. The proposed project would not result in adverse impacts on schools. Physical impacts on school facilities and services are usually associated with population in-migration and growth,

which increase the demand for schools. The proposed project would have no effect on population growth and school demand. Therefore, the proposed project would not result in an increased demand requiring the need for new or physically altered school facilities, and no impacts would occur.

d) **Less-than-Significant Impact**. The proposed project would not result in adverse impacts on parks. Physical impacts on parks are usually associated with population in-migration and growth, which increase the demand for and use of parks. The proposed project would have no effect on population growth, although it is possible that use of onsite trails could increase slightly due to the proposed trail improvements and improved habitat available to view from the trail. This slight increase in trail use would not substantially degrade the existing trails. Therefore, the proposed project would not result in an increased demand requiring the need for new or physically altered park facilities, and any related impact would be less than significant.

e) **No Impact**. The proposed project would not result in adverse impacts on other public facilities. As discussed above, physical impacts on public services are usually associated with population in-migration and growth, which increase the demand for public services and facilities. The proposed project would not increase the local population. Therefore, the proposed project would not result in an increased demand requiring the need for new or physically altered public facilities, and no impacts would occur.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION. Would the project:				
a) 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?	☐	☐	■	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment?	☐	☐	■	☐

Comments:

a) **Less-than-Significant Impact**. The proposed project would not increase the use of existing neighborhood and regional parks. An increase in the use of existing parks and recreational facilities typically results from an increase in housing or population in an area. The proposed project would not result in an increase in housing or residents in the project vicinity; however, it is possible that the proposed trail improvements and enhanced and restored habitat may bring additional trail users to the project site and the Otay Lake County Park to view the project site. Any potential increase would be minimal, however, because the ~~trails~~ dirt roads and unofficial trails are already ~~exist~~ present and are already in use. The project's minor improvements, aimed at preventing disturbance to the restoration area, would not increase the use of existing recreation facilities such that substantial physical deterioration of recreation facilities would occur. Thus, impacts on recreation would be less than significant.

b) **Less-than-Significant Impact**. The proposed project does not include recreational facilities or require the construction or expansion of such facilities. The proposed project would enhance and restore vegetation and perform minor trail improvements to onsite trails including installing wood split-rail fencing, signage, and educational kiosks as well as armoring two roadway crossings in the floodplain and closing four existing dirt roads. Although it is possible that use of the trails would increase slightly due to the proposed trail improvements and improved habitat, the slight increase in trail use would not result in a substantial impact on recreational facilities because the dirt roads and unofficial trails are already present and able to accommodate pedestrian, biking, and equestrian traffic. Therefore, the proposed project would not require the construction or expansion of recreational facilities such that a significant and adverse physical effect on the environment would occur. As a result, impacts on recreation would be less than significant.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION / TRAFFIC. Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	■	☐
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?	☐	☐	■	☐
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?	☐	☐	■	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■
e) Result in inadequate emergency access?	☐	☐	■	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of safety of such facilities?	☐	☐	☐	■

Comments:

a) **Less-than-Significant Impact**. The following is summarized from the Traffic Analysis Report prepared by Chen Ryan Associates dated December 2015 (Chen Ryan Associates 2015). The focus of the impacts analysis below is on construction impacts, and no evaluation of long-term impacts was performed as implementation of the proposed project would not result in new development or in any operational change.

The construction-related activities associated with the proposed project are anticipated to be contained on site, with the exception of materials needed to be hauled to the Otay Landfill (one truck load per day), located at the northern terminus of Maxwell Road. It is anticipated that these trips would exit the project site via Wiley Road, head west on Main Street, and then north on Maxwell

Road to access the landfill. Trucks would then return to the project site via the same route. During the 5-year river restoration process, a maximum of 10 workers driving individually would be on site at any given time, arriving during the AM peak hour and departing during the PM peak hour. As a worse-case scenario, the restoration is anticipated to generate a total of 26 total daily vehicle trips with 10 trips arriving during the AM peak hour and 10 trips departing from the restoration site during the PM peak hour, as stated in Table 1: Otay River Restoration – Construction Trip Generation of the Traffic Analysis Report (Chen Ryan Associates 2015).

It is assumed that all construction worker traffic would access the proposed project from I-805, head east on Main Street and access the project site via Wiley Road. Therefore, only the roadway segments and intersections along Main Street between I-805 and Wiley Road were analyzed under Construction Year Base (Year 2020) conditions in the traffic analysis (Chen Ryan Associates 2015). Intersection Level of Service (LOS) calculations were conducted using the methodologies outlined the in Highway Capacity Manual 2010, and calculated using SYNCHRO 8.0 (Build 806) Traffic Analysis software. The City of Chula Vista's traffic impact criteria was used in the determination of short-term impacts, specifically a direct impact for intersections would occur if the LOS is E or F *and* if project trips comprise 5% or more of entering volume. A cumulative impact would occur if the LOS is E or F. If the average daily trips (ADT) on roadway segments indicate an LOS of D, E or F, the City of Chula Vista's Growth Management Oversight Committee methodology would be used to determine if a direct impact would result if *all* of the following conditions are met: LOS D for more than 2 hours or LOS E or F for 1 hour, project trips comprise 5% or more of segment volume, and the proposed project adds greater than 800 ADT to the segment (a cumulative impact would occur if LOS D occurs for more than 2 hours). No evaluation of long-term impacts was performed as implementation of the proposed project would not result in new development or in any operational change.

Based on the analysis provided in Table 2: Peak Hour Intersection LOS Results – Construction Base (Year 2020) Conditions of the Traffic Analysis Report (Chen Ryan Associates 2015), all intersections within the project study area are anticipated to operate at LOS D or better under 2020 Construction Base Year conditions. As provided in Table 4: Peak Hour Intersection LOS Results – During Project Construction of the Traffic Analysis Report (Chen Ryan Associates 2015), all intersections within the project study area are anticipated to operate at acceptable LOS D or better under Construction Base Year (Year 2020) conditions. Because all study area intersections are projected to operate at LOS D or better during project construction, no direct or cumulative impacts would result along any of the study area intersections.

Based on the analysis provided in Table 3: Daily Roadway LOS Results – Construction Base Year (Year 2020) Conditions of the Traffic Analysis Report (Chen Ryan Associates 2015), the following two roadway segments within the project study are anticipated to operate at unacceptable LOS (LOS D) under Construction Base Year (Year 2020) conditions.

a. Main Street between I-805 Northbound Ramps and Oleander Avenue (LOS D)

b. Main Street between Oleander Avenue and Brandywine Avenue (LOS D)

As provided in Table 5: Daily Roadway LOS Results – During Project Construction of the Traffic Analysis Report (Chen Ryan Associates 2015), two of the study area roadway segments previously mentioned would continue to operate at unacceptable LOS under Construction Base Year (Year 2020) plus construction traffic conditions. As the traffic associated with project construction would not comprise more than 5% of the total segment volume, would not add more than 800 ADT to the segment, and all segments along Main Street within the project study area are projected to operate at LOS D or better, project construction traffic is not anticipated to have a direct or cumulative impact along any of the roadway segments identified above.

The installation contractor is expected to perform maintenance of vegetation monthly during Year 1; every 2 months during Year 2; and quarterly during Years 3, 4, and 5. The proposed project would

result in only a small increase in traffic as stated previously (no more than 26 total daily vehicle trips as a worst case scenario), and this increase is not substantial in relation to the existing traffic load and capacity of the street system (LOS is considered acceptable). Therefore, impacts would be less than significant.

After the completion of the restoration and maintenance process, the proposed project is not anticipated to generate any additional vehicular traffic. Therefore, no long-term traffic analysis is required and no impact related to operational traffic would result with implementation of the proposed project.

b) **Less-than-Significant Impact**. See response XVI.a. As stated previously, the traffic associated with project construction would not comprise more than 5% of the total segment volume or add greater than 800 ADT to the segment, and all intersections and roadway segments within the project study area are projected to operate at LOS D or better. Therefore, project construction traffic is not anticipated to have a direct or cumulative impact along any of the study intersections or roadway segments evaluated. As the proposed project would generate minimal traffic—less than 1% (26 ADT), a Congestion Management Program (CMP) analysis would not be required (and the City of Chula Vista is exempt from the State CMP process). Therefore, impacts would be less than significant.

After the completion of the restoration and maintenance process, the proposed project is not anticipated to generate any additional vehicular traffic. Therefore, no long-term traffic analysis is required and no impact related to operational traffic would result with implementation of the proposed project.

c) **Less-than-Significant Impact.** The project site is approximately 1.75 miles northeast of the Brown Field Municipal Airport and outside any of the San Diego County Airport Land Use Commission's Compatibility Policy Safety Zones associated with the airport (San Diego County Airport Land Use Commission, 2010). The proposed project is not located within the vicinity of a private airstrip. The proposed project would involve restoration and enhancement of the hydrology of the river and channels and native habitat within the boundaries of the restoration site and, thus, would not include elevated features that could interfere with navigable airspace. Site preparation, planting, and maintenance and monitoring activities would have no effect on air traffic patterns. Therefore, the proposed project would not result in a change in air traffic patterns, and impacts would be less than significant.

d) **No Impact.** As described in the HMMP, the proposed project would include project features such as not allowing construction vehicles and equipment to park or stop along Wiley Road or the use of flag personnel to ensure the continued flow of traffic, which would ensure that the proposed project would not result in increased hazards or incompatible uses. No change to the local circulation network, including a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), is proposed (ICF International 2016a). Therefore, no impact would occur.

e) **Less-than-Significant Impact.** As stated in Section VIII.g, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project would not result in any substantial traffic queuing along Main Street or any other roadway taking access to and from the site and would not allow any construction vehicles or equipment to park or remain stationary within the roadway. Moreover, the proposed project does not include any characteristics (e.g., permanent road closures, long-term blocking of road access) that would physically impair or otherwise interfere with emergency access in the project vicinity. All large construction vehicles entering and existing the site would be guided by the use of personnel using signs and flags to direct traffic.

All access points, storage, and staging areas would be located in a manner that has the least impact on vehicular and pedestrian traffic. The development of access roads, including which roads to

upgrade, secure, maintain or close, would be conducted in coordination with the Border Patrol, utility entities, the County and City of San Diego, and others. Implementation of the proposed project would not result in inadequate access for the Border Patrol or any other entity. Because no habitable structures or buildings are proposed and the proposed project would only improve the existing onsite natural habitat, emergency access would be adequate. Project features such as not allowing construction vehicles and equipment to park or stop along Wiley Road, the use of flag personnel to ensure the continued flow of traffic, and compliance with programs, rules, and regulations for emergency response would ensure that the proposed project would not result in inadequate emergency access. Therefore, impacts would be less than significant.

f) **No Impact.** See response XVI.a. The proposed project is a habitat restoration plan and would not conflict with any adopted policies, plans, or programs related to transportation. Therefore, no impact would occur.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	■	☐
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?	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	■	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	■

Comments:

a) **No Impact**. The proposed project would not generate any wastewater. During site preparation activities, a portable toilet may be provided. The toilet would be hauled away and the waste disposed of at an approved facility in accordance with solid waste laws. As such, no project impacts would occur related to wastewater treatment requirements.

b) **No Impact**. The proposed project would not result in the construction of new water or wastewater treatment facilities. Temporary watering would occur during the planting and establishment phase of the proposed project. However, no new permanent water or wastewater facilities, or the expansion of existing facilities, are proposed. No impact would occur.

c) **No Impact**. The existing conditions do not drain to the municipal storm drain system and would not contribute to the City's stormwater drainage network. The project site is situated approximately in the middle of the Otay River Watershed and contains a floodplain and the Otay River main channel up to the Savage Dam and Lower Otay Reservoir. The 25-mile-long Otay River originates at San Miguel Mountain, flows through the Upper and Lower Otay Reservoirs, continues west, and empties into San Diego Bay (Aspen 2006). Implementation of the proposed project would involve restoration and enhancement of the hydrology of the river and channels and native habitat within the boundaries of the restoration site as well as minor improvements to existing trails within the project site. Therefore the proposed project would not 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 and no impacts would occur.

d) **Less-than-Significant.** The most active portion of the project site and the area requiring irrigation is within the City's parcel boundaries and within the service area of the Otay Water District (District).The District is a member agency of the San Diego County Water Authority, which is responsible for the supply of imported water into San Diego County through its membership with Metropolitan Water District of Southern California. The District's service area covers approximately 137 square miles and includes both urban and rural development within the communities of El Cajon, La Mesa, Rancho San Diego, Jamul, Spring Valley, Bonita, eastern City of Chula Vista, East Lake, Otay Ranch, and Otay Mesa areas (Atkins 2011).

The District meets all of its potable water demands with imported water from the San Diego County Water Authority from Pipeline Number 4 of the Second San Diego County Aqueduct that is owned and operated by the San Diego County Water Authority. One of the planning objectives for the District is to have sufficient capacity through Pipeline Number 4 to meet demands; however, during periods when supply from Pipeline Number 4 is unavailable, the District has entered into arrangements with neighboring water agencies including the Helix Water District and the City of San Diego to provide potable water. The District also has two sources of recycled water supply: the District's Ralph W. Chapman Water Recycling Facility and the City of San Diego's South Bay Water Reclamation Plant (Atkins 2011).

According to the District's 2010 Urban Water Management Plan, both the San Diego County Water Authority and Metropolitan Water District of Southern California have determined in their respective Urban Water Management Plans that they will be able to meet projected demands through 2035, which include potable water demands for the District. Therefore, in turn, the District predicts that it is capable of meeting potable water demands through 2035 (Atkins 2011).

Approximately 90% of the District's customers are single-family residences, and much of the anticipated development in the District's service area is expected to be single-family residential. The District's water demands for 2010 are shown in Table 7, and Table 8 shows the District's projected customer growth and potable water deliveries through 2035.

Table 7. 2010 Water Deliveries – Actual

Potable Water Use Sectors	# of Accounts	Volume (acre-feet)
Single-family residential	40,994	17,165
Multi-family residential	3,420	3,605
Commercial/Industrial	1,196	2,243
Institutional	237	1,867
Dedicated Irrigation[a]	1,200	3,732
Other[b]	114	584
Fire Lines	667	23
Potable Water Delivery Subtotal	**48,845**	**29,270**
Recycled Water Dedication Irrigation[c]	684	4,074
Water Delivery Total	**49,529**	**33,344**

Source: Atkins 2011

[a] Potable irrigation demand with a dedicated landscape meter.

[b] All temporary meters e.g. construction, etc.

[c] Non-potable irrigation demand with a dedicated landscape meter.

Table 8. Customer Growth and Potable Water Deliveries – Projected 2015, 2020, 2025, 2030, and 2035

Water Use Sectors	2015 Accounts	2015 Volume (AF)	2020 Accounts	2020 Volume (AF)	2025 Accounts	2025 Volume (AF)	2030 Accounts	2030 Volume (AF)	2035 Accounts	2035 Volume (AF)
Single-family residential	42,905	23,633	47,410	28,312	50,502	33,600	52,749	37,211	55,778	40,635
Multi-family residential	774	3,444	855	4,126	911	4,897	951	5,423	1,006	5,922
Commercial/Industrial	1,115	1,844	1,232	2,209	1,312	2,622	1,370	2,904	1,449	3,171
Institutional	230	2,518	254	3,017	270	3,580	282	3,965	299	4,330
Irrigation	1,655	10,134	1,828	12,141	1,948	14,408	2,034	15,957	2,151	17,425
Other	822	2,700	908	3,235	967	3,839	1,010	4,252	1,068	4,643
Unaccounted for	0	608	0	729	0	865	0	958	0	1,046
Total	**47,500**	**44,883**	**52,487**	**53,768**	**55,910**	**63,811**	**58,398**	**70,669**	**61,751**	**77,171**

Source: Atkins 2011
AF = acre-feet

As described in the HMMP, a temporary irrigation system may be required to enhance the survivorship of newly installed native plants and seed when plants have been grown in nursery conditions, when they are planted under initially dry or drought conditions, or when planting does not occur within an ideal seasonal planting time frame. If deemed necessary, a temporary irrigation system may be installed to supply supplemental water for newly installed plants and applied seed. Although supplemental irrigation may be required to establish habitat, an automated temporary irrigation system is not proposed.

Although an irrigation system is not considered to be critical for meeting the success criteria of the proposed project, the following are options that may be considered by the installation contractor and restoration ecologist. It is likely that a combination of these would be used based on site conditions, seasonal constraints, efficacy, and cost.

- A large plastic tank could be set up above the restoration site and gravity fed to a drip irrigation system. The tank could be refilled with a water truck as needed.
- Truck watering is another possibility, but the use of hoses can impact plants farther from the truck's location.
- Dri-water (semi-solid polymer-like product) may be used for select plantings such as larger trees and shrubs. This product can be used to temporarily provide water to the root mass of larger plantings. It is also possible to replace the polymer as a means of more long-term water supply.

Any system installed would be designed for temporary use for at least 3 years and discontinued once plant establishment is meeting plan goals. Ideally, the irrigation system would be shut-off by the end of the third year of the 5-year maintenance and monitoring period. Irrigation system components would be removed from the restoration site entirely at the end of the maintenance and monitoring period after approval is granted by the resource agencies. Regardless of long-term irrigation solutions, prior to planting and seeding, the soil on site would be moist from watering by the contractor or rainfall. All attempts would be made to coordinate seeding with rain events.

It is estimated the proposed project would require approximately 2.7 million gallons,[3] or 8.29 acre-feet, of water during construction for dust control and 13.8 million gallons,[4] or 42.35 acre-feet, of water during maintenance and monitoring. Given that the proposed project's water demand would be temporary and would make up less than 0.1% of the District's total projected water demand through 2035, it is anticipated the District would have sufficient water supplies to serve the proposed project, and new or expanded entitlements and resources would not be required. Therefore, impacts would be less than significant.

e) **No Impact**. The proposed project would not result in a determination that the wastewater treatment provider does not have adequate capacity to serve the proposed project. See responses XVII.a and XVII.b. The proposed project would not generate wastewater, and no impacts would occur.

f) **Less-than-Significant Impact**. The proposed project would not significantly affect a landfill by accommodating the proposed project's solid waste disposal needs. During site preparation and removal of invasive species, greenwaste would be generated and completely removed from the project site and disposed of at the closest acceptable landfill or composting facility. In San Diego County there are six landfills, two of which have composting facilities on site, and five additional composting facilities with capacity to handle greenwaste from the proposed project. Except for routine maintenance associated with ensuring the health of the vegetation, the proposed project would not generate waste of any kind once operational. Therefore, the proposed project would have a less-than-significant impact related to solid waste.

[3] Estimated 18 weeks (90 working days) with one 2,000 gallon water truck utilizing 15 loads per day.

[4] Estimated 5 gallons per plant planted in Phases 2 and 3 (10,000 plants for Phase 2 and 30,000 plants for Phase 3) per week from April through November for 2 years.

g) **No Impact**. The proposed project would comply with federal, state, and local statues and regulations related to solid waste. See response XVII.f. Greenwaste would be disposed of in accordance with applicable statutes and regulations. Only small amounts of greenwaste would be generated once operational and would only be related to ensuring the health of the vegetation. Therefore, no impact would occur.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. CITY THRESHOLDS:				
Will the proposal adversely impact the City's Threshold Standards?				
A) Library	☐	☐	☐	■
The City shall construct 60,000 gross square feet (GSF) of additional library space, over the June 30, 2000, GSF total, in the area east of Interstate 805 by buildout. The construction of said facilities shall be phased such that the City will not fall below the citywide ratio of 500 GSF per 1,000 population. Library facilities are to be adequately equipped and staffed.				
B) Police	☐	☐	☐	■
a) Emergency Response: Properly equipped and staffed police units shall respond to 81 percent of "Priority One" emergency calls within seven (7) minutes and maintain an average response time to all "Priority One" emergency calls of 5.5 minutes or less.				
d) Respond to 57 percent of "Priority Two" urgent calls within seven (7) minutes and maintain an average response time to all "Priority Two" calls of 7.5 minutes or less.				
C) Fire and Emergency Medical	☐	☐	☐	■
Emergency response: Properly equipped and staffed fire and medical units shall respond to calls throughout the City within 7 minutes in 80% of the cases (measured annually).				
D) Traffic	☐	☐	■	☐
The Threshold Standards require that all intersections must operate at a Level of Service (LOS) "C" or better, with the exception that Level of Service (LOS) "D" may occur during the peak two hours of the day at signalized intersections. Signalized intersections west of I-805 are not to operate at a LOS below their 1991 LOS. No intersection may reach LOS "E" or "F" during the average weekday peak hour. Intersections of arterials with freeway ramps are exempted from this Standard.				

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
E) Parks and Recreation Areas	☐	☐	☐	■
The Threshold Standard for Parks and Recreation is 3 acres of neighborhood and community parkland with appropriate facilities/1,000 population east of I-805.				
F) Drainage	☐	☐	☐	■
The Threshold Standards require that storm water flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with the Drainage Master Plan(s) and City Engineering Standards.				
G) Sewer	☐	☐	☐	■
The Threshold Standards require that sewage flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with Sewer Master Plan(s) and City Engineering Standards.				
H) Water	☐	☐	■	☐
The Threshold Standards require that adequate storage, treatment, and transmission facilities are constructed concurrently with planned growth and that water quality standards are not jeopardized during growth and construction.				
Applicants may also be required to participate in whatever water conservation or fee off-set program the City of Chula Vista has in effect at the time of building permit issuance.				

Comments:

A) **No Impact**. The proposed project would not adversely affect the City's threshold standards for libraries. As discussed in Sections XIII, *Population and Housing*, and XIV, *Public Services*, the proposed project would not induce substantial population growth or increase the demand for public facilities including library services. Therefore, no impacts on library facilities would occur.

B) **No Impact**. The proposed project would not adversely affect the City's threshold standards for police. As discussed in response XIV.b, the proposed project would not result in an increased demand requiring the need for new or physically altered police protection facilities. No buildings or habitable structures that may require police protection services are proposed. Moreover, no people would reside on the project site. Once operational, the proposed project would be similar to the existing condition in terms of the need for police protection services. Therefore, the proposed project would not adversely affect emergency response times for police, and no impacts would occur.

C) **No Impact**. The proposed project would not adversely affect the City's threshold standards for fire and medical. As discussed in response XIV.a, the proposed project would not result in an increased demand requiring the need for new or physically altered fire protection facilities. No buildings or habitable structures that may require fire protection services are proposed. Moreover, once operational, the proposed project would be similar to the existing condition in terms of the need for fire protection services. Therefore, the proposed project would not adversely affect emergency response times for fire and medical units, and no impacts would occur.

D) **Less-than-Significant Impact**. The City of Chula Vista identified five individual projects within Otay Ranch to be considered for cumulative impacts because of their proximity to the project site. These projects are discussed in more detail in Section XIX, *Mandatory Findings of Significance*, below and have the potential for future development involving residential, commercial, industrial, educational, and community uses among other uses as well as infrastructure improvements. Construction of Village 3 could occur ahead of other development projects with construction expected to overlap with Phases 1 and 2 of the proposed project.

To provide a worst-case scenario, all 10 construction workers, driving in separate vehicles to and from the project site, were assumed to arrive during the AM peak hour and depart during the PM peak hour. The only operational traffic that would result with implementation of the proposed project would be an occasional maintenance truck, which would have no noticeable effect on traffic operations. As stated in Section XVI, *Transportation/Traffic,* above and in the Traffic Analysis Report (Chen Ryan Associates 2015), only the intersection of Oleander Avenue and Main Street operates at LOS C or better. The intersections of Main Street and the I-805 southbound and northbound ramps (east of I-805) operate at LOS D during the PM peak hour; however, as mentioned in the threshold description above, intersections of arterials with freeway ramps are exempted from this standard. The intersection of Brandywine Avenue and Main Street operate at LOS D during the peak hour with and without project construction, and the proposed project would not degrade this intersection or worsen the LOS. LOS E or F would not occur during the average weekday peak hour. The traffic associated with project construction would not comprise more than 5% of the total intersection volume or add greater than 800 ADT, and all intersections within the project study area are projected to operate at LOS D or better. Therefore, the minimal amount of project construction traffic is not anticipated to significantly impact any of the study intersections evaluated and no operational impacts would result.

E) **No Impact**. The proposed project would not adversely affect the City's threshold standards for parks and recreation areas. As discussed above, the proposed project would not result in an increase in housing or residents in the project vicinity that would result in increased demand for parks and recreation areas. No impact would occur.

F) **No Impact.** The project site does not drain to the municipal storm drain system and would not contribute to the City's stormwater drainage network. The project site is within the Otay River Valley, and implementation of the proposed project would involve restoration and enhancement of the hydrology of the river and channels and native habitat within the project boundaries. The proposed project would not generate additional stormwater flows or volumes. In fact, the proposed project would serve to improve existing hydrological conditions and would slightly decrease 100-year flood elevations in the project vicinity. Therefore, the proposed project would not exceed City Engineering Standards, and no impacts would occur.

G) **No Impact**. The proposed project would not adversely affect the City's threshold standards for sewer flows. As discussed in Section XVII, *Utilities and Service Systems*, the proposed project would not generate any sewer wastewater, and no impacts would occur.

H) **Less-than-Significant Impact**. As discussed above in Sections IX, *Hydrology and Water Quality*, and XIV, *Public Services*, the proposed project is not growth-inducing and would not violate any water quality standards. The proposed project would affect water storage, treatment, or transmission facilities, and impacts would be less than significant.

Mitigation:

No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
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, 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?	☐	☐	■	☐
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 project, and the effects of probable future projects.)	☐	☐	■	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	■	☐	☐

Comments:

a) **Less-than-Significant Impact**. As discussed in section V Biological Resources, the goal of the proposed project is to restore natural vegetation communities and hydrological function to the portion of the Otay River Valley within the project area; any project-related impacts would be temporary, and the proposed project would result in improved habitats. Therefore, the proposed project would not degrade the quality of the environment or reduce wildlife specifies populations.

As described in Section VI, *Cultural Resources*, no existing structures or buildings occur within the project boundary and therefore, implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource. Furthermore, despite the paucity of archaeological deposits identified within the project area during previous surveys, the City of Chula Vista has incorporated the development and implementation of an unanticipated discovery plan as a project feature. The plan would be used during project implementation to account for the potential for encountering redeposited artifacts in the sediment stockpiles on site and the potential for encountering as-yet undocumented archaeological deposits in areas with poor ground surface visibility. Therefore, impacts on California history and prehistory would be less than significant.

b) **Less-than-Significant Impact**. A cumulative impact could occur if the proposed project would result in an incrementally considerable contribution to a significant cumulative impact in consideration of past, present, and reasonably foreseeable future projects for each resource area. The City of Chula Vista identified five individual projects within the City to be considered for cumulative impacts because of the proximity to the project site. The projects are described below and shown on Figure 12 (see Attachment 1 for all figures).

- **University Village Three**, located in Otay Ranch west of the quarry and north of Heritage Road. The project involves 1,002 single-family dwelling units, 515 multi-family dwelling units, 80 dwelling units with 20,000 square feet of mixed use, 28.6 acres of industrial, 5.2 acres of office, 25.7 acres of parks, 8.3 acres of school uses, 4.2 acres of community facilities, 2.4 acres of private open space, 35.4 acres of open space, 158.1 acres of preserve, and 33.9 acres of circulation uses. The status of this project is *approved* and construction is expected to overlap with Phases 1 and 2 of the proposed project while occupancy of this village is expected to overlap with future phases and maintenance and monitoring of the proposed project.
- **University Village Eight West**, located within Otay Ranch south of Santa Luna Street. This development proposes 621 single-family dwelling units, 1,429 multi-family dwelling units, 300,000 square feet of commercial land use, 5.8 acres of community purpose facilities, 31.6 acres dedicated to school property, and 27.9 acres of park land. The status of the project is *approved*, and construction is expected to overlap with future phases of the proposed project.
- **University Village Nine**, located within Otay Ranch east of Village Eight West and Highway 125. This development proposes 266 single-family dwelling units, 3,734 multi-family dwelling units, 1,500,000 square feet of commercial, 5.0 acres of community purpose facilities, 19.8 acres dedicated to school property, 27.5 acres of park land, 85.0 acres of industrial/research technology park, and 50.0 acres for the future University site. The status of the project is *approved*, and although construction is not expected to commence until after Villages Three and Eight West have been developed, for the purposes of this analysis, construction is assumed to overlap with maintenance and monitoring of the proposed project.
- **University Village Two**, located within Otay Ranch north of Wueste Road and south of Olympic Parkway. A Draft Environmental Impact Report (EIR) was previously circulated in 2007 and approved for development of (1) 240 acres total, 1,839 dwelling units, 8.5 acres of mixed-use commercial land use, 12.5 acres dedicated to commercial land use, and 60.7 acres dedicated to industrial, park, and community purpose facilities; and (2) 160 acres total, with 1,144 dwelling units. In 2014, a Draft EIR was circulated to add additional project features including 1,552 residential units, an elementary school, parkland, and community-purpose facilities. The project may also include additional park and community-purpose facilities that partially or wholly satisfy the requirements generated by proposed residential and hotel development on the Otay Ranch Planning Area (PA-) 12 site. The status of this project is *approved*, and construction activities could overlap with maintenance and monitoring activities associated with the proposed project.
- **Otay Ranch Planning Area 12 (PA-12)**, located in Otay Ranch south of Olympic Parkway and straddling Town Center Drive between Highway 125 and East Lake Parkway. The project involves a zone change on approximately 17.6 acres of land from the current freeway commercial zone to 15.9 acres of residential (High – 18 to 30 dwelling units per acre) and 1.0 acre of public park. Residential units would include a mix of one, two, and three bedroom units for a total of 448 units. Commercial space would decrease from the originally proposed PA-12 project from 347,000 square feet to approximately 279,000 square feet. Approximately 554 onsite parking spaces and 136 onsite garage spaces would be provided**.** The EIR for this project has been certified. The project is still awaiting approval of the Sectional Planning Area Plan and Tentative Maps, and construction activities could overlap with maintenance and monitoring activities associated with the proposed project.

As discussed in Sections I though XVII, the proposed project would not result in any significant impacts. Resource areas where the proposed project could potentially contribute to cumulative impacts are discussed for the resources below; however, the proposed project would not result in a cumulatively considerable impact for the following reasons.

Aesthetics

As described in the University Village Project Final EIR for Village Three North and a portion of Village Four, Village Eight East, and Village Ten, the impacts on aesthetics and landform alteration as a result of these projects would contribute to a significant and unavoidable cumulative impact. Development of the cumulative projects would result in the permanent alteration of the cumulative projects' area from open undeveloped rolling hills to high-density urbanized uses (City of Chula Vista 2014).

As described in Section I, *Aesthetics*, the proposed project would involve a temporary disturbance to a scenic vista during construction; however, once complete, the proposed project would bring the Otay River Valley within the limits of the restoration site boundaries back to its natural state by restoring and enhancing the proper hydrology of the river and channels and native habitat. This would be a beneficial effect and would improve views of the project site by removing invasive species and improving hydrological conditions. In addition, the minor trail improvements proposed as part of the project would be implemented in compliance with the City of Chula Vista Greenbelt Master Plan and the OVRP Concept Plan. Furthermore, the proposed project would not substantially damage any scenic resources along a scenic highway, and once completed would enhance the visual quality of the site. Therefore, although implementation of the cumulative projects listed above would contribute to a significant and unavoidable cumulative impact, the proposed project would result in beneficial aesthetic impacts and thus would not contribute to the existing cumulatively significant impact.

Agricultural Resources

None of the cumulative project sites are designated for agricultural uses by either the City of Chula Vista General Plan or Zoning Code. Therefore, development of these projects would not contribute to or create a cumulatively significant impact related to agricultural resources. Furthermore, as described in Section II, *Agricultural Resources*, although a small portion (approximately 0.8 acre) on the west side of the project site is designated as Farmland of Local Importance, this area is zoned for residential by the City of Chula Vista and no agricultural activities occur in the area. Therefore, the proposed project would not contribute to or create a cumulatively significant impact.

Air Quality

The cumulative study area for air quality includes the entire San Diego Air Basin as described in response III.c. San Diego County is currently designated as a nonattainment or maintenance area for multiple criteria pollutants. These designations are a result of emissions generated by past and present projects, and will continue to be influenced by reasonably foreseeable future projects. Cumulative impacts could result if the proposed project exceeds established thresholds for pollutants in which the region is designated as nonattainment. In addition, cumulative impacts could result if the proposed project would be constructed at the same time as other development projects in the area, thereby exposing sensitive receptors to cumulative emission concentrations.

As discussed in response III.b, the proposed project would implement **Mitigation Measure AQ-1** to ensure the proposed project would not result in construction emissions that exceed SDAPCD trigger levels, and therefore, would not negatively impact regional air quality (see Table 1). Maintenance and monitoring activities would also be minor and would not contribute to any significant cumulative impacts related to the nonattainment status for ozone, PM10, or PM2.5. Given the rural nature of the project area and the short duration of construction, it is not anticipated that extensive construction or operation of cumulative projects would occur while the proposed project is being constructed. Possible cumulative impacts on air quality as a result of construction activities in the

area would be addressed by compliance with SDAPCD rules and regulations, which apply to all construction projects. Therefore, proposed project construction and maintenance and monitoring would not result in a cumulatively considerable net increase in emissions.

Greenhouse Gas

GHG emissions are a cumulative global issue and accumulate in the Earth's atmosphere for many years. Therefore, the cumulative study area is the entire globe. The project would have no impact related to operational GHG emissions and would not conflict with the City's Climate Action Plan, AB 32, or Executive Order S-03-05. As a result, the project would not contribute to any potentially significant cumulative impacts related to these issue areas. The project would have a less-than-significant impact related to GHG emissions during the construction phase. Therefore, the cumulative analysis below considers the cumulative impacts of past, present, and probable future projects as they relate to GHG emissions.

All of the cumulative projects (#1 through #5) would contribute varying amounts of GHG emissions, which, when combined, would be considered cumulatively significant. As discussed under Section IV.a, the proposed project would be far below San Diego County's (2015) interim GHG threshold of 900 metric tons and would increase carbon sequestration in the project area. Moreover, none of the proposed project's emission sources are identified in the AB 32 Scoping Plan as significant emissions sources, and as such, none of the measures outlined in the plans are directly applicable to the project. Therefore, the proposed project would not generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment. The project's contribution to cumulative GHG emissions would be less than cumulatively considerable.

Biological Resources

Development of the cumulative projects would include both direct (i.e., physical) and indirect (i.e., noise and visual) significant and unavoidable permanent and temporary cumulative impacts on biological resources. The 1993 Otay Ranch General Development Plan (GDP) determined that cumulative impacts on biological resources would be significant and unavoidable even with required mitigation measures (City of Chula Vista 1993). The Otay Ranch GDP EIR analyzed the existing conditions, potential impacts, and mitigation measures related to biological resources for the entire Otay Ranch area and identified significant unavoidable impacts on biological resources in Otay Ranch due to loss of raptor foraging habitat. Subsequent to the certification of the EIR and adoption of the GDP, the City adopted the Chula Vista MSCP Subarea Plan. The MSCP planning program provided for mitigation of impacts on sensitive species and their habitats on a regional basis. Such mitigation was not available at the time the Otay Ranch GDP EIR was certified. Because of the level of conservation provided for habitats that support raptor foraging on a regional basis, new feasible mitigation for unidentified impacts on raptor foraging habitat is now available to mitigate project-level impacts. In 2005, the City prepared the Chula Vista General Plan Update/Otay Ranch General Development Plan Amendment and Program EIR, which followed the adoption of the MSCP Subarea Plan and was therefore compliant with the regulations set forth in the plan. Because compliance with the MSCP Subarea Plan reduces significant impacts on biological resources, the effect of the GPU was found to be less than cumulatively considerable. The University Village Project Final EIR for Village Three North and a portion of Village Four, Village Eight East, and Village Ten identified significant unavoidable impacts on biological resources in Otay Ranch due to loss of sensitive plant species, sensitive vegetation communities, and raptor foraging habitat. These losses will be mitigated through conveyance of Preserve lands to the City of Chula Vista for every acre impacted, along with habitat restoration, as required by the Otay Ranch Resource Management Plan. Wetlands mitigation is also expected as conditions of wetlands permits, and temporary construction areas would be revegetated with native species. The conveyance program, coupled with habitat restoration, is intended to conserve a greater or equal amount of sensitive vegetation types within Otay Ranch.

As discussed in Section V, *Biological Resources*, the goal of the proposed project is to restore natural vegetation communities and hydrological function to a severely degraded portion of the Otay River Valley within the project area. Project-related impacts would be temporary, and the proposed project would result in a significant beneficial increase in the acreage of native habitats and substantial improvements to the hydrological functions of the aquatic system. Furthermore, the proposed project would implement **Mitigation Measures BIO-1** through **BIO-10** to avoid and minimize impacts that could occur on sensitive natural communities and special-status plant species as a result of the temporary loss of habitat, direct impacts on individuals, or the loss of active nests for birds protected under the MBTA. The proposed project would restore native plant associations and wildlife connections, is consistent with the goals of all applicable conservation plans, and would provide funding for the long-term maintenance and management of the restoration site in perpetuity through a non-wasting endowment required by USACE. Therefore, although implementation of the projects listed above would contribute to significant and unavoidable cumulative impacts on biological resources, the proposed project would result in positive beneficial biological enhancements and would not contribute to significant cumulative direct or indirect impacts on biological resources.

Cultural

The geographic scope of the cumulative cultural resources analysis includes the five projects described above. As discussed above and in the Cultural Resources Technical Report (ICF International 2015b), impacts on historical and tribal resources may include both direct (i.e., physical) and indirect (i.e., noise and visual) impacts. No documented historical or tribal resources are known to exist within the project boundary. Therefore, no direct impacts on these resource types are anticipated. It is unknown whether any historical or tribal resources exist outside of the project boundary, both within and outside the sites of the five projects listed above. The purpose of the proposed project is to restore and enhance the Otay River floodplain to its pre-late-twentieth century conditions. This is anticipated to result in no long-term change to existing noise conditions and minimal change to existing visual conditions. Construction-related visual and noise would be minimal and temporary. Therefore, the proposed project would not contribute to a significant cumulative indirect impact on historical and tribal resources.

Impacts on archaeological resources tend to be limited to those that would directly compromise an archaeological resource's physical integrity—a key element of the significance of these resources. Therefore, a project would be unlikely to contribute to a significant cumulative impact on an archaeological resource if it were located entirely outside of the project's construction footprint. The proposed restoration site fully encompasses two isolated artifacts (37-015385 and 37-015386) and contains a portion of one archaeological site (CA-SDI-10875). As mentioned previously in Section VI, *Cultural Resources*, neither the portion of CA-SDI-10875 within the project boundary nor the two isolated artifacts appear to be eligible for the California Register of Historical Resources (Public Resources Code SS5024.1, Title 14, Section 4852) under any of the required criteria. The portion of CA-SDI-10875 that falls outside of the project boundary is not within the boundaries of any of the other projects described above. One archaeological site, CA-SDI-14218, is located within the mitigation parcel where project-related ground disturbing activities are proposed. The resource has not been evaluated for its eligibility for listing in the CRHR or NRHP. In accordance with guidance from the California Office of Historic Preservation, the site must be treated as though it were a significant resource until the necessary studies have been performed to determine its eligibility for the CRHR or NRHP. In order to minimize impacts to CA-SDI-14218, the proposed project would incorporate **Mitigation Measure CUL-1** or **Mitigation Measure CUL-2.** In addition, the proposed project would implement **Mitigation Measures CUL-3** and **CUL-4** to account for the potential for encountering redeposited artifacts in the sediment stockpiles on site and the potential for encountering as-yet undocumented archaeological deposits in areas with poor ground surface visibility. Therefore, the proposed project would not contribute to a significant cumulative impact on any known archaeological resources.

As with archaeological resources, impacts on cemeteries and paleontological resources tend to be limited to those that would directly compromise their physical integrity. As no previously documented cemeteries or paleontological resources are located within the project footprint, the project would not contribute to a significant cumulative impact on any known resources.

Based on the information presented above, the proposed project is not anticipated to contribute to a significant cumulative impact on cultural resources. Therefore, no additional mitigation measures for cultural resources are proposed.

Geology and Soils

Development in a seismically active region can put people and structures at risk from a wide range of earthquake-related effects. The existing level of seismic risk exposure represents a significant cumulative impact. However, the proposed project is not expected to draw a substantial amount of people, either during project activities or permanently; thus, the project site would remain similar to existing conditions. Furthermore, no structures intended for human occupation (or otherwise) would be built; therefore, potential risk to people would be extremely limited and there would be no potential for impacts on property. As such, the proposed project would not contribute considerably to the existing cumulative impact related to seismic hazards.

Hazards and Hazardous Materials

The hazardous materials geographic study area considered for cumulative impacts consists of the area that could be affected by the proposed project and the areas affected by other projects whose activities could directly or indirectly affect the proposed activities on the project site or nearby. In general, only projects occurring adjacent or very close to the project site are considered due to the limited potential impact area associated with the release of hazardous materials into the environment.

There are several residential, commercial, and industrial development projects planned to be constructed west of the project site. These include the University Village developments Three, Eight West, Nine, Two, and Otay Ranch Planning Area 12. Although construction of these cumulative projects would involve the handling of hazardous materials such as fuel, solvents, chemicals, and oils, it is expected that such handling would be compliant with applicable regulations. Furthermore, these materials are typically used in construction projects and would not represent the transport, use, and disposal of acutely hazardous materials. Any releases would be localized and cleaned up after they occur. Additionally, the proposed project would not cumulatively contribute to hazardous materials or hazardous impacts in the region because it would comply with all federal, state, and local regulations, the details of which are discussed in Section VIII, *Hazards and Hazardous Materials*, concerning the handling of hazardous materials and/or waste.

As mentioned in Section VIII, the western portion of the project site is located within the Brown Field Bombing Range FUDS. The Brown Field Bombing Range was identified as being part of the Cortese List. Construction of the proposed project could create a significant hazard to construction workers or the environment by exposing or encountering any remaining unearthed UXO, MECs and MDs. However, implementation of **Mitigation Measures HAZ-1** and **HAZ-2** would reduce potential impacts to less than significant by determining if water or sediment contamination is present (note, topsoil contamination is not), remediating any contaminated soils if posing a risk to human health, and by clearing all UXO within the area; thus, the proposed project would not be contribute to cumulative hazardous materials or hazardous impacts.

Hydrology and Water Quality

Future projects that may have combined effects on hydrology and water quality with the proposed project include University Village Three, Otay Ranch Villages Two, Eight West, Nine, and the Otay Ranch Planning Area 12. For purposes of the cumulative effects analysis, the geographic context for the impacts relative to water quality and hydrology include portions of the Otay River receiving

runoff from these projects. This is defined as the Otay River between Heritage Road and Savage Dam.

These projects have the potential to affect hydrology and degrade water quality through the introduction of stormwater pollutants. Construction activities could mobilize sediment via stormwater runoff that would impact the Otay River. Sediment and sediment-bound pollutants have the potential to degrade water quality in the Otay River. Hazardous materials from construction equipment could be accidently released during construction of these projects, and discharge of these materials to surface water could adversely impact water quality, endanger aquatic life, and/or result in a violation of water quality standards.

All projects would be required to adhere to the Construction General Permit, which requires the elimination or reduction of non-stormwater discharge off site. Each project would be required to develop a site-specific SWPPP and implement stormwater BMPs to control stormwater pollution from construction activities. Through adherence to the Construction General Permit, these projects would have a less-than-significant cumulative impact on hydrology and water quality. Other impacts related to the creation of new impervious surfaces from cumulative projects could have an effect on hydrology and water quality; however, the proposed project does not create new impervious surfaces and would not contribute to cumulative effects on runoff. In fact, the proposed project is designed to enhance, rehabilitate, and re-establish hydrological processes and vegetation communities within the Lower Otay River Watershed that would be self-sustaining and could adjust to dynamic natural processes.

As described in Section IX, *Hydrology and Water Quality*, the proposed project's drainage and water quality impacts would be limited primarily to the site preparation and planting phase when ground disturbance would occur. Construction activities that have the potential to affect water quality would be required to adhere to the General Construction Permit, which requires the development and implementation of a SWPPP by a Qualified SWPPP Developer, the elimination or reduction of non-stormwater discharge off site into storm drainage systems or other water bodies, and the implementation of BMPs. Furthermore, the proposed project would implement **Mitigation Measure BIO-1** which would ensure all necessary agency permits have been approved before initiating grading activities and impacts to hydrology and water quality would be minimized per the conditions set for in the permits. This would result in a less-than-significant impact on water quality. Thus, because water quality would not be adversely affected by the proposed project, the proposed project's contribution to cumulative hydrology and water quality impacts would not be cumulatively considerable.

Land Use and Planning

The geographic scope for cumulative impacts related to land use and planning is the City as a whole, surrounding land uses, and the boundaries of the applicable habitat conservation plans. The projects listed above could result in a cumulative impact when combined with the impacts of the proposed project; however, all of the cumulative projects were (or are being) developed in accordance with the underlying land use designations and would not divide established communities. Furthermore, the cumulative projects would not conflict with habitat conservation plans because adequate mitigation has been provided, including implementation of the proposed project mitigation site. Therefore, the impacts of the cumulative projects on land use and planning would not be cumulatively significant.

As discussed in Section X, *Land Use and Planning*, the project site would not divide an established community, nor would it conflict with the Otay Ranch General Development and Resource Management Plan, County of San Diego Multiple Species Conservation Program Subarea Plan, Otay River Watershed Management Plan, Otay River Watershed Special Area Management Plan, or Chula Vista MSCP. The project site would also be consistent with the as Open Space Preserve designation by the City of Chula Vista General Plan and Open Space (Conservation) and Open Space (Recreation) by the San Diego County General Plan. The project site is zoned Residential by the City of Chula Vista's Zoning Code and Agriculture and Special Purpose by the San Diego County Zoning

Code, and it is consistent with these zones because it would leave the project site in a generally undeveloped state. Other applicable planning documents include the Otay Ranch Phase 1 and 2 RMP, the County of San Diego Multiple Species Conservation Program and City of Chula Vista MSCP Subarea Plan, Otay River Watershed Management Plan (ORWMP), and the Draft Otay River Watershed Special Area Management Plan (SAMP), City of Chula Vista Greenbelt Master Plan, and the Otay Valley Regional Park (OVRP) Concept Plan and Trails Guidelines. The proposed project is consistent with each of these plans as explained in detail under Section X. Specifically, to ensure all trail improvements would be designed consistent with the City's Greenbelt Master Plan and the OVRP Concept Plan and Trail Guidelines, **Mitigation Measure LU-1** is required. Therefore, because the project would not result in a significant land use and planning impact after mitigation and, further, because a significant cumulative land use impact is not present from past, present, and reasonably foreseeable future projects, the proposed project's cumulative contribution would not be cumulatively significant.

Mineral Resources

The geographic scope for cumulative impacts related to mineral resources is the area of the City designated MRZ-2. The projects listed above could result in a cumulative impact when combined with the impacts of the proposed project; however, all of those projects would occur outside any designated mineral resource zone. Therefore, the impacts of the cumulative projects would not be cumulatively significant.

As discussed in Section XI, *Mineral Resources*, the project site is located in a portion of the Otay River Valley that has been identified as an MRZ-2 area and was previously the location of sand mining activities between 1982 to 1985. However, operations ceased in 1985 and the site has been left in a highly disturbed state since. The site has also been designated as Open Space Preserve and delineated within the jurisdiction of the Chula Vista MSCP Preserve where the long-term vision for the entire Preserve area, including the project site, is to cease mining, extraction, and processing activities altogether (City of Chula Vista 2015). Therefore, because mining activities at the project site ceased three decades ago and the future plans for the Chula Vista MSCP Preserve are to cease mining-related activities altogether, implementation of the proposed project would not result in the loss of valuable mineral resources and would not contribute to a cumulatively significant impact.

Noise

Proposed residences at the Village Three and Village Eight West cumulative project sites may be completed and occupied prior to the completion of construction activities of the proposed project. These homes would be new noise-sensitive receptors. However, the closest proposed residence would be a minimum of 7,900 feet to the west of the restoration site, which is farther than any of the closest existing noise-sensitive receptors. As such, noise and vibration levels would be lower than those predicted at the existing receptors, and the impact would be less than significant.

Cumulative noise and vibration impacts have the potential to occur during construction of the proposed project. Construction of the restoration site may coincide with construction activities at the Village Three and Village Eight West cumulative projects. However, the closest of these cumulative projects is the Village Eight West project, approximately 7,900 feet west of the project site. Attenuation due to distance, as well as intervening topography, would substantially reduce construction noise and groundborne vibration propagating between the proposed and cumulative project vicinities. As described in Section XII, *Noise*, the predicted noise levels associated with construction and maintenance and monitoring activities would be less than significant because they would be well below the 75 dB threshold set by the San Diego County Code at noise-sensitive locations and would only occur within the daytime hours permitted by the San Diego County Code and the Chula Vista Municipal Code.

The predicted vibration levels associated with construction and maintenance and monitoring activities would be less than significant because they would be well below the City of Chula Vista's

vibration perception threshold of 0.01 in/sec. Thus, because the proposed project would not result in any significant construction noise or vibration impacts and cumulative projects would not add noticeably to the overall construction noise and vibration levels in the project vicinity, construction noise and vibration impacts would not be cumulatively considerable.

Noise-sensitive locations have the potential to be impacted by temporary traffic volume increases on local roadways due to worker commutes and truck trips associated with construction of the restoration site. As described in Section XII, the proposed project is anticipated to generate a total of 22 daily vehicle trips and would not result in any significant noise impacts along affected roadways. Any contribution of the proposed project to cumulative traffic noise impacts would be negligible when compared to baseline traffic noise levels or traffic noise increases associated with cumulative projects. Therefore, the impact from traffic noise sources would not be cumulatively considerable.

As described in Section XII, after completion of the restoration process, the proposed project is not anticipated to generate operational noise or vibration, or additional vehicular traffic. Therefore, the proposed project would not contribute to cumulative operational noise or vibration levels in the project vicinity, and the impact would not be cumulatively considerable

Public Services

The cumulative projects would increase population in the surrounding area, which would subsequently increase the use of existing parks and potentially create a demand for additional parkland. Similar to other development projects in the City, the cumulative projects would be required to comply with the parkland requirements in the Chula Vista Municipal Code and Public Facilities Finance Plan for the provision of parks and would ensure that cumulatively considerable impacts would not occur.

As discussed in Section XIV, *Public Services*, the proposed project would not induce population growth that could increase the demand for and use of parks. However, it is possible that use of onsite trails could increase slightly due to the proposed trail improvements and improved habitat available to view from the trail. This slight increase in trail use would not substantially degrade the existing trails. Therefore, the proposed project would not contribute to a cumulatively significant impact or create a new cumulatively significant impact related to the provision of park facilities.

Recreation

Cumulative impacts related to recreational facilities would be the same as those described above for park facilities under *Public Services*.

Transportation/Traffic

Impacts of the proposed project in relation to intersection and roadway LOS in combination with cumulative project development were evaluated as part of Sections XVI, *Transportation/Traffic*, and XVIII, *City Thresholds* (part D), which concluded that direct or cumulative impacts would not exceed roadway or intersection LOS standards and a less-than-significant impact would result. The traffic analysis was focused on four nearby intersections and roadway segments along Main Street, east of I-805.

Temporary construction-related trips would result in a minimal increase in trips on the surrounding roadway network. As discussed in Section XVI, traffic associated with project construction would not comprise more than 5% of the total intersection or segment volume or add greater than 800 ADT, and all intersections and roadway segments within the project study area are projected to operate at LOS D or better. Therefore, no cumulative impacts would result. The adjacent roadway network would be able to accommodate the anticipated additional construction trips, and project construction traffic, in combination with other cumulative projects, is not anticipated to have a cumulative impact along any of the study intersections evaluated. Therefore, the proposed project would not contribute to a cumulatively significant impact or create a new cumulatively significant impact related to construction traffic.

Once construction is complete, the road and access conditions would be unchanged, and long-term traffic associated with any maintenance would not differ from the current situation. There would be no operational cumulative impact.

Utilities and Service Systems

The proposed project's contribution to an increased need for utilities and service systems is considered in the context of the five cumulative projects. If constructed, these projects would cumulatively contribute to impacts on water and solid waste. However, public agencies and utilities are given an opportunity to respond to inquiries for information regarding the potential increase in demand for services. Furthermore, development fees are assessed on a project-by-project basis to mitigate the increased demand on public services and utilities.

Significant cumulative impacts would occur if the other projects would overburden utilities and service systems and the agencies would be unable to provide adequate services, thereby, resulting in significant combined impacts related to the need for the development of new facilities. However, as noted above, the proposed project's water demand would be temporary and amount to less than 0.1% of the District's total projected water demand through 2035 for water during construction and maintenance and monitoring. Therefore the proposed project's incremental contribution to water demand is considered less than cumulatively considerable, and impacts on water supply would be less than cumulatively considerable.

The proposed project would generate a minimal amount of waste and, therefore, is not expected to affect any of the six landfills in the County. As such, the proposed project's contribution to this cumulative impact would be less than significant. The proposed project and the other cumulative projects would comply with State and local waste-reduction policies; therefore, the proposed project would not result in a cumulative impact on County landfills.

c) **Less-than-Significant with Mitigation Incorporated**. Based on the analysis above, the proposed project could have environmental effects related to Air Quality as well as Hazards and Hazardous Materials that could cause adverse effects on human beings. However, implementation of **Mitigation Measures AQ-1, HAZ-1, and HAZ-2**, as provided in Section III, *Air Quality*, and Section VIII, *Hazards and Hazardous Materials*, would reduce project-related significant impacts to less-than-significant levels. Therefore, after implementation of **Mitigation Measures AQ-1, HAZ-1, and HAZ-2**, the proposed project would result in a less-than-significant environmental impact on human beings.

Mitigation:

Implement Mitigation Measures AQ-1, BIO-1 through BIO-10, CUL-1 through CUL-4, HAZ-1 and HAZ-2, and LU-1.

XX. PROJECT REVISIONS OR MITIGATION MEASURES:

Project mitigation measures are contained in Table 1, Mitigation Monitoring and Reporting Program, of Mitigated Negative Declaration IS-15-006.

XXI. AGREEMENT TO IMPLEMENT MITIGATION MEASURES

By signing the line(s) provided below, the Applicant and/or Operator stipulate that they have each read, understood and have their respective company's authority to and do agree to the mitigation measures contained within the Mitigated Negative Declaration, IS-15-006, and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign below prior to posting of this Mitigated Negative Declaration with the County Clerk shall indicate the Applicant and/or Operator's desire that the project be held in abeyance without approval and that the Applicant and/or Operator shall apply for an Environmental Impact Report.

Paul Borden, President
Printed Name and Title of Applicant
(or authorized representative)

Signature of Applicant
(or authorized representative)

5/10/2016
Date

N/A
Printed Name and Title of Operator
(if different from Applicant)

N/A
Signature of Operator
(if different from Applicant)

Date

XXII. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the previous pages.

■ Land Use and Planning	☐ Transportation/Traffic	☐ Public Services
☐ Population and Housing	■ Biological Resources	☐ Utilities and Service Systems
■ Geology and Soils	☐ Energy and Mineral Resources	☐ Aesthetics
☐ Agricultural Resources		☐ Lighting
■ Drainage/Water Quality	■ Hazards and Hazardous Materials	■ Cultural Resources
■ Air Quality	☐ Noise	☐ Recreation
☐ Paleontological Resources	☐ Mandatory Findings of Significance	

XXII. DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **Mitigated Negative Declaration** will be prepared. ▩

I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** is required. ☐

I find that the proposed project **may** have a significant effect(s) on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impacts" or "potentially significant unless mitigated." An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, there **will not** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. An addendum has been prepared to provide a record of this determination. ☐

Steve Power
Principal Planner
City of Chula Vista

5/9/16
Date

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TECHNICAL STUDIES

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