

# APPENDIX G

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Rolling Hills Ranch Agreement

## Rolling Hills Ranch

In conjunction with the City of Chula Vista MSCP Subarea Plan, all parties agree to the following:

1. Pacific Bay will implement the "Proposed Alternative" project, dated 5/8/01, prepared by Helix Environmental Planning, presented to the Resource Agencies and City. This plan, described generally, eliminates all development within Neighborhood 13, adds a small development area north of Neighborhood 12, and transfers lost density into Neighborhood 9, and is attached and incorporated herein as Exhibit "A".
2. Along the western edge of Neighborhood 11 Street YYYY (from approximately Lots 19-25) will be moved easterly. Pacific Bay will be allowed to grade steeper slopes, no steeper than 2:1, on the rear portion of the lots across Street YYYY from Lots 19 through 25 in order to preserve the developability of lots on both sides of the road. These changes will result in the loss of Lot 19. Provided however, grading within the area of former Lot 19 shall be kept to the minimum extent necessary to allow the support of Street YYYY and adjacent lots, in order to maximize the protection of tarplant.
3. The brush management protocol adjacent to Lots 19 through 25 in Neighborhood 11 and Lots 69 through 75 in Neighborhood 12 will be amended to allow for selective thinning to minimize impacts to narrow endemic species.
4. The project will be revised to preserve additional tarplant through the elimination of lots 9 through 12 in Neighborhood 11. No changes to the alignment of Street YYYY adjacent to these lots will be required. Chain link fencing will be allowed around the detention basin.
5. In the internal, open space corridor between Neighborhoods 9 and 10A, and Neighborhoods 11 and 12 ("Internal Open Space Area"), a tarplant management program will be established. The program will be funded by a non-wasting endowment, to be provided by Pacific Bay, in the amount of \$100,000. The Internal Open Space Area will be designated as a Tarplant Management Area ("TMA") in the Subarea Plan. The TMA will be managed by a qualified preserve manager to be approved by the City after consultation with the Wildlife Agencies. The Internal Open Space area will not be considered part of the MSCP Preserve, but will be credited as a component of onsite conservation for the Project.
6. Topsoil containing tar plant will be moved from development areas in Neighborhood 11 to the graded slopes in the Internal Open Space Area, in conjunction with the grading operation for the adjacent Neighborhoods.
7. The Project will be revised to preserve additional dudleya and provide ridge top connectivity along the easterly edge of the west ridge in Neighborhood 12. The reconfigured plan will be limited to redesign of Lots of 69 through 75 with loss of 6 to 7 lots per the Tentative Map configuration.
8. Pacific Bay will provide offsite mitigation for tarplant to include: (1) preservation of 5.8 acres (containing approximately 15,080 plants) within the San Miguel Mitigation

one parcel

Bank; and, (2) conservation of 10 acres containing a minimum of 15,000 plants in a location within the MSCP Preserve.

9. No further mitigation requirements for non-wetland MSCP Covered Species will be required by the Resource Agencies as part of the 1603 Agreement and/or 404 Permit for the project, provided however wetland-dependent species will be addressed in accordance with Section 4.2.4 of the Subarea Plan.
10. Proctor Valley Road shall be allowed to be realigned within the Project to avoid impact to the San Diego Cornerstone Lands, with no further mitigation to Narrow Endemics or other MSCP Covered Species.
11. Pacific Bay is not obligated to construct the reach of Proctor Valley Road from immediately east of the easternmost entrance into Neighborhood 9 to the eastern subdivision boundary ("Easternmost Reach"). Pacific Bay will grant a floating easement for the future alignment of this road, as determined the City. In lieu of Pacific Bay's obligation to construct the Easternmost Reach, Pacific Bay will provide equivalent funding for off-site T-DIF improvements to be determined by the City through the Traffic Enhancement Program.
12. The aforementioned revisions shall be implemented in conjunction with a Substantial Conformance determination to be made by the City of Chula Vista upon approval by the City Council of the Subarea Plan that incorporates this agreement. The details of the mitigation conditions contained herein shall be incorporated into the Mitigation Monitoring and Reporting Program for the Project with approval of the City.
13. The provisions of this agreement represent the total mitigation package for the Rolling Hills Ranch Project, notwithstanding paragraph number 9 above. The Project shall receive hardline coverage under the MSCP Subarea Plan, contingent only on compliance with the above as well as the provisions of the MSCP Subarea Plan.

Agreed and accepted:

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