APPENDIX A

NOP Comment Letters

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • 619 425-9600

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

April 21, 2016

Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Re: Village Four Sectional Planning Area EIR

To Mr. Steichen:

Thank you for the opportunity to respond to the Environmental Impact Report for the above-mentioned project. Please be advised that this project is within the Chula Vista Elementary School District, which serves children from Kindergarten through Grade 6.

State law currently provides for a developer fee of $1.48/sq. ft. of assessable area to assist in financing facilities needed to serve growth. The District encourages developer participation in alternative financing mechanisms to help assure that facilities will be available to serve children generated by new construction. We are currently utilizing Community Facilities Districts (CFD's) as one method to help fund this shortfall. Participation in a CFD is in lieu of developer fees, with school mitigation paid by the homeowner in the form of a special tax. Use of an alternative financing mechanism, such as participation, or annexation to, a CFD is highly recommended.

The District requests a copy of an approved (stamped/signed) tentative map when/if the project is approved, in order to comply with Office of Public School Construction eligibility audit. Your assistance in this matter would be greatly appreciated.

Thank you again for the opportunity to review the Environmental Impact Report for the above-mentioned project. If additional information is needed, please give our Facilities Planning Department a call at (619) 425-9600, Extension 1374.
Sincerely,

Sincerely,

Carolyn Scholl
Facilities Planning Manager

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

Notice of Preparation

April 26, 2016

To: Reviewing Agencies

Re: Environmental Impact Report for the Village Four Sectional Planning Area Plan
SCH# 2016041080

Attached for your review and comment is the Notice of Preparation (NOP) for the Environmental Impact Report for the Village Four Sectional Planning Area Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2016041080
Project Title Environmental Impact Report for the Village Four Sectional Planning Area Plan
Lead Agency Chula Vista, City of

Type NOP Notice of Preparation

Description Note: Ref SCH #1997091079 & 2004081066

Otay Valley Quarry, LLC is proposing to develop the approximately 165 acre site identified as Village Four in the Otay Ranch General Development Plan. Development of the site would consist of 69 single family residential dwelling units and up to 281 multi-family residential dwelling units and up to 281 multi-family residential dwelling units on approximately 34 acres of the project site, as well as approximately 12 acres for roadways and circulation right of way. The remainder of the project site would consist of open space and Multiples Species Conservation Plan (MSCP) Preserve.
The primary entry point into Village Four is from La Media Road.
The project proposes an approximately 2-mile eastern extension of Main Street which would provide additional access to the project site. In addition to the extension of Main Street, four internal village streets are proposed.
Additionally, the project would include a new sewer alignment that would connect with the Salt Creek Interceptor south of the project site.
The project would require an amendment to the Otay Ranch General Development Plan.

Lead Agency Contact

Name Jeff Steichen
Agency City of Chula Vista
Phone (619) 409-5859 **Fax** 619-585-5778
email
Address 276 Fourth Avenue
City Chula Vista **State** CA **Zip** 91910

Project Location

County San Diego
City Chula Vista
Region
Cross Streets within Otay Ranch
Lat / Long
Parcel No. 644-060-24
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use R: Single Fam (R-1)/Multi family (R-2)/Multi family (R-3)
Circulation: Developed Area
Open Space: Zone- OS-1 through OS-8
Preserve- OS-9 and OS-10

Project Issues Landuse; Biological Resources; Aesthetic/Visual; Air Quality; Noise; Water Quality; Geologic/Seismic; Soil Erosion/Compaction/Grading; Public Services; Housing; Population/Housing Balance

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Reviewing Agencies	Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 5; Department of Housing and Community Development; Office of Emergency Services, California; Native American Heritage Commission; Caltrans, District 11; Regional Water Quality Control Board, Region 9

Date Received 04/26/2016 ***Start of Review*** 04/26/2016 ***End of Review*** 05/25/2016

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: San Diego SCH# 2016041080

esources Agency

- [x] **Resources Agency**
  Nadell Gayou
- [ ] **Dept. of Boating & Waterways**
  Denise Peterson
- [ ] **California Coastal Commission**
  Elizabeth A. Fuchs
- [ ] **Colorado River Board**
  Lisa Johansen
- [x] **Dept. of Conservation**
  Elizabeth Carpenter
- [ ] **California Energy Commission**
  Eric Knight
- [ ] **Cal Fire**
  Dan Foster
- [ ] **Central Valley Flood Protection Board**
  James Herota
- [ ] **Office of Historic Preservation**
  Ron Parsons
- [x] **Dept of Parks & Recreation**
  Environmental Stewardship Section
- [ ] **California Department of Resources, Recycling & Recovery**
  Sue O'Leary
- [ ] **S.F. Bay Conservation & Dev't. Comm.**
  Steve McAdam
- [x] **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou

Fish and Game

- [ ] **Depart. of Fish & Wildlife**
  Scott Flint
  Environmental Services Division
- [ ] **Fish & Wildlife Region 1**
  Curt Babcock
- [ ] **Fish & Wildlife Region 1E**
  Laurie Harnsberger
- [ ] **Fish & Wildlife Region 2**
  Jeff Drongesen
- [ ] **Fish & Wildlife Region 3**
  Craig Weightman
- [ ] **Fish & Wildlife Region 4**
  Julie Vance
- [x] **Fish & Wildlife Region 5**
  Leslie Newton-Reed
  Habitat Conservation Program
- [ ] **Fish & Wildlife Region 6**
  Tiffany Ellis
  Habitat Conservation Program
- [ ] **Fish & Wildlife Region 6 I/M**
  Heidi Calvert
  Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Wildlife M**
  Becky Ota
  Marine Region

Other Departments

- [ ] **Food & Agriculture**
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] **Depart. of General Services**
  Public School Construction
- [ ] **Dept. of General Services**
  Cathy Buck/George Carollo
  Environmental Services Section
- [ ] **Delta Stewardship Council**
  Kevan Samsam
- [x] **Housing & Comm. Dev.**
  CEQA Coordinator
  Housing Policy Division

Independent Commissions,Boards

- [ ] **Delta Protection Commission**
  Michael Machado
- [x] **OES (Office of Emergency Services)**
  Monique Wilber
- [x] **Native American Heritage Comm.**
  Debbie Treadway
- [ ] **Public Utilities Commission**
  Supervisor
- [ ] **Santa Monica Bay Restoration**
  Guangyu Wang
- [ ] **State Lands Commission**
  Jennifer Deleong
- [ ] **Tahoe Regional Planning Agency (TRPA)**
  Cherry Jacques

Cal State Transportation Agency CalSTA

- [ ] **Caltrans - Division of Aeronautics**
  Philip Crimmins
- [ ] **Caltrans – Planning**
  HQ LD-IGR
  Terri Pencovic
- [ ] **California Highway Patrol**
  Suzann Ikeuchi
  Office of Special Projects

Dept. of Transportation

- [ ] **Caltrans, District 1**
  Rex Jackman
- [ ] **Caltrans, District 2**
  Marcelino Gonzalez
- [ ] **Caltrans, District 3**
  Eric Federicks – South
  Susan Zanchi - North
- [ ] **Caltrans, District 4**
  Patricia Maurice
- [ ] **Caltrans, District 5**
  Larry Newland
- [ ] **Caltrans, District 6**
  Michael Navarro
- [ ] **Caltrans, District 7**
  Dianna Watson
- [ ] **Caltrans, District 8**
  Mark Roberts
- [ ] **Caltrans, District 9**
  Gayle Rosander
- [ ] **Caltrans, District 10**
  Tom Dumas
- [x] **Caltrans, District 11**
  Jacob Armstrong
- [ ] **Caltrans, District 12**
  Maureen El Harake

Cal EPA

Air Resources Board

- [ ] Airport & Freight
  Cathi Slaminski
  - [ ] Transportation Projects
    Nesamani Kalandiyur
  - [ ] Industrial/Energy Projects
    Mike Tollstrup
- [ ] **State Water Resources Control Board**
  Regional Programs Unit
  Division of Financial Assistance
- [ ] **State Water Resources Control Board**
  Cindy Forbes – Asst Deputy
  Division of Drinking Water
- [ ] **State Water Resources Control Board**
  Div. Drinking Water #_____
- [ ] **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Phil Crader
  Division of Water Rights
- [ ] **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- [ ] **Department of Pesticide Regulation**
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [ ] **RWQCB 4**
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [ ] **RWQCB 7**
  Colorado River Basin Region (7)
- [ ] **RWQCB 8**
  Santa Ana Region (8)
- [x] **RWQCB 9**
  San Diego Region (9)

- [ ] **Other** _____
  _____
  _____
- [ ] _____
  Conservancy

Last Updated 4/25/2016

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471
Email: nahc@nahc.ca.gov
Website: http://www.nahc.ca.gov
Twitter: @CA_NAHC

Edmund G. Brown Jr., Governor

May 2, 2016

Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

RE: SCH# 2016041080 Village Four Sectional Planning Area Plan Project, Draft Environmental Impact Report, City of Chula Vista, San Diego County, California

Dear Mr. Steichen:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
   a. A brief description of the project.
   b. The lead agency contact information.
   c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
   d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
   a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
   a. Alternatives to the project.
   b. Recommended mitigation measures.

c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project's impacts on tribal cultural resources.
   d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
   a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
   b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
   a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
   b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
    a. Avoidance and preservation of the resources in place, including, but not limited to:
       i. Planning and construction to avoid the resources and protect the cultural and natural context.
       ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
    b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
       i. Protecting the cultural character and integrity of the resource.
       ii. Protecting the traditional use of the resource.
       iii. Protecting the confidentiality of the resource.
    c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
    d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
    e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
    f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
    b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have been already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
    a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
    b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
    a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
    b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
    c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5,

subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

San Diego County Archaeological Society, Inc.

Environmental Review Committee

14 May 2016

To: Mr. Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, California 91910

Subject: Notice of Preparation of a Draft Environmental Impact Report
Village Four Sectional Planning Area

Dear Mr. Steichen:

Thank you for the Notice of Preparation for the subject project, received by this Society last month.

We are pleased to note the inclusion of cultural resources in the list of subject areas to be addressed in the DEIR, and look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

SANDAG

401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
sandag.org

May 19, 2016

File Number 3300300

Mr. Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Dear Mr. Steichen:

SUBJECT: Village Four Sectional Planning Area Plan Notice of Preparation of a Draft Environmental Impact Report

Thank you for the opportunity to comment on the Village Four Sectional Planning Area (SPA) Plan Notice of Preparation (NOP). Our comments are based on policies included in San Diego Forward: The Regional Plan (Regional Plan), and are submitted from a regional perspective emphasizing the need for land use, transportation coordination, and implementation of smart growth and sustainable development principles. The Regional Plan sets forth a multimodal approach to meeting the region's transportation needs. Therefore, the San Diego Association of Governments (SANDAG) recommends the following issues be addressed:

State Route 125

SANDAG suggests expanding the Transportation, Circulation, and Access section of the Draft Environmental Impact Report (EIR) to incorporate an analysis of the potential impact to State Route 125 (SR 125) toll road infrastructure and business operations. This analysis could examine absorbing potential vehicle throughput, plans for arterial intersections, and impacts on existing points of entry and egress.

Long Range Transportation

SANDAG encourages the City of Chula Vista to consider transit access to future transit routes, specifically Route 225 (South Bay *Rapid*) and Route 635 (Eastlake to Palomar Trolley via Main Street Corridor), as identified in the Regional Plan. The *Rapid* route will be in operation by 2018, while Route 635 is scheduled to open by 2035.

As a part of this project, the City of Chula Vista may decide to augment major arterials through the use of federal funds, which could result in a significant increase in carrying capacity. The federal regulations guiding the SANDAG Congestion Management Process require that the city demonstrate the project considered a multi-modal analysis when selecting a preferred project design.

Transportation Demand Management

Please consider integrating Transportation Demand Management (TDM) strategies to assist with reducing vehicle miles traveled associated with Village Four in the Otay Ranch community. TDM strategies can be applied to accommodate the needs of the Village Four residents and should be coordinated with the adjacent villages. TDM strategies could include

- Bike and pedestrian infrastructure and amenities that reduce the need for auto travel within the greater Otay Ranch community
- Provision of wayfinding signage for pedestrians and cyclists
- Subsidized transit passes for residents, given the proximity to the forthcoming South Bay *Rapid* service
- Increasing first and last mile solutions to planned *Rapid* stations and existing transit services through implementation of carshare and bikeshare programs in coordination with adjacent villages
- Participation in the regional TDM program (iCommute) to promote services such as the Regional Vanpool Program, online ridematching, multimodal trip planning, and the Guaranteed Ride Home Program

More information on these programs can be found at iCommuteSD.com. The SANDAG TDM division can assist with integration of these measures as part of this project.

Other Considerations

We encourage, where appropriate, consideration of the following tools in evaluating this project based on these SANDAG publications (which can be found on our website at sandag.org/igr).

1. SANDAG Regional Parking Management Toolbox
2. Riding to 2050, the San Diego Regional Bike Plan
3. Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in Environmental Impact Reports
4. Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region

When available, please send the Draft EIR to:

Intergovernmental Review
c/o SANDAG
401 B Street, Suite 800
San Diego, CA 92101

We appreciate the opportunity to comment on the Village Four SPA Plan NOP. If you have any questions, please contact me at (619) 595-5609 or via email at katie.hentrich@sandag.org.

Sincerely,

Katie Hentrich

KATIE HENTRICH
Regional Planner

KHE/tak

DEPARTMENT OF TRANSPORTATION
DISTRICT 11, DIVISION OF PLANNING
4050 TAYLOR ST, M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY 711
www.dot.ca.gov

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May 19, 2016

11-SD-125
1.45 PM
Notice of Preparation

Mr. Jeff Steichen, Project Manager
Development Planning Division
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Dear Mr. Steichen:

The California Department of Transportation (Caltrans) has reviewed the Notice of Preparation (NOP) for the proposed Village Four Sectional Planning Area Plan in proximity to State Route 125 (SR-125). Caltrans has the following comments:

Traffic Study
A traffic impact study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The study should use as a guideline the *Caltrans Guide for the Preparation of Traffic Impact Studies*. Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.

A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

All freeway entrance and exit ramps where a proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities should be analyzed. If ramp metering is to occur, a ramp queue analysis for all nearby Caltrans metered on-ramps is required to identify the delay to motorists using the on-ramps and the storage necessary to accommodate the queuing. The effects of ramp

ramps and the storage necessary to accommodate the queuing. The effects of ramp metering should be analyzed in the traffic study. However, ramp meter delays above 15 minutes are considered excessive.

The data used in the TIS should not be more than 2 years old.

Caltrans endeavors that any direct and cumulative impacts to the State Highway System be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.

Mitigation measures to State facilities should be included in TIS. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

The City's General Plan Circulation Element proposes a future extension of Main Street to SR-125 and the proposed Main Street/Rock Mountain Road Interchange. The TIS should include this future interchange in its horizon year analysis.

If you have any questions, please contact Mark McCumsey at (619) 688-6802 or by email at mark.mccumsey@dot.ca.gov

Sincerely,

JACOB M. ARMSTRONG, Branch Chief
Development Review Branch

U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
(760) 431-9440
FAX (760) 431-9624

California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
(858) 467-4201
FAX (858) 467-4299

In Reply Refer To:
FWS/CDFW-16B0257-16CPA0300

JUN 03 2016

Mr. Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, California 91910

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Village Four Sectional Planning Area Plan, City of Chula Vista, California

Dear Mr. Steichen:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the above-referenced Notice of Preparation (NOP) dated April 21, 2016, for a draft Environmental Impact Report (DEIR). The Wildlife Agencies have identified potential effects of this project on wildlife and sensitive habitats. The project details provided herein are based on the information provided in the NOP and associated documents including information submitted as part of the draft Functional Equivalency Analysis for Otay Ranch Village 4 Boundary Adjustment (City of Chula Vista, February 2016). The comments and recommendations provided are based on our knowledge of sensitive and declining vegetation communities in the City of Chula Vista (City) and our participation in regional conservation planning efforts.

The primary concern and mandate of the Service is the protection of fish and wildlife resources and their habitats. The Service has the legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service also is responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(2)(A) of the Act. The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (§§15386 and 15381, respectively; CEQA) and is responsible for ensuring appropriate conservation of the State of California's (State) 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 (Fish and Game Code 2800, *et seq.*). On November 2003, the Service and Department issued their respective permits for the City's Multiple Species Conservation Program (MSCP) Subarea Plan (SAP). The City's SAP is the mechanism by

which the City has obligated to assemble a preserve consistent with the goals of the MSCP Subregional Plan.

Otay Valley Quarry, LLC is proposing to develop the approximately 165-acre site identified as Village Four in the Otay Ranch General Development Plan. Development of the site would consist of 69 single family residential dwelling units and up to 281 multi-family residential dwelling units on approximately 34 acres of the project site, as well as approximately 12 acres for roadways and circulation right-of-way. The remainder of the project site would consist of open space and Multiples Species Conservation Plan (MSCP) Preserve. The primary entry point into Village Four is from La Media Road. The project proposes an approximately 2-mile eastern extension of Main Street which would provide additional access to the project site. In addition to the extension of Main Street, four internal village streets are proposed. Additionally, the project would include a new sewer alignment that would connect with the Salt Creek Interceptor south of the project site. The project would require an amendment to the Otay Ranch General Development Plan.

We offer the following specific 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 all applicable requirements of the approved SAP.

1. There are a number of endangered, threatened, MSCP-covered and narrow endemic species and their habitats known to occur in and around the project area. Based on preliminary maps of the proposed project, we are specifically concerned about impacts to the federally threatened and State endangered Otay tarplant [*Deinandra conjugens* (*Hemizonia c.*)]. The Otay tarplant population in Wolf Canyon, bordering the northern boundary of the project, is considered a major population within MSCP. The numbers and distribution of this and other potentially occurring sensitive species are especially important considerations for a proposed Boundary Line Adjustment (BLA). A BLA should not result is substantial additional losses to covered species that are not adequately offset. Updated surveys, if and where appropriate, may be necessary to determine effects to the preserve resulting from a BLA.

2. The DEIR should address the detention basin, and its coverage through the NCCP as part of the planned facility at Heritage Bridge. The DEIR should also address the BLA, and the selection of Alternative C alignment for the access road to the detention basin. The DEIR should also include an analysis demonstrating that the water quality basin has been located in the least environmentally sensitive location, and include an explanation of why water quality needs cannot be provided on site for the planned facility.

3. The DEIR for the Sectional Planning Area Plan for Village 4 should demonstrate that a Preserve Edge Plan has been developed for the project to minimize edge effects to the preserve. The Preserve Edge Plan should identify allowable uses within the appropriate land use designations for areas adjacent to the Preserve. Consistent with Resource Management Plan Policy 7.2, the Preserve Edge is a publicly or privately owned 100-foot wide strip of land adjacent to the Preserve. The focus of the Edge Plan should address

relevant adjacency management guidelines including, but not limited to, access control, noise, drainage, lighting, invasive species, buffers/brush management, and toxic substances.

4. The DEIR should address the proposed increase in density along open space preserve areas and wildlife corridors within Wolf Canyon which may conflict with General Plan Land Use Policy 77.2 (LUT 77.2), which limits land uses in this area to low/medium density and large lot single family residential. Materials submitted to the Wildlife Agencies related to a BLA show high density development adjacent to the Preserve boundary. This should be analyzed further with regard to the Otay Ranch Wildlife Corridor Study and related General Development Plan Programmatic EIR which had determined that increased residential density along the urban/preserve interface could be incompatible with adjacent wildlife corridors.

We appreciate the opportunity to comment on the subject NOP. If you have questions regarding this letter, please contact Elyse Levy of the Department at (858) 467-4237 or Eric Porter of the Service at (760) 431-9440, extension 285.

Sincerely,

for Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service

Gail K. Sevrens
Environmental Program Manager
California Department of Fish and Wildlife

cc:
State Clearinghouse

County of San Diego

MARK WARDLAW
DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

DARREN GRETLER
ASSISTANT DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

June 6, 2016

Jeff Steichen
City of Chula Vista
276 Fourth Avenue
Chula Vista, California 91910

Via E-mail: jsteichen@chulavistaca.gov

COMMENTS ON THE VILLAGE FOUR SECTIONAL PLANNING AREA PLAN – NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT

Dear Mr. Steichen:

The County of San Diego (County) has reviewed the Notice of Preparation (NOP) of a Draft Impact Report (DEIR) for the Village Four Sectional Planning Area Plan. The County has identified potential issues that involve the Department of Environmental Health (DEH), the Department of Parks & Recreation (DPR) and Planning & Development Services (PDS).

DEPARTMENT OF ENVIRONMENTAL HEALTH

The Department of Environmental Health's Vector Control Program (VCP) protects the public health by surveillance and control of mosquitoes that are vectors for human disease including West Nile Virus (WNV).

The VCP respectfully requests that the project's Environmental Impact Report (EIR) considers impacts arising from potential mosquito breeding sources created by the project and that the project be designed and constructed in a manner to minimize those impacts. These potential mosquito breeding sources include but are not limited to the design and maintenance of storm water control and detention structures (e.g. catch basins, storm water treatment units, rip-rap and bio-swales), construction-related depressions created by grading activities and vehicle tires, fountains, ornamental water features, planters/tree pits and landscaping. Any area that is capable of accumulating and holding at least one half inch of water for more than 96 hours can support mosquito breeding and development. Finally, if habitat remediation is required for the project, the design should be consistent with guidelines for preventing mosquito habitat creation.

Please note, the VCP has the authority, pursuant to state law and County Code, to order the abatement of any mosquito breeding that does occur during construction or after the project is completed if it is determined to be a vector breeding public nuisance. VCP will exert that authority as necessary to protect public health if the project is not designed and constructed to prevent such breeding.

The County of San Diego Guidelines for Determining Significance for Vectors can be accessed at http://www.sandiegocounty.gov/content/dam/sdc/pds/docs/vector_guidelines.pdf.

The California Department of Public Health Best Management Practices for Mosquito Control in California is available at:
http://www.cdph.ca.gov/HealthInfo/discond/Documents/BMPforMosquitoControl07-12.pdf

PARKS AND RECREATION

The Village Four development proposal is immediately north of the Otay Valley Regional Park. The County partners with the cities of San Diego and Chula Vista to plan, operate and maintain the Park. The County has the following comments:

1. Section: Public Services and Utilities - Parks and Recreation should include a discussion of goals, policies and objectives related to access and connections that link the City's open space and trails network and the regional network, in accordance with the Chula Vista MSCP Subarea Plan, Chula Vista Greenbelt Master Plan, Otay Valley Regional Park Concept Plan and the regional County Master Trail Plan. Any trails or utility facilities located near the preserve will need to be designed, monitored and managed to prevent unauthorized access to the adjacent preserve areas.

PLANNING & DEVELOPMENT SERVICES

1. Given this project's location within the joint City of Chula Vista/County Preserve Areas, the project should include the required "Preserve Edge Plan" per the Resource Management Plan (RMP) adopted by both the City of Chula Vista and County in October 1993. This plan should address the edge conditions, landscaping, function, use and maintenance/monitoring within the 100-foot development edge buffer.
2. Resource Management Plan and the Resource Management Plan Phase II (RMP2) should address the relationships and impacts to the conveyance requirement, open space and species/habitats. This would include adequate mitigation for the impacts to biological and cultural resources. This RMP should directly address known "deficiencies" in acreages being conveyed to the Preserve Operator Manager (POM). Recently, joint meetings with City/County staff have indicated that the "deficiencies" are larger than originally anticipated. These known differences in conveyance acreages should be addressed in this EIR. The RMP/RMP2 analysis should also include updating management strategies and biological plans. The RMP should be updated to address the implementation of the Vernal Pool Preservation and Management Plan, Vernal Pool Mitigation, Biota Monitoring Program and Raptor Plan.
3. Impacts to Golden Eagle should take into account the findings and recommendations of the United States Geological Survey (USGS) – Data Series 994. In addition, the biological study should analyze the requirement to prepare a raptor management plan as part of the

RMP2. The Ogden Raptor Study was prepared to address potential impacts of the Otay Ranch General Development Plan (GDP) on raptor habitat and to "provide recommendations for the preparation of a subsequent long-term management program."

4. The NOP states that the GDP would require an amendment. The EIR and other documents should specify to what extent will the GDP be amended and how changes will cumulatively impact unincorporated areas and County-owned properties in the Otay Ranch area.

The County appreciates the opportunity to participate in the environmental review process for this project. We look forward to providing additional assistance at your request. If you have any questions regarding these comments, please contact Danny Serrano, Land Use/Environmental Planner, at (858) 694-3680, or via email at Daniel.Serrano@sdcounty.ca.gov.

Sincerely,

Joseph Farace, AICP
Group Program Manager
Advance Planning Division

e-mail cc:
Michael De La Rosa, Policy Advisor, Board of Supervisors, District 1
Megan Jones, Group Program Manager, LUEG
Mary Wells Bennett, Administrative Analyst, Department of Environmental Health
Marcus Lubich, Park Project Manager, Department of Parks and Recreation
Greg Mattson, Project Manager, Planning & Development Services