

**ADDENDUM TO FINAL SECOND TIER EIR #07-01  
(SCH #2007041074)**

**OTAY RANCH EASTERN URBAN CENTER SECTIONAL PLANNING  
AREA PLAN**

**PROJECT NAME:** Eastern Urban Center (EUC) Sectional Planning Area Plan (referred to as the “Millenia” Plan)

**PROJECT LOCATION:** Properties within the EUC bounded by Birch Road on the north, Eastlake Parkway on the east, Hunte Parkway on the south, and State Route 125 on the west.

**PROJECT APPLICANT:** SLF IV – Millenia, LLC

**DATE:** June 19, 2018

## **I. BACKGROUND**

### **Previous Approvals**

On September 15, 2009, the Chula Vista City Council certified the Second-Tier Final Environmental Impact Report (EIR) and adopted the Sectional Planning Area (SPA) Plan for the Eastern Urban Center (EUC) SPA Plan Project. The project involved the proposed development of approximately 207 acres within the 237-acre Otay Ranch EUC in Chula Vista, California. The EUC represents the planned extension of development within the Otay Ranch General Development Plan (GDP) area. The EUC SPA Plan defines in more detailed terms, the development parameters for the EUC, including land use mix, design criteria, primary circulation pattern, and infrastructure requirements.

Since the SPA Plan was first approved in 2009, it has been amended four times in response to changes in public and private influences and actual market experiences. For similar reasons, the project applicant, SLF IV – Millenia, LLC, is proposing an amendment to the SPA Plan. The intent of the proposed amendment is to update the adopted SPA Plan to revise the buildout assumptions to reflect initial development levels and anticipated market realities, while ensuring that a degree of flexibility is maintained such that the SPA Plan can be responsive to future market and social and technological changes that will occur many years in the future, but are difficult or impossible to predict at this time (2017).

### **Current Site Conditions**

Since the certification of the Final EIR, the entire project site (i.e., the EUC SPA Plan Area) has been mass graded in preparation for previously-approved development. In addition to grading, 75% of the planned roadways and utilities have been installed. Several of the planning areas have been developed or are currently under construction, with vertical development having commenced on more than 50% of the private development land. Figure 1 provides an aerial

overview of the graded site conditions as of 2016. In summary, the EUC (now known as “Millenia”) is currently being implemented with almost a dozen projects completed, under construction, approved, or in the Design Review phase of development. These projects include City parks, fire station and pedestrian bridge, a hotel, office, retail, and affordable, rental, mixed-use and for-sale residential, which represents virtually every land use type contemplated in the SPA Plan.

The proposed amendment to the SPA Plan includes changes to the statistics in the Site Utilization Plan, design refinements to the Main Street District, and the addition of a 4-story height district.

Because the modifications to the SPA Plan would not result in any increase in allowable residential units, non-residential development square footage, nor an expansion of the previously evaluated development footprint, the proposed amendment is considered to be adequately covered under FEIR #07-01 and no further analysis is warranted.

Mitigation measures from the Mitigation Monitoring and Reporting Program (MMRP) associated with Final EIR #07-01 are still valid and applicable to this project. The physical development of the 207 acres has been previously addressed in the certified EIR. Thus, this Addendum is focused on the proposed EUC SPA amendment as applicable to the remaining undeveloped areas of the SPA Plan.

## **II. PROPOSED AMENDMENT**

The purpose of this Addendum is to address the currently proposed project, which involves an amendment to the currently adopted SPA Plan. An annotated version of the SPA Plan text, as proposed to be amended is provided as Attachment A to this Addendum. The proposed amendment includes the following primary elements:

1. Elimination of the target land use intensities and establish revised low and high land use ranges allowing a maximum project buildout of 2,983 residential units and 3.324 million square feet of commercial uses.
2. A revised Main Street concept focused on revisions to the quantity and distribution of commercial land uses.
3. Reducing the five story minimum average height on six residential parcels to a four story minimum average height.
4. To facilitate more comprehensive planning and to allow for more latitude in project design and implementation of the main street concepts, the application also introduces the concept of height blending between TM Lots 17 and 18 in the Main Street District and Lots 23 and 24 in the Central Southern Neighborhood District.

The proposed amendment also includes a supplemental Public Facilities Financing Plan (PFFP) and updated fiscal study reflecting the revisions to the buildout assumptions.

Figure 1. Aerial Photo of Site Conditions (2016)



Imagery data 2016-4-24

### III. CEQA REQUIREMENTS

Sections 15162 through 15164 of the State CEQA Guidelines discuss a lead agency's responsibilities in handling new information that was not included in a project's certified environmental document. Section 15162 of the State CEQA Guidelines provides:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
  - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
    - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
    - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 of the State CEQA Guidelines provides that:

- A. The lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

- B. An addendum need not be circulated for public review but can be included in or attached to the final EIR.
- C. The decision-making body shall consider the addendum with the final EIR prior to making a decision on the project.
- D. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This Addendum has been prepared pursuant to the requirements of Section 15162 and 15164 of the State CEQA Guidelines. The proposed changes to the project do not constitute a substantial change to the previously approved project. The proposed modifications (i.e. SPA Amendment) would not result in any environmental effects that were not considered in the previously certified EIR, nor would the changes increase the severity of any of the impacts identified in the previously certified EIR. The mitigation measures identified in the previously certified EIR would be equally applicable to the project, as revised per the proposed SPA Amendment. Therefore, in accordance with Sections 15162 and 15164 of the State CEQA Guidelines, the City has prepared this addendum to the Final Second Tier EIR (EIR #07-01).

#### **IV. ANALYSIS**

The environmental analysis provided below supports a determination that approval and implementation of the proposed project (i.e., SPA Amendment) would not result in any additional, or more substantial, significant environmental effects beyond those previously analyzed under the Final Second Tier EIR (EIR #07-01) for the previously approved project.

##### **Land Use, Planning, and Zoning**

The potential land use, planning, and zoning impacts associated with the approved project were evaluated in Section 4.1 of the Final EIR.

##### ***Final EIR Conclusions***

The Final EIR evaluated the SPA Plan's: (1) conformance to, or conflict with, adopted plans, policies, and regulations; and (2) effects on established communities. The Final EIR analysis determined that construction and operational impacts of the approved project on the character of the surrounding community and internally within the EUC, as well as conformance with existing land use plans and policies, would be less than significant.

##### ***Analysis of the Proposed SPA Plan Amendment***

The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. The proposed plan amendment involves changes to the buildout assumptions as shown on the adopted Site Utilization Plan (Figure 2). As shown in Figure 3 and Table 1, the proposed amendment would retain the maximum residential unit count of 2,983 residential units and reduce the target non-residential development uses from 3,487,000 square feet to a maximum of 3,324,000 square feet. The proposed plan amendment would also establish

low buildout targets of 1.568 million square feet of commercial uses and 1,236 residential units. Overall, should the project buildout with the maximum build of land uses, there would be a net decrease of approximately 163,000 square feet in non-residential (i.e., commercial) uses, and the same number of residential units as compared to the originally certified Final EIR.

Other proposed amendments to the land use plan include a revised Main Street concept focused on revisions to the quantity and distribution of commercial land uses, reducing the five story minimum average height on six residential parcels to a four story minimum average height, and, in order to facilitate more comprehensive planning and to allow for more latitude in project design and implementation of the main street concepts, the application also introduces the concept of height blending between TM Lots 17 and 18 in the Main Street District and Lost 23 and 24 in the Central Southern Neighborhood District. These plan amendments are in response to market conditions, and do not create new significant land use impacts as compared to the originally certified Final EIR.

As with the approved project, the proposed project would not result in a significant impact to conformance to, or conflict with, adopted plans, policies, and regulations; and effects on established communities. An amendment to the SPA Plan is proposed; however, the plan amendment in and of itself does not create a significant physical impact to the environment not otherwise addressed in the Final EIR #07-01. Although the overall target buildout density and intensity are modified, the Plan Amendment does not involve rearranging the distribution of land uses for the Eastern Urban Center Districts as established in the adopted SPA Plan. The proposed plan amendment responds to changing market conditions, as is reflective of changes to the land use patterns and concepts that have occurred in the surrounding vicinity of the project site. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

**Table 1 – Proposed Site Utilization Plan Statistics**

District	Non-Residential (000's Sq. Ft.)*		Residential (DU's)*	
	Low	High	Low	High
1	227	400	0	89
2	2	2	273	273
3	2	5	150	475
4	800	1,900	0	225
5	455	900	0	300
6	80	100	100	601
7	0	0	100	117
8	2	2	253	253
9	0	5	130	350
10	0	10	230	300
<b>Totals</b>	<b>1,568</b>	<b>3,324</b>	<b>1,236</b>	<b>2,983</b>

\* Refer to FBC Section 04.05, for Intensity Transfer Provisions

Figure 2. Adopted Site Utilization Plan

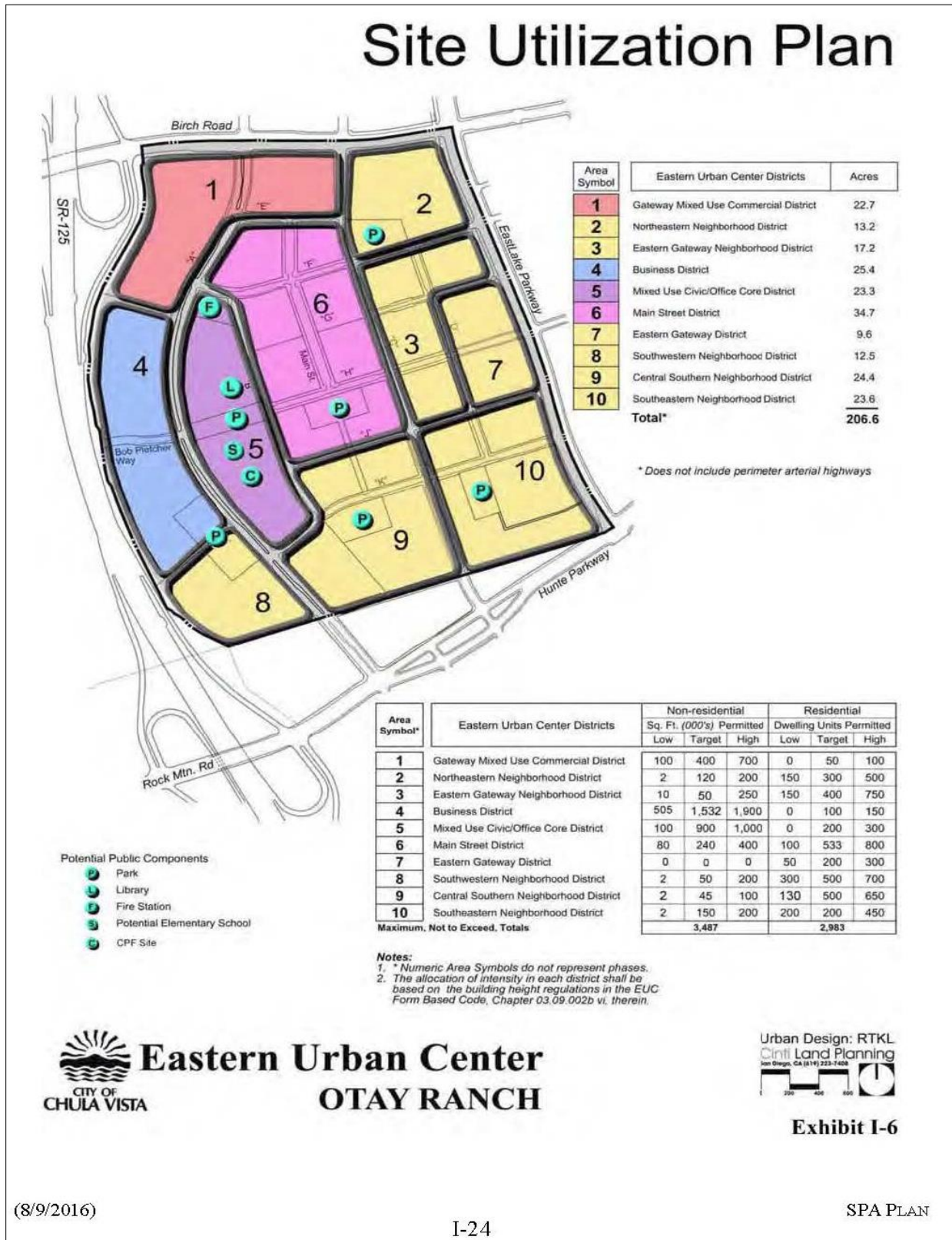
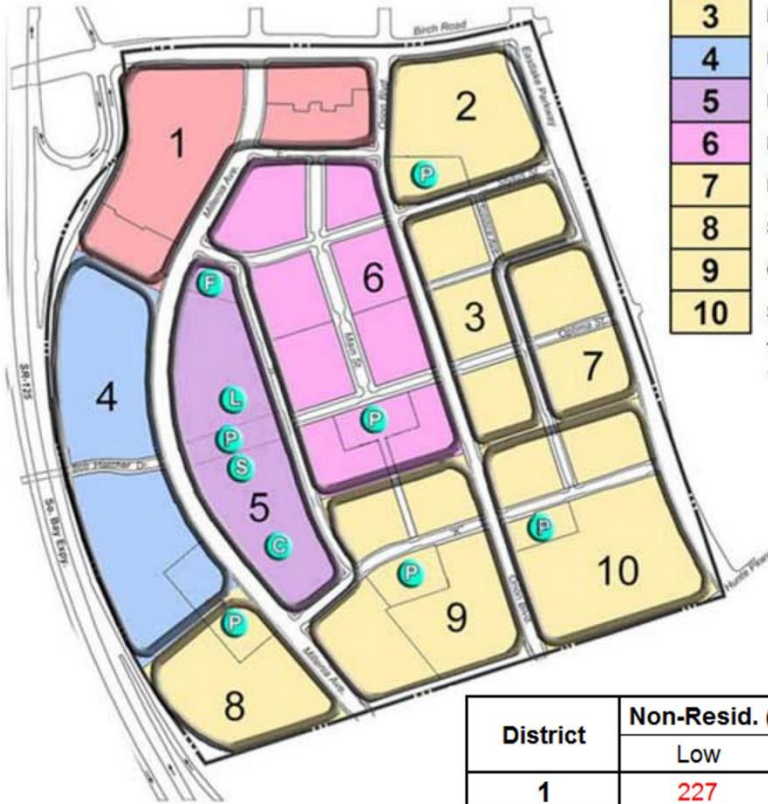


Figure 3. Proposed Site Utilization Plan

Proposed

# Site Utilization Plan



Area Symbol	Eastern Urban Center Districts	Acres
1	Gateway Mixed Use Commercial District	22.7
2	Northwestern Neighborhood District	13.2
3	Northeastern Neighborhood District	17.2
4	Business District	25.4
5	Mixed Use Civic/Office Core District	23.3
6	Main Street District	34.7
7	Eastern Gateway District	9.6
8	Southwestern Neighborhood District	12.5
9	Central Southern Neighborhood District	24.4
10	Southeastern Neighborhood District	23.6
<b>Total*</b>		<b>206.6</b>

\* Does not include perimeter arterial highways

Potential Public Components

- Park
- Library
- Fire Station
- Potential Elementary School
- CPF Site

Notes:

1. The Numeric Symbols do not represent phases.
2. The location of the public component symbols are conceptual only.

District	Non-Resid. (000's Sq. Ft.)*		Residential (DU's)*	
	Low	High	Low	High
1	227	400	0	89
2	2	2	273	273
3	2	5	150	475
4	800	1,900	0	225
5	455	900	0	300
6	80	100	100	601
7	0	0	100	117
8	2	2	253	253
9	0	5	130	350
10	0	10	230	300
<b>Totals</b>	<b>1,568</b>	<b>3,324</b>	<b>1,236</b>	<b>2,983</b>

\* Refer to FBC Section 04.05, for Intensity Transfer Provisions.



6/8/18



### **Landform Alteration/Aesthetics**

The potential landform alteration/aesthetics impacts associated with the approved project were evaluated in Section 4.2 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; be inconsistent with General Plan, GDP or other objectives and policies regarding visual character thereby resulting in a significant physical impact, or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Final EIR determined that the approved project would result in a potentially significant impact associated with a scenic roadway. An 89-foot section of the EUC is located adjacent to Hunte Parkway, a City-designated Scenic Roadway. Therefore, the Final EIR identified that a potentially significant impact with respect to the City's Scenic Roadway standards could occur along this street section. With implementation of Mitigation Measure 4.2-1, which requires that future development will enhance the scenic quality of the route, the potential impact related to scenic roadways would be reduced to a less than significant level.

The Final EIR also identified that there is a potential for streets, structures, and public places to be shadowed by adjacent building or buildings depending on climate, season, and building height and mass. Because the potential impacts associated with shade/shadow and wind access cannot be determined until the location, size, and orientation of future buildings are established, the Final EIR identified that this impact would be potentially significant. However, with implementation of Mitigation Measure 4.2-2, potential impacts regarding shadows and wind would be reduced to below a level of significance. Mitigation Measure 4.2-2 requires the project applicant to prepare a light, shadow, and wind pattern analysis for any structure eight stories and above prior to design review approval.

The Final EIR also determined that the approved project would result in the degradation of the existing visual quality and character of the site and its surroundings. However, no mitigation measures are available to reduce the potentially significant impact of converting the EUC SPA Plan site from undeveloped rolling hills to urbanized uses. Thus, impacts regarding the change to the site's visual character are concluded to be significant and unavoidable.

### ***Analysis of the Proposed SPA Plan Amendment***

As previously mentioned, the intent of the proposed SPA Plan amendment is to update the adopted SPA Plan to reflect the initial phases of development and to respond to market changes, while ensuring a degree of flexibility is maintained such that the SPA can still respond to future market and lifestyle changes that are difficult or impossible to predict.

Since the original PC District Regulations & Design Guidelines were adopted, the retail market and evolution of the “Main Street” type of development have changed due to systemic change in the retail industry as well as local market forces. One of the risks in the “Main Street” is overbuilding of retail which comes with the potential for vacant storefronts or underperforming, or marginal retail uses. Such an outcome could stigmatize the larger project and would not achieve the goal of providing an active, vibrant environment. The proposed amendment includes a revised Main Street concept focused on revisions to the quantity and distribution of commercial land uses to correctly size, and geographically distribute the commercial uses in the Main Street District to create the intended character while avoiding the potential for vacant storefronts.

The proposed amendment also includes reducing the five story minimum average height on six residential parcels to a four story minimum average height. Additionally, the permitted height minimums are being adjusted in several of the districts to reflect more contemporary building forms expected in those districts. To facilitate more comprehensive planning and to allow for more latitude in project design and implementation of the main street concepts, the application also introduces the concept of height blending between TM Lots 17 and 18 in the Main Street District and Lots 23 and 24 in the Central Southern Neighborhood District.

The overall aesthetic nature of the EUC SPA Plan Area would not be substantially different than the original project analyzed in the Final EIR. The SPA area has been mass graded, and any additional development would occur on grading pads where the previous land form has already been altered, and there would be no increase in building intensity, density or height over that allowed in the currently adopted SPA Plan. Compliance with all applicable rules and regulations governing aesthetics as well as all mitigation measures outlined in Section 4.2 of the Final EIR would ensure that no additional impacts to landform/aesthetics beyond those previously analyzed in the Final EIR would occur as a result of the proposed project.

### **Transportation**

The potential transportation impacts associated with the approved project were evaluated in Section 4.3 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceed, either individually or cumulatively, a LOS standard established by the County CMP agency for designated roads or highways; or conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

The Final EIR determined that the approved project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The approved project would result in potentially significant impacts to intersections, roadway segments, freeway segments, and project boundary intersections in the Traffic Study Area. With implementation of Mitigation Measures 4.3-1 through 4.3-9, potentially significant impacts to study area intersections and roadway segments would be reduced to a less than significant level. With implementation of Mitigation Measures 4.3-10 and 4.3-11, potentially significant impacts to project boundary

intersections would be reduced to a less than significant level. Because no specific improvements have been identified to mitigate the project's cumulative impacts along freeways; impacts would remain significant and unavoidable.

The approved project would also have a potentially significant impact with respect to consistency with the Public Facilities Financing Plan (PFFP) thresholds. The project's consistency with the PFFP is dependent on several variables (i.e., timing and responsibility) that are out of the control of the project. With implementation of Mitigation Measures 4.3-12 through 4.3-14, the timing of improvements would be consistent with the PFFP.

The approved project was found to be consistent with General Plan and GDP policies regarding alternative transportation. However, significant delays along Bus Rapid Transit (BRT) routes due to stop controlled intersections could occur. Mitigation Measure 4.3-15 would facilitate the elimination of potential conflicts pertaining to the implementation of BRT service in the future by SANDAG through the EUC.

### ***Analysis of the Proposed SPA Plan Amendment***

The proposed project (proposed SPA Amendment) would not expand or increase the development footprint as previously evaluated in the EIR. The proposed plan amendment involves changes to the statistics on the Site Utilization Plan.

As shown in Table 1, the proposed amendment would maintain the maximum development level of 2,983 residential units and reduce the maximum non-residential development uses from 3,487,000 square feet to a maximum of 3,324,000 square feet. Overall, there would be a net decrease of approximately 163,000 square feet in non-residential (i.e., commercial) uses, and the same number of residential units as compared to the originally certified Final EIR.

The decrease in target commercial square footage would, in turn, result in the generation of less vehicular trips. Because the proposed project would generate fewer trips (both daily and during the peak hours) than the approved project and the trip distribution patterns would remain the same as those studied in the Final EIR, it can be concluded that the proposed project would add fewer trips to the surrounding transportation network, including all study area roadways, intersections, and freeways. Fewer project trips to a roadway, an intersection, or a freeway indicate less or equal potential traffic impacts. As a result, the approved project represents a worst-case scenario and no new or more substantial significant traffic impacts would occur beyond those identified in the Final EIR. Further, the mitigation measures identified in the Final EIR remain applicable and no new mitigation measures would be required. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

The proposed SPA Amendment would also have a potentially significant impact with respect to consistency with the Public Facilities Financing Plan (PFFP) thresholds as the approved project. The project's consistency with the PFFP is dependent on several variables (i.e., timing and responsibility) that are out of the control of the project. With implementation of Mitigation Measures 4.3-12 through 4.3-14, the timing of improvements would be consistent with the PFFP. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

The approved project was found to be consistent with General Plan and GDP policies regarding alternative transportation. However, as identified in the Final EIR for the approved project, significant delays along Bus Rapid Transit (BRT) routes due to stop controlled intersections could occur. The proposed project would reduce the overall vehicular trip generation within the EUC SPA, as a result of an overall decrease in non-residential square footage. As a result, the approved project represents a worst-case scenario and no new or more substantial significant traffic impacts would occur beyond those identified in the Final EIR. Further, the mitigation measures identified in the Final EIR remain applicable and no new mitigation measures would be required. Specifically, as it relates to potential impacts to BRT, Mitigation Measure 4.3-15 would eliminate potential conflicts pertaining to BRT service through the EUC, and the applicant will comply with this mitigation measure as applicable, for the remaining development areas of the EUC under the plan amendment. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Air Quality**

The potential air quality impacts associated with the approved project were evaluated in Section 4.4 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would conflict with or obstruct implementation of the applicable air quality plan or General Plan policies; violate any air quality standard or contribute substantially to an existing or projected air quality violation; 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); expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people.

The Final EIR determined that the approved project would result in potentially significant air quality impacts associated with a conflict with the Regional Air Quality Strategy (RAQS) (1992). This impact would remain significant and unmitigated. The RAQS is based on the General Plan that was in effect when the RAQS were adopted in 1992 and updated through 2001. It is not consistent with the current GPU that was adopted in December 2005. Although SANDAG is currently updating the RAQS, the proposed land uses for the EUC SPA would conflict with the currently approved RAQS.

The approved project was also determined to exceed air quality standards. During construction, the approved project would exceed the regional significance thresholds for PM<sub>10</sub>, PM<sub>2.5</sub>, CO, NO<sub>x</sub>, and VOC. Even with implementation of Mitigation Measure 4.4-1, the approved project would still exceed the regional significance thresholds. As such, project construction would continue to result in a significant, although temporary, regional impact with incorporation of all feasible mitigation measures.

During the operational phase, the approved project would result in NO<sub>x</sub>, CO, VOC, PM<sub>10</sub> and PM<sub>2.5</sub> emissions that would exceed applicable thresholds. The approved project would also result in a cumulatively significant long-term contribution to regional PM<sub>10</sub>, PM<sub>2.5</sub>, and ozone levels as a result of projected emissions of NO<sub>x</sub> and ROG. Even with implementation of Mitigation Measures 4.4-2 and 4.4-3, the project would result in regional emissions that exceed the applicable thresholds for NO<sub>x</sub>, CO, VOC, PM<sub>10</sub> and PM<sub>2.5</sub>. Therefore, the approved project would result in significant and unavoidable impacts during the operational phase.

### ***Analysis of the Proposed SPA Plan Amendment***

The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. The proposed plan amendment involves changes to the statistics on the Site Utilization Plan. However, the proposed amendment would reduce the maximum development level by approximately 163,000 square feet. Due to the reduction in total development, the construction duration would be shortened and project-generated traffic trips would be reduced compared to the approved project. This would reduce construction and operational emissions (specifically mobile sources) compared to the approved project.

While emissions would be slightly reduced under the proposed project, the impacts and associated mitigation measures identified in the previously-certified Final EIR remain applicable to the proposed project. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Noise**

The potential noise impacts associated with the approved project were evaluated in Section 4.5 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; expose persons to or generation of noise levels in excess of standards established in the Chula Vista General Plan or noise ordinance, or applicable standards of other agencies; result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; expose persons to or generation of excessive groundborne vibration or groundborne noise levels; or be inconsistent with General Plan, GDP or other objectives and policies regarding noise thereby resulting in a significant physical impact.

The Final EIR determined that the approved project would result in potentially significant noise impacts associated with traffic-generated noise; exceedance of the City's 65 CNEL exterior residential standard for land use compatibility; on-site stationary sources (roof-top HVAC equipment and the fire station emergency generator); and, outdoor noise generated by schools and parks, including sports activities. However, with implementation of Mitigation Measures 4.5-1 through 4.5-7, potential noise impacts would be reduced to below a level of significance.

### ***Analysis of the Proposed SPA Plan Amendment***

The proposed project would not expand or increase the development footprint as previously evaluated in the EIR, nor are any land use changes proposed within each of the SPA Districts. The proposed plan amendment involves changes to the statistics on the Site Utilization Plan. The proposed amendment would reduce the maximum development level by approximately 163,000 square feet.

Due to the reduction in total development, project-generated traffic trips would be reduced compared to the approved project, and in turn, would minimize noise impacts associated with future traffic.

Furthermore, the proposed project would not substantially change the noise-producing activities or land uses beyond those previously analyzed in the Final EIR. Compliance with all applicable rules and regulations governing noise as well as all mitigation measures outlined in Section 4.5 of the Final EIR would ensure that no additional impacts to noise beyond those previously analyzed would occur as a result of the proposed project. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Cultural Resources**

The potential cultural resources impacts associated with the approved project were evaluated in Section 4.6 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5; cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5; directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries; or be inconsistent with General Plan cultural and paleontological policies thereby resulting in a significant physical impact.

The Final EIR determined that the approved project would not result in a significant impact on known archaeological resources, but could result in significant impacts to archaeological resources that may be uncovered during clearing and grading. The geological formations underlying the EUC SPA Plan Area have a high sensitivity for paleontological resources. Therefore, grading activities have the potential to result in significant impacts to paleontological resources.

The approved project was also determined to have the potential to uncover human remains during site preparation. With implementation of Mitigation Measures 4.6-1 through 4.6-9, potential impacts to cultural and paleontological resources and human remains would be reduced to below a level of significance.

### ***Analysis of the Proposed SPA Plan Amendment***

Since the certification of the Final EIR, the entire EUC SPA Plan Area has been mass-graded, 75 percent of the planned roadways and utilities have been installed, and vertical development has commenced on more than 50% of the private development land. Pursuant to the project's MMRP, mitigation measures identified for cultural resources (Mitigation Measures 4.6-1 through 4.6-9) were implemented during the prior mass grading activities. The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. No additional cultural resources impacts would occur and the conclusions identified in the previously-certified Final EIR remain accurate. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Biological Resources**

The potential biological resources impacts associated with the approved project were evaluated in Section 4.7 of the EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would 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. Wildlife Service; 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; have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; 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; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or, conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

As identified in the Final EIR, no sensitive plant species, sensitive plant communities, or wetlands occur within the EUC SPA Plan Area. The EUC SPA Plan Area is not within a regional wildlife corridor and would not impact regional wildlife movement. As described in the Final EIR, the approved project (specifically within the EUC SPA Plan Area) would have the following substantial adverse effect, both directly and through habitat modifications, on sensitive wildlife species:

- Ground nesting raptor species, including the northern harrier and burrowing owl.

- The northern harrier, burrowing owl, white-tailed kite, and San Diego black-tailed jackrabbit would be impacted by the loss of agricultural lands utilized as foraging habitat.

The approved project was also determined to have the potential to impact nesting bird species protected by the Migratory Bird Treaty Act and California Fish and Game Code. With implementation of Mitigation Measures 4.7-1 through 4.7-13, potential impacts to biological resources would be reduced to below a level of significance.

### ***Analysis of the Proposed SPA Plan Amendment***

Since the certification of the Final EIR, the EUC SPA Plan Area has been mass-graded and prepared in anticipation of planned development. As such, the project site does not contain any natural vegetation or sensitive biological habitats; riparian, aquatic or wetland habitat; or federally protected wetlands. Pursuant to the project's MMRP, mitigation measures identified for biological resources (Mitigation Measures 4.7-1 through 4.7-13) were implemented during the prior mass grading activities. The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. No additional biological resources impacts would occur and the conclusions identified in the previously-certified Final EIR remain accurate and applicable to the proposed project. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Agricultural Resources**

The potential agricultural resources impacts associated with the approved project were evaluated in Section 4.8 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to nonagricultural use; and/or involves other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to nonagricultural use; or conflict with existing zoning for agricultural use or a Williamson Act contract. In addition, impacts to agricultural resources would be significant if the proposed project would be inconsistent with General Plan agricultural resource policies thereby resulting in a significant physical impact.

The Final EIR determined that the approved project would have no impacts to Williamson Act contract lands or conflict with existing zoning for an agricultural use. As analyzed in the EIR, development of the EUC SPA Plan would result in a significant impact to agricultural resources, due to the on-site loss of approximately 207 acres of Farmland of Local Importance. Implementation of Mitigation Measure 4.8-1 would reduce potentially significant, short-term impacts caused by adjacency of agricultural uses and urban uses to a less than significant level. However, the incremental and cumulative loss of agricultural lands (Farmland of Local Importance), which was considered a significant impact in the Otay Ranch GDP Program EIR, remains significant, and no mitigation measures are available to reduce this impact to below a level of significance.



### ***Analysis of the Proposed SPA Plan Amendment***

Since the certification of the Final EIR, the EUC SPA Plan Area has been mass-graded and prepared in anticipation of planned development. The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. No additional agricultural resources impacts would occur and the conclusions identified in the previously-certified Final EIR remain accurate. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Hydrology and Water Quality**

The potential hydrology and water quality impacts associated with the construction and operation of the approved project were evaluated in Section 4.9 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would result in an increase in pollutant discharges to receiving waters 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; 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 or City of Chula Vista Engineering Standards for storm water flows and volumes; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or place structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map which would impede or redirect flood flows; 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; or be inconsistent with General Plan, GDP or other objectives and policies regarding water quality thereby resulting in a significant physical impact.

As discussed in the Final EIR, the approved project would require mass grading; therefore, there is potential degradation of water quality as a result of erosion of exposed soils. The approved project would introduce human occupation, land uses, or vehicles that have the potential to introduce pollutants during operation and potentially impact surface and ground water quality. In addition, the approved project would require the development of streets and other impermeable surfaces that would increase surface water runoff and cause potentially significant off-site erosion to downstream facilities. The EIR determined that the approved project's potentially significant impact with respect to water quality standards and drainage (erosion/flooding), and runoff water would be reduced to less than significant through the enforcement of existing state and federal regulatory standards and proposed mitigation measures. Also, the approved project would implement a program to bury existing soil contaminants or provide a Stormwater Prevention Pollution Plan (SWPPP) to address drainage from existing stockpiled soils (undocumented fill, construction material, and construction debris). With implementation of Mitigation Measures 4.9-1 through 4.9-10, potential impacts to hydrology and water quality would be reduced to below a level of significance.

### ***Analysis of the Proposed SPA Plan Amendment***

Since the certification of the Final EIR, the EUC SPA Plan Area has been mass-graded and prepared in anticipation of planned development. The proposed project has obtained coverage and will continue to comply with all applicable rules and regulations including compliance with the National Pollutant Discharge Elimination System permit requirements for urban runoff and stormwater discharge BMPs for design, treatment, and monitoring for stormwater quality would be implemented as delineated in the Final EIR with respect to municipal and construction permits. Compliance with all applicable rules and regulations governing water quality as well as all mitigation measures outlined in Section 4.9 of the Final EIR would ensure that no additional impacts to water quality beyond those previously analyzed would occur as a result of the proposed project. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Geology and Soils**

The potential geology, soils, and seismicity impacts associated with the approved project were evaluated in Section 4.10 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. (refer to Division of Mines and Geology Special Publication 42); strong seismic ground shaking; seismic-related ground failure, including liquefaction; and/or landslides; result in substantial soil erosion or the loss of topsoil; 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; or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or be inconsistent with General Plan geotechnical policies thereby resulting in a significant physical impact.

The Final EIR determined that the approved project would have potentially significant impacts associated with unstable soils, soil erosion and/or loss of topsoil, landslides, lateral spreading, liquefaction and/or collapse, and expansive soils. However, with implementation of Mitigation Measures 4.10-1 through 4.10-3, all potentially significant geology and soils impacts would be reduced to a less than significant level.

### ***Analysis of the Proposed SPA Plan Amendment***

Since the certification of the Final EIR, the entire EUC SPA Plan Area has been mass-graded and prepared in anticipation of planned development. Pursuant to the project's MMRP, Mitigation Measure 4.10-1 identified for geology and soils was implemented during the prior mass grading activities. Final EIR Mitigation Measure 4.10-2 addressed the off-site stockpile grading alternative.

The off-site stockpile grading alternative was not implemented and therefore compliance with Mitigation Measure 4.10-2 was not required.

Final EIR Mitigation Measure 4.10-3 requires that the City shall ensure that the applicable recommendations in the *Geotechnical Investigation for the Proposed Salt Creek Gravity Sewer Interceptor Project*, Leighton & Associates, dated October 2000, have been incorporated into the project to the satisfaction of the City Engineer of the City of Chula Vista. The requirement for this mitigation measure has not been triggered as part of development activities to date; however, the applicant will comply with this measure at the time it is required (i.e., Salt Creek Gravity Sewer Interceptor Improvements).

There have been no changes to the geological or seismic environment or changes to the characteristics of the project as evaluated in the EIR that would affect these resources. The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. No additional geology and soils impacts would occur and the conclusions identified in the previously-certified Final EIR remain accurate. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Public Services and Utilities**

The potential public services and utilities impacts associated with the approved project were evaluated in Section 4.11 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would result in a substantial adverse physical impact 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 fire protection and emergency services; reduce the ability of properly equipped and staffed fire and medical units to respond to calls throughout the City within seven minutes in 80 percent of the cases; be inconsistent with General Plan, GDP, and other objectives and policies regarding fire protection and emergency medical services thereby resulting in a significant physical impact.

The Final EIR concluded that all impacts to fire services; police services; schools; library services; parks, recreation, open space and trails; water; wastewater; and solid waste would be reduced to below a level of significance with implementation of mitigation measures, payment of Public Facility Development Impact Fees or compliance with the project Development or Parks Agreements.

### ***Analysis of the Proposed SPA Plan Amendment***

The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. The proposed plan amendment involves changes to the statistics on the Site Utilization Plan. The proposed amendment would reduce the maximum development level by approximately 163,000 square feet. Due to the reduction in total development, project-related

demand for public services and utilities would be reduced compared to the approved project. Compliance with all applicable rules and regulations governing public services and utilities as well as all mitigation measures outlined in Section 4.11 of the Final EIR would ensure that no additional impacts to public services and utilities beyond those previously analyzed would occur as a result of the proposed project. Therefore, no new significant, or more substantial impacts would occur beyond those analyzed in the Final EIR.

### **Hazards/Risk of Upset**

The potential hazards and hazardous materials impacts associated with the approved project were evaluated in Section 4.12 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would be located on a site that is included on a list of hazardous materials sites, creates a significant hazard to the public or the environment; creates a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials; creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emits hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; is 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 and would result in a safety hazard for people residing or working in the project area; is located within the vicinity of a private airstrip and would result in a safety hazard for people residing or working in the project area; impairs implementation of or physically interferes with an adopted emergency response plan or emergency evacuation plan; exposes people or structures to a significant risk or loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas, increase in urbanization would result in an increase in the uses, transport, storage, and disposal of hazardous waste materials and an associated increase in the risk of an upset condition in the area; and historic use of pesticides which would result in soil contamination and health effects or be inconsistent with General Plan, GDP, and other objectives and policies regarding hazards thereby resulting in a significant physical impact.

As described in the Final EIR, potentially significant impacts could result from the exposure of construction workers and the public to organochlorine pesticides (OCPs) occurring in soils in Areas A, B, and C of the EUC. Exposure may result from any OCP-containing soils that would be released or become airborne during excavation, be left uncovered on-site, or exported off-site. The EUC SPA Plan includes an approximately 6-acre elementary school site. The presence of organic toxins and gases at the future school site may exceed the Chula Vista Elementary School District and state standards for public schools. If weeds or brush are allowed to develop in vacant areas of the EUC adjacent to occupied development, a potentially significant fire impact could occur.

In addition, hazards associated with the poor visibility of tall structures under construction or rooftop cranes may contribute to an airport-related hazard, due to the proximity of Brown Field and aircraft over flight of the EUC under visual flight rules or circle-to-land procedures. Also, as

buildings, rooftop cranes and other temporary construction equipment in the EUC may exceed 170 feet in height, these structures would be approximately 270 feet higher than the Brown Field runway elevation. This may present an aircraft safety hazard.

The Final EIR determined that compliance with existing ordinances, in combination with Mitigation Measures 4.12-1 through 4.12-6, would reduce potentially significant impacts associated with hazards and risks to less than significant.

### ***Analysis of the Proposed SPA Plan Amendment***

Since the certification of the Final EIR, the EUC SPA Plan Area has been mass-graded and prepared in anticipation of planned development. Pursuant to the project's MMRP, Mitigation Measures 4.12-1 and 4.12-2 were implemented during the prior mass grading activities. Mitigation Measure 4.12-1 required that grading within Areas A, B, and C of the EUC be managed in accordance with the remediation measures included in the Organic Pesticide Assessment and Soil Reuse Plan (prepared by Geocon dated June 5, 2007, revised October 4, 2007). Mitigation Measure 4.12-2 required the project applicant to implement Best Management Practices in Areas A, B, and C of the EUC during excavation and placement of soil from the upper two feet of existing grade, so that dust, erosion, excessive pooling, and stormwater runoff would not pose a problem at the site to the satisfaction of the City Engineer. Documentation of compliance was provided to the City in the form of as-graded reports.

The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. Compliance with all applicable rules and regulations governing hazards and hazardous materials as well as mitigation measures outlined in Section 4.12 of the Final EIR would ensure that no additional impacts to hazards or hazardous materials beyond those previously analyzed would occur as a result of the proposed project. Since the proposed project is in the same location as the approved project, compliance with Mitigation Measure 4.12-4 (FAA notification) will be required in order to reduce airport-related hazards due to proximity to Brown Field. The proposed project will also be required to implement Mitigation Measures 4.12-3 (post information regarding households hazard waste collection within each residential unit), 4.12-5 (brush and weed control) and 4.12-6 (fire station design compliance with applicable fuel storage and containment regulations).

No additional hazards or hazardous materials impacts would occur and the conclusions and mitigation measures identified in the previously-certified Final EIR remain accurate and applicable to the proposed project.

### **Housing and Population**

The potential housing and population impacts associated with the approved project were evaluated in Section 4.13 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure); displace substantial numbers of existing housing or

people, necessitating the construction of replacement housing elsewhere, or be inconsistent with General Plan, GDP, and other objectives and policies regarding housing and population thereby resulting in a significant physical impact.

The Final EIR concluded that the approved project's maximum development level (2,983 residential units) would not induce substantial population growth in the area beyond that already planned under the Otay Ranch GDP and Chula Vista General Plan. With the development of 2,983 multi-family residential units, the approved project is expected to generate a population of 7,696 under a 2.58 household coefficient set forth in the Otay Ranch GDP. This population growth would not exceed forecasted growth in the Otay Ranch GDP, or in the General Plan's East Planning Area, both of which are based on a development cap in the GDP of 2,983 residential units. In addition, the Final EIR determined that the approved project would not displace any existing households or people.

### ***Analysis of the Proposed SPA Plan Amendment***

The proposed EUC SPA amendment involves changes to the statistics on the Site Utilization Plan. As shown in Table 1, the proposed amendment would maintain the maximum residential development of 2,983 residential units. This number of dwelling units is the same as the development cap in the GDP of 2,983 residential units. Therefore, the proposed project would not induce substantial population growth in the area beyond that already planned under the Otay Ranch GDP and Chula Vista General Plan. There would be no new impact, or increase in the severity of an impact related to population and housing, and the conclusions identified in the Final EIR remain accurate.

### **Global Climate Change**

The potential global climate change impacts associated with the approved project were evaluated in Section 4.14 of the Final EIR.

### ***Final EIR Conclusions***

The Final EIR analyzed whether the approved project would conflict with or obstruct goals or strategies of the California Global Solutions Act of 2006 (AB32) or related Executive Orders and/or whether the project result in substantially increased exposure of the project from the potential adverse effects of global warming identified in the California Global Warming Solutions Act of 2006 (AB32).

The Final EIR concluded that the approved project would not result in significant global climate change impacts. The Final EIR determined that by incorporating project features (i.e., land use and community design, transit facilities, energy efficiency, and water efficiency) contained in the EUC SPA Plan's Sustainability Element, the approved project would result in greenhouse gas (GHG) emission rates 31 percent lower than "business as usual." Because these project features would reduce project GHG emissions and are consistent with the State's Climate Action Team strategies, the approved project would not conflict with or obstruct the State's goals regarding global climate change and impacts in this regard would be less than significant. Regarding GHG emissions from construction activities, construction of the proposed project would incorporate

construction “best practices,” that would reduce GHG emissions. These “best practices” represent an improvement above conventional construction practices, and thus are an improvement above “business as usual.” Therefore, impacts would be less than significant.

### ***Analysis of the Proposed SPA Plan Amendment***

The proposed project would not expand or increase the development footprint as previously evaluated in the EIR. The proposed plan amendment involves changes to the statistics on the Site Utilization Plan. The proposed amendment would reduce the maximum development level by approximately 163,000 square feet. Due to the reduction in total development and average daily trips compared to the approved project, energy usage and water demand would be reduced under the proposed project. Therefore, GHG emissions would be reduced under the proposed project. The GHG reducing project features contained in the EUC SPA Plan’s Sustainability Element would still be applicable to the proposed project. No additional global climate change impacts would occur and the conclusions and mitigation measures identified in the previously-certified Final EIR remain accurate and applicable to the proposed project.

## **V. CONCLUSION**

Based on the findings and information contained in the previously-certified EIR, the analysis above, the CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the proposed modifications will not result in any new, increased, or substantially different impacts, other than those previously considered and addressed in the Project EIR. The proposed project will result in only minor technical changes or additions which are necessary to make the Environmental Impact Report adequate under CEQA. No changes or additions to the previously-certified EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, a Supplemental EIR is not required. This Addendum to the EIR is the appropriate environmental documentation for the proposed modifications to the project.

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Jeff Steichen  
Associate Planner

**ATTACHMENT A**  
**ANNOTATED PROJECT DESCRIPTION**