



Village Seven Sectional Planning Area Plan and Tentative Maps

Final Environmental Impact Report

EIR-04-06

SCH No. 2003111050

October 12, 2004

Comment



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92009



In Reply Refer To:
FWS-SDG-4102.1

Marni Borg
Environmental Projects Manager
City of Chula Vista
276 Fourth Avenue
Chula Vista, California 91910

JUL 30 2004

Re: Draft Environmental Impact Report for the Otay Ranch Village 7 Sectional Planning Area Plan and Tentative Maps, City of Chula Vista, San Diego County, California

Dear Ms. Borg:

The U.S. Fish and Wildlife Service (Service) has reviewed the above-referenced Draft Environmental Impact Report (DEIR), dated June 2004, and received by the Service on June 15, 2004, regarding development of two ownerships within Village 7 of the Otay Ranch General Development Plan area. A description of the proposed project and Service concerns relative to the proposed action are presented below.

The proposed project will consist of development (predominantly residential) of the McMillian Otay Ranch LLC and Otay Project LP ownerships within Village 7 of the Otay Ranch General Development Plan area. The proposed project also includes off-site improvements, including road and infrastructure improvements, which are needed to serve the proposed development of these ownerships. Together, these three components will be referred to as the "project". The proposed project will directly eliminate on-site sensitive habitat including restored maritime succulent scrub (1.2 acres), coastal sage scrub (0.1 acre), disturbed coastal sage scrub (0.3 acre), and annual non-native grassland (33.5 acres). Other non-sensitive habitat which will be eliminated on-site includes agriculture (287.0 acres) and disturbed habitat (13.1 acres). The proposed project is located within the central area of the Otay Valley Parcel of the Otay Ranch General Development Plan Area in the City of Chula Vista.

The Service is concerned regarding the loss of the 1.2 acres of maritime succulent scrub (MSS) associated with the proposed project and potential impacts to Otay tarplant (*Deinandra conjugens*, federally listed as threatened) and other sensitive species. Portions of the south facing slopes of Wolf Canyon, which lies directly adjacent to, and down stream of, the proposed project are currently under restoration for MSS and Otay tarplant as a result of mitigation requirements relating to the Otay Ranch Village One project for a 4(d) permit that was issued for take of



Response

1-1 This comment indicates that the U.S. Fish and Wildlife Service has reviewed the Draft EIR. The comment does not raise specific issues related to the EIR, therefore, no additional response is necessary.

1-2 This comment provides a description of the project as presented in Section 3.0, *Project Description*, and Section 4.11, *Biology*, of the EIR and does not raise specific issues related to the EIR, therefore, no additional response is necessary.

1-3 As noted in the EIR, the area of revegetated maritime succulent scrub (MSS) is outside of both the Resource Management Plan (RMP) and Multiple Species Conservation Program (MSCP) Preserve boundaries and is not proposed for conservation under either plan.

The Program EIR for the Otay Ranch General Development Plan (GDP) identified impacts to biological resources, including MSS vegetation communities, and provided mitigation for those impacts that would be carried out through implementation of the RMP. In addition and as also noted in Section 4.11.3 of the EIR, the revegetated MSS in question was created after adoption of the RMP and, therefore, was not intended to be conserved under the RMP. The EIR correctly identifies the loss of the revegetated MSS as significant given that MSS is considered a sensitive plant species. The RMP and MSCP allow for losses in sensitive resources in certain areas outside of the designated Preserve areas are compensated for by conservation of resources inside the Preserve. Compliance with mitigation measure 4.11-1 (page 4.11-25 of the Draft EIR), listed below, would fully mitigate the project's impacts to MSS.

4.11-1 "Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.188 acres for each acre of development area, or pay a fee in lieu"

Wolf Canyon is identified as a wildlife corridor; however, the upper reaches of Wolf Canyon that would be affected by the proposed project are outside the area of Wolf Canyon identified as wildlife corridor. As stated on page 4.11-17 of the EIR, "Wolf Canyon to the west of the project site functions as a local wildlife corridor and may provide a corridor for target mammal species such as mountain lions, bobcats and deer species. This local corridor does not extend onto the Otay Project LP TM project site or off-site borrow area; therefore, Otay Project LP TM project site does not provide habitat linkage or wildlife corridor functions." The preservation of the 1.2 acre area would not enhance any wildlife corridor.

Comment

Marni Borg (FWS-SDG-4102.1)

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1-3 coastal sage scrub. The proposed project would eliminate 1.2 acres of MSS, inside the Village One restoration area but outside the boundary of the Irrevocable Offers of Dedication lands. This 1.2 acres of MSS supports sensitive species and contributes to the integrity of the Wolf Canyon wildlife corridor. The Service recommends that the proposed project be designed in such a way as to prevent the loss of this 1.2 acres of MSS for the reasons outlined below. Furthermore, the 1.2-acre site should be placed in conservation.

1-4 1. According to the *Draft Biological Resources Report for Otay Ranch Village Seven, City of Chula Vista, San Diego County, California* (Biological Report, March 2004) included in the DEIR (Volume 3, Appendix H-2) the Otay tarplant has a "moderate potential" for occurring on this parcel. Focused rare plant surveys (Focused Surveys, DEIR Volume 3, Appendix H-3) in 2004 did not detect this species on the 1.2-acre site. However, the report notes that the previous winter rainfall had been considerably less than average and the abundance of native annuals in the area were less than normal. Therefore, this species may be present on the 1.2-acre site, but went undetected due to the unfavorable rainfall conditions.

1-5 2. The DEIR notes that there may be adverse indirect impacts to sensitive plant species associated with project development, particularly Otay tarplant off-site. According to the DEIR, construction of the project would result in dust, soil erosion, and runoff, which may indirectly affect sensitive plant species. The DEIR also notes that long-term impacts may occur due to the introduction of humans at the project site and exposure to urban pollutants. The DEIR considers these impacts "significant". Preservation of the MSS on-site may help mitigate for these indirect project effects.

1-6 3. The DEIR notes that the San Diego sunflower (*Viguiera laciniata*) has a high potential to occur in the revegetated MSS, but focused surveys conducted in 2004 did not detect any sensitive species. Again, this species may have gone undetected due to unfavorable rain conditions in 2004.

1-7 4. The DEIR notes that the California horned lark (*Eremophila alpestris actia*) and the sharp-shinned hawk (*Accipiter striatus*) have been previously identified on-site. The DEIR states that loss of foraging habitat for these two species are considered significant and unmitigable. However, the MSS habitat provides suitable foraging habitat for these species and preservation of this parcel could be used to off-set these impacts. This is especially true since this 1.2-acre site is adjacent to the larger restoration project in Wolf Canyon which provides permanent protection for a large contiguous habitat patch.

1-8 5. According to the DEIR, the Resource Management Plan for the Otay Ranch requires restoration of approximately 56 acres of MSS and coastal sage scrub (CSS) within the Otay Ranch Project. The proposed project would lead to the loss of 0.4 acre of CSS requiring mitigation through restoration. Placement of this 1.2-acre parcel of MSS into conservation may help address these requirements.

1-9 6. The DEIR states that Wolf Canyon functions as a local wildlife corridor and may provide a corridor for target mammal species such as mountain lions (*Felis concolor*), bobcats (*Felis rufus*), and deer (*Odocoileus hemionus*). This local corridor could be enhanced by preservation of this 1.2-acre parcel.

Response

1-4 It is acknowledged that the potential for occurrence for a sensitive species such as Otay tarplant or the San Diego Sunflower could result in significant impacts. As such, the EIR identifies potential impacts to sensitive species as significant (page 4.11-24). Mitigation for the impacts is provided through conveyance of Preserve land in accordance with the requirements of the RMP (mitigation measure 4.11-1), and consistent with the mitigation identified in the Program EIR for the Otay Ranch General Development Plan. However, as discussed on page 4.11-12, there is very low potential for sensitive plant species to be present due to the historical agricultural use of the site.

1-5 The commentor correctly notes that the EIR identifies indirect impacts to sensitive plant species as significant. As such, the EIR provides mitigation (mitigation measure 4.11-5) for indirect impacts to the tarplant, and no additional mitigation is necessary. MSS is mitigated through the provisions of the RMP and has no relationship to mitigating indirect effects.

1-6 Please see response to comment number 1-4, above.

1-7 Please see response to comment number 1-3, above. Conservation provided through the RMP provides for adequate and appropriate mitigation for impacts to foraging habitat for the noted raptor species, pursuant to the findings of the Program EIR for the Otay Ranch General Development Plan.

1-8 The 56-acre MSS restoration requirement is not proposed to be modified with the proposed project. Therefore, impacts to the 1.2-acre area of revegetated MSS would not change the restoration requirements. Additionally, the conservation of MSS would not compensate for loss of CSS.

1-9 Please see response to comment number 1-3, above.


Comment

Mami Borg (FWS-SDG-4102.1)

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The Service appreciates the opportunity to comment on the DEIR. Please contact Chris Otahal of my staff at (760) 431-9440, extension 203, if you have any questions concerning this letter.

Sincerely,


For Therese O'Rourke
Assistant Field Supervisor

cc: David Mayer, California Department of Fish and Game, San Diego, California

Response

Comment



Arnold
Schwarzenegger
Governor

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



Jan Boel
Acting Director

July 29, 2004

Marni Borg
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Subject: Village 7 Sectional Planning Area Plan and Tentative Maps Draft EIR
SCH#: 2003111050

Dear Marni Borg:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 28, 2004, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

2-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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

Response

2-1

Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan EIR*.

Comment

Response

Document Details Report State Clearinghouse Data Base

SCH# 2003111050
Project Title Village 7 Sectional Planning Area Plan and Tentative Maps Draft EIR
Lead Agency Chula Vista, City of

Type EIR Draft EIR
Description Development of an 288.5-acre site in Village 7 of the Otay Ranch General Development Plan, located in the Eastern Territories area of the City, with 756 single-family residential lots, 448 multi-family dwelling units, public park, community purpose facilities, elementary and high school sites, open space, and as well as circulation, trail and infrastructure network to serve these uses.

Lead Agency Contact

Name Marni Borg
Agency City of Chula Vista
Phone 619-409-5913
email
Address 276 Fourth Avenue
City Chula Vista
State CA **Zip** 91910

Project Location

County San Diego
City Chula Vista
Region
Cross Streets Birch Road
Parcel No. 643-060-13-00; 644-030-14, 11
Township **Range** **Section** **Base**

Proximity to:

Highways Proposed SR 125
Airports
Railways
Waterways
Schools
Land Use Low Medium Village (LMV), Medium High Residential (MH), Mixed Use (MU), Park, Elementary School, Middle School, High School.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Geologic/Seismic; Growth Inducing; Landuse; Noise; Other Issues; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 9; Department of Parks and Recreation; Native American Heritage Commission; Department of Forestry and Fire Protection; Office of Historic Preservation; Department of Housing and Community Development; Department of Fish and Game, Region 5; Department of Water Resources; Office of Emergency Services; Department of Conservation; California Highway Patrol; Caltrans, District 11; Department of Toxic Substances Control

Date Received 06/14/2004 **Start of Review** 06/14/2004 **End of Review** 07/28/2004

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

Comment

Response

State of California – The Resources Agency

ARNOLD SCHWARZENEGGER, Governor



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



July 28, 2004



Ms. Marilyn Pongeggi
City of Chula Vista
Community Development Department
276 Fourth Avenue
Chula Vista, California 91911

Re: Comments on the Draft Environmental Impact Report for the Village Seven Sectional Planning Area Plan and Tentative Maps, City of Chula Vista, California (SCH 2003111050; CEQA 2004 0577 R5)

Dear Ms. Pongeggi:

The California Department of Fish and Game (Department) has reviewed the above-referenced Draft Environmental Impact Report (EIR). The 288.5-acre site is located at the southeast intersection of Interstate-805 (I-805) and Main Street in southeastern Chula Vista. The project includes the construction of seven buildings for restaurant and retail purposes, parking lots, and associated public infrastructure facilities. The southern 6.8 acres of the site, consisting of the Otay River and its associated riparian habitats, will be dedicated into the Otay Valley Regional Park for conservation and/or recreation purposes.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381 respectively. The Department is responsible for the conservation, protection, and management of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Planning Program (NCCP).

The Department recommends that the following be required in the Final EIR to reduce potential impacts to sensitive wildlife species and habitat types within and/or adjacent to the project site:

1. Erosion reduction measures, preferably vegetated swales, or possibly oil and water separators, should be installed within the grading/development footprint of the project, and avoid areas dedicated to the Chula Vista MSCP Preserve. As stated in the Draft EIR, locations of such features should be identified on development plans prior to initiation of grading.
2. It is not clear in the EIR or the supporting biology technical reports if focused surveys for burrowing owls (*Athene cunicularia*) have ever been performed. The Helix 2004 report rates the potential for occurrence was "low to moderate", and that no burrows were observed, but no information on the times of day or the level of effort undertaken is provided. The Dudek 2004 report indicates that there is "high potential" for occurrence.

3-1 This comment does not describe the *Village 7 SPA Plan* project. Please refer to Section 3.0 of the EIR for an accurate project description.

3-2 Comment noted.

3-3 The project site is not within the MSCP Preserve area. Section 4.7, *Hydrology/Drainage/Water Quality*, of the EIR describes the extensive regulatory requirements that are established to control pollution and provides five mitigation measures (mitigation measures numbers. 4.7-1 through 4.7-5) that address pollution and erosion control. Additionally, all pollution control devices will be approved by the City Engineer and will be installed within the grading footprint of the project and will be shown on grading and improvement plans. None of these facilities will impact the preserve.

In the post-project condition, runoff from a large portion of the Eastern Urban Center, located immediately upstream of the project site, and runoff from a large portion of the Village 7 project will be collected within a proposed on-site storm drain system that will discharge into the forebay and detention basins located on-site within Wolf Canyon (referred to as the Wolf Canyon Water Quality and Detention Basin). The Wolf Canyon Basin will be designed to handle, treat, and detain the required post-project flows. As stated on page 4.7-8 of the EIR, "The basins are designed to treat the required water quality volume of 11.3 acre-feet and detain the 2-, 10-, and 100-year storm events. The 2- and 10-year storm events are to mitigate for downstream erosion (per City of Chula Vista SUSMP) and the 100-year storm event is to attenuate flows to pre-project levels (per City of Chula Vista Subdivision Manual)."

The project proposes Source Control, Site Design, and specific Treatment Control best management practices (BMPs) in each storm drain prior to discharge in Wolf Canyon. The treatment control BMPs will range from inlet filter inserts to hydrodynamic separators. Flow-based BMPs have been proposed at the downstream end of the storm drain systems to treat 85th percentile runoff from the project site and La Media. These treatment units separate sediment, trash, oil, and grease from stormwater runoff. Such flow-based treatment units could include Vortechs units, CDS units, or a number of other approved equivalent treatment units. After treatment in the flow-based BMP, runoff will then discharge to the detention facility located just upstream of La Media.

3-4 No burrowing owls or burrow sites were found or are expected at the project site. Burrowing owl surveys were conducted for the project site as part of the biological studies done for the project. Helix Environmental, Inc. (Helix) biologists walked the entire McMillin Otay Ranch, LLC ownership site in September 2003, and no evidence of burrowing owls or likely burrow sites were observed. For the Otay Project LP project site, including the 44.4-acre off-site borrow area, Dudek conducted field surveys in July 2003 and did not find any burrowing owls or likely burrow sites. Bonterra Consulting conducted a field survey of the off-site road connector area in June 2004 and, similarly, did not encounter any burrowing owls or likely burrow sites.

The majority of the *Village 7 SPA Plan* site is overgrown with weedy species and does not support optimal burrowing owl habitat. Additionally, surveys conducted by Helix on

Comment

Response

the adjacent Freeway Commercial Project site in April 2004 did not detect the presence of burrowing owls.

Although no impacts to burrowing owls are anticipated, the agency's recommendations will be implemented and focused surveys for burrowing owl will be required prior to grading. If evidence of occupied burrows is discovered, and avoidance is not practicable, a mitigation plan will be prepared to identify opportunities and methodology for relocation. Mitigation measure 4.11-2 has been added to address this issue, and it reads:

4.11-2 *“Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.”*

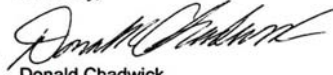
Ms. Marilyn Pongeggi
CEQA 2004 0577 R5

recommends that the entire project area be assessed for potential burrows and habitat use by burrowing owls, following the Department's recommended protocol. Particular attention should be given to areas supporting ground squirrels, as well fencelines, boulders, debris piles, or other features which result in an absence of discing. The open agricultural fields represent excellent potential foraging habitat; therefore, the possible use of the site by owls residing in adjacent suitable habitat should also be addressed. Even if focused surveys are negative, the possible need to perform subsequent, pre-construction surveys to ensure owls have not come to occupy the site during the time between environmental review and initiation of grading should be addressed.

- 3-5 3. If burrowing owls are found to occupy the site, we recommend avoidance of the occupied burrow area and a minimum of 6.5 acres of immediately surrounding habitat be permanently preserved. If this is not practicable either due to the project design/needs, or cannot be implemented in a way which ensures long-term conservation of the owl habitat, a mitigation plan should be prepared by the developer. This plan should be jointly approved by the City of Chula Vista, Department, and U.S. Fish and Wildlife Service, and implemented within lands which are designated for long-term conservation within the Otay Ranch region. The mitigation plan should follow guidelines in the Department's Staff Report on Burrowing Owl Mitigation (1995).
- 3-6 4. Compliance and mitigation measures relating to streambeds and wetlands under State jurisdiction will be addressed through the Departments 1600 permitting process.

The Department appreciates the opportunity to comment on the draft EIR for the Village 7 project. Please contact David Mayer at (858) 467-4234 if you have any questions or comments regarding this letter.

Sincerely,



Donald Chadwick
Senior Environmental Scientist
California Department of Fish and Game

cc: State Clearinghouse
Kathleen Brubaker, U.S. Fish and Wildlife Service

Response

- 3-5 As noted above, a pre-construction survey for burrowing owls will be conducted prior to initiating grading. If burrowing owls are observed, the owls shall be relocated off-site to an area acceptable to the City and CDFG.
- 3-6 Comment noted. Table 3-2, *Actions Required from Other Agencies*, identifies the need to obtain Streambed Alteration Agreements in compliance with Section 1602 of the California Fish and Game Code.

Comment



Terry Tamminen
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

Edwin F. Lowry, Director
1011 N. Grandview Avenue
Glendale, California 91201



Arnold Schwarzenegger
Governor

June 24, 2004

Ms. Marni Borg
City of Chula Vista
276 Fourth Avenue
Chula Vista, California 91910

DRAFT ENVIRONMENTAL IMPACT REPORT FOR OTAY RANCH VILLAGE 7
SECTIONAL PLANNING AREA PLAN, CHULA VISTA, SAN DIEGO COUNTY,
CALIFORNIA (SCH 2003111050)

Dear Ms. Borg:

The Department of Toxic Substances Control (DTSC) has reviewed the draft Environmental Impact Report (DEIR), dated June 14, 2004, for the subject project. The due date to submit comments is July 28, 2004.

Based on a review of the DEIR, DTSC is providing the following comments:

- 4-1 1. The project includes the development of a park, an elementary and a high school. Compliance with the requirements of California Education Code, section 17268(a) or 17213(a) may be necessary.
- 4-2 2. Since the site area has been used for agricultural purposes, pesticides (e.g., DDT, DDE, toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC has developed the "Interim Guidance for Sampling Agricultural Soils (Second Revision), dated August 2002." This Guidance should be followed for sampling agricultural properties where development is anticipated. The DEIR confirmed that arsenic and pesticides were detected onsite at levels that exceeded the preliminary remediation goals (PRGs) designated by the U.S. Environmental Protection Agency.
- 4-3 3. All appendices were not included in the DEIR. DTSC has no opportunities to review them, in particular, those contained in Appendix L. While the DEIR reported that DDE, DDT and toxaphene had been detected in excess of PRGs, the DEIR also stated that these pesticides did not exceed California hazardous
- 4-4

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Response

4-1 The project includes the designation of elementary school, high school, and park uses; however, it does not include the acquisition or development of school land. California Education Code, sections 17213(a) and 17268 pertain to the acquisition and construction of school sites, which are not proposed by the project. Should the School District's choose not to acquire the land and construct school facilities in those areas identified for school uses, then the land use plan shown by Figure 3-8, *Land Use Districts*, for the project also provides alternative land uses (Residential Multi-Family One) for those sites.

No areas within Village 7 have been identified as being evaluated by the State of California or federal government for remedial action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or any other environmental regulations. In addition, based on federal, state, and local environmental databases, there are no current or former hazardous waste disposal sites, solid waste sites, hazardous substance release sites, or sites containing pipelines that convey hazardous substances located within a one-mile radius of the project site.

4-2 If any of the identified school sites in Village 7 are determined to be potential acquisition sites for the school district, subsequent analysis would be conducted in accordance with the "Interim Guidance for Sampling Agricultural Soils" and Sections 17268(a) and 17213(a) of the California Education Code, as well as other relevant sections of the California Education Code. According to the "Interim Guidance for Sampling Agricultural Soils", this guidance pertains to new school sites and/or new construction school expansion projects as a supplement to DTSC's Preliminary Endangerment Assessment (PEA) Guidelines. Per Section 17213(a), prior to site acquisition, the school district shall contract with qualified environmental assessor to conduct the PEA.

The proposed *Village 7 SPA Plan* project does not propose the acquisition of a school site or the construction or expansion of a school facility. Requirements of this comment would be adhered to by the school district as part of a future site selection and acquisition process and do not pertain to the proposed identification for potential school locations within the *Village 7 SPA Plan*.

4-3 The City's records show that the DTSC, School Property Evaluation and Cleanup Section was provided an EIR, Notice of Availability, and a copy of Volume 3 of the Technical Appendices, which contains the appendices referenced in the Public Health and Safety section of the EIR (Section 4.13). The technical reports referenced in Section 4.13 are included in Appendix K of Volume 3, not Appendix L as stated in the EIR. This reference has been corrected in the EIR. In addition, based on the State Clearinghouse letter dated July 29, 2004 (see letter 2 above), DTSC received EIRs and appendices directly from the State Clearinghouse. EIRs and appendices are also made available for public review at the City of Chula Vista.

4-4 Comment acknowledged. As presented in the EIR, a *Phase I Environmental Site Assessment* (see Appendix K-2) was conducted for the project that evaluated the concentrations of toxaphene, DDE, and DDT and organochlorine pesticides (OCP) and

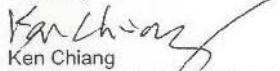
Comment

Ms. Marni Borg
June 24, 2004
Page 2

- 4-4 waste standards (page 4.13-5). This conclusion was not properly evaluated and stated. For example, the PRG for DDT is 1.7 parts per million (PPM) while the hazardous waste classification level for DDT is 1 PPM – slightly lower than the PRG. Therefore, those pesticide wastes detected onsite may be considered as hazardous wastes under California hazardous waste regulations.
- 4-5 4. The DEIR reports that significant impacts associated with hazard issues have been identified due to hazardous waste contamination of soil or groundwater and explosion of previously unexploded ordnance. Since the project is school site related, DTSC recommends that an environmental review, such as Preliminary Endangerment Assessment (PEA), be conducted to determine whether there has been or may have been a release or threatened release of a hazardous material, or whether a naturally occurring hazardous material is present, based on reasonably available information about the property and the area in its vicinity. This environmental review should generally be conducted as part of the California Environmental Quality Act (CEQA) process and prior to any adoption or approval of an EIR.
- 4-6 5. While it is school site related, the project does not appear to have been reviewed by DTSC under the School Property Evaluation and Cleanup Program authorized by AB 387, SB162, AB 2644 and AB 972. The project proponent is invited to participate in DTSC's School Property Evaluation and Cleanup Program. If the project proponent elects to proceed to conduct a PEA at the site, it shall enter into an Environmental Oversight Agreement (EOA) with DTSC to oversee the preparation of the PEA.
- 4-7 DTSC is also administering the \$85 million Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program which provides low-interest loans to investigate and cleanup hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. These loans are available to developers, businesses, schools, and local governments.

For additional information on the EOA or CLEAN Program, please visit DTSC's web site at www.dtsc.ca.gov. If you would like to discuss this matter further, please contact me at (818) 551-2860.

Sincerely,



Ken Chiang
Senior Hazardous Substances Scientist
School Property Evaluation and Cleanup Division

cc: See next page

Response

arsenic in soil samples from the project site. As stated in Section 4.13.4, the analysis of these soils showed that the concentrations of OCPs and arsenic exceed PRG designated by the USEPA. Low levels of toxaphene, DDE, and DDT were also detected. The EIR concludes that the presence of toxic solid is considered a significant health risk. As stated in the EIR, implementation of the following mitigation measures would be required and would reduce impacts to be low a level of significance.

4.13-1 *"Prior to grading, the applicant of Grading Contractor shall enroll in the Voluntary Assistance Program operated by the county of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer."*

Additionally, as stated in responses 4-1 and 4-2, above, should the school district select sites identified in the Village 7 SPA Plan for future school development, additional analyses would be necessary in accordance with the California Education Code.

- 4-5 The *Village 7 SPA Plan* project includes the designation of an elementary school and a high school; however, it does not include the acquisition or development of school land. Currently, the SUHSD is reviewing a project to develop the high school site and has prepared an EIR for that project (SCH# 2003121118). SUHSD and DTSC entered into an Environmental Oversight Agreement on April 26, 2004 and are preparing a Preliminary Endangerment Assessment (PEA) for the school site. DTSC will oversee preparation of the PEA for the school site prior to acquisition of the site. Completion of the PEA process is not necessary for CEQA compliance.
- 4-6 Please see responses to comment numbers 4-1 and 4-5.
- 4-7 Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan* EIR.

Comment

Response

Ms. Marni Borg
June 24, 2004
Page 3

cc: Mr. Libia S. Gill, Superintendent
Chula Vista Elementary School District
84 East J Street
Chula Vista, California 91910-6199

Mr. Edward M. Brand, Superintendent
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, California 91911-2896

Mr. Michael O'Neill
School Facilities Planning Division
California Department of Education
1430 N Street, Suite 1201
Sacramento, California 95814

Mr. Scott Morgan
State Clearinghouse
1400 Tenth Street
P.O. Box 3044
Sacramento, California 95812-3044

Department of Toxic Substances Control
CEQA Tracking Center
1001 I Street, 22nd Floor
P.O. Box 806
Sacramento, California 95812-0806

SPECD Reading File

CEQA Reading File

Comment



Arnold
Schwarzenegger
Governor

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



Jan Boel
Acting Director

July 30, 2004

Marni Borg
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Subject: Village 7 Sectional Planning Area Plan and Tentative Maps Draft EIR
SCH#: 2003111050

Dear Marni Borg:

5-1 The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on July 28, 2004. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2003111050) when contacting this office.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

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

Response

5-1

Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan* EIR.

Comment

Response

JUL 29 2004 15:32 FR

TO 919163233818 P.02/03

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZBERGER, Governor

DEPARTMENT OF TRANSPORTATION

District 11 · 2829 Juan Street
P. O. BOX 85406, M.S. 50
San Diego, CA 92110-2799
PHONE (619) 688-6954
FAX (619) 688-4299



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July 28, 2004

11-SD-125
PM ~ 4

Ms. Marni Borg
Environmental Projects Manager
City of Chula Vista
276 Fourth Ave.
Chula Vista, CA 91910



RE: Otay Ranch Village 7 Sectional Planning Area (SPA) – DEIR (SCH 2003111050)

Dear Ms. Borg:

The California Department of Transportation (Department) appreciates the opportunity to review the Draft Environmental Impact Report (EIR) for the Otay Ranch Village 7 SPA, located immediately west of State Route 125 (SR-125) near Birch Road. We have the following comments.

- 6-1 • For Figures 3-2 & 3-3, the "Note" should be expanded in terms of the status of Rock Mountain Road with respect to SR-125. Rock Mountain Road will terminate at the SR-125 Right of Way (R/W) on both sides of the freeway when the freeway is opened.
- 6-2 • On page 4.1-1, "A. Village 7 SPA Plan" fourth paragraph, the terminology is incorrect; please replace the word "Expressway" after SR-125 with "Tollway / Freeway."
- 6-3 • On page 4.3-8, "Modified Secondary Village Promenade at SR-125 Underpass," this section proposes a cross-section of Promenade Road within the State R/W which would require the State's approval. The State has not yet received any official request for this undercrossing. At this point in time, it is premature to explicitly propose a facility which has not received official approval from the Department.
- 6-4 • On page 4.3-19 "Scenario 2-Year 2010," it is unclear if this scenario proposed SR-125 as a Toll Road facility. Please verify.
- 6-5 • In Section 4.3, please update the traffic forecast and Level of Service (LOS) for this section as it relates to SR-125. For further information, please contact the Toll Road traffic consultant KOA at (619) 683-2933.

"Caltrans improves mobility across California"

- 6-1 The note on Figures 3-2 and 3-3, as well as on Figures 2-6, 3-1, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10, and 4.2-2, was placed on the graphics in response to the comments received from CalTrans on the NOP for the project. As stated by the note, "The configuration of the interchange ramps shown on this exhibit is illustrative only and does not preclude alternative configurations." Additionally, Rock Mountain Road is a Circulation Element Road and is shown in the City's General Plan as crossing the freeway right-of-way at some point and in some configuration.
- 6-2 The word "Expressway" has been replaced with "Tollway/Freeway." The document has been checked for additional references to "expressway," and changes were also made on pages 2-9 and 4.1-3.
- 6-3 It is acknowledged that construction of this roadway will require coordination with Caltrans. As noted in Table 3-2, *Actions Required from Other Agencies*, the developer would be required to obtain necessary encroachment permits from Caltrans to grade within the SR-125 right-of-way.
- 6-4 The Year 2010 Scenario 2 assumes SR 125 is constructed as a toll facility. The text under Scenario 2 on page 4.3-19 of the EIR has been revised as follows: "It is assumed that SR 125 is built as a toll facility and Heritage Road is connected southbound to Main Street."
- 6-5 The traffic forecast and Level of Service for SR 125 was updated at the time the traffic report for the project was begun. The analysis contained in the Draft EIR is considered accurate.


Comment

Ms. Marni Borg
July 28, 2004
Page Two

- 6-6 • On page 4.3-27 "Scenario 9," the title states that it is a "No Toll" facility, but the second sentence states that SR-125 is a toll facility. Please verify and clarify the discrepancy.
- 6-7 • Page 4.4-7, refers to noise impacts. Has SR-125 noise impact been analyzed using the latest contours and ultimate facilities based on the latest design by the SR-125 contractor? The Department will not be held responsible for any noise impacts to this development. If there is a noise impact, then the developer has the responsibility to provide the mitigation.
- 6-8 • Please refer to the Department's letter dated December 3, 2003 (enclosed) for additional comments.

The Department appreciates the opportunity to review this development. For specific questions related to SR-125, please contact Jason Alsheikh at (619) 591-4261 or myself at (619) 591-4313. For general questions on the Department's comments, please contact Brent McDonald at (619) 688-6819.

Sincerely,



for MARIO H. ORSO, Chief
Development Review Branch

cc: BMcDonald Planning MS-50
 JAlsheikh Design MS-35
 RMartinez Design MS-35

"Caltrans improves mobility across California"

Response

- 6-6 In the Year 2030 (Scenario 9), SR 125 is assumed to be a toll facility. As stated under Scenario 9 on page 4.3-27 of the EIR, "It is assumed that SR 125 is still a toll facility."
- 6-7 The noise analysis was based on the most current SR 125 plans available at the time the noise analysis was prepared. The EIR includes mitigation measure 4.4-2, which requires the preparation of additional acoustical studies for the multi-family and single-family residences adjacent to SR 125 concurrent with the submittal of construction drawings. Those acoustical studies will be based on the latest SR 125 contours available at the time of their preparation.
- 6-8 Comment noted. Please see responses to comment numbers 6-9 through 6-13 below.

Comment

JUL 29 2004 15:59 FR

TO 919163233818 P.04/05

DEPARTMENT OF TRANSPORTATION

DISTRICT 11
P. O. BOX 85406, MS 50
SAN DIEGO, CA 92186-5406
PHONE (619) 688-6954
FAX (619) 688-4299
TTY (619) 688-6670



*Flex your power!
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December 3, 2003

11-SD-125 South

Ms. Marni Borg
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Dear Ms. Borg:

NOP for the Second Tier EIR for Village 7 Sectional Planning Area Plan – SCH 2003111050

The California Department of Transportation (Department) comments are as follows:

- 6-9 * On October 3, 2003 Governor Davis signed SB 352 which requires risk analysis prior to siting schools within a quarter mile of major roadways. In addition, the legislation does not permit schools being built within 500 feet of freeways unless it can be demonstrated that this will not pose a health hazard.
- 6-10 * The NOP shows that there is only a small amount of open space separating the proposed public park (P-1) and State Route 125 (SR-125), which is currently under construction. Locating the park within such a close proximity to the freeway could jeopardize future expansion of the freeway facility due to requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966.
- 6-11 * The Department is not responsible for any noise impacts to this project. Any required mitigation must be provided by the developer.
- 6-12 * In the NOP, interchanges with SR-125 are shown at Birch Parkway and Rock Mountain. These interchanges will require additional separate CEQA and NEPA environmental review because they were not included as part of the initial SR-125 construction. These interchanges will need to be included in the Regional Transportation Improvement Plan (RTIP) and in the Regional Transportation Plan (RTP) for air conformity modeling.
- 6-13 * In addition, the City will be required to obtain an encroachment permit for any work within the Department's right of way. As part of the encroachment permit process, the developer must provide appropriate environmental approval for potential environmental impacts within the Department's right of way. The developer is responsible for quantifying the environmental impacts of the improvements within the Department's right of way and completing appropriate mitigation measures for these impacts. The developer will also be responsible for procuring any necessary permits or approvals from the regulatory and resource agencies for the improvements within the Department's right of way.

"Caltrans improves mobility across California"

Response

- 6-9 The proposed *Village 7 SPA Plan* does not propose the construction of a high school. The *Village 7 SPA Plan* designates 23.4 acres of land within the SPA Plan area for a high school use. The location of a high school within Village 7 is consistent with the adopted Otay Ranch General Development Plan (1993). The construction of a high school and required risk analysis in accordance with SB 352 will be the responsibility of the Sweetwater Union High School District (SUHSD). The SUHSD has prepared an EIR (SCH# 2003121118) for the development of a high school within and adjacent to the Otay Ranch *Village 7 SPA Plan* area.
- 6-10 The project was re-designed after circulation of the NOP to move the park site away from SR 125 (see Figure 3-1, *Site Utilization Plan*, for new location of park).
- 6-11 Comment noted. Please see also response to comment number 6-7, above.
- 6-12 Comment noted.
- 6-13 Comment noted. Please see also response to comment number 6-3, above.

Comment

Response

JUL 29 2004 15:59 FR

TO 919163233018 P.05/05

Ms. Marni Borg
December 3, 2003
Page 2

6-14

We look forward to further coordination and joint planning with the City of Chula Vista as the SR-125 South project proceeds through construction and as Otay Ranch continues to be developed and planned. Our contact person for this project is Lu Salazar of my staff at (619) 688-3140.

Sincerely,


MARIO H. ORSO, Chief
Development Review Branch

Ms. Marni Borg
December 3, 2003
Page 3

bc: BFigge (MS 50)
CStoll (MS 46)
LBerman/RMartinez (MS 35)
JReynolds/DNagy (MS 46)
LSalazar (MS 50)
JMarkey (MS 48)

** TOTAL PAGE.05 **

6-14

Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan* EIR.

Comment

Response

STATE OF CALIFORNIA
Governor Arnold Schwarzenegger

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



July 28, 2004

Ms. Marni Borg
City of Chula Vista
276 Fourth Ave.
Chula Vista, CA 91910

Re: Draft EIR; Village 7 Sectional Planning Area Plan and Tentative Maps
SCH# 2003111050

Dear Ms. Borg:

Thank you for the opportunity to comment on the above-mentioned document. The Commission was able to perform a record search of its Sacred Lands File for the project area, which failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

7-1

Early consultation with tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed is a list of Native Americans individuals/organizations that may have knowledge of cultural resources in the project area. The Commission makes no recommendation of a single individual or group over another. Please contact all those listed; if they cannot supply you with specific information, they may be able to recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If you have not received a response within two weeks' time, we recommend that you follow-up with a telephone call to make sure that the information was received.

7-2

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA), Public Resources Code §15064.5 (f); Health and Safety Code §7050.5; and Public Resources Code §5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents. If you have any questions, please contact me at (916) 653-6251.

Sincerely,

Carol Gaubatz
Program Analyst

Cc: State Clearinghouse

7-1

Comment noted. The *Village 7 SPA Plan* EIR is a second tier document that tiers from the Program EIR for the Otay Ranch GDP. The previous Program EIR analyzed the existing conditions, potential impacts, and mitigation measures related to cultural resources for the entire Otay Ranch, and its analysis was incorporated by reference into the *Village 7 SPA Plan* EIR (page 4.9-1). No sites that would be considered of Native American heritage and/or religious import were identified.

7-2

As stated in Section 4.9.3 (page 4.9-4), "grading associated with the project has the potential to uncover buried prehistoric and historic deposits that have not been previously detected. Implementation of the *Village 7 SPA Plan* could potentially result in an impact to cultural resources, if significant historic deposits or features, or prehistoric site were encountered during grading activities." Similar wording is included for the analysis of the McMillin Otay Ranch, LLC Tentative Map and the Otay Project LP Tentative Map on pages 4.9-4 and 4.9-5, respectively. The EIR includes mitigation measure 4.9-1 to reduce this impact to below significance. This mitigation measure specifically addresses the unexpected discovery of resources during grading activities and reads as follows:

4.9-1 "A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center."

Comment



San Diego County Archaeological Society, Inc.

Environmental Review Committee

6 July 2004

To: Ms. Marni Borg
Environmental Projects Manager
City of Chula Vista
276 Fourth Avenue
Chul Vista, California 91910

Subject: Draft Environmental Impact Report
Otay Ranch Village Sectional Planning Area Plan and Tentative Maps
EIR-04-06

Dear Ms. Borg:

I have reviewed the subject on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in DIR and its Appendices G-1, G-2 and G-3, we have the following comments:

- 8-1
1. We noted two editorial errors in Section 4.9.1 of the DEIR. In the Village 7 SPA Plan discussion, in the second line of the second paragraph under "History of the San Diego Area", "Luiseño" is misspelled "Luiseilo". And the last sentence of the second paragraph of the discussion for the Otay Project LP Tentative Map says "Site 12,279 is not considered significant under CEQA." While that statement is correct, it appears the correct site number in this sentence would be 16,679.
 - 8-2 2. We agree with the impact analyses for cultural resources as presented in the DEIR and the G appendices. Mitigation measures are also acceptable, except that all collections and associated records from the work reported in the three G appendices, and any from previous archaeological work on the sites within the project area, must be curated at an appropriate institution. Note that Article V of the Code of Ethics of the Register of professional Archaeologists states that: "Specimens and research records resulting from a project must be deposited at an institution with permanent curatorial facilities, unless otherwise required by law." The institution should meet the requirements of *Guidelines for the Curation of Archaeological Collections*, adopted by the California State Historical Resources Commission on May 7, 1993. Retention of collections in the facilities of the archeologist does not satisfy this requirement. It is probably also worth noting that, given the relatively small collections resulting from the fieldwork for this project and the size of the project itself, the cost of curating these collections is likely quite minor.

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

Response

8-1 The text of the EIR has been revised to correct the two errors, as noted in comment number 9-1.

8-2 It is acknowledged that all collection will be collected at an appropriate repository. Mitigation measure 4.9-1 requires that "*Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.*" Any cultural material collected from this project will be in accordance with mitigation measure 4.9-1, stated below. The project is not responsible for curating collections from "previous archaeological work on the sites within the project area."

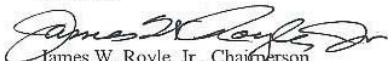
4.9-1 "A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center."

Comment

- 8-3 3. The copy of Appendix G-2 (Cultural Resources Evaluation for CA-SDI-12,279 and CA-SDI-12,565, by ASM Affiliates) in the Volume 2 that was sent to us included site location maps that are not to be publicly distributed. Please ensure that they are deleted from all future copies of Appendix G-2.

Thank you for providing this DEIR and its Appendices G-1, G-2 and G-3 to SDCAS for our review, and for your consideration of the above comments.

Sincerely,


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

cc: Brian F. Smith and Associates
ASM Affiliates
SDCAS President
File

Response

- 8-3 The site location maps have been removed from Appendix G-2.

Comment



THE CITY OF SAN DIEGO

July 14, 2004

Ms. Marni Borg
Environmental Projects Manager
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Dear Ms. Borg:

Subject: Notice of Availability of the Draft Environmental Impact Report for the
Otay Ranch Village 7 Sectional Planning Area Plan and Tentative Maps

We have completed our review of the subject Draft Environmental Impact Report (DEIR) dated June 2004. The project involves the implementation of the Village 7 SPA Plan and Tentative Maps for a portion of Village 7. The proposed Village 7 SPA Plan and Tentative Maps would result in development of residential, community facilities, parks and open space used, and elementary and high school sites, as well as the circulation, trail and infrastructure network to serve these uses. The proposed Village 7 SPA Plan is consistent with the Otay Ranch General Development Plan (GDP).

The proposed project is located within the central area of the Otay Valley Parcel of the Otay Ranch GDP Area in the City of Chula Vista. The project site comprises 260.3 acres of the 424.4-acre Village 7. The State Route 125 proposed alignment borders the project site on the east, Birch Road (under construction) is to the north, the future southerly extension of La Media Road is to the west and, although not adjacent to the site, the future alignment of Rock Mountain Road would be located south of the site.

9-1 Our review of the current Draft EIR and reviews of past projects assures the Water Department that Best Management Practices have been addressed and will be implemented. Therefore, the Water Review Section has no comments on the proposed Draft EIR.

If you have any questions or require further information, please call me at (619) 533-5150.

For Shahin Moshref, P.E.
Senior Civil Engineer

cc: Kelly Broughton, Deputy Director, Development Services
Chris Gascon, Associate Civil Engineer, Development Services

04-41-22-4

Land Development Review Division • Planning and Development Review

600 B Street, Suite 800, MS 908A • San Diego, CA 92101-4502

43

Response

9-1 Comments noted. No further response is necessary, as the comment does not address the adequacy of completeness of the *Village 7 SPA Plan* EIR.



Comment

Response



THE CITY OF SAN DIEGO

July 27, 2004

Marni Borg
Environmental Projects Manager
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Subject: City of San Diego Comments on the Draft Environmental Impact Report for the Otay Ranch Village 7 Sectional Planning Area Plan and Tentative Maps

Dear Ms. Borg:

The City of San Diego offers the following comments on the subject EIR:

Transportation Development (Ali Sabouri, (619) 446-5359)

We have reviewed the subject document and have the following comments:

- 10-1 1. This project is expected to generate approximately 18,165 Average Daily Trips with 2,397 trips in the AM peak hour and 1,804 trips in the PM peak hour.
- 10-2 2. The EIR should evaluate project's potential impact on the following roadways and intersections within City of San Diego:
- Roadways**
- * Otay Mesa Road
 - * La Media Road
 - * Heritage Road/Otay Valley Road
- Intersections**
- * Intersections along Otay Mesa Road within City of San Diego
 - * Intersections along La Media Road within City of San Diego
 - * Intersections along Heritage Road/Otay Valley Road within City of San Diego
 - * Future interchange at SR-125 / Lonstar Road
- 10-3 3. Intersection and roadway segments within City of San Diego should be evaluated based on the guidelines established in the City of San Diego Traffic Impact Study Manual dated July 1998.

- 10-1 Comments noted. These comments reflect the traffic generated by the project as presented in Table 4.3-4, *Trip Generation of the Proposed Project*.
- 10-2 The project distribution was based on SANDAG Select Zone Assignment. Figure 22 of the traffic study shows that only two percent of project traffic is expected to utilize Heritage Road south of Main Street and La Media Road south of Main Street. The amount of project traffic on Otay Mesa Road is predicted to be less than one percent. Furthermore, the project distribution to the intersections along La Media Road and Heritage Road/Otay Valley Road is expected to only be two percent and the distribution to the intersections along Otay Mesa Road is forecasted to only be one percent. These small percentages are not enough to warrant substantive traffic modeling and analysis. Furthermore, the completion of SR 125 will serve as a major north/south roadway for project traffic, thereby reducing traffic on Heritage Road and La Media Road. With regards to the SR 125/Lonstar Road interchange, the project has less than 50 peak hour trip to that interchange; therefore, an analysis of the SR 125/Lonstar Road interchange is not warranted.
- 10-3 No roadways or intersections within the City of San Diego would be affected by more than two percent of project traffic to warrant their evaluation (see response number 10-2). It is understood that City of San Diego guidelines should be used to evaluate intersections and segments within the City of San Diego.

Comment

Response

Page 2 of 2
Marni Borg
July 27, 2004

Please contact the above-named individual if you have any questions on these comments.

Sincerely,

Chris Zirkle
Assistant Deputy Director
Land Development Review Division

Comment



CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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

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BOARD OF EDUCATION

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LARRY CUNNINGHAM
PATRICK A. JUDD
BERTHA J. LOPEZ
PAMELA B. SMITH

SUPERINTENDENT

LOWELL J. BILLINGS, Ed.D.

June 21, 2004

Ms. Marni Borg
Environmental Projects Manager
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Re: Case No.: EIR-04-06
Project: Otay Ranch Village 7 – Proposed Mixed Use Development to Include 1204 D.U. (Maximum 1501 D.U.)
Location: South of Otay Ranch Village 6, West of Future SR-125 and the Eastern Urban Center, North of Village 8, and East of Villages 2 and 4

Dear Ms. Borg:

- 11-1 Thank you for the opportunity to respond to the public notice of the availability of the Draft 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.
- 11-2 State law currently provides for a developer fee of \$1.57/sq. ft. of assessable area to assist in financing facilities needed to serve growth. This fee is assessed for new residential construction and additions/remodels of over 500 square feet. State law also provides for a developer fee of \$.36/sq. ft. for non-residential construction. Our portion of the fee is \$.17/sq. ft.
- 11-3 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 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. An alternative financing mechanism, such as participation in, or annexation to, a CFD is highly recommended.
- 11-4 The District currently has two schools in the Otay Ranch area (Heritage in Village 1 and McMillin in Village 5). The school site planned for Village 7 will need to conform to, and meet the California Department of

Response

- 11-1 Comment noted. Section 4.12e acknowledges that "elementary school facilities within the City of Chula Vista are provided by the Chula Vista Elementary School District (District)."
- 11-2 Comment noted. As stated in mitigation measure 4.12e-1, impacts fees will be paid or the developer will enter into a mitigation agreement with the CVESD prior to building permits.
- 11-3 Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan* EIR.
- 11-4 Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan* EIR.

Comment

Ms. Borg
06/21/04
Page 2

Education's guidelines prior to acceptance by the Chula Vista Elementary School District Board of Education.

- 11-5 The District's new school construction is tentatively scheduled as follows:

SCHOOL NO.	SCHOOL SITE	MONTH/YEAR SCHEDULED TO OPEN
41	San Miguel Ranch (Liberty Elementary)	Currently under construction; scheduled to open July 2004
42	EastLake Woods/Vistas (Salt Creek Elementary)	Currently under construction; scheduled to open September 2004
43	Village 6 (Otay Ranch)	July 2005
44	Village 11 (Otay Ranch)	July 2006
45	Village 2 (Otay Ranch)	July 2007
46	Village 7 (Otay Ranch)	July 2008

- 11-6 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.
- 11-7 As additional information we are enclosing a copy of our comments to Ms. Kathy Tanner of Sweetwater Union High School District regarding their proposed High School (No. 13) to be located in Village 7.

If you have any questions, please give me a call.

Sincerely,



Dee Peralta
Facilities and Planning Manager

DP:ds

Response

- 11-5 Comment noted. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan EIR*.
- 11-6 The City and/or the developer will coordinate with the Chula Vista Elementary School District to provide an approved Tentative Map for the project, if and when available.
- 11-7 Thank you for providing additional information on the proposed Sweetwater Union High School District High School (No. 13) project. No further response is necessary, as the comment does not address the adequacy or completeness of the *Village 7 SPA Plan EIR*.

Comment

Response

COPY



CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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

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LARRY CUNNINGHAM
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BERTHA J. LÓPEZ
PAMELA B. SMITH

SUPERINTENDENT

LOWELL J. BILLINGS, Ed.D.

June 8, 2004

Ms. Katherine Tanner
Assistant Director of Planning/Construction
Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911

Dear Kathy:

Re: Draft Environmental Impact Report for School Site No. 13 Located in Otay Ranch Village 7

Thank you for the opportunity to respond to the Draft Environmental Impact Report (EIR) for proposed High School No. 13 scheduled for construction in Otay Ranch Village 7.

Although Chula Vista Elementary School District has scheduled an approximate date of July 2008 for our site to open, it will be critical that pedestrian and automobile traffic patterns be established well in advance. It would also be helpful to establish traffic safety procedures in order to prevent potential problems as all schools in the area come on line.

At this point in time we only have an illustrative plan of our proposed Village 7 school site that identifies Street D as the main entrance for the bus/parent drop off, an entrance for staff parking off Street E, and Magdalena Avenue as a potential alternative common access for school buses. We will keep you informed as plans proceed for this site.

Thank you again for the opportunity to review the Draft EIR. If additional information is needed, please give us a call.

Sincerely,

A handwritten signature in cursive script that reads "Susan Fahle".

Susan Fahle
Assistant Superintendent
for Business Services & Support

SF:dp

Comment



The Corky McMillin Companies

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July 28, 2004

City of Chula Vista
Attn: Marni Borg, Environmental Projects Manager
276 Fourth Avenue
Chula Vista, CA 91910

RE: Draft Environmental Impact Report for the Otay Ranch Village Seven

Dear Ms. Borg,

The McMillin Companies, as co-applicant for the Otay Ranch Village Seven project, has reviewed the Draft Environmental Impact Report prepared by the City and has the following comments:

- 12-1 1. In several locations in the text the statement is made that no building permits can be issued in the project until after April 2006 when the Building Permit Monitoring Agreement sunsets. While units within Village Seven are not specifically covered by this agreement, the agreement does not apply to affordable housing units or model homes.
- 12-2 2. In the Traffic Analysis section, do Scenarios 1-5 assume Rock Mountain Road between La Media and SR125 as a four-lane major in evaluating impacts?
- 12-3 3. Mitigation Measure 4.3-2 states that no building permits can be issued in Village Seven until SR125 is completed to the international border. This measure is intended to reflect the intent of the permit monitoring agreement which is to limit permits in Eastern Chula Vista until SR125 is completed and traffic relief realized on the major east-west arterials.
- We have attached a study that was prepared by Katz Okitsu that demonstrates that additional capacity is realized with the early opening of SR125 sufficient to allow buildout of the Village Seven project. This study supports a revision to the wording of Mitigation Measure 4.3-2, and the corresponding revision to the PFFP, to state that building permits can be issued when SR125 is completed to Olympic Parkway occurs.
- 12-4 4. Mitigation Measure 4.4-2 (2) under the noise section precludes balconies facing SR125 on the multi family site. We would request that the measure be modified to



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Response

12-1 The two references to the Building Permit Monitoring Agreements have been eliminated from the EIR (pages 3-11 and 4.1-26). This Agreement is not applicable to the proposed project and does not have a bearing on the phasing of the project. The fifth paragraph on page 3-11 now reads as follows:

“Development of the high school and associates infrastructure to serve the high school is expected to be the first phase of the SPA plan development. ~~No building permits for residential units can be issued until April 2006 based on the fact that Village 7 was not included in the “Agreement for Monitoring of Building Permits” entered into between the City and developers. Once building permits can be issued for residential units, it is anticipated that the remaining land uses within the Village 7 SPA Plan area would be developed.~~ Residential development will occur in accordance with the Public Facilities and Financing Program that assures that public infrastructure and services are available at the time there is a demand for such services. For worst case analysis purposes, it is assumed that development of the McMillin Otay Ranch LLC and the Otay Project LP TMs would occur simultaneously.”

The first paragraph on page 4.1-26 now reads:

“The exact timing of development for the Village 7 SPA Plan is unknown. ~~however, no building permits for residential units can be issued until April 2006 based on the fact that Village 7 was not included in the “Agreement for Monitoring of Building Permits” entered into between the City and developers.~~ When the Otay Project LP TM develops, interim agricultural activities could occur adjacent to the east side of the Otay Project LP TM project site until that area (McMillin Otay Ranch, LLC TM) is developed. Similarly, interim agricultural activities could occur to the west and south of the Otay Project LP TM project site until those areas are developed. The project would comply with the Village 7 Agricultural Plan, as discussed in Section 4.2, Agricultural Resources, of this EIR. Mitigation has been identified to reduce potential land use compatibility impacts related to agriculture to below a level of significance.”

The commentor is correct, that the Agreement does not apply to affordable housing units or model units.

12-2 Rock Mountain Road, between La Media Road and SR 125, is assumed to be a 4-lane Class I collector in Scenarios 1-5.

12-3 The proposed project would contribute to cumulative traffic impacts in eastern Chula Vista. Mitigation measure 4.3-2 addresses the incremental contribution that the proposed Village 7 project would represent on the cumulative traffic condition in eastern Chula Vista and is not based on the Building Permit Monitoring Agreement. As discussed in Section 15.0 of the traffic study prepared for the proposed project by Linscott, Law & Greenspan (Appendix B of the EIR), a Pre-SR-125 analysis was conducted based on the City’s GMOC and TMP thresholds. The purpose of the study was to determine the total number of dwelling units that could be constructed in the eastern territories before the

Comment

Response

City's LOS thresholds would be exceeded. The study concluded that with completion of improvements to Telegraph Canyon Road, East "H" Street, and the I-805/Olympic Parkway interchange, the total number of residential units that can be built in the eastern territories cannot exceed 8,990 without the thresholds being exceeded. Because the proposed project would contribute to traffic impacts in eastern Chula Vista, this measure, in combination with mitigation measures 4.3-3 through 4.3-7, is required to reduce the cumulative traffic impacts to below significance.

A review of the SR-125 phasing analysis prepared by Katz, Okitsu and Associates dated July 2004 was conducted. The KOA report and the traffic analysis prepared for the *Village 7 SPA Plan* EIR by Linscott, Law & Greenspan cannot be compared. The KOA analysis based its conclusions on the results of a Year 2007 model. The report is not clear as to the land use assumptions that were included in the Year 2007 model. For example, the report states that the Year 2007 model used the 2010 street network. It cannot be assumed that the entire 2010 street network will be in place by 2007. The assumptions used in the KOA report are different than the LLG report, and therefore the analysis and conclusions of the two reports are likely to be inconsistent.

In addition, the KOA report addresses a scenario in which additional capacity would be available once SR-125 is extended only to Olympic Pkwy. The scenario described in the KOA report is essentially a construction phase of the ultimate completion of SR-125 to the International Border. The construction of SR-125 to this point is planned to be completed only a matter of months before it is completed to the border. The SANDAG traffic model does not have the capability to provide traffic volume output on a month by month basis. Typically, the Model is run in 5-year increments. The SANDAG Traffic Model is not the appropriate tool to analyze the affects of roadway construction phasing within months of the ultimate completion.

Based on the foregoing, the City cannot rely on the conclusions of the KOA report to mitigate for cumulative traffic impacts.

12-4 Comment noted. Mitigation measure 4.4-2 (2) has been revised as follows:

4.4-2 (2) *For the multi-family development area adjacent to SR 125, ~~no~~ only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. At the time building plans are available, and prior to the issuance of building permits, a detailed acoustical analysis shall be required. An acoustical study shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.*"

Comment

- allow enclosed balconies that can be demonstrated to meet the applicable noise standard. It might also be appropriate to clarify that open balconies are only precluded on the first row of buildings facing SR125, and that they could be permitted on the remaining buildings with approval of an acoustical analysis.
- 12-5 5. For Mitigation Measure 4.4-2(3), the trigger should be prior to *Building Permit* issuance.
- 12-6 6. In several locations in the document, a possible pedestrian bridge is discussed spanning La Media Road. That bridge is no longer being considered for the project.
- 12-7 7. On page 4.7-6 it states that groundwater levels in Village Seven are assumed to be approximately 32 feet in depth. Geotechnical studies prepared for our ownership encountered no groundwater in any of the borings, which extended down to a maximum depth of 90 feet.
- 12-8 8. Mitigation Measure 4.9-1 under the Cultural Resources Section indicates that all grading must cease if resources are identified. Given the extensive project site, it would seem as if a clarification could be made that grading “in the vicinity” of the site cease if resources are identified so grading activities elsewhere that do not impact the site could continue. This could be overseen by the archaeological monitor to ensure the resource is protected.
- 12-9 9. The Draft Environmental Impact Report identifies impacts to raptor foraging habitat as being significant and unmitigable. The City’s MSCP Subarea Plan includes numerous raptors in the list of covered species. Given that, it would seem as if the mitigation for the loss of raptor foraging habitat would be implementation of the City’s Subarea Plan and conformance with the Otay Ranch Resource Management Plan. The proposed project is consistent with both of those plans.
- 12-10 10. Mitigation measure 4.11-2 in the biology section states that a Wetlands Restoration Plan is required prior to issuance of a grading permit. We request that the language be modified to read “prior to issuance of a grading permit that impacts jurisdictional waters or wetlands...”
- 12-11 11. In the discussion of park and recreation facilities, two conflicting acreages are provided for parks – one of 10.8 acres and one of 11.5 acres. The cap on park dedications is set by the 3 acres per 1,000 population per the Quimby Act. This would mean that the 10.8 of parkland dedication should apply to Village Seven.
- 12-12 12. In the Utilities and Public Services section, the Water Supply Assessment and Verification report prepared by the Otay Water District is discussed. It should be

Response

- 12-5 The City agrees with this comment. Mitigation measure 4.4-2 (3) has been revised as follows:
- 4.4-2 (3) *“For the single-family development area adjacent to SR 125, an acoustical study shall be conducted concurrent with the submittal of construction drawing and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. ~~at the time building plans are available, and prior to issuance of grading permits.~~ The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.”*
- Mitigation Measure 4.4-2(2) has also been revised to include similar language and now reads:
- 4.4-2(2) *“For the multi-family development area adjacent to SR-125, ~~no~~ only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. ~~At the time building plans are available, and prior to the issuance of building permits, a detailed acoustical analysis shall be required~~ An acoustical study shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The acoustical analysis shall demonstrate that second and third floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.”*
- 12-6 Comment noted. The EIR analyzes the pedestrian bridge as an option to provide a trail connection between Villages 7 and 2. It is understood that the pedestrian bridge is not being proposed by the applicants as part of the proposed project.
- 12-7 The paragraph on page 4.7-6 has been revised as follows:
- 4.7-6 *“As discussed above, grading that would take place with development of the project site in accordance with the Village 7 SPA Plan would alter the topography of the site. However, the range of elevations at the site, which would be modified from the existing range of approximately 580 feet AMSL to 410 feet AMSL to the proposed elevations ranging of 580 feet AMSL to 380 feet AMSL, would remain approximately the same. The existing direction of groundwater flow on the project site flows primarily in the direction of Wolf Canyon, and also into Poggi Canyon and the Otay River at the site’s north and south edges, respectively. Depth to groundwater in Poggi Canyon is approximately 32 feet, and depth to groundwater in the Otay River valley has been measured at approximately six to eight feet. Due to the comparable characteristics of the Poggi and Wolf Canyon watersheds (Poggi Canyon drains 3.45 square miles and Wolf Canyon drains 2.24 square miles, as opposed to the larger Otay River which drains 11.91 square miles), depth to groundwater across the project site would be comparable to the depth to water at Poggi Canyon. ~~Depth to groundwater across the project site,~~*

Comment

Response

- then, is estimated at approximately 32 feet. Based on the geotechnical studies prepared for the project, groundwater at the project site is estimated at greater than 90 feet below surface.”*
- 12-8 Comment noted. Mitigation measure 4.9-1 has been revised as follows:
- 4.9-1 “A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.”*
- 12-9 The comment is correct. The DEIR concludes that cumulative impacts to raptor foraging habitat would be significant and unmitigable. This conclusion is consistent with the Otay Ranch General Development Plan Program EIR (EIR 90-01). While the comment is correct that the Project would be in conformance with the City’s Subarea Plan and Otay Ranch Resource Management Plan, there is no mitigation to reduce significant cumulative impacts to the loss of foraging habitat to below significance. Thus, a Statement of Overriding Considerations will need to be adopted.
- 12-10 Comment noted. Previous mitigation measure 4.11-2, now called mitigation measure 4.11-3, has been revised as follows:
- 4.11-3 “Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.14 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.”*
- For consistency purposes, previous mitigation measure 4.11-3, now called mitigation measure 4.11-4, which pertains to the Otay Project LP Tentative Map, has also been revised to read as follows:
- 4.11-4 “Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.2 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.”*
- 12-11 The 10.8 acres is derived from the standard set forth in the Otay Ranch GDP. The GDP standard is based on the Quimby Act, which requires 3 acres of parkland per 1,000

Comment

noted that the report was approved by the Otay Water District Board on March 4, 2003.

- 12-13 13. Figure 38 of the LLG Traffic Study shows a dedicated right hand turn lane from eastbound Birch Road onto southbound Magdalena Avenue. There is no dedicated right hand turn lane into the project site from Birch Road.
- 12-14 14. Several of the cumulative impacts are mitigated through the payment of Development Impact Fees, with the payment trigger of Final Map. Government Code Section 66007 states that such fees are payable at occupancy of the residential units unless certain circumstances apply. While there may be agreement to pay those fees at an earlier stage, the mitigations should reflect the state law timing.

Thank you for providing us the opportunity to comment on the Draft Environmental Impact Report. If you have any questions on any of the comments or enclosed materials, you can reach me at (619) 336-3959.

Sincerely,



Todd Galarneau
Vice President

Cc: Jim Hare, Deputy Director
Dino Serafini, Civil Engineer
Dave Kaplan, Transportation Engineer
Harold Phelps, Associate Planner
Ken Baumgartner
Frank Zaidle

Response

residents. With a projected population of 3,624, the calculation then is: $3 \times 3.624 = 10.87$ acres. This projected population was based on Department of Finance statistics and will be updated to reflect SANDAG projections (see below). The 3ac/1,000 population can also be stated in terms of square feet per capita. This equates to 130.68 sf parkland required for each resident.

The City's Municipal Code (CVMC) Chapter 17.10 (aka the Parkland Dedication Ordinance, or PDO), however, applies persons per household (PPH) data (at buildout) from SANDAG to the 3 acres/1,000 residents standard to establish a number of square feet of parkland required per dwelling unit. Those numbers equate to 460 sf per each single family home and 341.1 sf per each multi-family home. And, as Table 4.15-1 "Improved Parkland Dedication Requirements for the Village 7 SPA Plan" states, 11.5 acres of parkland are required. This is the parkland acreage required for dedication.

PPH data at buildout from SANDAG are 3.52 for single family homes and 2.61 for multi-family homes. Applying these numbers to the projected number of dwelling units generates a projected population of 3,830 (3.52×756 single family homes, 2.61×448 multi-family homes). Therefore: 3.83×3 acres = 11.49 (11.5) acres. Clarification has been added to the EIR with regards to population projections.

- 12-12 The discussion of the Water Supply Assessment and Verification report on page 4.12-12 has been revised as follows:

4.12-12 *"The WSA&V report (see Appendix K) provides written verification that sufficient water supplies are planned to be available to the Village 7 SPA Plan over the next 20 years, and was approved by the Otay Water District Board on March 4, 2004."*

- 12-13 A dedicated eastbound right-turn lane is not necessary at the Birch Road/Magdalena Avenue intersection.

- 12-14 Under Government Code section 66007(b), the City can require these type of fees to be paid earlier (i.e. at building permit issuance) if the fees will be collected for public improvements or facilities for which an account has been established and funds appropriated, and the local agency has adopted a proposed construction plan. Under Government Code section 66007(e), a proposed construction schedule or plan can include, but is not limited to, a capital improvement plan. The City can also require the fees to be paid at building permit issuance if the funds are used to reimburse the City for expenditures for improvements already made. The City's Municipal Code explicitly requires development impact fees to be paid as a condition of the issuance of a building permit, not at the certificate of occupancy stage. See CVMC section 3.050.05 and 3.03.54.010. Mitigation Measures 4.12c-1, 4.12d-1 and 4.12f-1 have been revised to reflect the change in the implementation trigger to prior to each building permit.

Comment

Marni Borg

From: Bryan Felber [bcfelber@mail.sdccu.net]
Sent: Thursday, July 29, 2004 7:52 AM
To: mborg@ci.chula-vista.ca.us; mponseggi@ci.chula-vista.ca.us
Subject: Village 7 EIR

Regarding the middle school, I went home and reviewed the package again briefly. I think the report is less than clear with respect to the middle school.

- 13-1 On Page 2-7, there is a map which clearly indicates the middle school in the western ownership (As I recall McMillin was the eastern half and Otay was the western). It appears just to the north of the Vortac site. Also, as you read through the various sections dealing with impacts, some include mention of the middle school and some don't, however, generally, where it is mentioned, I don't believe there are any related comments that say that the middle school is not planned to reside in the either of the two ownerships covered by the EIR.
- 13-2 May I suggest that you review the references in the report to the middle school and remove them except for any summaries in the report which are clearly describing the planned entirety of Village 7 and not either of the two ownerships the EIR covers? I think it would help the report and remove confusion.
- 13-3 I appreciate the work that went into the report. It seemed quite exhaustive. For as long as it took me to read it, I can only imagine how long it took to research and write it. (In fact, is there any way to make it less lengthy? It took a long time to get through it and was a bit intimidating. I can only imagine how intimidating it might be to the public at large that doesn't normally deal with these things.)

Thank you for considering these suggestions and for the hard work in preparing the report.

Bryan Felber
Planning Commissioner
858-505-2637

Response

- 13-1 The referenced graphic (Figure 2-7, *Adopted GDP for Village Seven*) shows the adopted Otay Ranch GDP graphic for Village 7. As adopted, the GDP identifies development of Village 7 with single-family residential, multi-family residential, an elementary school, a middle school, a high school, a neighborhood park, commercial uses, community purpose facilities, and a village core area; however, the exact layout of these uses is not identified. Thus, Figure 2-7 only reflects planned land uses, not their exact locations.

Figure 3-1, *Site Utilization Plan*, shows the proposed layout of uses for the *Village 7 SPA Plan and Tentative Maps* project. In accordance with segmenting, the project proposes development of a portion of Village 7, not the entire village. As stated in the Project Description on page 3-3, "*elementary and high school uses are identified in the Village 7 SPA Plan project area.*" While a middle school use is identified for Village 7 in the GDP, it is not proposed as part of this project; therefore, it is not shown on Figure 3-1.

- 13-2 Mention of a middle school occurs in Sections 3.0, Project Description, 4.1, *Land Use and Planning*, 4.12, *Utilities and Public Services*, 5.0, *Other CEQA Mandated Sections*, and 6.0, *Alternatives*, of the EIR. In Section 3.0 the middle school is mentioned on page 3-3 as part of the background discussion of the adopted GDP for Village 7, not as part of the proposed project. Similarly, it is mentioned again on page 4.1-6 and 5-2 for the same reason. A middle school is mentioned on page 4.1-11 (Table 4.1-3) as part of an applicable policy for Village 7. In the analysis of the policy on page 4.1-22 (Table 4.1-4), it is stated that the middle school "is not being proposed for the Village 7 SPA portion of the village." The discussion of schools (Section 4.12e) refers to middle schools as they relate to the estimated number of middle school-aged children associated with the project's proposed residential uses. Similarly, a middle school is mentioned again in the cumulative discussion of schools on page 5-10 because the project would generate middle school-aged children. Lastly, a middle school use is mentioned on page 6-5 under the discussion of the Alternative Mix of Land Uses alternatives, because it is an identified use for Village 7, but not proposed by the project. No mention of a middle school occurs for either of the two ownerships within the Village 7 SPA Plan, except as it relates to the generation of middle school students.

- 13-3 The EIR is lengthy due to the fact that it addresses the Village 7 SPA Plan as well as the Tentative Maps for the two ownerships (applicants). The document is set-up in a manner that allows each applicant to use the EIR for their individual projects independently of one another. Due to the project having two applicants and two ownerships, the technical appendices associated with the EIR are also quite long because separate analyses were completed for each ownership.

Comment

Resource Conservation Commission Meeting July 19, 2004

RCC Consensus Comments on the Village Seven SPA Plan and Tentative Maps Draft EIR

- 14-1 ■ Show proposed off-site grading (e.g., VORTAC site) on all applicable EIR figures.
- 14-2 ■ Light pollution impacts to the Mount Palomar and Mount Laguna observatories are addressed in the Landform Alteration/Aesthetics existing conditions section. Potential impacts to these facilities associated with proposed on-site lighting should be addressed in the Landform Alteration/Aesthetics impact analysis section.
- 14-3 ■ Provide a clearer analysis of potential cultural resources impacts associated with borrow site grading.
- 14-4 ■ Address the status of and need for collaboration between the applicable agencies regarding the timing of recycled water delivery to the proposed development.
- 14-5 Notation: The explanation of the various analysis scenarios for the buildout of the Village Seven in the traffic section is confusing and difficult to follow.

Response

- 14-1 Figure 3-5, *Conceptual Grading Plan*, has been revised to show the proposed off-site grading, which would encroach into a small portion of the FAA site.
- 14-2 The following sentence has been added to the Landform Alteration/Aesthetics impact analysis section on page 4.6-18:

“Relative to the Mount Palomar and Mount Laguna observatories, the project site would be part of an urban lighted area and would not result in impacts when viewed from a distance of 35 to 50 miles.”
- 14-3 Section 4.9 has been revised to clarify the potential cultural resource impacts associated with borrow site grading. Specifically, the following changes have been made:
- Page 4.9-1, 5th sentence of 2nd paragraph: “Testing and evaluation of four sites occurring on the Otay Project LP project site, including the off-site borrow area, was also performed, and the results are summarized in a cultural report titled *A Report of an Archaeological Survey and Evaluation of Cultural Resources within the Otay Ranch Company Ownership at the Otay Ranch Village Seven Project* (revised February 3, 2004), prepared by Brian F. Smith and Associates (BFSA).
 - Page 4.9-3, 1st sentence of 2nd paragraph under C. Otay Project LP Tentative Map: “Four prehistoric archaeological sites occur within the Otay Project LP project area, which includes the borrow site.”
 - Page 4.9-5, 1st sentence of 1st paragraph under C. Otay Project LP Tentative Map: the word “disposal” has been replaced with “borrow.”
- 14-4 Reclaimed water will be provided to the project site by the Otay Water District (OWD). The City of Chula Vista Engineering Division – Advance Planning Section is coordinating with OWD to locate the proposed 30-inch reclaimed water transmission pipeline between Metro’s South Bay Water Reclamation Plant (located near the Mexican border on Dairy Mart Road) and existing distribution pipelines in Olympic Parkway. The 30-inch transmission pipeline will connect and deliver reclaimed water to the Village 7 SPA Plan project site, as well as all existing Rancho Del Rey, Sunbow, Otay Ranch, and Eastlake neighborhoods in the Eastern Territories.
- City staff has also reviewed and commented on OWD’s Draft EIR and preliminary construction plans for the various alternative routes for the pipeline. OWD has a projected completion date for the pipeline in early 2007. Until completion of the pipeline, OWD will continue to supply reclaimed water to the Eastern Territories from its own plant (the Ralph W. Chapman Water Recycling Facility) located east on Highway 94. As reported in the Water and Recycled Water Study, this plant does not have sufficient capacity to meet summertime irrigation demands in Eastern Chula Vista. Therefore, OWD must supplement the reclaimed water supply with potable water during these months.
- 14-5 Comment noted.

Comment

Response

Comment

MINUTES OF THE
CITY PLANNING COMMISSION OF
CHULA VISTA, CALIFORNIA

6:00 p.m.
Wednesday, July 28, 2004

Council Chambers
Public Services Building
276 Fourth Avenue, Chula Vista

ROLL CALL/ MOTIONS TO EXCUSE:

Present: Castaneda, Madrid, O'Neill, Hall, Cortes, Hom, Felber
Staff Present: Luis Hernandez, Deputy Planning Director
Marilyn Pongeggi, Environmental Review Coordinator
Marni Borg, Environmental Projects Manager
Dave Hanson, Deputy City Attorney I

PLEDGE OF ALLEGIANCE/SILENT PRAYER

MOTION TO EXCUSE

ORAL COMMUNICATIONS: No public input.

1. **PUBLIC HEARING:** PCC 04-58; Conditional Use Permit for Costco Wholesale to expand an existing gas station from three islands to four islands at 1190 Broadway.

Commissioner Cortes recused himself from the dais.

MSC (O'Neill/Madrid) (6-0-0-1) that the public hearing be opened and continued to the August 18, 2004 Planning Commission meeting. Motion carried.

2. **PUBLIC HEARING:** Close of the Public Review Period for the Village 7 Sectional Planning Area (SPA) Plan and Tentative Maps (M) Environmental Impact Report (EIR 04-06).

Background: Marni Borg, Environmental Projects Manager stated that the purpose for tonight's meeting is to close the public comment period on the Draft Village 7 EIR. Furthermore, all comments received this evening, including those made by the Planning Commission will be considered and addressed as part of the Final EIR.

The draft EIR addresses implementation of the proposed Village 7 Sectional Planning Area Plan and conceptual Tentative Maps. The SPA comprises 288 acres of the 424-acre Village 7, which is located in approximately the center of the Otay Valley parcel of Otay Ranch. The proposed SPA and Tentative Maps would allow the development

Response

Comment

of 1,204 single family and multi-family dwelling units, a 7.6-acre public park and approximately 23 acres designated for a high school, approximately 11 acres designated for an elementary school and 2.8 acres designated for CPF use.

The draft EIR was circulated for a 45-day public review period beginning on June 14th and tonight's hearing will mark the close of the public review period. Staff is requesting that comments be limited to issues related specifically to the information presented in the EIR.

A public hearing will be scheduled before the Planning Commission in September for consideration of the SPA Plan and the certification of the Final EIR. Staff requests that any project-specific comments be held until such meeting.

No members of the public were present.

Commission Comments:

Cmr. Felber commented on the following issues:

- Questioned why the middle school was not consistently mentioned throughout the report when the high school and elementary schools were mentioned,
- Was surprised to read in the freeway analysis that there was an increase in the trip generation numbers for Telegraph Canyon Rd. and not Olympic Parkway.
- Questioned the report stating that the elementary school overflow would go to the nearest school, Arroyo Vista, when the nearest school is McMillin Elementary
- Questioned the numbers cited on the impact analysis for utilities and public services based on the density numbers and construction of units.

Marilyn Ponselgi clarified that the comments made tonight by the commission should be limited to issues related specifically to the information presented in the EIR and that any project-specific comments should be held until the public hearing in September when the Commission will consider the SPA Plan and Final EIR. Ms. Ponselgi further recommended that the comments raised by Commissioner Felber be made, with the Commission's concurrence, as part of the motion in the form of questions you would like to see answered in the Final EIR.

MSC (Felber/Hom) (7-0) that the public review period for Draft EIR 04-06 be closed. Motion carried.

MSC (Felber/Hall) (7-0) that the Final EIR consider:

- 15-1 • To re-evaluate the traffic numbers in the freeway interchanges at Telegraph Canyon Rd. and Olympic Parkway
- 15-2 • Clarify the closest elementary school that the overflow of children would attend
- 15-3 • Re-evaluate the generation numbers in general throughout the

Response

15-1 Figure 18 of the traffic study shows that 16 percent of project traffic was assumed to use the Olympic Parkway interchange, and 2 percent of project traffic was assumed to use the Telegraph Canyon Road interchange. These percentages were estimated based on a computerized Select Zone Assignment obtained from SANDAG.

15-2 Information related to elementary schools was obtained from the Chula Vista Elementary School District (CVESD) in a telephone conversation dated November 12, 2003 (see Appendix I). As stated on page 4.12-26 of the EIR, "If the proposed residential uses are constructed prior to the [elementary] school, then children from the neighborhoods with the *Village 7 SPA Plan* would attend the closest school with the most available space." According to the CVESD, the elementary school (#43) in Village 6 was not yet constructed.

15-3 The number of residential uses for the *Village 7 SPA Plan* project and each of the proposed Tentative Maps is identified in Section 3.0, *Project Description*, of the EIR. As stated on page 3-3, the "*Village 7 SPA Plan* allows for a total of 756 single-family dwelling units and 448 multi-family dwelling units." More specifically, a total of 346 single-family units and 448 multi-family units are allowed on the McMillin Otay Ranch, LLC ownership, and a total of 410 single-family units are allowed on the Otay Project LP ownership. Neither of the TMs for the two ownerships proposes the maximum number of single-family units allowed for their properties by the *Village 7 SPA Plan*. As stated on page 3-21, "For the McMillin property, a total of 310 single-family residential lots (land use district R-1), and 448 multi-family residential lots (land use districts R-5, R-6 and R-7) are proposed. For the Otay Project LP TM, 375 single-family lots are proposed (land use district R-2)." The analysis in the EIR for the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM, and the Otay Project LP TM uses the correct number of units proposed by each of the three project components for their respective analyses.

Comment

Response

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July 28, 2004

document. Motion carried.

BUSINESS:

- Appointment of GMOC representative for FY 04-05.

MSC (Castaneda/Hom) (7-0) to appoint Commissioner O'Neill as the representative to GMOC. Motion carried.

- Appointment of new Chair and Vice Chair of the Planning Commission for FY 04-05.

MSC (Castaneda/Felber) (7-0) to table this item to the August 18th Planning Commission meeting. Motion carried.

ADJOURNMENT at 6:45 p.m. to the Planning Commission meeting of August 18, 2004.

Diana Vargas, Secretary to Planning Commission

ENVIRONMENTAL IMPACT REPORT
for the
VILLAGE 7 SECTIONAL PLANNING
AREA PLAN AND TENTATIVE MAPS

SCH. NO. 2003111050

Lead Agency:
The City of Chula Vista
Planning Department
276 Fourth Ave.
Chula Vista, CA 91910

DRAFT: JUNE 2004
FINAL: OCTOBER 12, 2004

Project LP ownerships comprise the majority of Village 7. The Otay Land Company, the Stephen & Mary Birch Foundation, and the FAA also own portions of Village 7.

PROJECT DESCRIPTION

The *Village 7 SPA Plan* proposes a plan of development for the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 of the Otay Ranch GDP area. Residential land use is proposed as the predominant land use within the *Village 7 SPA Plan*. The *Village 7 SPA Plan* allows for a total of 756 single-family dwelling units and 448 multi-family dwelling units, consistent with the maximum of 1,053 single-family dwelling units and 448 multi-family dwelling units approved by the Otay Ranch GDP for Village 7. Additionally, a minimum of 10 percent of the total dwelling units within the *Village 7 SPA Plan* would provide housing for low and moderate-income households. Other land uses within the *Village 7 SPA Plan* would include a public park, community purpose facilities, open space, and roadways. An elementary school and a high school would also be located within the *Village 7 SPA Plan*.

The *Village 7 SPA Plan* also includes off-site improvements, which area needed to serve the proposed development within the McMillin Otay Ranch, LLC and Otay Project LP ownerships. These include road and infrastructure improvements. The proposed connector road between La Media Road and Magdalena Avenue would run through a portion of land owned by Otay Land Company, as well as require grading into a portion of the FAA property. Additionally, a small segment of Magdalena Avenue between the southern edge of the McMillin Otay Ranch, LLC property and the connector road would be located on a portion of the Stephen & Mary Birch Foundation Ownership. Once the entire Village 7 area is developed, these off-site improvements would serve all of Village 7.

The Planned Community (PC) District Regulations provide the applicable zoning regulation for the *Village 7 SPA Plan*. The regulations are intended to implement the goals and policies of the Chula Vista General Plan, the Otay Ranch GDP and the *Village 7 SPA Plan* by establishing land use districts and standards for each district. The regulations provide the basis by which the City would review and evaluate the preliminary and final drawings for subsequent development applications, and provide guidance at the design review level.

The concurrent processing of TMs is proposed for the *Village 7 SPA Plan* for both the McMillin Otay Ranch, LLC and the Otay Project LP ownerships. The TMs would establish infrastructure requirements that would enable the preparation for an application for Design Review. A TM for the McMillin Otay Ranch, LLC property and a TM for the Otay Project LP property have been submitted to the City. For the McMillin Otay Ranch, LLC property, a total of 310 single-family residential units and 448 multi-family residential units are proposed. Additionally, a 7.6-acre park, an 11.1-acre elementary school site, a 23.4-acre high school site and a 1.1-acre community purpose facility are proposed for the project. The Otay Project LP TM proposes the development of 375 single-family residential units and 1.7-acres of community purpose facilities.

SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

Section 4.0, *Environmental Impact Analysis*, of this EIR includes a discussion of potential environmental effects associated with the project. The analysis in Section 4.0 shows that the proposed *Village 7 SPA Plan* is not expected to have any significant impacts in terms of utilities and public services and population and housing. Therefore, no mitigation measures have been developed for these issue areas. The analysis in

Section 4.0 of this EIR also indicates that development of the *Village 7 SPA Plan* has the potential for significant environmental impacts associated with land use and planning; agricultural resources; traffic, circulation and access; noise; air quality; landform alteration/aesthetics; hydrology/drainage/water quality; geology and soils; cultural resources; paleontological resources; biological resources; and public health and safety. The EIR includes measure which, when implemented, reduce potentially significant impacts for traffic, circulation and access; noise; hydrology/drainage/water quality; geology and soils; cultural resources; paleontological resources; biological resources; and public health and safety to below a level of significance. While the loss of agricultural lands, the change in visual character resulting from development of the site, and landform alteration associated with the proposed development have been anticipated in the Otay Ranch GDP EIR, these impacts were also found to be significant and unmitigable for the proposed *Village 7 SPA Plan* project. Additionally, the project would contribute to cumulatively significant air quality impacts. As discussed in Section 4.1, *Land Use and Planning*, Section 4.2, *Agricultural Lands*, Section 4.5, *Air Quality*, and Section 4.6, *Landform Alteration/Aesthetics*, these impacts cannot be mitigated to below a level of significance at the project level and would require that the decision-maker adopt a Statement of Overriding Considerations.

Table ES-1, *Summary of Environmental Impacts and Mitigation Measures*, summarizes the potential environmental impacts based on development of the *Village 7 SPA Plan* project area by issue area, as analyzed in Section 4.0 of this EIR. The tables also provide a summary of the mitigation measures proposed to avoid or reduce significant impacts. Responsibilities for monitoring compliance with each mitigation measure are provided in the Mitigation Monitoring and Reporting Program. The significance of environmental impacts after implementation of the recommended mitigation measure is also provided in Table ES-1.

**TABLE ES-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
LAND USE, PLANNING AND ZONING			
<p>Implementation of the proposed <i>Village 7 SPA Plan</i>, McMillin Otay Ranch, LLC TM and Otay Ranch LP TM would result in potentially significant land use compatibility impacts associated with:</p> <ul style="list-style-type: none"> ◆ Visual impacts of the FAA VORTAC facility from residential area; ◆ Noise impacts from traffic along Birch and La Media Roads; ◆ Park lighting “spill over” into residential neighborhoods; and ◆ On-going agricultural operations adjacent to proposed urban uses. <p>In addition, development of the <i>Village 7 SPA Plan</i>, McMillin Otay Ranch, LLC TM and Otay Ranch LP TM would result in a significant change in the character of the site from undeveloped urban uses. No feasible mitigation measures have been identified to reduce this impact to less than significant levels.</p>	Significant	Refer to mitigation measure 4.6-1, 4.6-2, 4.4-1, 4.4-2, and 4.2-1	<p>Visual, noise, and agricultural compatibility impacts would be less than significant</p> <p>Impacts to the change of character of the site and loss of agricultural lands would remain significant and unmitigable</p>
AGRICULTURAL LANDS			
<p>The proposed project would convert approximately 288.5 acres of Prime Farmland or Grazing Land to urban uses. The loss of agricultural land is considered a significant impact.</p> <p>Development of the proposed project would introduce urban uses to the site. Short-term incompatibility impacts associated with on-going agricultural uses would result.</p>	Significant	<p>4.2-1: The agricultural plan included in the <i>Village 7 SPA Plan</i> shall be implemented for the area as development proceeds on the project. The following measures shall be implemented by the developer to the satisfaction of the Director of Planning and Building:</p> <ul style="list-style-type: none"> ◆ A 200-foot buffer between developed property and on-going agriculture operations; ◆ Vegetation to shield adjacent urban development (within 400 feet) from agriculture activities where pesticides are to be applied; ◆ Notification of adjacent property owners of potential pesticide application through newspaper advertisements; and ◆ Fencing, where necessary, to ensure the safety of <i>Village 7 SPA Plan</i> residents. 	<p>Impacts associated with on-going agricultural uses would be less than significant</p> <p>Impacts to the loss of agricultural lands would remain significant and unmitigable</p>
TRAFFIC, CIRCULATION AND ACCESS			
<p>The <i>Village 7 SPA Plan</i> would result in a direct significant impact, under Scenarios 9 and 10, to the following intersection:</p> <ul style="list-style-type: none"> ◆ Rock Mountain Road/La Media Road 	Significant	<p>4.3-1: Prior to 2030, assuming the scenarios of 9 or 10, the applicant shall pay a fair share toward the construction of the six-lane Prime Arterial segment of Rock Mountain Road between La Media and SR 125 with the appropriate intersection geometry, or shall construct the road segment.</p>	Impacts would be reduced to below a level of significance

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>Additionally, direct impacts to the following roadway segment within the study area would also occur only under Scenarios 9 and 10:</p> <ul style="list-style-type: none"> ◆ Rock Mountain Road from La Media Road to SR 125 <p>Cumulative traffic impacts would occur under Scenarios 1, 3, 4, 5, 6, 8, 9, and 10. Mitigation for these impacts has been identified.</p>		<p>4.3-2: No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.</p> <p>4.3-3: Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.</p> <p>4.3-4: Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.</p> <p>4.3-5: Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway.</p> <p>4.3-6: Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.</p> <p>4.3-7: Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.</p>	
NOISE			
<p>The proposed project would result in noise impacts related to projected traffic levels on perimeter roadways. Noise from traffic along Birch Road, future La Media Road, and future SR 125 would result in significant impacts at adjacent residences within the <i>Village 7 SPA Plan</i> project site.</p>	<p>Significant</p>	<p>4.4-1: Noise walls shall be secured to the satisfaction of the City Engineer and Environmental Review Coordinator for residential units located along Birch Road and La Media Road prior to receiving a grading permit, and constructed prior to occupancy of 1st unit. An acoustical study confirming wall geometrics and conformance with the City's noise threshold is required prior to finalization of site and grading plans. Based on preliminary design and assumptions, the following wall heights would be required to meet City standards:</p> <p style="text-align: center;">Birch Road 7 feet</p>	<p>Impacts would be reduced to below a level of significance</p>

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p style="text-align: center;">La Media Road 6 feet</p> <p>4.4-2:</p> <ol style="list-style-type: none"> 1. Noise barriers, varying between three to 14 feet in height, shall be constructed along the top of the pad slopes or near the edge of SR 125, as shown in Figure 4.4-2, <i>Proposed Noise Barriers Along SR 125</i>. The barriers shall be either walls, berms, or a combination thereof, and constructed of solid material with a density of at least four pounds per square foot and without any cracks or gaps. <p>The City limits the height of noise walls to eight and a half feet. Therefore, where noise barriers in excess of eight and a half feet are required, the barrier shall be constructed of a combination of noise wall and berm, with the wall portion not exceeding eight and a half feet.</p> <ol style="list-style-type: none"> 2. For the multi-family development area adjacent to SR 125, <u>only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. At the time building plans are available, and prior to the issuance of building permits, a detailed acoustical analysis shall be required. An acoustical analysis shall be conducted</u> for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by <u>the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits.</u> The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard. 3. For the single-family development area adjacent to SR 125, an acoustical study shall be conducted <u>concurrent with the submittal of construction drawing and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. at the time building plans are available and prior to issuance of grading permits.</u> The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard. 4. For <u>multi-family</u> these areas where second- and third-floor exterior noise levels are projected to exceed 60 CNEL, <u>the affected units shall include a ventilation or air conditioning system to ensure that interior noise levels meet the interior standard of 45 CNEL. it would be necessary for the windows to remain closed to ensure interior noise levels meet the interior standard of 45 CNEL. Where it is necessary to keep windows closed, the design for the affected units shall include a ventilation or air conditioning system to provide a habitable interior</u> 	

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
environment when windows are closed.			
AIR QUALITY			
Development of the <i>Village 7 SPA Plan</i> project area would result in temporary and permanent air quality impacts. Construction activities associated with the <i>Village 7 SPA Plan</i> development would result in significant impacts to air quality, as they would contribute emissions to a non-attainment air basin. Once the <i>Village 7 SPA Plan</i> project area is build out, the major source of air pollution would be from project-related traffic emissions.	Significant	<p>4.5-1: The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:</p> <ul style="list-style-type: none"> ◆ Minimize simultaneous operation of multiple construction equipment units. ◆ Use low pollutant-emitting construction equipment, as practical. ◆ Use electrical construction equipment as practical. ◆ Use catalytic reduction for gasoline-powered equipment. ◆ Use injection timing retard for diesel-powered equipment. ◆ Water the construction area at least twice daily to minimize fugitive dust. ◆ Stabilize graded areas as quickly as possible to minimize fugitive dust. ◆ Pave permanent roads as quickly as possible to minimize dust. ◆ Use electricity from power poles instead of temporary generators during building as feasible. ◆ Apply chemical stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry ◆ Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads. ◆ Remove any visible track-out into traveled public streets within 30 minutes of occurrence. ◆ Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred. ◆ Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads. ◆ Cover haul trucks or maintain at least 12 inches of free board to reduce blowoff during hauling. ◆ Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph. 	Impacts would be reduced to below a level of significance
LANDFORM ALTERATION/AESTHETICS			
The proposed project would develop 288.5 acres of undeveloped land, which would result in a significant impact to the site's visual character. The Program EIR has anticipated this change from rural land to urban development. The Program EIR concluded that there are no mitigation measures available to reduce this impact to below a level of significance, and impacts would remain significant and unmitigable. Additionally, the proposed project would use contour grading, but	Significant	<p>4.6-1: Perimeter landscaping in accordance with the Landscape Master Plan within the McMillin Otay Ranch, LLC and Otay Project LP ownerships shall occur with each phase of development adjacent to the FAA site to minimize views of the FAA VORTAC facility.</p> <p>4.6-2: Lighting for community facilities, recreation areas, and sports fields shall be approved by the Director of General Services and Environmental Review Coordinator</p>	Impacts associated with views of the FAA VORTAC facility and potential lighting impacts would be less

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>would still result in significant landform alteration impacts related to grading. There is no mitigation that would reduce this impact to below a level of significance, therefore, impacts to landform alteration would remain significant and unmitigable.</p> <p>The project is adjacent to the FAA VORTAC Facility. Visual impacts would occur related to view of the facility and mitigation would be required. The project would also introduce light and glare sources to the project site. Nighttime lighting could spill over onto adjacent residential uses. Therefore, the project would result in potentially significant impacts associated with lighting.</p>		<p>prior to approval of a final site plan for the park. Shielded, uni-directional lighting shall be used. Additionally, lighting at these facilities is to be shut off between 11 pm and 7 am.</p>	<p>than significant</p> <p>Impacts to the change in visual character of the site would remain significant and unmitigable</p>
HYDROLOGY/DRAINAGE/WATER QUALITY (SURFACE AND GROUNDWATER)			
<p>Development of the <i>Village 7 SPA Plan</i> could result in significant impacts to water quality resources as a result of construction and operation activities.</p>	<p>Significant</p>	<p>4.7-1: Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.</p> <p>4.7-2: Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the <i>Village 7 SPA Plan</i> project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.</p> <p>4.7-3: Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7 (Rick Engineering Company, May 24, 2004) and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).</p> <p>4.7-4: Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, and repair operations being conducted after runoff-producing</p>	<p>Impacts would be reduced to below a level of significance</p>

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		rainfall. 4.7-5: After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultant shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.	
GEOLOGY AND SOILS			
The <i>Village 7 SPA Plan</i> would result in grading and excavation activities and construction of structures at the project site. Potential construction-related geology and soils impacts at the site would result from the presence of compressible and expansive soils and the potential for settlement and landslides to occur.	Significant	4.8-1: Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Geotechnical Investigation McMillin Otay Ranch, Village 7, prepared by Geotechnics Incorporated, dated January 23, 2004, for the eastern portion of the <i>Village 7 SPA Plan</i> project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista. 4.8-2: Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California dated May 5, 2004 prepared by Geocon Incorporated for the western portion of the <i>Village 7 SPA Plan</i> project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.	Impacts would be reduced to below a level of significance
CULTURAL RESOURCES			
The <i>Village 7 SPA Plan</i> would result in potentially significant impacts to unknown, subsurface cultural resources	Potentially significant before Mitigation	4.9-1: A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.	Impacts would be reduced to below a level of significance
PALEONTOLOGICAL RESOURCES			
Grading activities associated with the development of the <i>Village 7 SPA Plan</i> would affect portions of the upper sandstone and the lower gritstone and fanglomerate portions of the Otay formation. A potentially significant impact would occur if unknown paleontological resources are encountered during grading activities.	Potentially significant before Mitigation	4.10-1: Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with a MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) 4.10-2: A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations (Otay Formation) to inspect cuts for contained fossils. The paleontological monitor	Impacts would be reduced to below a level of significance

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).</p> <p>4.10-3: If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, diver, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.</p> <p>4.10-4: Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.</p>	
BIOLOGY			
<p>Implementation of the <i>Village 7 SPA Plan</i> would ultimately result in urbanization of the entire <i>Village 7 SPA Plan</i> project site, permanently developing approximately 288.5 acres of currently undeveloped land. No sensitive plant species are known to occur on the project site. However, the project would directly impact 1.2 acres of revegetated MSS, 0.1 acre of coastal sage scrub, and 0.3 acre of disturbed coastal sage scrub. Impacts to non-native grassland and jurisdictional waters would also occur. Non-native grassland provides foraging habitat for use by raptors in the area. The loss of foraging land is considered cumulatively significant.</p>	<p>Significant before Mitigation</p>	<p>4.11-1: Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.118 acres for each acre of development area, or pay a fee in lieu.</p> <p>4.11-2: <u>Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.</u></p> <p>4.11-23: Prior to issuance of a grading permit <u>that impacts jurisdictional waters or wetlands</u>, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.14 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. <u>Jurisdictional waters or wetlands shall be delineated on all grading plans.</u></p>	<p>Impacts to biological resources, CSS, and jurisdictional waters, would be reduced to below a level of significance</p> <p>Impacts to non-native grasslands would remain significant and unmitigable</p>

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>4.11-34: Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.2 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.</p> <p>4.11-45: The developer shall prepare a restoration plan to restore 0.40 acres of Coastal sage scrub habitat (CSS) pursuant to the Otay Ranch RMP restoration requirements. The CSS restoration plan shall be approved by the Department of Planning and Building prior to issuance of the grading permit and shall include an implementation plan, maintenance and monitoring program, estimated completion time and any relevant contingency measures. Alternatively, no restoration will be required if impacts to CSS are entirely avoided.</p> <p>4.11-56: Prior to issuance of grading permit, the developer shall prepare a plan to the satisfaction of the Director of Planning and Building to reduce indirect impacts to the Preserve adjacent to the borrow site. The plan shall address adjacency provisions of the MSCP and RMP, including but not limited to, buffering techniques, control of invasives, access restrictions, water quality and noise reduction.</p>	
UTILITIES AND PUBLIC SERVICES			
<p>SEWER SERVICES:</p> <p>The proposed <i>Village 7 SPA Plan</i> wastewater generation would result in significant impacts to the existing sewer system. Additionally, because the site is not currently served by sewer facilities, construction of these sewer facilities would be required</p>	<p>Potentially Significant before Mitigation</p>	<p>4.12a-1: Prior to the recordation of any final map, the City Engineer shall be satisfied that the connections to the Salt Creek Interceptor via the Rock Mountain Road Trunk Sewer have been constructed or that the Poggi Canyon Trunk Sewer has calculations of existing and anticipated sewage flows have determined thresholds at which two capital improvement projects must be completed: 1) the increase of the size of the Poggi Canyon Trunk Sewer within Reach 205 when Poggi Basin EDU's exceed 1,635 and 2) the construction of the Rock Mountain Trunk Sewer connection to the Salt Creek Interceptor when Poggi Basin EDU's exceed 5,000. These thresholds represent additional cumulative flows to the Poggi Canyon Trunk Sewer in excess of currently entitled and reserved EDU's within the Poggi Basin.</p> <p>4.12a-2: Sewer facility improvements shall be financed or installed on-and- off –site in accordance with the fees and phasing in the approved Public Facilities Financing Plan.</p>	<p>Impacts would be reduced to below a level of significance</p>
<p>WATER SERVICES:</p>	<p>Potentially Significant before</p>	<p>4.12b-1: Prior to approval of the first final map, a final Subarea Water Master Plan (SAMP) shall be required for the project. The Master Plan shall include the design of</p>	<p>Impacts would be reduced to below</p>

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
A significant impact could occur if water facilities to serve the project site are not constructed at the time the project is ready to develop.	Mitigation	<p>water system infrastructure including timing and cost of development and must be in compliance with the OWD Master Plan. Water facilities improvements shall be financed or installed on- and off-site in accordance with the SAMP.</p> <p>4.12b-2: Prior to the approval of the first final map for the project, the Developer shall secure and agree with the Otay Water District to construct all potable water facilities (on and off-site) required to serve the project.</p> <p>4.12b-3: Prior to approval of the first final map for the project, the applicant shall provide the City with a letter from the OWD stating that adequate storage capacity exists or would be available to serve the project.</p> <p>4.12b-4: Water facilities improvements shall be financed or installed on and off-site in accordance with the fees and phasing in the approved PFFP for the <i>Village 7 SPA Plan</i>.</p>	a level of significance
<p>LAW ENFORCEMENT AND POLICE PROTECTION:</p> <p>No significant impacts on police protection services are expected with project implementation; therefore, no mitigation is required. However, the City of Chula Vista requires the payment of development fees to cover the costs of providing services to the project site and the reporting of emergency responses</p>	Less than Significant	<p>4.12c-1: Prior to the approval of each building permitthe first final map for the project, the developer shall pay Public Facilities Development Impact Fees (PFDIF).</p> <p>4.12c-2: The City will monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis.</p>	Less than Significant
<p>FIRE AND EMERGENCY MEDICAL SERVICES:</p> <p>The proposed project would result in an incremental increase in the demand for fire services. This increase is not considered a significant impact; however, mitigation measures have been incorporated to ensure the project's compliance with City regulations.</p>	Less than Significant	<p>4.12d-1: Prior to approval of each building permitthe first final map for the project, the developer shall pay PFDIF.</p> <p>4.12d-2: The City will monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis.</p> <p>4.12d-3: A Fire Protection Plan (FPP) is <u>required</u> for this SPA as allowed by the California Fire Code 2001ed Article 86 – fire Protection Plan Urban-Wildland Interface Area. The FPP will include a Brush Management Plan, this plan will be provided from an approved list of consultants. Ultimately, fuel modification requirements will be decided by the Chula Vista Fire Department upon the review of Brush Management Plan. This plan will include <u>all slopes</u> within the village.</p>	Less than Significant
<p>SCHOOLS:</p> <p>The proposed project would develop single-family and multi-family</p>	Less than Significant	<p>4.12e-1: Prior to issuance of building permits, the project applicant shall Pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Chula Vista Elementary Unified School</p>	Less than Significant

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
uses, which would generate elementary, middle, and high school-aged children. As a result, the project would result in an incremental increase in the demand for school services, which is considered a significant impact. The project would also develop an elementary, middle, and junior high, which would ultimately serve all students generated by the proposed project and is considered a benefit of the project.		District to the satisfaction of the School District. 4.12e-2: Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Sweetwater Union High School District to the satisfaction of the School District.	
LIBRARY: The proposed project would result in an incremental increase in the demand for library services.	Potentially Significant before Mitigation	4.12f-1: <u>Prior to approval of each building permit, the project applicant/developer</u> shall pay Public Facilities Development Impact Fees (PFDIF).	Impacts would be reduced to below a level of significance
SOLID WASTE AND DISPOSAL: The proposed project would not result in significant impacts to solid waste and disposal services.	No Impact	No mitigation measures required.	Impacts would not be significant
GAS AND ELECTRICITY: The proposed project would not result in significant impacts to gas and electricity services.	No Impact	No mitigation measures required.	Impacts would not be significant
PUBLIC HEALTH AND SAFETY			
Soils samples taken at the project site detected arsenic and OCP levels that exceed PRG designated by the United States Environmental Protection Agency, and is considered as a significant health risk. Additionally, low levels of DDE, DDT, and toxaphene were found in the soils on the project site. Therefore, the project would result in significant public health and safety impacts.	Significant	4.13-1: Prior to grading, the applicant or Grading Contractor shall enroll in the Voluntary Assistance Program operated by the County of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer.	Impacts would be reduced to below a level of significance
POPULATION AND HOUSING			
No housing demolition or resident displacement would occur with the project. Instead, the <i>Village 7 SPA Plan</i> would add to the housing stock within the City. The increase in population and housing that would occur as part of the proposed Village 7 SPA Plan would not exceed growth projections or displace existing residents. Employment	No Significant Impacts	No mitigation measures required.	Impacts would not be significant

EXECUTIVE SUMMARY

Environmental Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
displacement is considered less than significant. The project would not result in significant population and housing impacts.			
PARKS, RECREATION, TRAILS, AND OPEN SPACE			
A 7.6-acre neighborhood park would be located centrally within the <i>Village 7 SPA Plan</i> for residents to enjoy. However, based on City requirements, a total of 11.5 acres of parkland dedication is needed to serve the buildout population of the <i>Village 7 SPA Plan</i> . Therefore, development of the <i>Village 7 SPA Plan</i> would also require the dedication of parkland towards a community park, payment of park in-lieu fees, payment of parkland development fees or any combination thereof, to be consistent with requirements of the Otay Ranch GDP and the City for parkland dedication.	Potentially Significant	4.15-1: The developer of the <i>Village 7 SPA Plan</i> shall dedicate parkland, pay park development fees and/or pay park in-lieu fees to meet the total obligation of 11.5 acres in accordance with the PFFP.	Impacts would be reduced to below a level of significance

CUMULATIVE IMPACTS

As discussed in Section 5.1, *Cumulative Impacts*, of this EIR, development of the *Village 7 SPA Plan* could lead to significant environmental cumulative impacts when considered together with other projects causing related impacts in the City of Chula Vista, adjacent areas and the region. The proposed *Village 7 SPA Plan* would have the potential to result in cumulative effects associated with land use and planning; agricultural resources, transportation, circulation and access; noise; air quality; landform alteration/aesthetics; and biological resources. The project incorporates measures which mitigate its incremental contribution to cumulative effects for transportation, circulation and access, and noise to below a level of significance. Cumulative land use, agricultural, landform alteration/aesthetics, and biological resources would remain significant and unmitigable.

GROWTH INDUCING EFFECTS

Growth inducing effects can occur where the proposed project could foster economic or population growth either directly or indirectly in the surrounding environment. As discussed in Section 5.2, *Growth Inducement*, of this EIR, the proposed *Village 7 SPA Plan* would offer housing and employment opportunities, as well as provide economic opportunities that are not currently available, thus creating a project that is considered to be growth inducing. However, growth resulting from the project would occur in a logical manner, extending southerly from other villages within Otay Ranch that have been developed. Additionally, this growth has been anticipated and identified in the City's General Plan.

SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

As identified in Section 5.3, *Significant Irreversible Environmental Changes*, of this EIR, construction of the *Village 7 SPA Plan* would result in significant irreversible environmental changes to landform, agricultural lands, cultural resources, biological resources, and nonrenewable energy resources. Grading of the project site would permanently change the existing landform of the site and result in a change of the site's visual quality, as well as a loss of agricultural lands. The primary energy source would be fossil fuels representing an irreversible commitment of this resource. Similarly, construction materials, including cement, concrete, lumber, steel, etc., and labor, would also be irreversibly committed. This commitment of nonrenewable resources is not expected to be substantial.

EFFECTS FOUND NOT TO BE SIGNIFICANT

CEQA requires a statement indicating the reasons that various possible significant effects of a proposed project were found to be less than significant. The proposed project would not have the potential to cause significant effects associated with mineral resources. Section 5.4, *Effects Found Not to be Significant*, of this EIR briefly discusses this issue area and explains why mineral resources were not found to result in the potential for significant environmental effects.

PROJECT ALTERNATIVES

CEQA requires that an EIR describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain most of the basic project objectives, and to evaluate the comparative merits of the alternatives. Section 6.0, *Alternatives*, of this EIR discusses potential alternative to the proposed *Village 7 SPA Plan* and evaluates potential environmental impacts, as required by CEQA. These

alternatives have been developed in accordance with CEQA Guidelines and have the potential to reduce or avoid potentially significant impacts associated with implementation of the proposed *Village 7 SPA Plan*. The alternatives considered for the proposed project include the following:

- ◆ **No Project/No Development Alternative.** The No Project/No Development Alternative, as required by CEQA, infers that the project site would remain in its existing vacant condition, unaltered.
- ◆ **Bridge Crossing of La Media Road.** This alternative considered a bridge crossing of Wolf Canyon, instead of the proposed lower crossing that utilizes fill and berming.
- ◆ **Alternative Mix of Land Uses.** This alternative considered development of the *Village 7 SPA Plan* project area with a different mix of land uses than proposed by the project. Possible land uses considered were those identified for Village 7 by the Otay Ranch GDP, but which are not proposed by the *Village 7 SPA Plan*.
- ◆ **Reduced Density Alternative.** Under this alternative the project would be comprised of a mix of uses generating a maximum total of 5,035 ADT.

Environmentally Superior Alternative

CEQA requires that the EIR identify the environmentally superior alternative among all of the alternatives considered, including the proposed project. If the No Project Alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

Section 6.0, *Alternatives*, of this EIR indicates that the No Project/No Development alternative could be considered environmentally superior because no new impacts would be introduced to the area and the project site. Of the alternatives considered but rejected, the Reduced Density Project could also be considered environmentally superior because it would reduce the project's contribution to cumulative impacts at Rock Mountain Road. However, this alternative would greatly limit development of the site so that the Otay Ranch GDP could not be implemented. Impacts to housing and public schools would be worse. Additionally, development of this alternative would be inconsistent with planned and existing development surrounding the project site and would not accomplish any of the objectives of the project.

EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) is an informational document intended for use by the City of Chula Vista, other public agencies, and members of the general public in evaluating the potential environmental effects of the *Village 7 Sectional Planning Area Plan* (hereafter referred to as the *Village 7 SPA Plan*), located in Otay Ranch, Chula Vista, California. As a second tier EIR, this document tiers from the Otay Ranch General Development Plan GDP Program EIR (EIR 90-01/SCH #8910154), in accordance with CEQA Section 21093. This EIR focuses on the actual environmental effects associated with development of the proposed *Village 7 SPA Plan* that were not evaluated at a project level in the GDP Program EIR. This EIR updates information in the GDP Program EIR pertaining to Village 7 to reflect any changes in the project or its circumstances since original approval of the GDP Program EIR.

In accordance with CEQA Guidelines Section 15161, this document also constitutes a “Project EIR” and has been “focused primarily on the changes in the environment that would result from the development project” (i.e., the build out of the *Village 7 SPA Plan*), focusing on the physical changes in the environment that would result from the proposed project. Also included within this EIR is an evaluation of the potential environmental impacts of the McMillin Otay Ranch, LLC Tentative Map (TM), and the Otay Project LP TM, which are specific development plans for the two ownerships comprising the *Village 7 SPA Plan* project site (i.e., McMillin Otay Ranch, LLC and Otay Project LP). This EIR provides decision-makers, public agencies, and the public in general with detailed information about the potential for significant adverse environmental impacts to occur as a result of the proposed *Village 7 SPA Plan*, and the McMillin Otay Ranch, LLC and Otay Project LP TMs.

PROJECT LOCATION AND SETTING

The regional and local setting of the project site are discussed in Section 2.0, *Environmental Setting*, of this EIR. The project is located in the central portion of Otay Ranch, within the Eastern Territories Planning Area within the City of Chula Vista in the County of San Diego. The site is located immediately south of Otay Ranch Village 6, west of future SR 125 and the Eastern Urban Center, north of Otay Ranch Village 8, and east of Otay Ranch Villages 2 and 4.

The approximately 288.5-acre *Village 7 SPA Plan* project site has a varied topography consisting primarily of gently sloping hills. The majority of Wolf Canyon is located west of the site, with the upper reaches of Wolf Canyon extending easterly into the project site. Rock Mountain, which is approximately the same elevation as the project site, is located offsite to the south. In addition, the majority of the project site ultimately drains to the Otay River Valley; however, the northern portion of the site drains towards Poggi Canyon. A minor drainage occurs within the upper reach of Wolf Canyon and runs across the project site in a generally east-west direction. The site contains views into the upper reaches of Wolf Canyon, and distant views to the Jamul Mountains to the east and northeast. The project site consists mainly of agricultural lands. Non-native grassland and isolated patches of isolated biological habitat are also present on the site.

The Otay Ranch GDP Village 7 area is under the ownership of several parties. The *Village 7 SPA Plan* project site comprises the portion of Village 7 under the ownerships of McMillin Otay Ranch, LLC and Otay Project LP, who are the applicants for the proposed project. The McMillin Otay Ranch, LLC and Otay

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1.0 INTRODUCTION

1.1 PURPOSE AND LEGAL AUTHORITY

This Environmental Impact Report (EIR) is an informational document intended for use by the City of Chula Vista, other public agencies, and members of the general public in evaluating the potential environmental effects of the *Village 7 Sectional Planning Area (SPA) Plan* (proposed project), located in Otay Ranch, Chula Vista, California. This document has been prepared in accordance with, and complies with, all criteria, standards and procedures of the California Environmental Quality Act (CEQA) of 1970 as amended (PRC 21000 et seq.), State CEQA Guidelines (CAC 15000 et seq.), and the City of Chula Vista's Environmental Review Procedures. Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of Chula Vista is the Lead Agency under whose authority this document has been prepared.

This EIR is a second tier EIR that tiers from the Otay Ranch General Development Plan (GDP) Program EIR (EIR 90-01/SCH #89010154), in accordance with CEQA Section 21093. The analysis in the Otay Ranch GDP Program EIR provided the basis for the review and approval of the General Plan Amendments and General Development Plan/Subregional Plan (SRP) for Otay Ranch. As a second tier document, this EIR relies on the Otay Ranch GDP Program EIR to determine whether or not projects proposed within Otay Ranch are consistent with previously approved policies or ordinances. In accordance with CEQA Section 21094, those effects which the Lead Agency determines were either mitigated or avoided pursuant to the findings of the Otay Ranch GDP Program EIR or examined in sufficient detail to enable those effects to be mitigated or avoided through implementation of specific measures or standard conditions do not need to be addressed in the second tier document. This EIR focuses on the environmental effects associated with development of the proposed *Village 7 SPA Plan* that were not evaluated at a project level in the GDP Program EIR. Further, this EIR updates information in the GDP Program EIR pertaining to Village 7 to reflect any changes in the project or its circumstances since original approval of the GDP Program EIR.

In accordance with CEQA Guidelines Section 15161, this document also constitutes a "Project EIR" and has been "focused primarily on the changes in the environment that would result from the development project" (i.e., the build out of the proposed *Village 7 SPA Plan* project). Where environmental impacts have been determined to be potentially significant, this EIR presents mitigation measures directed at reducing those adverse environmental effects. The development of mitigation measures provides the Lead Agency with ways to substantially lessen or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the proposed project are presented to evaluate whether there are alternative development scenarios that can further minimize or avoid any significant impacts associated with the project.

As permitted by Section 15150 of the CEQA Guidelines, this EIR references several technical studies, analyses, and reports. Information from the documents, which have been incorporated by reference into this EIR, has been briefly summarized; the relationship between the incorporated part of the referenced document and this EIR is described. The documents and other sources that have been used in the preparation of this EIR are identified in Section 8.0, *References, Persons and Agencies Contacted and EIR Preparation*. In accordance with Section 15150(b) of the CEQA Guidelines, the location where the public may obtain and review these referenced documents and other sources used in the preparation of the EIR is also identified.

1.1.1 Authority and Intended Uses of the EIR

Acting as the Lead Agency, the City of Chula Vista has determined that implementation of the *Village 7 SPA Plan* has the potential to create significant adverse environmental impacts and has determined that an EIR be prepared as part of the project's environmental review process, in accordance with CEQA. The EIR provides decision-makers, public agencies, and the public in general with detailed information about the potential for significant adverse environmental impacts to occur as a result of the proposed *Village 7 SPA Plan*. The City of Chula Vista, as Lead Agency, will consider the environmental impacts of the proposed project in its decision to approve or deny the project. Similarly, Responsible Agencies will use this EIR to fulfill their legal authority associated with permits for the proposed project. The analysis and findings in this document reflect the independent conclusions of the City of Chula Vista.

1.1.2 Availability and Review of the Draft EIR

In accordance with Section 15103 of the CEQA Guidelines, a Notice of Preparation (NOP), dated October 31, 2003, was prepared for the project and distributed to all Responsible and Trustee Agencies, as well as other agencies and members of the public who may have an interest in the project. Per Section 15381 of the CEQA Guidelines, "the term '*Responsible Agency*' includes all public agencies other than the Lead Agency which have discretionary approval power over the project." A *Trustee Agency* is defined in Section 15386 of the State CEQA Guidelines as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California." For the *Village 7 SPA Plan* project, the Army Corps of Engineers (ACOE), California Department of Fish and Game (CDFG), and Regional Water Quality Control Board (RWQCB) would be responsible agencies. Approvals required by other agencies include, but may not be limited to: Form 7460-1, "Notice of Proposed Construction or Alteration" and subsequent "Determination of No Hazard to Air Navigation" (Federal Aviation Administration (FAA); encroachment permits (FAA); Voluntary Assistance Program (County Department of Environmental Health); and encroachment permits [California Department of Transportation (Caltrans)]. A copy of the NOP and letters received in response to the NOP are included in Appendix A of the Technical Appendices to this EIR.

Upon completion of the Draft EIR, a Notice of Completion will be filed with the State Office of Planning and Research to inform the public and interested and affected agencies of the availability of the Draft EIR for review and comment. In addition, the Draft EIR is distributed directly to affected public agencies and to interested organizations for review and comment. The EIR and all related technical studies are available for review at the offices of the City of Chula Vista, Planning and Building Department, Planning Division, located at 276 Fourth Avenue, Chula Vista, CA 91910, and at the Chula Vista Library located at 395 F Street, Chula Vista, CA 91910.

Agencies, organizations, and individuals have been invited to comment on the information presented in the Draft EIR during a 45-day public review period. Specifically, comments addressing the scope and adequacy of the environmental analysis have been solicited. Respondents have also been asked to provide or identify additional environmental information that is germane to the project, but which they feel may not have been addressed in the analysis. Following the public review period, responses to all substantive public review comments are prepared and compiled into the Final EIR. The City of Chula Vista, prior to any decision on the project, will consider the Final EIR for certification.

1.2 SCOPE AND CONTENT OF EIR

The *Village 7 SPA Plan* proposes a development plan for the McMillin Otay Ranch, LLC and Otay Project LP ownerships in Village 7 of the Otay Ranch GDP. The proposed *Village 7 SPA Plan* would result in development of residential, community facilities, parks and open space uses, as well as a circulation, trail and infrastructure network to serve these uses. Additionally, the project proposes an elementary school site and a high school site on the McMillin Otay Ranch, LLC property. Off-site improvements and facilities identified in the Public Facilities Financing Program (PFFP) as necessary to serve development proposed by the *Village 7 SPA Plan* are also considered in this EIR. Tentative Maps (TM) have been submitted by McMillin Otay Ranch, LLC and the Otay Project LP (project applicants) for development of their ownerships within Village 7 (see Figure 2-6, *Ownership*). This EIR includes an evaluation of the *Village 7 SPA Plan* and the TMs for the McMillin Otay Ranch, LLC and the Otay Project LP ownerships.

Based on an initial review of the project and responses to the NOP, the City of Chula Vista determined that the EIR for the proposed project should address the following environmental issues:

- ◆ Land Use, Planning and Zoning;
- ◆ Agricultural Lands;
- ◆ Biological Resources;
- ◆ Landform Alteration/Aesthetics;
- ◆ Noise;
- ◆ Air Quality;
- ◆ Cultural Resources;
- ◆ Transportation, Circulation and Access;
- ◆ Paleontological Resources;
- ◆ Hydrology/Drainage/Water Quality;
- ◆ Geology and Soils;
- ◆ Population and Housing;
- ◆ Public Health and Safety;
- ◆ Public Services and Utilities; and
- ◆ Parks, Recreation, Trails and Open Space.

Under each issue area, the EIR includes a description of the existing conditions relevant to each environmental topic; presentation of threshold(s) of significance for the particular issue area under evaluation; an assessment of any impacts associated with implementation of the project; recommendations for mitigation measures, as appropriate, for each significant issue area; and a statement of the level of significance after mitigation for each area of impact. In addition, alternatives to the proposed project that might feasibly reduce or avoid potentially significant environmental effects were developed and their impacts compared to that of the project to provide a basis for consideration by decision-makers.

The Technical Appendices are printed under separate cover as an accompaniment to this EIR. The appendices contain the various supporting documents used in preparing the EIR, including a Traffic Impact Analysis (Appendix B), an Acoustical Impact Analysis and Noise Technical Report (Appendices C-1 and C-2), an Air Quality Impact Analysis (Appendix D), a Preliminary Drainage Study (Appendix E-1), a Water Quality Technical Report prepared by Rick Engineering (Appendix E-2), a Master Drainage Study (Appendix E-3), a Preliminary Water Quality Technical Report prepared by Hunsaker & Associates

(Appendix E-4), a Water and Recycled Water Study (Appendix E-5), a Water Supply and Assessment Report (Appendix E-6), a Geotechnical Study for McMillin (Appendix F-1), a Geotechnical Study for Otay Ranch Company (Appendix F-2), a Cultural Resources Letter Report (Appendix G-1), a Cultural Resources Evaluation for CA-SDI-12,279 and CA-SDI-12,565 (Appendix G-2), a Report of an Archaeological Survey and Evaluation of Cultural Resources within the Otay Ranch Company Ownership at the Otay Ranch Village Seven Project (Appendix G-3), the Otay Ranch Village 7 Biological Technical Report (Appendix H-1), a Biology Resources Report for Otay Ranch Village 7 (Appendix H-2), a Spring Survey Letter for the Otay Project LP Ownership (Appendix H-3), a Biological Constraints Analysis for the Connector Road (Appendix H-4), a Conceptual Sewer Study (Appendix J), a Phase I Assessment (Appendix K-1), and a Phase I Environmental Site Assessment (Appendix K-2), and a Limited Pesticide Assessment and Soil Reuse Plan (Appendix K-3). Additionally, service agency letters are presented in Appendix I.

The proposed *Village 7 SPA Plan* addresses development of a portion of Village 7 as allowed by the Otay Ranch GDP and Section 19.48.020 of the Chula Vista Municipal Code. Development of other ownerships within Village 7 [i.e., the lands owned by Otay Land Company, the Stephen and Mary Birch Foundation, and the Federal Aviation Administration (FAA)] are not covered by the proposed *Village 7 SPA Plan*. Development of these areas would require an amendment to the *Village 7 SPA Plan* and associated environmental review under CEQA.

The Sweetwater Union High School District (SUHSD) is conducting the parallel evaluation of a potential high school site within Village 7. A portion of the site being considered for the proposed SUHSD High School #13 (approximately 24.7 acres) would be located within the McMillin Otay Ranch, LLC ownership. The remainder of the proposed high school site would be offsite. This EIR provides an evaluation of a high school as a proposed land use within the McMillin Otay Ranch, LLC ownership. The SUHSD has prepared an EIR (SCH #99041004) for the proposed Sweetwater Union High School #13 pursuant to CEQA.

2.0 ENVIRONMENTAL SETTING

2.1 PROJECT LOCATION AND REGIONAL SETTING

This EIR addresses the *Village 7 SPA Plan* project, located within the City of Chula Vista in southwestern San Diego County (see Figure 2-1, *Regional Map*). The project site is situated in the Otay Ranch GDP area, within the City's 23,700-acre Eastern Territories Planning Area, approximately 12 miles east of the Pacific Ocean and seven miles north of the United States-Mexico border.

The Eastern Territories Planning Area was annexed in portions to the City of Chula Vista from the County of San Diego in a series of actions between 1989 and 1997. The Eastern Territories area is bounded on the west by Interstate 805 (I-805), on the north by San Miguel Mountain and State Route 54 (SR 54), on the east by the Jamul foothills, and on the south by the Otay River Valley (see Figure 2-2, *Eastern Territories Area*). Mountains, low hills, steep slopes, canyons, watercourses and reservoirs characterize the Eastern Territories Planning Area, in addition to residential, industrial and commercial land uses, and the Otay Landfill. Mountains contained within the Eastern Territories include Mother Miguel Mountain, Rock Mountain, and Callahan Peak; canyons include Wild Mans, Big Cedar, Little Cedar, Telegraph, Poggi, and Wolf Canyons; and watercourses include the Otay River, Proctor Valley Creek, and Salt Creek. Biological habitats and other environmentally sensitive lands are generally located along the canyons and valleys of the Eastern Territories. Historically, much of the Eastern Territories was used for dry farming that continues today on undeveloped properties. Recent development of large, planned communities is converting the natural and agricultural landscape to a developed landscape. New development continues to occur within the Eastern Territories, and graded sites can be seen from some roadways throughout this area.

Otay Ranch comprises approximately 23,700 acres on three parcels of land in the southern portion of the Eastern Territories Planning Area (see Figure 2-2, *Eastern Territories Area*). The Otay Valley Parcel is bounded to the north by Telegraph Canyon Road/Otay Lakes Road, to the west by the Sunbow Planned Community, Heritage Road and the Otay Landfill, to the south by Brown Field, and to the east by Lower Otay Lake. Natural landforms occurring within Otay Ranch include Otay River Valley, Wolf Canyon, Salt Creek, Poggi Canyon, and Rock Mountain. The Otay River Valley bisects the southern portion of this area in an east-west direction. To the north of the Otay River Valley, Otay Ranch is characterized by rolling hills, which have been disturbed by years of dry farming. The southern side of the Otay River Valley is characterized by a flat mesa and a series of tributary canyons that drain to the valley. Elevations range from a low of 160 feet above mean sea level (AMSL) to a high of 670 feet AMSL.

As shown by Figure 2-3, *Otay Ranch GDP Villages Map*, the Otay Valley parcel is divided into 12 Villages for development with residential, commercial and industrial land uses, as well as open space and civic uses. Development within Otay Ranch has occurred in the northern portions (Villages 1 and 5) and is trending to the south. Currently, Village 6 and portions of Village 11 are under development. The proposed *Village 7 SPA Plan* would be located on a portion of the Otay Ranch GDP area. It is located south of Birch Road (under construction), west of future SR 125, north of future Rock Mountain Road, and east of the future southerly extension of La Media Road (see Figure 2-4, *Vicinity Map*). The basic land use pattern proposed by the Otay Ranch GDP for Village 7 is that of an urban Village, surrounded by prime arterials and an open space buffer augmented by the major open space feature of Wolf Canyon.

Figure 2-1, *Regional Map*

Figure 2-2, *Eastern Territories Area*

Figure 2-3, *Otay Ranch GDP Otay Valley Parcel Villages Map*

Figure 2-4, *Vicinity Map*

2.2 EXISTING ONSITE CONDITIONS

2.2.1 Natural Features

The approximately 288.5-acre *Village 7 SPA Plan* project site has a varied topography consisting primarily of gently sloping hills. The majority of Wolf Canyon is located west of the site, with the upper reaches of Wolf Canyon extending into the central portion of the project site. Rock Mountain, which is approximately the same elevation as the project site, is located offsite to the south. Natural drainage of the site is generally from east to west. The majority of the project site ultimately drains to the Otay River Valley; however, the northern portion of the site drains towards Poggi Canyon. A minor drainage occurs within the upper reach of Wolf Canyon and runs across the project site in a generally east-west direction. The site contains views into the upper reaches of Wolf Canyon, and distant views to the Jamul Mountains to the east and northeast. No sensitive biological habitat is present on the site.

As shown by Figure 2-5, *Existing Topography*, site elevations at the project site range from approximately 410 feet AMSL in the canyon fingers to approximately 580 feet AMSL on the hilltops. The lowest portion of the site occurs along the northwestern edge, in an upper reach of Wolf Canyon (approximately 410 feet AMSL). The highest location on the project site occurs in the northeastern corner (approximately 580 feet AMSL).

2.2.2 Existing Uses

As shown by Figure 2-4, *Vicinity Map*, the project site is currently undeveloped. The site is located on land that is currently, and has historically been, used for agricultural purposes including ranching, grazing, dry farming, and truck farming activities. Additionally, there is an approved borrow site located in the northeast quadrant of the project site that has been graded for the development of Village 6. [The existing borrow site has been addressed as part of the certified Village 6 SPA Final EIR (SCH# 2001041033).] As a result of these past disturbances, the site does not contain significant environmental resources.

2.2.3 Ownership

Village 7 is under the ownership of several parties, as shown by Figure 2-6, *Ownership*. McMillin Otay Ranch, LLC and Otay Project LP are the applicants for the proposed project and their ownerships comprise the majority of Village 7. The Otay Land Company, the Stephen & Mary Birch Foundation, and the FAA also own portions of Village 7.

The proposed project (*Village 7 SPA Plan*) and this EIR address the McMillin Otay Ranch, LLC and Otay Project LP ownerships. The environmental characteristics of these two sites are as follows:

- ◆ **McMillin Otay Ranch, LLC** property: The property comprises 180.2 acres in the eastern portion of the project site. It is bounded by Birch Road to the north, future SR 125 to the east, the Stephen & Mary Birch Foundation property to the south, and the Otay Project LP and FAA properties to the west. The area has been historically farmed and is characterized by rolling hills. The upper reach of Wolf Canyon runs east-west through the middle of this ownership.

Figure 2-5, *Existing Topography*

Figure 2-6, *Ownership*

- ◆ **Otay Project LP property:** This property comprises 108.3 acres the western portion of the project site. It is surrounded by Birch Road to the north, the McMillin Otay Ranch, LLC property to the east, the Otay Land Company property to the south, and future La Media Road to the west. The 51.9-acre FAA property is located within the southern portion of this ownership, creating an irregular-shaped parcel. This site is also bisected by the upper reach of Wolf Canyon, which runs in an east-west direction. Similar to the McMillin Otay Ranch, LLC parcel, this ownership is characterized by rolling hills and has historically been dry farmed.

2.3 EXISTING OFFSITE CONDITIONS

Implementation of the proposed McMillin Otay Ranch, LLC and Otay Project LP TMs would affect off-site areas. The alignment of Street C, which provides access into Village 7 off La Media Road, is required through a portion of the Otay Land Company property. The Otay Land Company property is characterized by undeveloped agricultural lands. The area that would be affected is relatively flat, with a gradual upward slope to the southeast. Additionally, grading associated with Street C would encroach into the southerly portion of the FAA VORTAC property. As identified in the Otay Ranch GDP EIR, this area is characterized by non-native grasslands. The affected area has natural upward slope towards the northwest.

The McMillin Otay Ranch, LLC TM would also require a small amount of grading into land reserved for SR 125 and into the very northeastern corner of the FAA ownership. ThisThe SR 125 area is currently undeveloped and used for agricultural purposes. The FAA ownership area is undeveloped and characterized by non-native grassland. Due to the approximately 0.2-acre size of the enroachment area onto the FAA property, this area is too small to be noticeable on the graphics in this EIR.

The Otay Project LP TM would require use of a 44.4-acre off-site borrow area. The borrow area is within the boundaries of Village 4 and is currently undeveloped. It has historically been used for agricultural purposes. The northern boundary of the borrow site is Wolf Canyon.

2.4 SURROUNDING LAND USES

The project site is bordered by mainly undeveloped lands on the west, east, and south sides. Like the project site, these areas have been historically used for agricultural activities. A 51.9-acre aviation navigation facility, owned by the FAA and referred to as the VORTAC, is located adjacent to the western boundary of the project site. The VORTAC is comprised of a circular concrete pad with a conical antennae dome and is used to aid in aviation navigation. The area north of the project site is currently under development with residential units and a Catholic High School/church that are part of Village 6 of the Otay Ranch GDP.

Other Villages of the Otay Ranch GDP surround the project site, including Villages 2 and 4 to the west, and the Eastern Urban Center to the east (see Figure 2-3, *Otay Ranch GDP Villages Map*). According to the GDP, Villages 2, 3, and 4 are planned for a range of land uses, including: single-family residential, multi-family residential, commercial, business park, community purpose facility, park, school, and open space. The EUC is approved for development with high density residential and commercial land uses. In addition, SR 125, an Expresswaya Tollway/Freeway that stretches from La Mesa in the north to Otay Mesa in the south, is approved adjacent to the eastern side of the project site. SR 125 is currently under construction and is expected to be complete in late 2006.

2.5 PLANNING CONTEXT

Relevant plans and policies include the City of Chula Vista General Plan, the Otay Ranch GDP, the Chula Vista zoning title, and the Multiple Species Conservation Plan (MSCP)/City of Chula Vista MSCP Subarea Plan, as discussed below.

2.5.1 City of Chula Vista General Plan

The Chula Vista General Plan is a guiding document for the development of the City. The General Plan was last comprehensively updated in 1989 and amended in 1993 and 1995. The General Plan area spans approximately 44,470 acres and consists of the incorporated area of the City of Chula Vista, the existing sphere of influence, and additional unincorporated area. The General Plan includes a series of elements that address specific aspects of the area's development. These are Land Use, Circulation, Public Facilities, Housing, Growth Management, Child Care, Conservation and Open Space, Parks and Recreation, Safety, and Noise. In addition, Chula Vista Area Plans are included, which address the issues and plans of five planning areas located within Chula Vista in greater detail. The proposed project is within the Eastern Territories Planning Area Plan. The City of Chula Vista is in the process of updating the City's General Plan in order to reflect changing community needs, values, shifts in demographic and economic conditions, and growth and development patterns in the City.

2.5.2 Otay Ranch GDP/SRP

The Otay Ranch GDP/SRP is a land use plan that is a joint planning effort between the City of Chula Vista and the County of San Diego. Adopted in 1993, it sets forth a framework for land use, circulation, open space, community design, and public facilities and services upon which subsequent development in the Otay Ranch planning area in southeastern Chula Vista will be based. The GDP pertains to portions of the planning area incorporated into the City of Chula Vista, and the SRP pertains to parts of the planning areas that are unincorporated (County of San Diego has jurisdiction). Therefore, this EIR only references the Otay Ranch GDP.

Since the proposed *Village 7 SPA Plan* project site is located in the City of Chula Vista, the GDP is the implementing mechanism for the City's General Plan for the planning area. The Otay Ranch GDP area is zoned as a Planned Community Zone (P-C) by the Chula Vista General Plan. The Otay Ranch GDP identifies a mix of residential neighborhoods utilizing a Village concept, commercial centers, research-oriented industrial uses, a civic center, art centers, resort facilities, recreational parks, a town center, and a university site. It also designates permanent natural open space preserve areas. Figure 2-7, *Adopted GDP – Village Seven*, shows the adopted GDP for Village 7. As discussed in the Otay Ranch GDP, Village 7 is intended to transition from the more intense urban uses of the EUC (to its east) to lower intensity uses on its west side, near Wolf Canyon.

The GDP requires SPAs to be developed for all areas within the Otay Ranch GDP, and generally Villages are to be comprehensively planned as a unit. The Otay Ranch GDP was amended in May 2004 to allow for instances when a Village is not under unified control. Based on the amendment, the GDP allows SPA applications to be filed for a portion of a Village if it meets the provision of the amendment. In order to ensure that the cohesive implementation of a Village is not precluded, any SPA application for a portion of a Village must demonstrate that the entire Village can be comprehensively planned. Additionally, the applicant is required to consult with and provide the opportunity for the other landowners to be involved with the process, should they so choose.

The Otay Ranch Village 7 is under the ownership of five separate entities. Due to its divided ownership and as allowed by the Otay Ranch GDP, the *Village 7 SPA Plan* only covers those portions under ownership of McMillin Otay Ranch, LLC and Otay Project LP. The GDP states that a subsequent applicant(s) would be required to amend the proposed *Village 7 SPA Plan* at such time an application is submitted for development of the respective ownership.

The Otay Ranch GDP is currently being amended with the General Plan Update to reflect changing community needs, values, shifts in demographic and economic conditions, and growth and development patterns in the City. The Otay Ranch GDP update will better reflect existing and future development within Otay Ranch. Because the GDP Update is a pending project, it is only considered in the cumulative analysis of this EIR. The proposed project is being reviewed for conformance with the existing, approved GDP.

2.5.3 Zoning

Zoning in the City of Chula Vista is regulated by Title 19 of the City of Chula Vista Municipal Code. The zoning title is adopted to protect and promote the public health, safety, morals, peace, comfort, convenience, prosperity, and general welfare. It was last updated in July 2001, and last amended in May 2004.

As stated previously, the *Village 7 SPA Plan* project area is zoned Planned Community (PC). According to Section 19.48.010 of the zoning title, the purposes of the PC zone are to:

- ◆ Provide for the orderly preplanning and long-term development of large tracts of land which may contain a variety of land uses, but are under unified ownership or development control so that the entire tract will provide an environment of stable and desirable character;
- ◆ Give the developer reasonable assurance that sectional development plans prepared by him in accordance with an approved general development plan will be acceptable by the City. Sectional development plans may include subdivision plans and/or planned unit development plans as provided in this title; and
- ◆ Enable the City to adopt measures providing for the development of the surrounding area compatible with the planned community zone.

According to Section 19.48.020 of the zoning title, the following ownership regulations apply to properties zoned P-C:

- ◆ P-C zones may be established on parcels of land that are suitable for, and of sufficient size to be, planned and developed in a manner consistent with the purpose of this chapter and objectives of this title. No P-C zone shall include less than 50 acres of contiguous lands.

2.5.4 MSCP/City of Chula Vista MSCP Subarea Plan

The MSCP is a long-term habitat conservation planning program authorized under federal and state law that addresses multiple habitat species needs and the preservation of native vegetation communities for an approximately 900 square mile area within San Diego County. It is one of three subregional habitat planning efforts in San Diego County that will preserve a network of habitat and open space, protecting biodiversity and enhancing the region's quality of life. The MSCP addresses the potential impacts of urban growth, natural habitat loss, and species endangerment for 12 jurisdictions, including Chula Vista, and

identifies a mitigation plan. Both public and private lands within the MSCP area must comply with the MSCP.

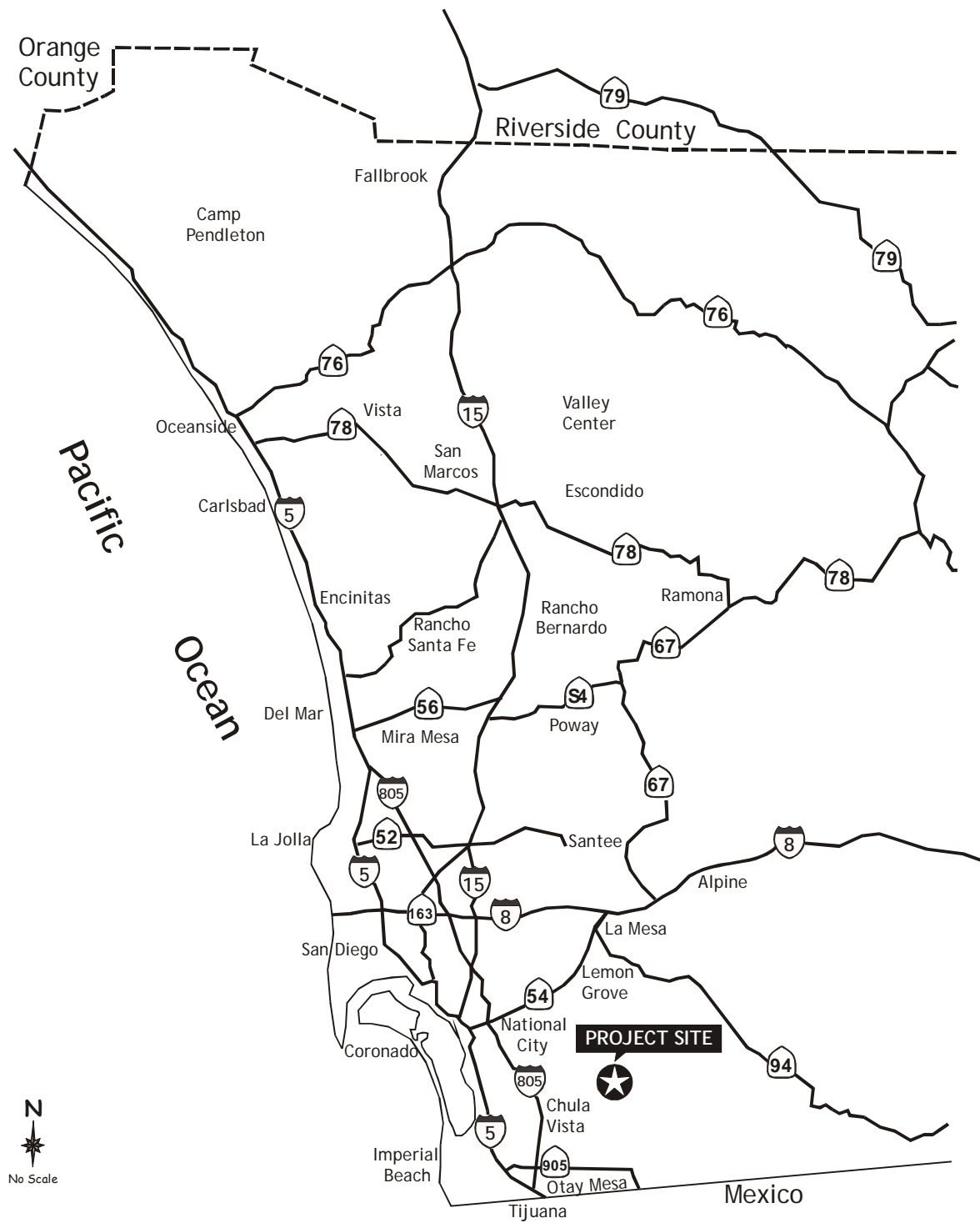
Figure 2-7, *Adopted GDP – Village Seven*

The City of Chula Vista recently adopted the MSCP Subarea Plan. It has been prepared pursuant to the general outline developed by USFWS and CDFG and complies with the goals and requirements for habitat and species conservation. The planning area of the Chula Vista MSCP Subarea Plan covers a total of 57,849 acres. While the project site is located within the boundaries of both the Chula Vista MSCP and Chula Vista Subarea Plan, none of the land within or adjacent to the *Village 7 SPA Plan* project area is identified as a MSCP Preserve Area. The nearest MSCP Preserve Area is located within Wolf Canyon, west of La Media Road and the *Village 7 SPA Plan* project site.

2.6 SWEETWATER UNION HIGH SCHOOL DISTRICT HIGH SCHOOL #13

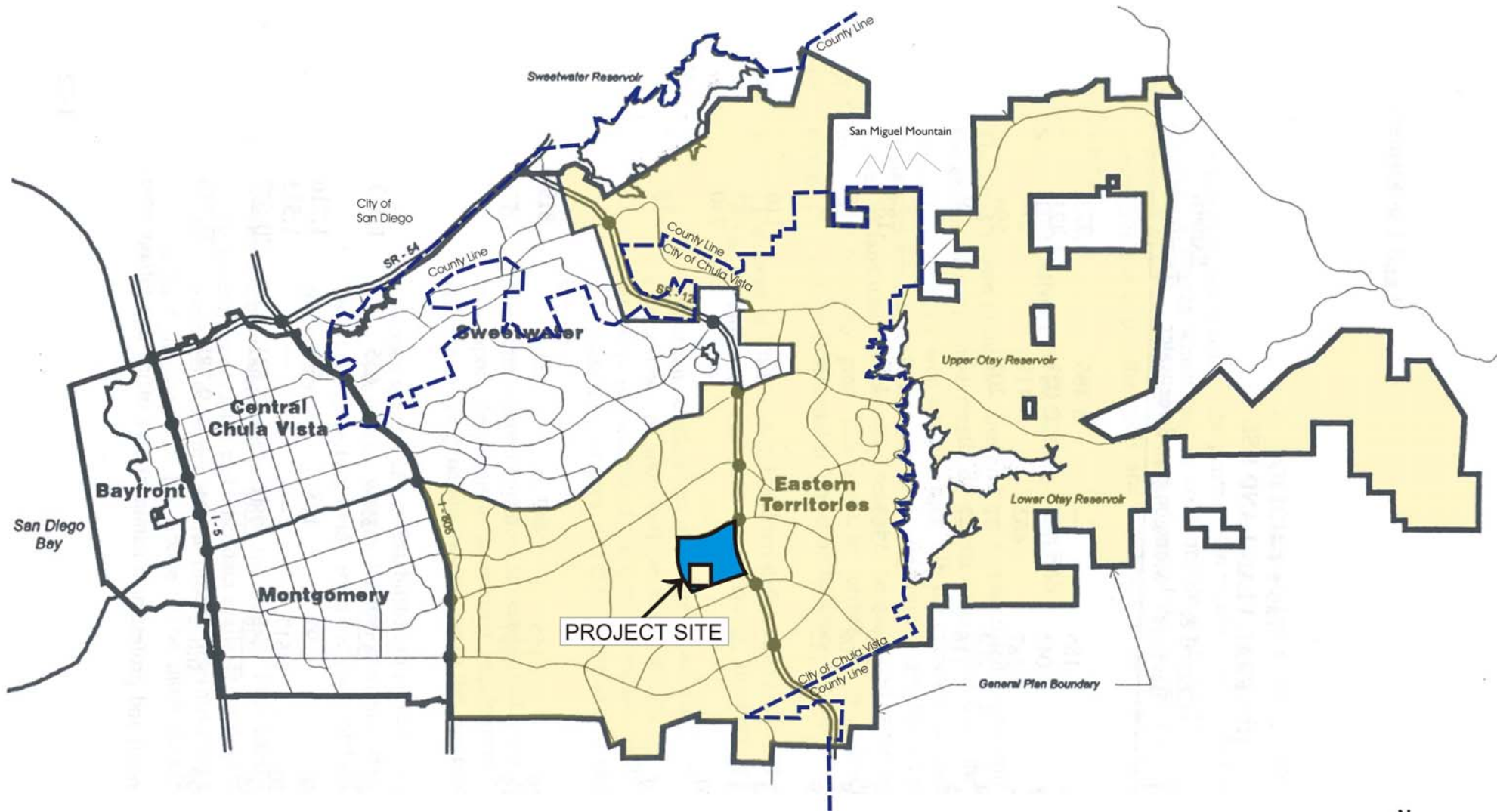
The SUHSD is evaluating a potential site for a high school within Village 7. As mentioned previously, a portion of the high school site is proposed on a portion of the McMillin Otay Ranch, LLC ownership, and the remaining portion of the high school site is being considered for land owned by the Stephen & Mary Birch Foundation (located within Village 7 but not within the *Village 7 SPA Plan* project area). In accordance with CEQA Guidelines section 15051, SUHSD is the lead agency for the proposed high school project. The SUHSD does not need City approval for the proposed high school, and City of Chula Vista plans and policies are not applicable to the SUHSD's high school project.

The SUHSD's evaluation of the High School #13 parallels the *Village 7 SPA Plan* project; however, the two projects are independent from one another, and the SUHSD High School #13 project is not evaluated as part of this EIR. A separate EIR (SCH #99041004) has been prepared for the Sweetwater Union High School #13 project by the School District to evaluate the environmental effects associated with planning, site acquisition, construction, and operation of the high school. Specifically, the Sweetwater Union High School #13 EIR addresses "the acquisition of a 53.9-acre parcel in the southeast corner of Village Seven; construction of permanent two-lane access roads and a temporary access road; construction and operation of a public high school for Grades 9 through 12; infrastructure improvements; landscaping; and three borrow/storage sites" (Draft EIR for the Sweetwater Union High School No.13, May 11, 2004). Note that effects of the high school are considered within this EIR in the evaluation of cumulative impacts.



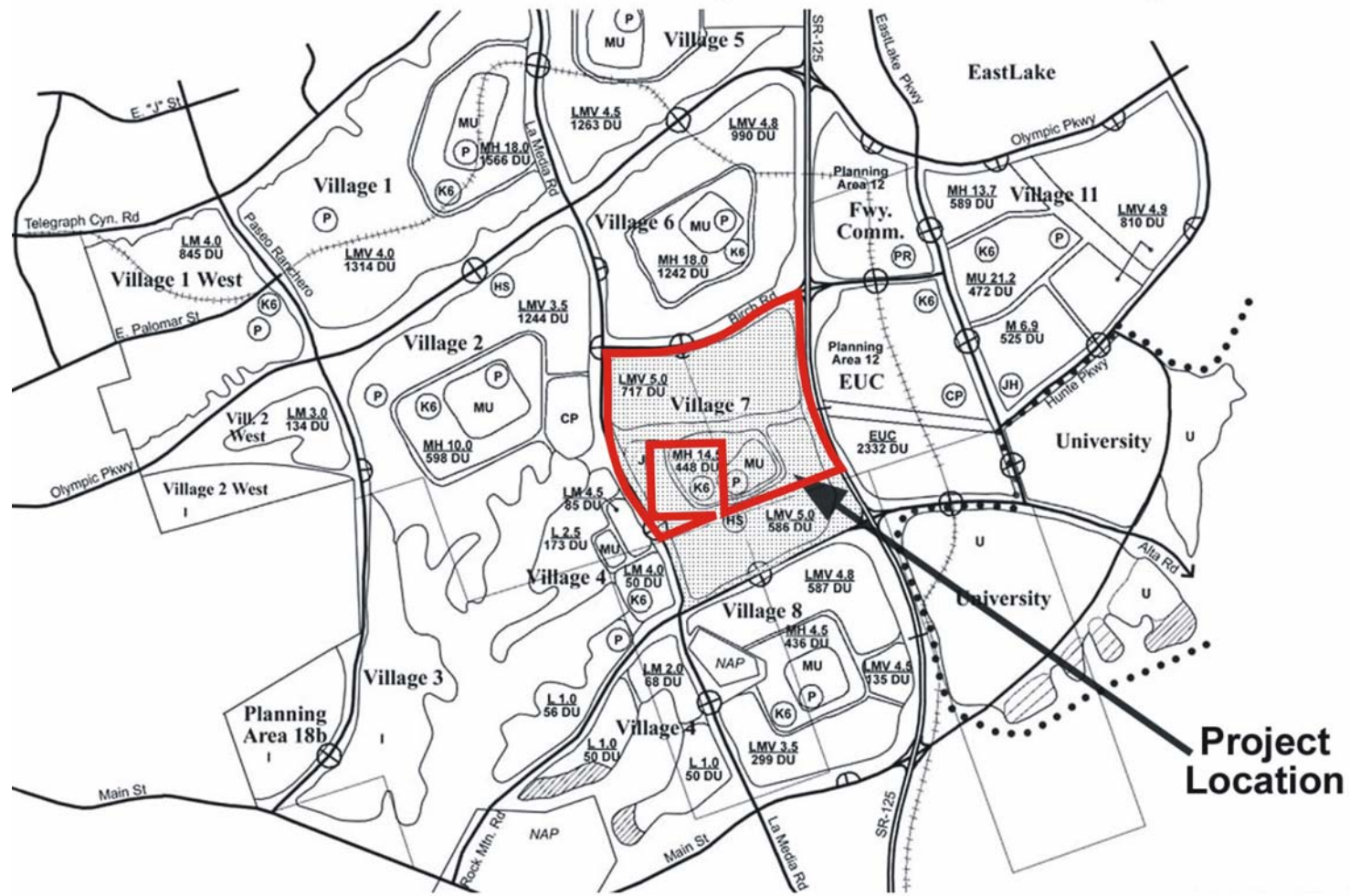
Source: David Evans & Associates, Inc.


REGIONAL MAP



Source: City of Chula Vista General Plan

EASTERN TERRITORIES AREA



LEGEND	
	Village 7
	Village 7 SPA Plan Project Site



No Scale

SOURCE: Cinti Land Planning

OTAY RANCH GDP OTAY VILLAGE PARCEL VILLAGES MAP

Village 7 Sectional Planning Area Plan EIR
 Draft: June 2004; Final: October 12, 2004

Figure 2-3

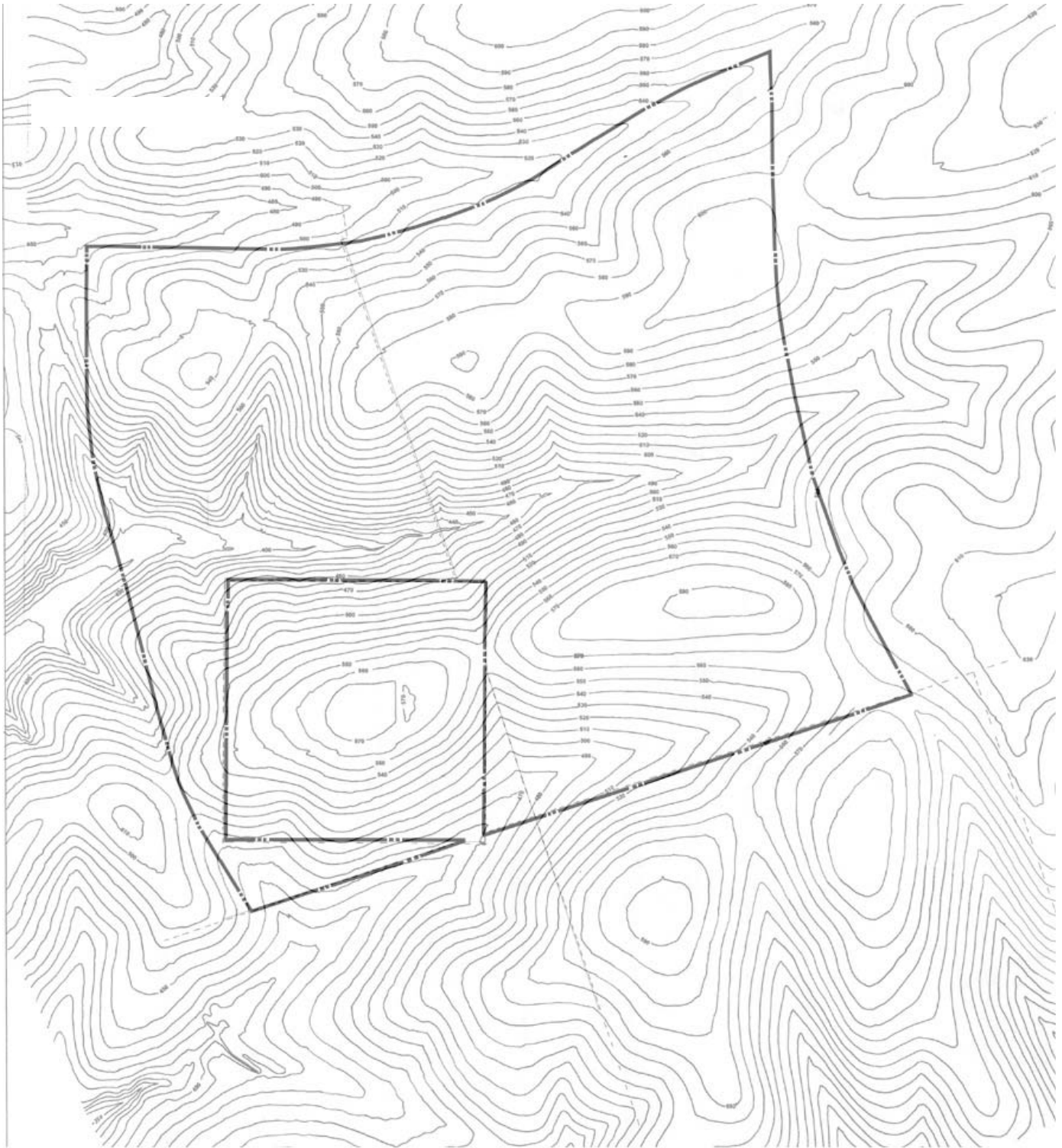


Source: David Evans and Associates, Inc.

 Village 7 SPA Plan Project Site



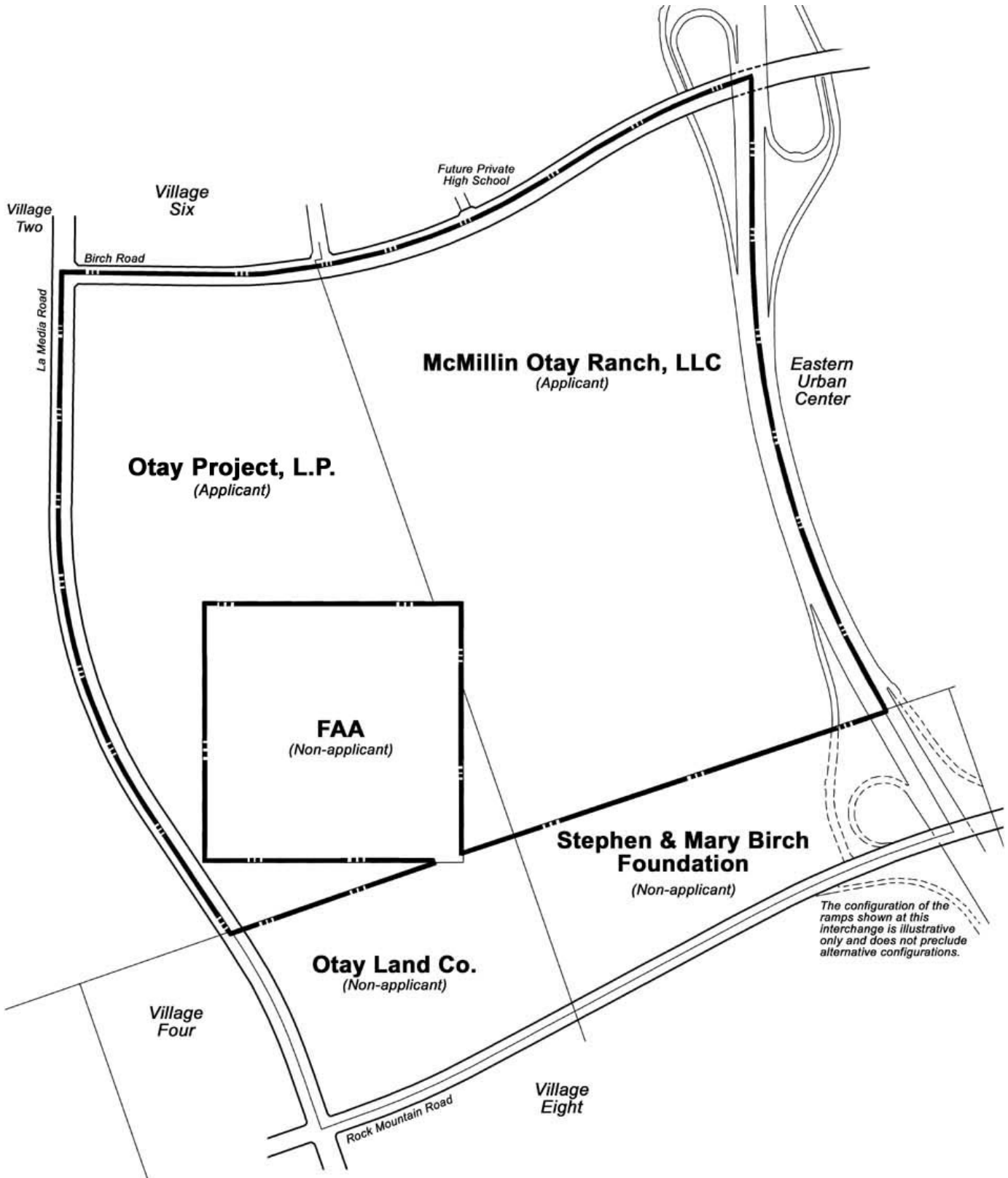
VICINITY MAP



Source: Cinti Land Planning



EXISTING TOPOGRAPHY



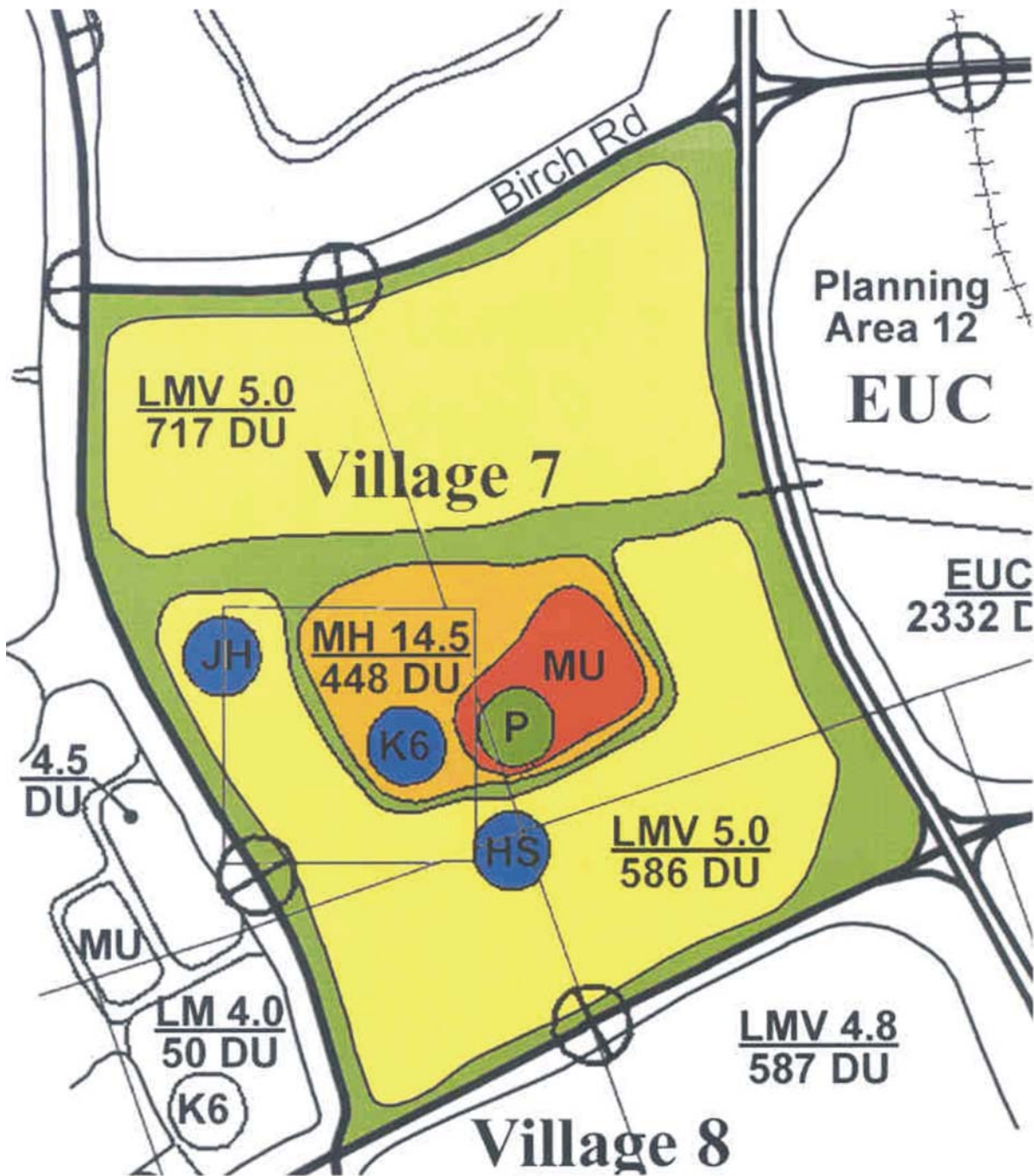
Source: Cinti Land Planning



No Scale

OWNERSHIP

Figure 2-6



LMV	Low Medium Village	K6	Elementary School
MH	Medium High	JH	Junior High School
MU	Mixed Use	HS	High School
P	Park		

Source: Cinti Land Planning
 N
 No Scale

ADOPTED GDP FOR VILLAGE SEVEN

Figure 2-7

3.0 PROJECT DESCRIPTION

This EIR analyzes the potential environmental impacts associated with the proposed *Village 7 SPA Plan* project. The project proposes a plan of development for the McMillin Otay Ranch, LLC and Otay Project LP ownerships in Village 7. Village 7 is one of the 12 Villages in the City of Chula Vista comprising the Otay Ranch GDP. Development of the proposed *Village 7 SPA Plan* would allow for a range of residential, public, and open space uses in the Eastern Territories portion of the City of Chula Vista. Concurrent with the processing of the *Village 7 SPA Plan* project, TMs have been submitted to the City for development of the McMillin Otay Ranch, LLC site and the Otay Project LP site. This EIR also evaluates the proposed TMs.

3.1 PROJECT BACKGROUND

The *Village 7 SPA Plan* project area is located in the Otay Valley parcel portion of the Otay Ranch, a 23,700-acre, master-planned community. The first tier of planning and approvals for Otay Ranch, which included a Program Environmental Impact Report (Otay Ranch GDP/SRP Program EIR 90-01/SCH #89010154), was approved in October 1993. At that time, it was anticipated that due to the large project area, complexity of issues, and extended buildout time frame, second tier documents would be required to address subsequent development projects. The *Village 7 SPA Plan* provides a second tier planning document that details how the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 will be developed. In accordance with Section 21093 of CEQA, this EIR tiers from the Otay Ranch GDP Program EIR and provides specific environmental review for the McMillin Otay Ranch, LLC and Otay Project LP portions of Village 7.

Historically, the land comprising Otay Ranch, including the *Village 7 SPA Plan* project area was used for agricultural purposes such as ranching, grazing, dry farming, and truck farming activities. Crop production consisted primarily of hay and grains due to limited water availability. The majority of the site is still used for agricultural activities.

The applicants for the *Village 7 SPA Plan* project (McMillin Otay Ranch, LLC and Otay Project LP) own the majority of the land comprising Village 7; however, the applicants do not own all land within Village 7 (see Figure 2-6, *Ownership*). The other ownerships are Otay Land Company, FAA, and the Stephen & Mary Birch Foundation. Because the applicants do not control the land outside the *Village 7 SPA Plan* project area, they are unable to specifically plan these areas as part of the SPA, and land uses have not been assigned to these properties. Future development of those areas outside the control of the applicants is speculative at this time and would require amendment(s) to the Village 7 SPA Plan and subsequent environmental review under CEQA.

3.2 PROJECT OBJECTIVES

The objectives of the proposed *Village 7 SPA Plan* project include the following:

- ◆ Implement and demonstrate consistency with the goals, objectives, and policies of the Chula Vista General Plan and the Otay Ranch General Development Plan;
- ◆ Implement Chula Vista's Growth Management Program to ensure that public facilities are provided in a timely manner;
- ◆ Foster development patterns which promote orderly growth and minimize urban sprawl;

- ◆ Maintain and enhance a sense of community identity within the City of Chula Vista and surrounding neighborhoods;
- ◆ Provide for the establishment of a pedestrian-oriented village;
- ◆ Promote complementary uses between villages to balance activities, services and facilities;
- ◆ Promote effective management of natural resources by concentrating development into less sensitive areas while preserving large contiguous open space areas with sensitive resources;
- ◆ Contribute to the unique Otay Ranch image and identity that differentiate Otay Ranch from other communities;
- ◆ Wisely manage limited physical resources;
- ◆ Implement development consistent with the provisions of the Otay Ranch Resource Management Plan (RMP);
- ◆ Establish a land use and facility plan that assures village viability in consideration of existing and anticipated economic conditions; and
- ◆ Provide for the future development of a high school to accommodate the anticipated high school student projections.

3.3 PROJECT CHARACTERISTICS

The *Village 7 SPA Plan* project would implement the Otay Ranch GDP for the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7. The land uses proposed are in conformance with the Otay Ranch GDP, and no amendment to the GDP is required or proposed. The following is a detailed description of the project elements.

3.3.1 Village 7 Sectional Planning Area (SPA) Plan

The *Village 7 SPA Plan* is an implementation document required by the Planned Community (PC) Zone in Title 19 of the Chula Vista Municipal Code that refines and implements the land use plans, goals, objectives, and policies of the Otay Ranch GDP. The plan establishes design criteria and specifies the type and amount of development permitted. The proposed *Village 7 SPA Plan* is divided into nine sections: the SPA Plan; Planned Community (PC) District Regulations; Village 7 Design Plan; Public Facilities Finance Plan; Affordable Housing Program; Air Quality Improvement Plan; Water Conservation Plan; Non-Renewable Energy Conservation Plan; and Parks, Recreation, Open Space and Trails Plan. These sections are discussed in detail below.

SPA Plan

The purpose of the SPA Plan is to define, in more detail than the City's General Plan and Otay Ranch GDP, the development parameters for the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7, including the land uses, urban design criteria, circulation pattern, open space and recreation concept; and infrastructure requirements to support the community. To achieve this purpose, the SPA Plan chapter is further divided into the following sections, which are described below: Development Concept; Circulation; Grading; Parks, Recreation & Open Space; Development Phasing; and Public Facilities.

Development Concept

The Otay Ranch GDP identifies Village 7 as an “urban village.” According to the GDP, the “village” concept shapes the character and success of the community. Villages are characterized by well-defined edges, mixed-use centers, pedestrian and bicycle trails, and a variety of housing types with high density residential next to transit stations. A village is intended to be pedestrian-friendly and provide a place where residents can live, work, and play. As envisioned by the GDP, the buildout of the entire Village 7 would include the following:

- ◆ A maximum of 1,053 single-family residential units;
- ◆ A maximum of 448 multi-family residential units;
- ◆ Build-out population of approximately 4,512;
- ◆ A middle school;
- ◆ A high school;
- ◆ A trail connection through the village connecting Wolf Canyon to the west and Eastern Urban Center in Planning Area 12 to the east; and
- ◆ A village core area that contains the following:
 - Commercial uses in a mixed use setting
 - Public and community purpose facilities
 - Transit stop
 - Elementary school
 - Multi-family residential
 - Town Square/Village Green/Main Street
 - Affordable housing
 - Neighborhood Park

The *Village 7 SPA Plan* covers the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7. The *Village 7 SPA Plan* proposes residential, community purpose facility, school, park and open space uses, consistent with the Otay Ranch GDP. The *Village 7 SPA Plan* also proposes the construction of La Media Road from Birch Road to the “connector” road located just south of the VORTAC, Magdalena Road from Birch Road to the southern limits of the McMillin Otay Ranch, LLC ownership, and the connector road between La Media Road up to the Stephen & Mary Birch Foundation ownership. The area and location for the different land use types within the *Village 7 SPA Plan* are shown by Figure 3-1, *Site Utilization Plan*.

Residential land use is proposed as the predominant land use in the *Village 7 SPA Plan* in accordance with the GDP. *Village 7 SPA Plan* allows for a total of 756 single-family dwelling units and 448 multi-family dwelling units. Residential densities set forth by the SPA Plan range from a maximum of 15 dwelling units/acre for multi-family to a minimum of 4.2 dwelling units/acre for single-family uses. Additionally, a minimum of 10 percent of the total dwelling units proposed by the *Village 7 SPA Plan* would provide housing for low and moderate-income households.

Other land uses within the project site would include a public park, community facilities, open space, and roadways. Additionally, elementary and a high school uses are identified in the *Village 7 SPA Plan* project area.

One of the defining features of the *Village 7 SPA Plan* would be the Village Core. The Village Core would contain multi-family housing, a neighborhood park, and an elementary school. The Village Core area would connect to an open space greenbelt area and trails leading to the Eastern Urban Center to the east, as well as connecting to trails leading to Otay River Valley. The area surrounding the Village Core is referred to as the

<FIGURE 3-1, *SITE UTILIZATION PLAN*>

Secondary Area, and includes single-family residences, a high school site, and two community purpose facility (CPF) sites.

Development of the *Village 7 SPA Plan* area would be enhanced through landscaping, as shown by the *Landscape Concept Plan* (see Figure 3-2, *Landscape Concept Plan*). Distinct landscape treatments would be provided for the street system to create specific appearances for each street category. Special landscaping to buffer the project site from SR 125 would be implemented, and a landscape buffer area would provide a landscape theme between residents and roadways. Landscaping and signage would be used to define the major entries into the project site and for the Wolf Canyon Greenbelt. As discussed previously, land comprising the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 has been historically and is currently used for agricultural purposes. As required by the Otay Ranch GDP, an agricultural plan has been developed that identifies agricultural standards to be employed during the phased development of the project.

Circulation

The circulation plan for the *Village 7 SPA Plan* would extend existing roadways and construct planned facilities, in addition to establishing non-vehicular routes. According to the plan, roads would be arranged in a hierarchy to facilitate access both within the community and off-site. As shown by Figure 3-3, *Conceptual Circulation Plan*, roadways along the perimeter of the site include La Media Road, a six-lane Prime Arterial; Birch Road, a six-lane Major Street; and SR 125. Internal streets include Secondary Village Entries (with median), Village Promenades (without median), a Village Core Promenade, a Secondary Village Promenade, a Residential Promenade, a Secondary Village Promenade Underpass, and Residential Streets and Cul-de-Sacs. Street standards for each street type are provided in the circulation plan. Specific access points, transit facilities, and internal circulation are not identified in the circulation plan; however, these are identified in the TMs.

Transit within Village 7 is expected to occur through an extension of the San Diego regional transit system and provided by Chula Vista Transit (CVT). A transit stop would be located within the Village Core area, and bus service would be provided on major streets and arterials (see Figure 3-4, *Conceptual Transit Plan*). Bus stops may be based on the Green Car and Blue Car service concepts identified in the Metropolitan Transit District Board's (MTDB) *TransitWorks* Strategic Plan. A detailed analysis of traffic circulation and transportation is provided in Section 4.3, *Traffic, Circulation, and Access*, of this EIR.

Grading

As proposed by the *Village 7 SPA Plan*, it is estimated that approximately 7.5 million cubic yards of cut and fill would be required for implementation of the *Village 7 SPA Plan* (see Figure 3-5, *Conceptual Grading Plan*). Both on- and off-site grading would be required for the project. On-site grading would create large development pads and internal roads. Temporary off-site grading associated with the McMillin Otay Ranch, LLC TM would be necessary along the east side of the TM area, if grading of the TM area occurs before grading for SR-125. The Otay Project LP TM proposes to use a borrow site in Village 4 to import material to their ownership within the *Village 7 SPA Plan* area. In addition, offsite grading would be necessary for the extension of Magdalena Road and an internal road located south of the VORTAC. A detailed analysis of landform alterations proposed as part of the project is included in Section 4.6, *Landform Alteration/Aesthetics*, of this EIR.

Figure 3-2, *Landscape Concept Plan*

<Figure 3-3, *Conceptual Circulation Plan*>

<Figure 3-4, *Conceptual Transit Plan*>

Figure 3-5, *Conceptual Grading Plan*

Parks, Recreation & Open Space

The *Village 7 SPA Plan* identifies parks, recreation, and open space facilities in accordance with the requirements of the Otay Ranch GDP for Village 7 and the City's Growth Management Standards. Figure 3-6, *Parks and Open Space*, shows conceptual locations of parks and open space for the project site.

The *Village 7 SPA Plan* designates 7.6 acres for a public park; two separate areas for Common Useable Open Space, one 1.1 acres and the other 0.7-acre; and 41.7 acres of open space in and around Wolf Canyon. Open space for the project site would be provided as buffer areas, slopes, and scenic corridors such as the Wolf Canyon Open Space Corridor, which runs easterly in the central portion of the site. No sensitive habitat areas are found within Village 7; therefore, natural open space preservation areas are not proposed or required.

Trails within the *Village 7 SPA Plan* project site would connect to the community-wide trail system of Otay Ranch and implement the City's Greenbelt Master Plan. Trails would follow the general alignment of roadways serving the site, as well as the alignment of Wolf Canyon. As shown by Figure 3-7, *Trails*, five types of trails are proposed: Regional Trail; Village Greenway; Village Pathway; Village Core Promenade; and Residential Promenade.

A detailed analysis of parks, recreation, and open space is provided in Section 4.15, *Parks, Recreation, Trails, and Open Space*, of this EIR.

Development Phasing

Development of the high school and associated infrastructure to serve the high school is expected to be the first phase of the SPA plan development. ~~No building permits for residential units can be issued until April 2006 based on the fact that Village 7 was not included in the "Agreement for Monitoring of Building Permits" entered into between the City and developers. Once building permits can be issued for residential units, it is anticipated that the remaining land uses within the Village 7 SPA Plan area would be developed. Residential development will occur in accordance with the Public Facilities and Financing Program that assures that public infrastructure and services area available at the time there is a demand for such services.~~ For worst case analysis purposes, it is assumed that development of the McMillin Otay Ranch, LLC and the Otay Project LP TMs would occur simultaneously.

Public Facilities

The public facilities section outlines the public facilities needed to serve development of the *Village 7 SPA Plan*. Local facilities include water, recycled water, sewer, drainage and urban runoff, schools, law enforcement, fire protection, animal control, civic, library, and childcare facilities. Additionally, the *Village 7 SPA Plan* provides for an elementary school and a high school. The phasing for construction of public facilities is discussed in further detail in the Village 7 Public Facilities Finance Plan.

Detailed analyses of public services and the ability for these services to serve the project are provided in Section 4.12, *Utilities and Public Services*, of this EIR.

<Figure 3-6, *Parks and Open Space*>

<Figure 3-7, Trails>

Planned Community (PC) District Regulations

The Planned Community (PC) District Regulations provide the applicable zoning regulations for the *Village 7 SPA Plan* project site. The regulations are intended to implement the goals and policies of the Chula Vista

General Plan, the Otay Ranch GDP, and the *Village 7 SPA Plan* by establishing land use districts and standards for each district. The regulations provide the basis by which the City would review and evaluate the preliminary and final drawings for subsequent development applications, and provide guidance at the design review level. Additionally, special uses and conditions are discussed and administrative procedures to implement the regulations are identified.

Six land use districts have been identified for the *Village 7 SPA Plan*. These include Single Family Three (SF3), Single Family Four (SF4), Residential Multi-Family One (RM1), Residential Multi-Family Two (RM2), Community Purpose Facility (CPF), and Open Space/Park One (OS/P1), as described in Table 3-1, *Village 7 SPA Plan Land Use District Definitions*. The boundaries for each land use district are shown by Figure 3-8, *Land Use Districts*.

TABLE 3-1
VILLAGE 7 SPA PLAN LAND USE DISTRICTS DEFINITIONS

Symbol	General Description
SF3	Single Family Three: District which permits single family housing located on lots >5,000 square feet
SF4	Single Family Four: District which permits single family housing located on lots <5,000 square feet
RM1	Residential Multi-Family One: District which permits housing ranging from 8 units/acre up to 14.9 units/acre including small lot single family, alley, duplex, townhouse and stacked flats product types
RM2	Residential Multi-Family Two: District which permits housing at densities from 15+ units/acre
CPF	Community Purpose Facility: District which permits uses established pursuant to the Community Purpose Facilities requirements of the P-C Planned Community Zone
OS/P1	Open Space/Park One: District which permits developed or usable open space and park uses, and may include naturalized open space

Residential Districts

The SF3, SF4, RM1, and RM2 land use designations comprise the residential districts within the *Village 7 SPA Plan* project area. These residential districts provide for both single-family and multi-family residences, with allowed densities ranging from 15 dwelling units/acre for multi-family to 4.2 dwelling units/acre for single-family uses. The PC District Regulations provide specific development standards for the SF4, RM1, and RM2 land use designations. The development standards are intended to implement the residential policies of the Otay Ranch GDP, provide for living areas that protect public health, safety, and welfare, minimize the effects of traffic congestion, and provide public facilities concurrent with need.

<Figure 3-8, *Land Use Districts*>

Community Purpose Facility

There are three Community Purpose Facility (CPF) sites proposed within the *Village 7 SPA Plan*. Section 19.48.025 of the City's Municipal Code requires 1.39 acres of CPF land per 1,000 residents and establishes the permitted uses for this designation.

Open Space and Parks District

The purpose of the Open Space and Parks District is to provide for open space, landscaping, recreation, and public uses within the *Village 7 SPA Plan* project area. The PC District Regulations provide development standards and a matrix of permitted uses for this district.

Village 7 Design Plan for the McMillin Otay Ranch, LLC and Otay Project LP Ownerships

The Village 7 Design Plan for the McMillin Otay Ranch, LLC and Otay Project LP ownerships is intended to guide the site, building and landscape design of the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 and establish the intended character of the village, as anticipated by the GDP. The Design Plan identifies a "California Heritage" theme and uses streetscape and landscape design, signage programs and architectural and lighting guidelines to implement the theme. The Design Plan also identifies the village core design concepts, which implement Otay Ranch's planned pedestrian orientation. The Design Plan includes the following sections, which are described below: Design Review Process, Community Design Concept, Residential Design Guidelines: Single Family – Secondary Area, Residential Design Guidelines: Multifamily, Non-Residential Design Guidelines, and Village Core Concept.

Design Review Process

Design review for development of the *Village 7 SPA Plan* includes two integrated processes: design review and review and approval by the City of Chula Vista. This process is intended to ensure that the builder's proposed product and designs meet the standards and design criteria of the *Village 7 SPA Plan* and comply with all applicable regulations.

Community Design Concept

Implementation of the *Village 7 SPA Plan* would continue the community design theme of "California Heritage." The *Village 7 SPA Plan* land use policies have been developed to encourage a pedestrian-scale development and a pedestrian-friendly village environment. Design associated with the California Heritage theme is flexible and is intended to reflect the area's historical context, while providing flexibility in design. Landscaping based on the plant list contained in the Design Plan would be used throughout the project area to enhance the community theme. Other elements that would be used in defining the community theme include walls and fencing, signage, and lighting.

Residential Design Guidelines: Single Family – Secondary Area

Single-family residential areas are located away from the Village Core, in the secondary area of the *Village 7 SPA Plan*. Design guidelines for this area address site planning, building placement, garages, lotting, grading and landform alteration, streetscape design and architecture. Additionally, specific designs for each

single-family neighborhood identified by the SPA Plan are presented.

Residential Design Guidelines: Multi-Family

Multi-family housing would be located within the Village Core area of the *Village 7 SPA Plan* project. The guidelines provided for multi-family housing are intended to result in a pedestrian-friendly design. Three density ranges are identified for multi-family housing: 12.5-15 du/acre, 15-18 du/acre, and 18-25+ du/acre. Additionally, specific design for each of the three multi-family neighborhoods is provided.

Non-Residential Design Guidelines

The Non-Residential Design Guidelines would apply for the high school, elementary school, park, and community purpose facilities planned to occur within the *Village 7 SPA Plan*. The Non-Residential Design Guidelines discuss architecture, building siting, color and materials, screening, site furnishings, lighting, and signage. Specific design criteria for each non-residential parcel within and outside the Village Core are also provided. As discussed in this section, “*The public school use of these sites is predetermined but the facility design should respect the village and community design framework.*”

Village Core

The Village Core is intended to be the social and activity focal point for the *Village 7 SPA Plan*. The guidelines provided by the Design Plan for the Village Core provide a policy framework and planning/design process for the future detail design. The guidelines identify a Main Street and address site planning, architecture design, landscape, lighting, street furnishings, and signage. Additionally, individual design criteria for the various sections comprising the Village Core are provided.

Public Facilities Financing Plan

The Public Facilities Finance Plan (PFFP) implements the City of Chula Vista Growth Management Program and Ordinance. A PFFP is intended to ensure that the phased development of a project is consistent with the overall goals and policies of the City’s General Plan, Growth Management Program, and the Otay Ranch General Development Plan. The PFFP for the *Village 7 SPA Plan* would ensure that development of the project would not adversely impact the City’s Quality of Life Standards. The PFFP also contains a fiscal analysis identifying capital budget impacts on the City as well as maintenance and operation costs for each proposed phase of development.

The PFFP provides an analysis of infrastructure facilities, such as water and sewer, and the provision of community services, law enforcement, libraries, schools, parks and animal control facilities. The analysis and provisions of the PFFP fulfill the GDP requirement for the SPA-level Master Facility Plans for most facilities associated with the development of the *Village 7 SPA Plan*. Where additional project specific study and planning is needed, separate technical studies and plans for the *Village 7 SPA Plan* have been prepared and included with this EIR.

Affordable Housing Program

The City of Chula Vista Housing Element requires that residential development with fifty or more dwelling units provide a minimum of 10 percent of the total dwelling units for low and moderate income households.

Of these units, one-half (or five percent of the total project) are to be available to low income households and the remaining five percent to moderate income households. In order to guarantee the provision of Affordable Housing opportunities, the City requires that a specific Affordable Housing Program (“AHP”) consistent with the Housing Element of the Chula Vista General Plan be prepared. The Affordable Housing Program is implemented through an Affordable Housing Agreement(s) between the City and the Developer(s).

The Village 7 Comprehensive Affordable Housing Program applies to all neighborhoods within the *Village 7 SPA Plan* project area, and is intended to meet the requirements of the City of Chula Vista Housing Element. Affordable housing requirements would be met within each ownership. It has been determined that the McMillin portion is responsible for providing 39 low income and 40 moderate income units; and Otay Project LP is responsible for providing 18 low income and 19 moderate income units.

Air Quality Improvement Plan

An Air Quality Improvement Plan (AQIP) is required to be submitted with SPA Plans per the City’s Growth Management Ordinance. Additionally, the City’s Growth Management program requires the preparation of an AQIP for all major development projects (50 dwelling units or greater and commercial or industrial projects with equivalent air quality impacts to a residential project of 50 dwelling units or greater). The AQIP is intended to minimize air quality impacts during and after construction of projects and to demonstrate compliance with the air quality standards and policies of the San Diego County Air Pollution Control District (APCD). Consistent with the Chula Vista AQIP, developers can either participate in the Chula Vista GreenStar Building Efficiency Program or evaluate the project using the Chula Vista CO₂ INDEX model including any necessary site plan modifications.

The proposed *Village 7 SPA Plan* AQIP covers the portion of land owned by the project applicants (McMillin Otay Ranch LLC and Otay Project LP), as shown by Figure 3-9, *Air Quality Improvement Planning Areas*. The applicants have chosen to participate in the Chula Vista GreenStar Efficiency Program, which is reflected in the proposed *Village 7 SPA Plan* AQIP. The primary goal of the GreenStar Program is to shift residential building practices toward approaches that conserve energy and resources while improving the environment and strengthening the economy. Additional AQIPs would be required at the time the remaining ownerships develop within Village 7.

Water Conservation Plan

A Water Conservation Plan (WCP) that is consistent with the Chula Vista WCP Guidelines is also required to be submitted with all SPA Plans per the City’s Growth Management Ordinance. The purpose of a WCP is to respond to the Growth Management policies of the City of Chula Vista and address the long-term need to conserve water in new developments. The proposed *Village 7 SPA Plan* WCP discusses projected water use for the *Village 7 SPA Plan*, as well as water conservation measures. Similar to the proposed AQIP described above, the proposed *Village 7 SPA Plan* Water Conservation Plan covers the portion of land owned by the project applicants (McMillin Otay Ranch, LLC and Otay Project LP) (see Figure 3-10, *Water Conservation Planning Area*). Additional Water Conservation Plans would be required at the time the remaining ownerships within Village 7 develop. A detailed analysis of water conservation is provided in Section 4.12, *Utilities and Public Services*, of this EIR.

<Figure 3-9, Air Quality Improvement Planning Areas>

<Figure 3-10, *Water Conservation Planning Area*>

Non-Renewable Energy Conservation Plan

The Otay Ranch GDP requires preparation of a Non-Renewable Energy Conservation Plan for each Village. The proposed *Village 7 SPA Plan* Non-Renewable Energy Conservation Plan identifies measures to reduce the use of non-renewable energy resources, including transportation, building design and use, lighting, recycling, and alternative energy sources. The compact design of the project area, opportunities for alternative modes of transportation, as well as building siting and construction have been identified as energy conservation features associated with the *Village 7 SPA Plan*.

Parks, Recreation, Open Space, and Trails Plan

The Parks, Recreation and Open Space and Trails Plan identifies locations, potential facilities, ownership, maintenance and phasing of park, recreation and trails facilities to be provided in the *Village 7 SPA Plan*. The plan is guided by the following regulatory framework: Chula Vista Municipal Code – Planned Community (P-C) Zoning and Parklands and Public Facilities sections, Otay Ranch GDP, Chula Vista Parks and Recreation Master Plan, Chula Vista Landscape Manual, and the Village 7 PFFP. As identified by the plan, recreation facilities to serve residents will be provided throughout the project site. These include a neighborhood park located north of the proposed elementary school (see Figure 3-11, *Conceptual Park Plan*). Additionally, the *Village 7 SPA Plan* will include a village greenway, village pathways, and the Wolf Canyon Open Space Corridor (see Figure 3-6, *Parks and Open Space*). A pedestrian overcrossing at La Media Road is also being considered for the *Village 7 SPA Plan* to connect the onsite trail system with future development of other Villages west of La Media. A detailed analysis of parks and recreation areas is provided in Section 4.15, *Parks, Recreation, Trails, and Open Space*, of this EIR.

3.3.2 Tentative Tract Maps (TMs)

The concurrent processing of TMs is proposed for both the McMillin Otay Ranch, LLC and Otay Project LP ownerships of the *Village 7 SPA Plan* project area. The TMs would establish infrastructure requirements that would enable the preparation of an application for Design Review. A TM for the McMillin Otay Ranch, LLC property and a TM for the Otay Project LP property have been submitted to the City (see Figures 3-12, *Proposed McMillin Otay Ranch, LLC TM Project*, and 3-13, *Proposed Otay Project LP TM Project*). Potential impacts resulting from implementation of the proposed McMillin Otay Ranch, LLC TM and Otay Project LP TM are also evaluated as part of this EIR.

For the McMillin property, a total of 310 single-family residential lots (land use district R-1), and 448 multi-family residential lots (land use districts R-5, R-6 and R-7) are proposed. Additionally, one pad for future park uses, one pad each for future elementary and high school uses, and a 1.1-acre CPF/private park are proposed within the McMillin Otay Ranch, LLC TM area. For the Otay Project LP TM, 375 single-family lots are proposed (land use districts R-2). Additionally, the Otay Project LP TM identifies residential areas R-3 and R-4, a 0.7-acre CPF/private park, and a one-acre CPF site.

The upper reaches of Wolf Canyon that traverse both ownerships would be recontoured and revegetated and would remain undeveloped on both TMs. In addition, the McMillin Otay Ranch, LLC TM includes detention basins and a water quality feature within the Wolf Canyon drainage. The basin consists of a receiving forebay that would be followed by two basins. The forebay and basins would handle, treat, and detain the post-project flow from the majority of McMillin's residential portion of Village 7, as well as a large portion of the Eastern Urban Center. In addition, the McMillin Otay Ranch, LLC TM project would

<Figure 3-11, *Conceptual Park Plan*>

Figure 3-12, *Proposed McMillin Otay Ranch, LLC TM Project*

Figure 3-13, *Proposed Otay Project LP TM Project*

recreate a receiving water (that would convey a portion of Village 7 treated post-project flows) and would be located adjacent to the series of basins proposed for Wolf Canyon.

3.4 DISCRETIONARY ACTIONS

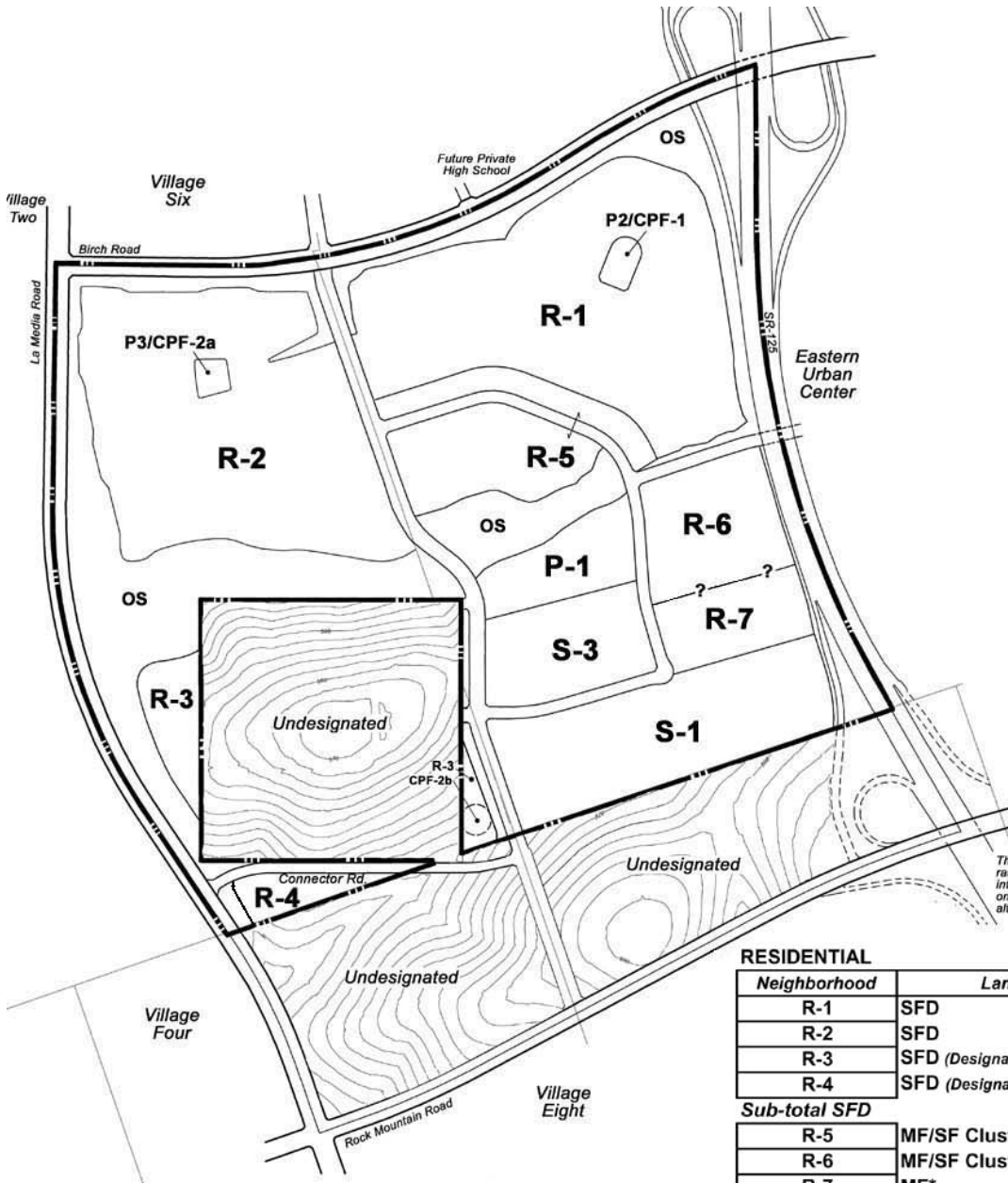
A discretionary action is an action taken by an agency that calls for the exercise of judgement in deciding whether to approve or how to carry out a project. The following discretionary actions associated with the proposed project would be considered by the Chula Vista Planning Commission and City Council.

- ◆ Sectional Planning Area Plan for Village 7
- ◆ McMillin Otay Ranch, LLC, Tentative Map
- ◆ Otay Project LP Tentative Map

In addition, Table 3-2, *Actions Required from Other Agencies*, identifies the permits and other actions that would be required to implement the *Village 7 SPA Plan*:

**TABLE 3-2
ACTIONS REQUIRED FROM OTHER AGENCIES**

Agency	Action	Purpose
Army Corps of Engineers (ACOE)	Issuance of Section 404 permit	Regulating discharge of fill into waters of the US.
California Department of Fish and Game (CDFG)	Issuance of a Streambed Alteration Agreement	Ensuring compliance with Section 1602 of the California Fish and Game Code.
Federal Aviation Administration (FAA)	Review of Form 7460-1, <i>Notice of Proposed Construction or Alteration</i> and subsequent issuance of <i>Determination of No Hazard to Air Navigation</i> Encroachment permit for the connector road	Ensuring that proposed surrounding development would not interfere with the existing navigational facility.
Regional Water Quality Control Board (RWQCB)	Issuance of Section 401 Certification and NPDES General Construction Permit	Ensuring Compliance with federal, state, and local water quality regulations such as the Clean Water Act and National Pollutant Discharge Elimination System (NPDES) permit regulations.
County Department of Environmental Health	Voluntary Assistance Program	Program to ensure that contaminated soils are disposed of in accordance with local requirements
Caltrans	Encroachment permit	Depending upon the sequence of grading (project or SR-125 first), McMillin would require an encroachment permit to grade within the SR-125 right-of-way



RESIDENTIAL

Neighborhood	Land Use	Acres	dulac	DU
R-1	SFD	50.7	6.8	346
R-2	SFD	50.5	7.4	375
R-3	SFD (Designated)	5.3	4.2	22
R-4	SFD (Designated)	3.1	4.2	13
Sub-total SFD		109.6	6.9	756
R-5	MF/SF Cluster	17.4	8.2	142
R-6	MF/SF Cluster*	12.5	15.0	187
R-7	MF*	8.0	14.9	119
Sub-total MF		37.9	11.8	448
Total Residential		147.5	8.2	1,204

NON-RESIDENTIAL

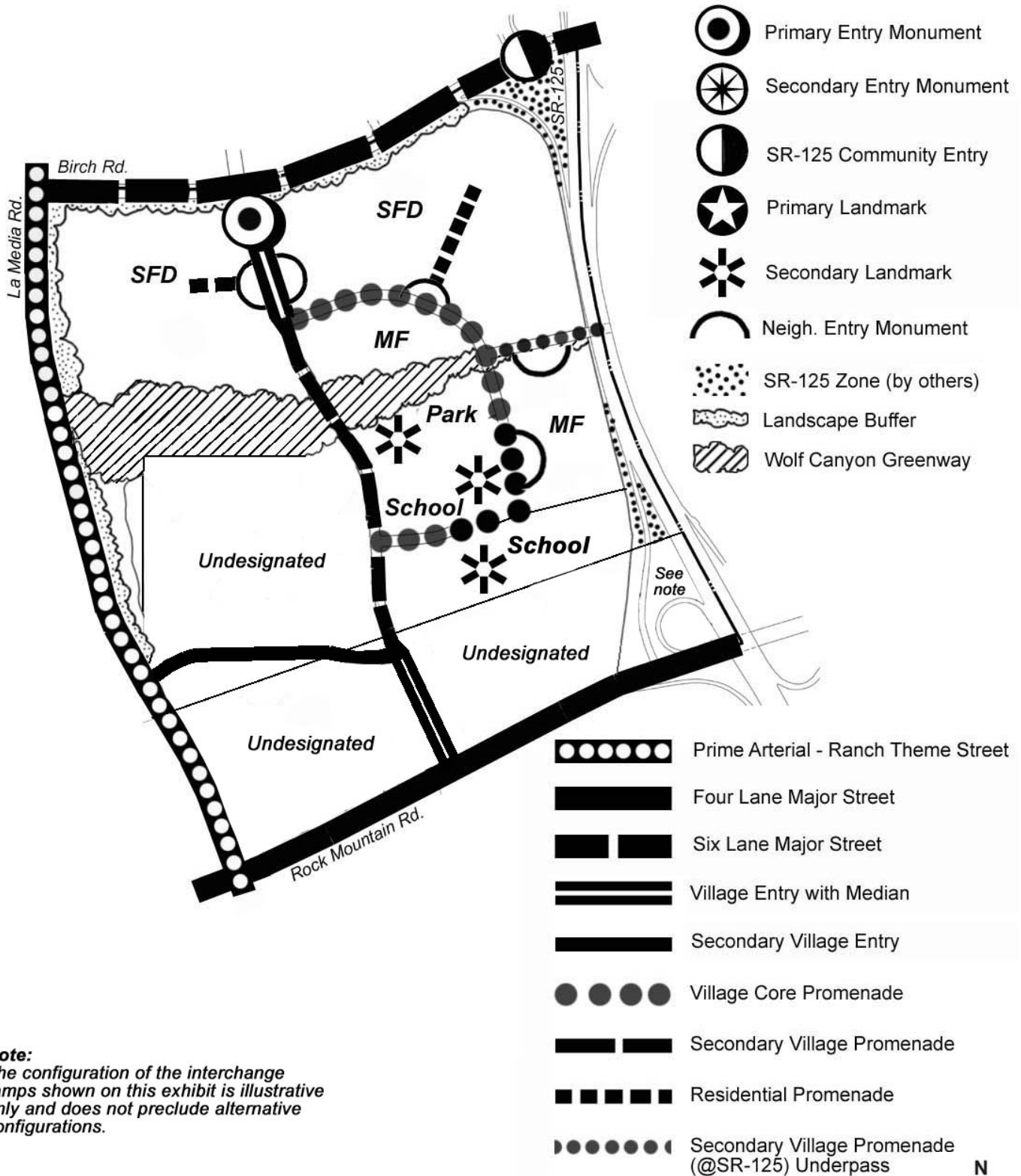
Neighborhood	Land Use	Acres
P-1	Public Park	7.6 (7.0 ac net req'd)
P2/CPF-1	CPF (Common OS)	1.1
P3/CPF-2a	CPF (Common OS)	0.7
CPF-2b	CPF	1.0
S-1	High School (Designated)	23.4
S-3	Elem. School	11.1
OS	Open Space (Designated)	47.8
Undesignated	Undesignated Uses	121.3
Cir.	Circulation	62.9
Total Non-Residential		276.9
VILLAGE TOTAL		424.4

* Refer to SPA Text for provisions to blend these two parcels.



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SITE UTILIZATION PLAN

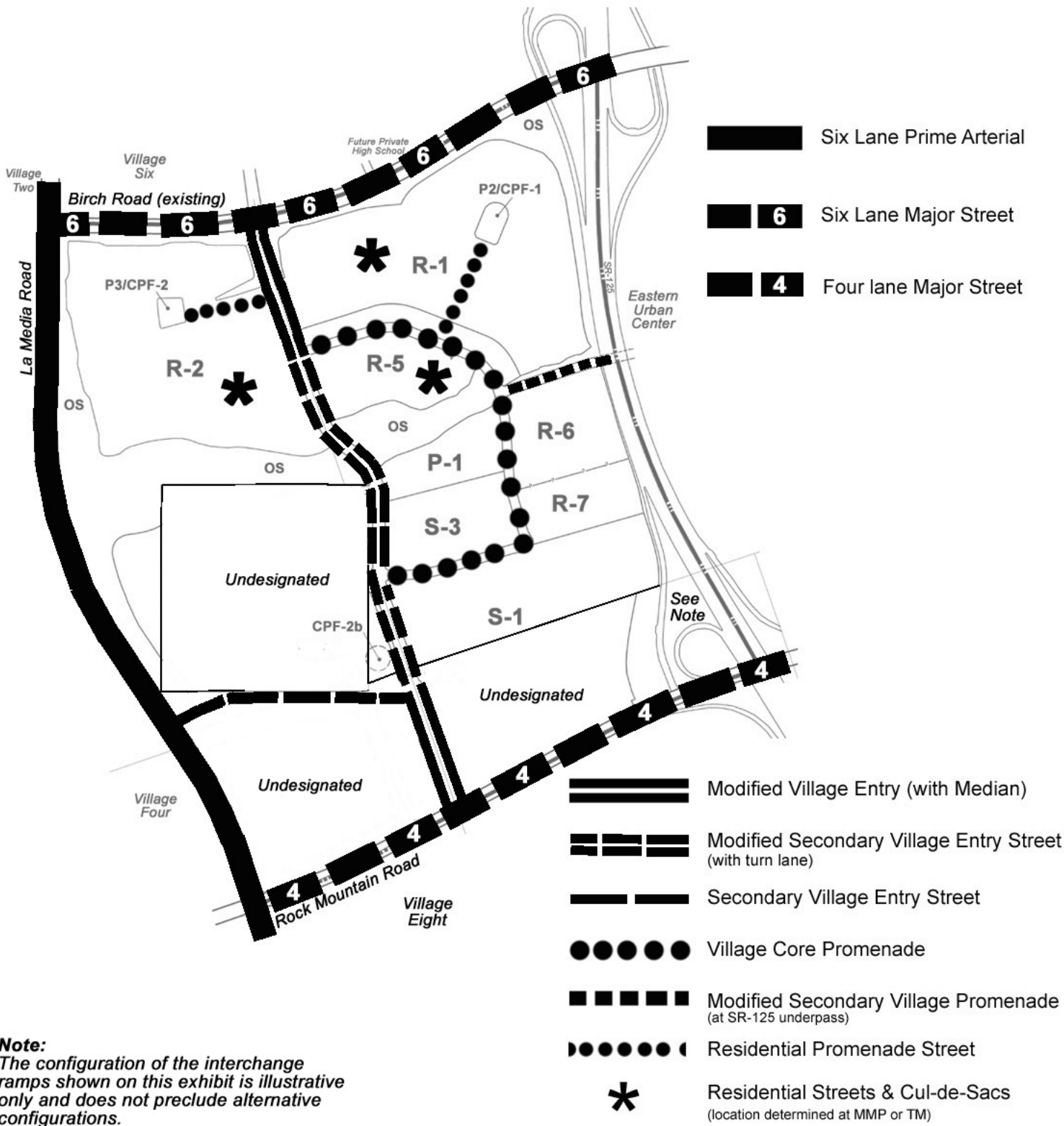


SOURCE: Cinti Land Planning

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LANDSCAPE CONCEPT PLAN

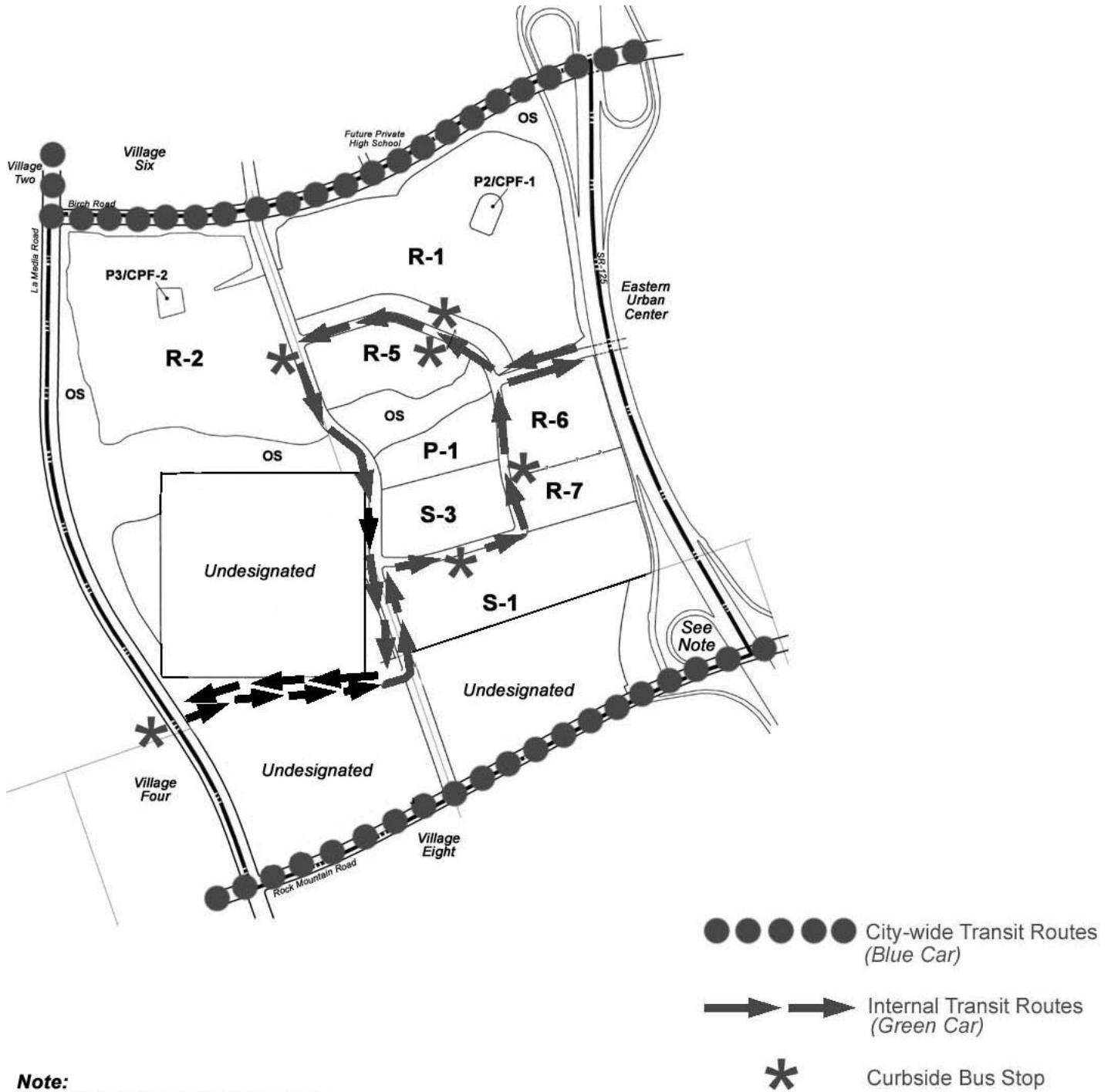


Source: Cinti Land Planning



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CONCEPTUAL CIRCULATION PLAN



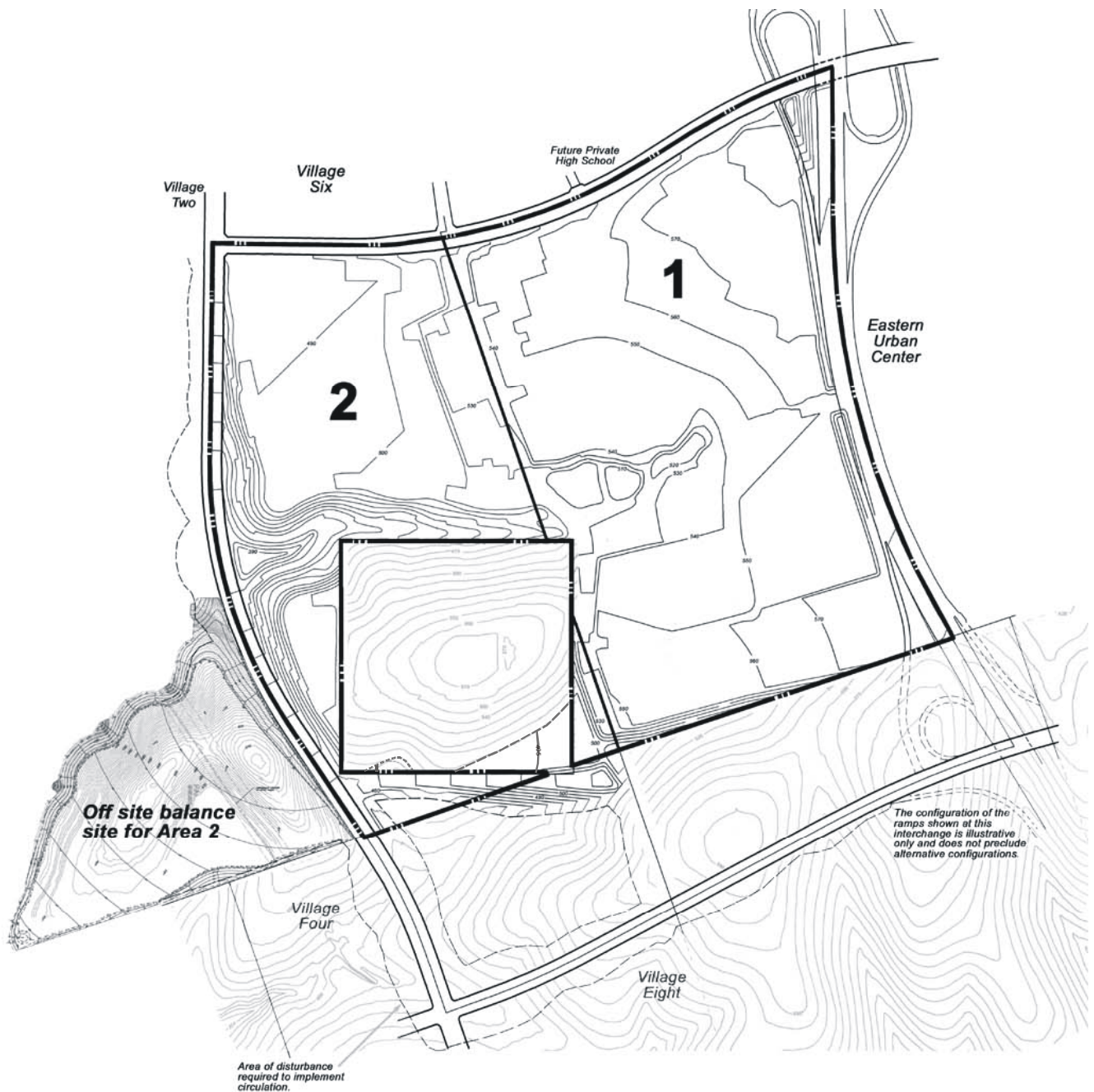
Note:
 The configuration of the interchange ramps shown on this exhibit is illustrative only and does not preclude alternative configurations.

Source: Cinti Land Planning



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CONCEPTUAL TRANSIT PLAN



Notes:

1. Grading for SR-125 is not a part of this project. SR-125 will be constructed by others and is shown only to provide context. The extent of grading between Area 1 and SR-125 will be determined by the sequence of the two grading operations.
2. Quantities indicated are within property boundaries. Grading beyond these boundaries will be required for infrastructure and roads.

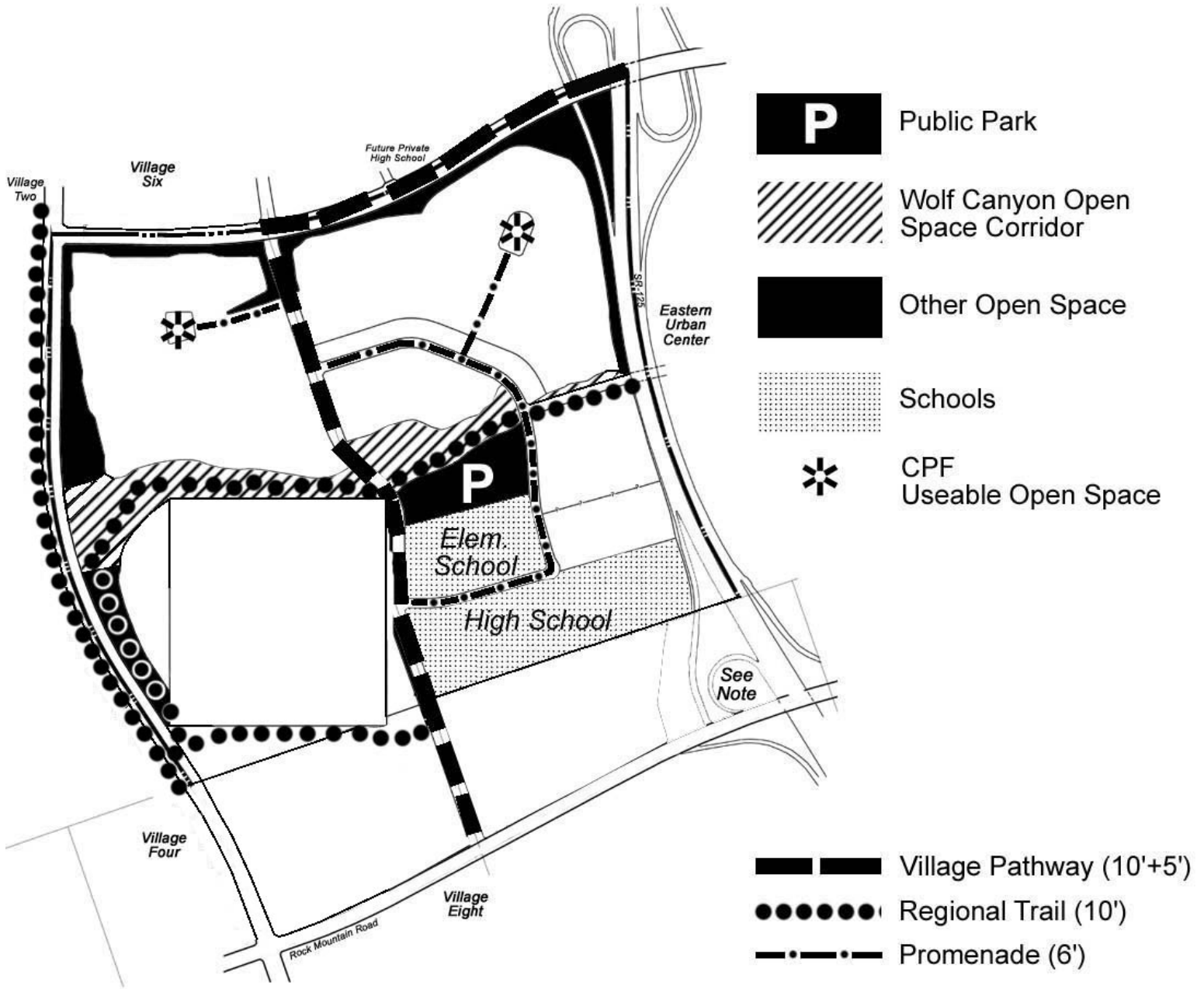
Planning Area	Estimated Balance <i>(million cubic yards)</i>
1	3.5
2*	4.0
Estimated Total	7.5

* Balance requires import from Village Four

Source: Cinti Land Planning



CONCEPTUAL GRADING PLAN



Note:
 The configuration of the interchange ramps shown on this exhibit is illustrative only and does not preclude alternative configurations.

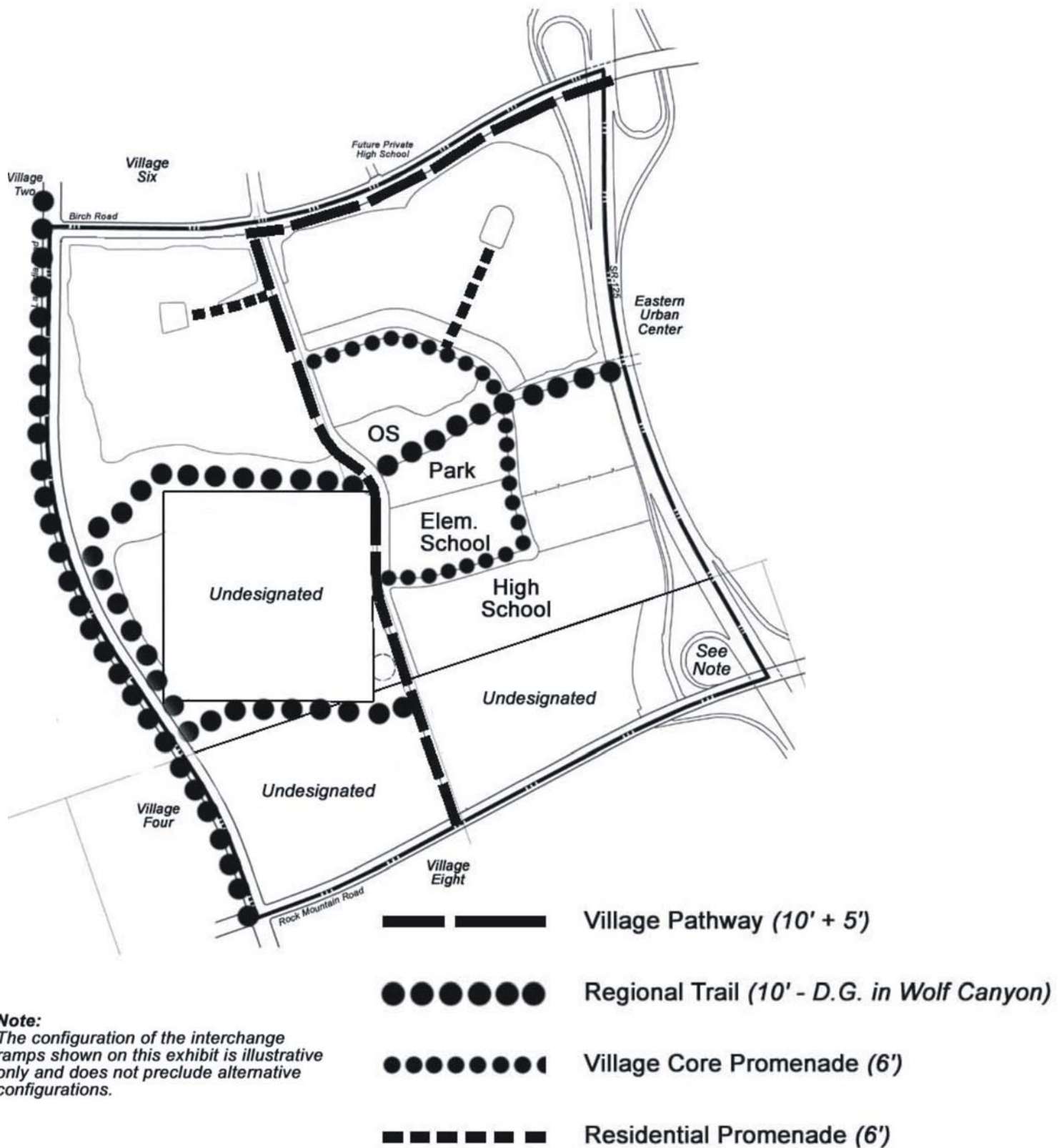
Source: Cinti Land Planning



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PARKS AND OPEN SPACE

Figure 3-6



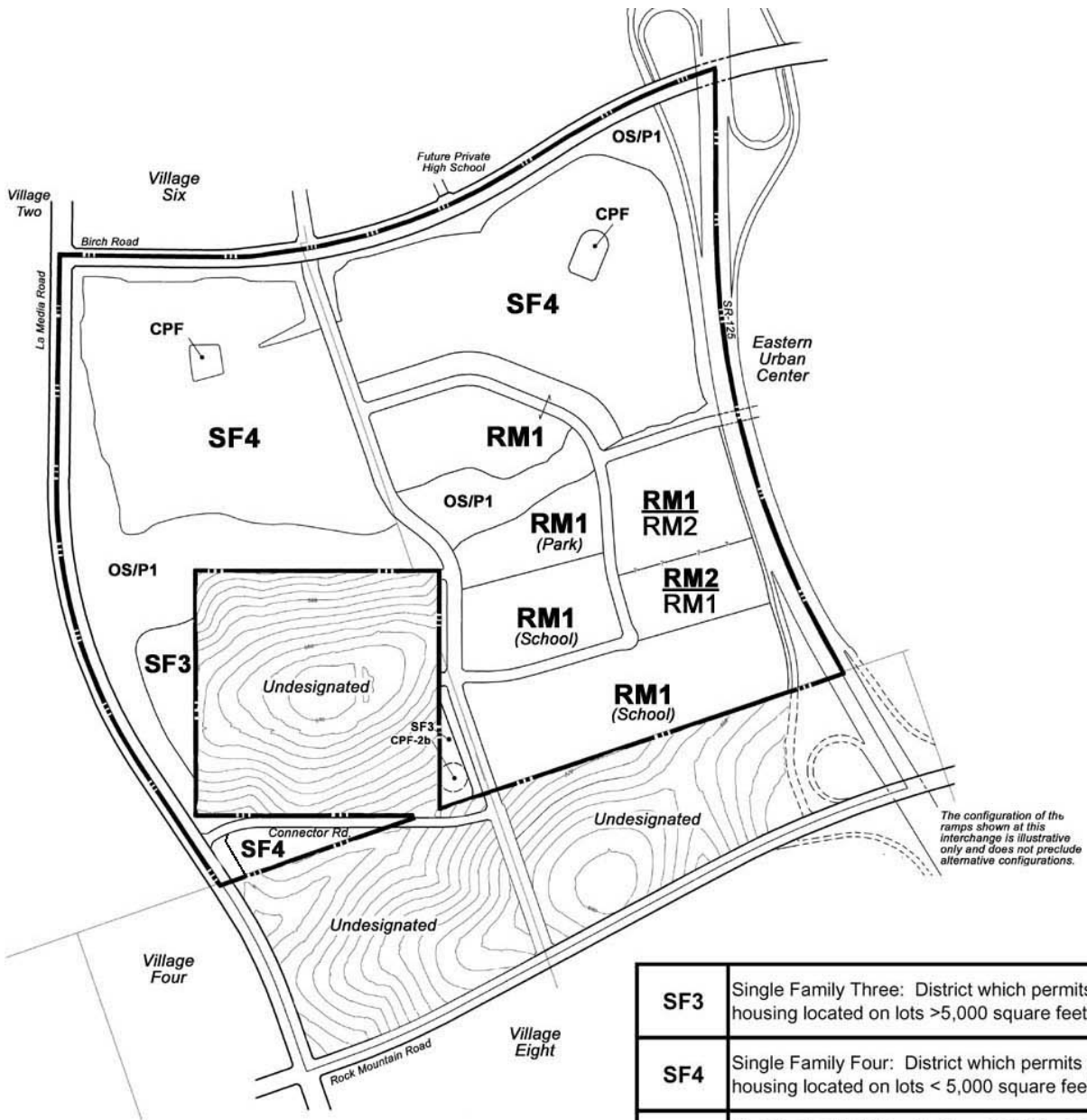
Note:
 The configuration of the interchange ramps shown on this exhibit is illustrative only and does not preclude alternative configurations.

Source: Cinti Land Planning



TRAILS

Figure 3-7



The configuration of the ramps shown at this interchange is illustrative only and does not preclude alternative configurations.

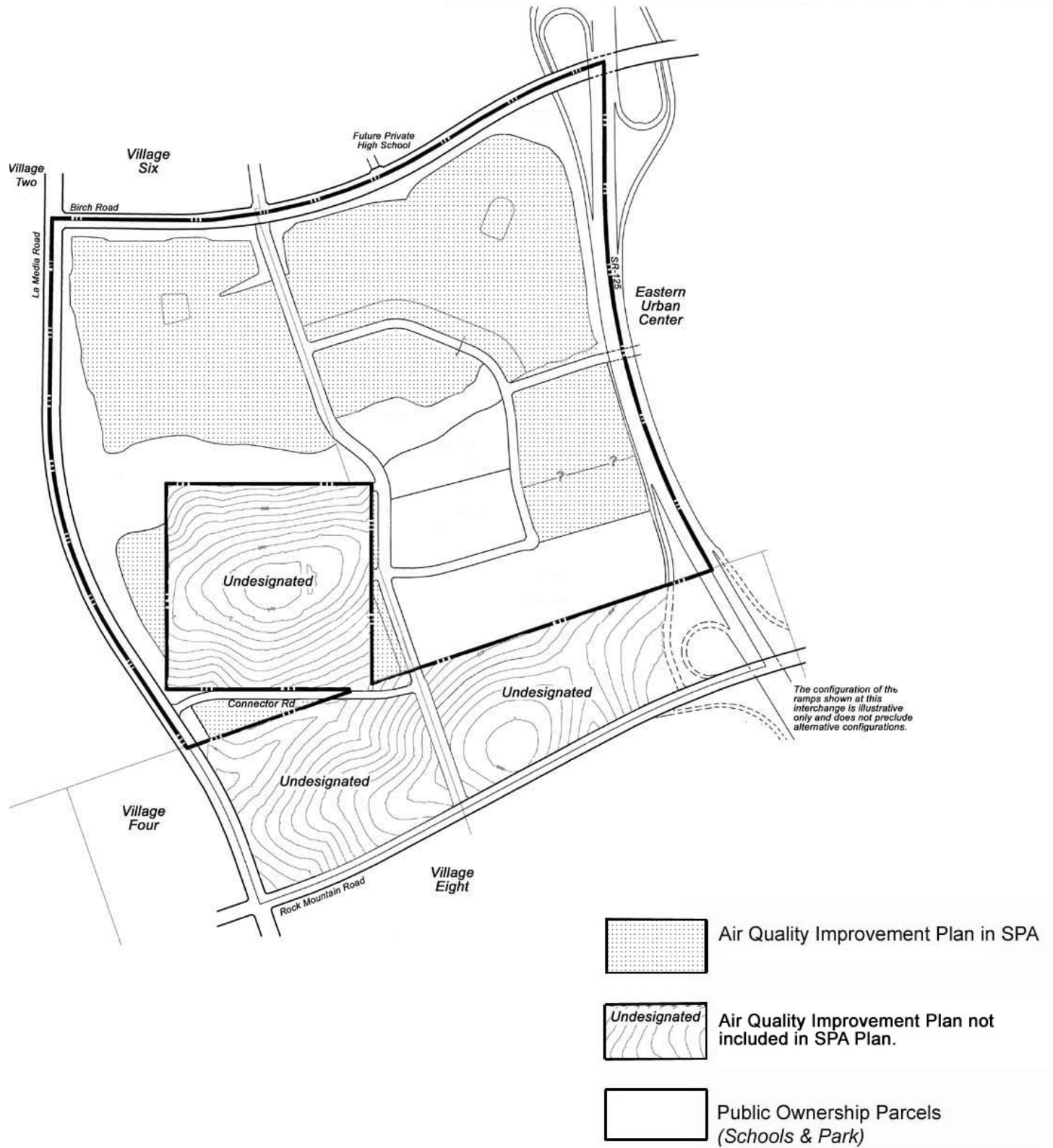
SF3	Single Family Three: District which permits single family housing located on lots >5,000 square feet
SF4	Single Family Four: District which permits single family housing located on lots < 5,000 square feet.
RM1	Residential Multi-Family One: District which permits housing ranging from 8 units/acre up to 14.9 units/acre including small lot single family, alley, duplex, townhouse and stacked flats product types
RM2	Residential Multi-Family Two: District which permits housing at densities from 15+ units/acre.
CPF	Community Purpose Facility: District which permits uses established pursuant to the Community Purpose Facilities requirements of the P-C Planned Community Zone
OS/P1	Open Space/Park One: District which permits developed or usable open space and park uses, and may include naturalized open space

Source: Cinti Land Planning



No Scale

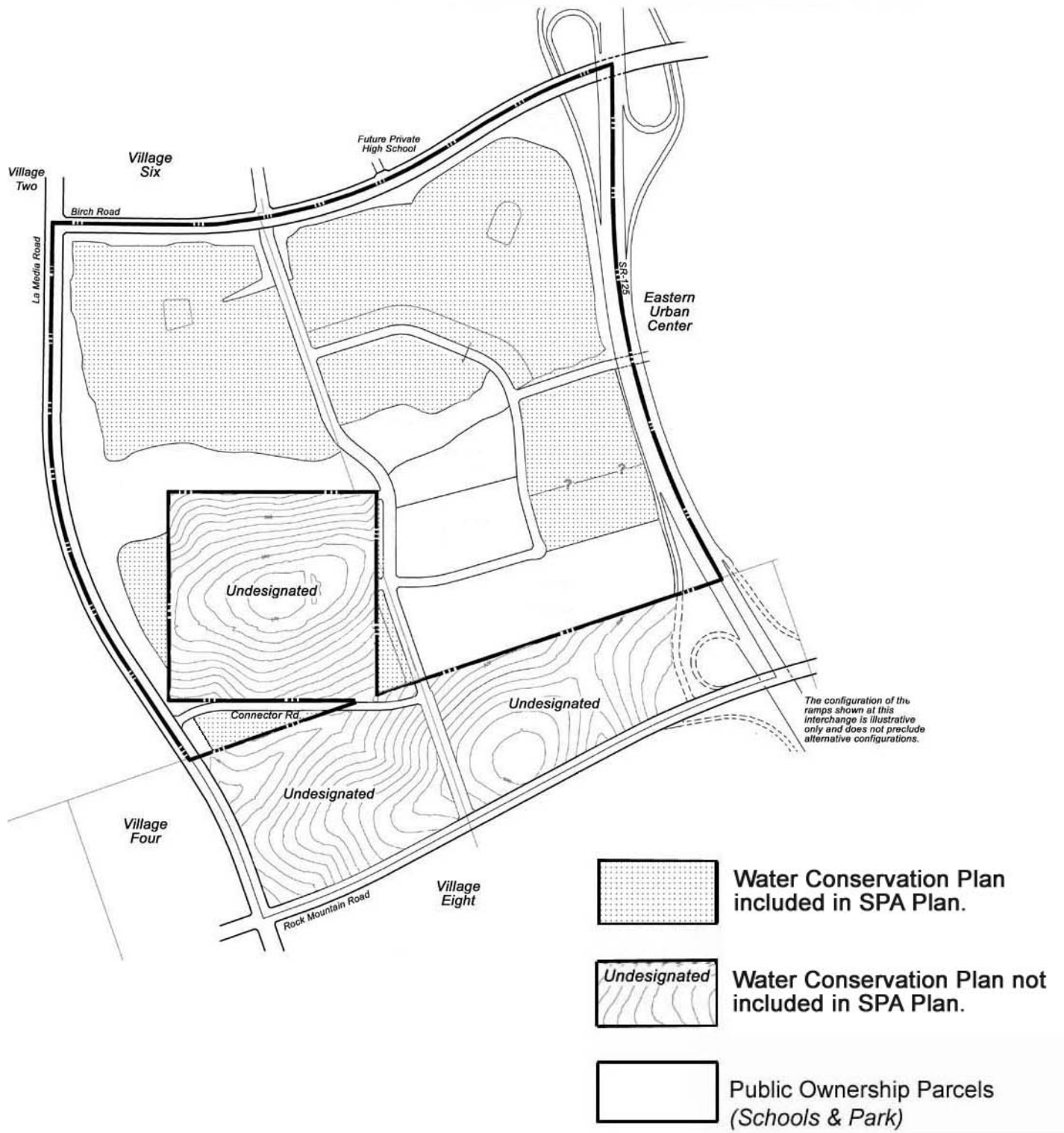
LAND USE DISTRICTS



N

 No Scale

AIR QUALITY IMPROVEMENT PLANNING AREAS

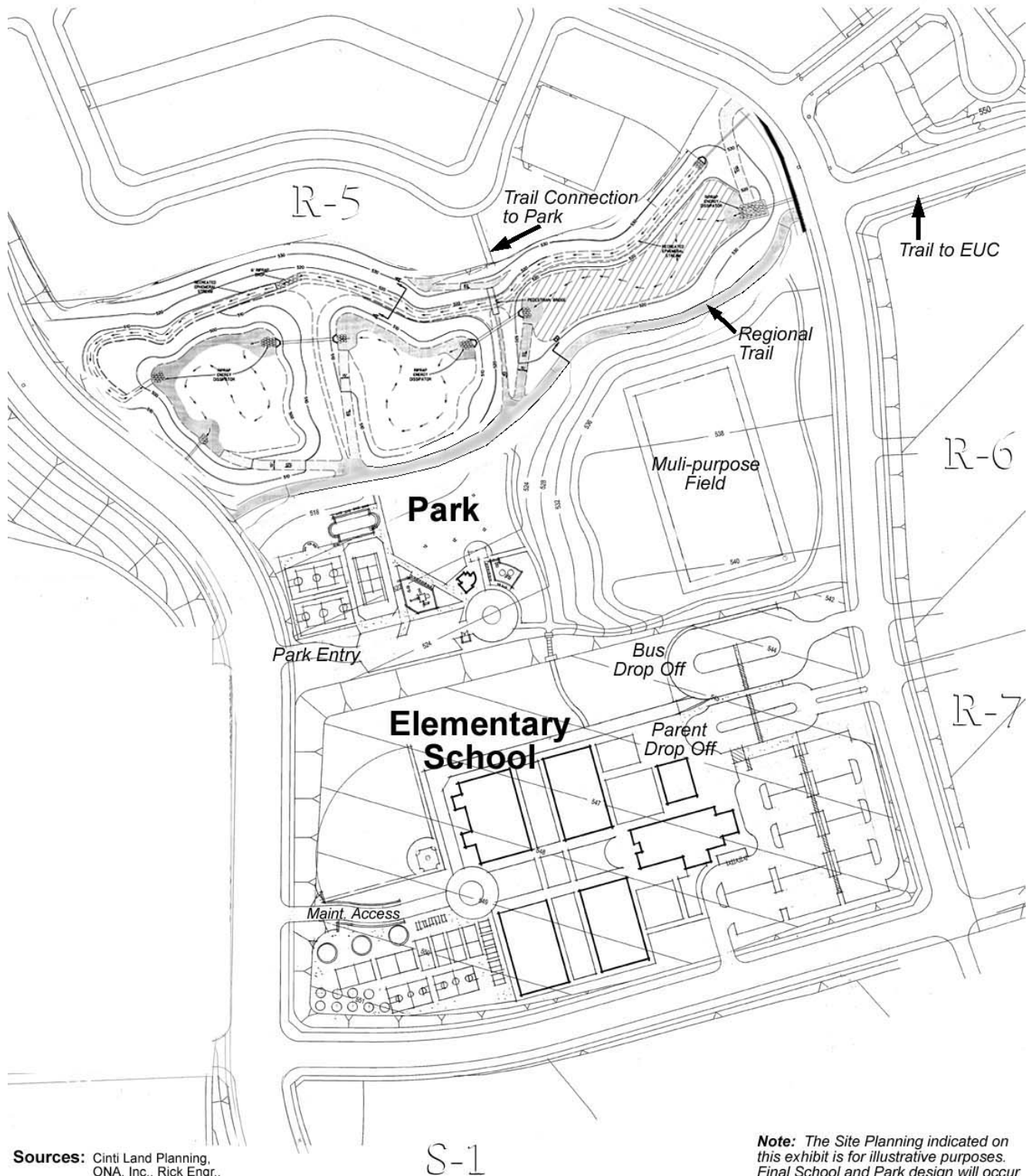


Source: Cinti Land Planning



No Scale

WATER CONSERVATION PLANNING AREA



Sources: Cinti Land Planning, ONA, Inc., Rick Engr., and P&D Consultants.

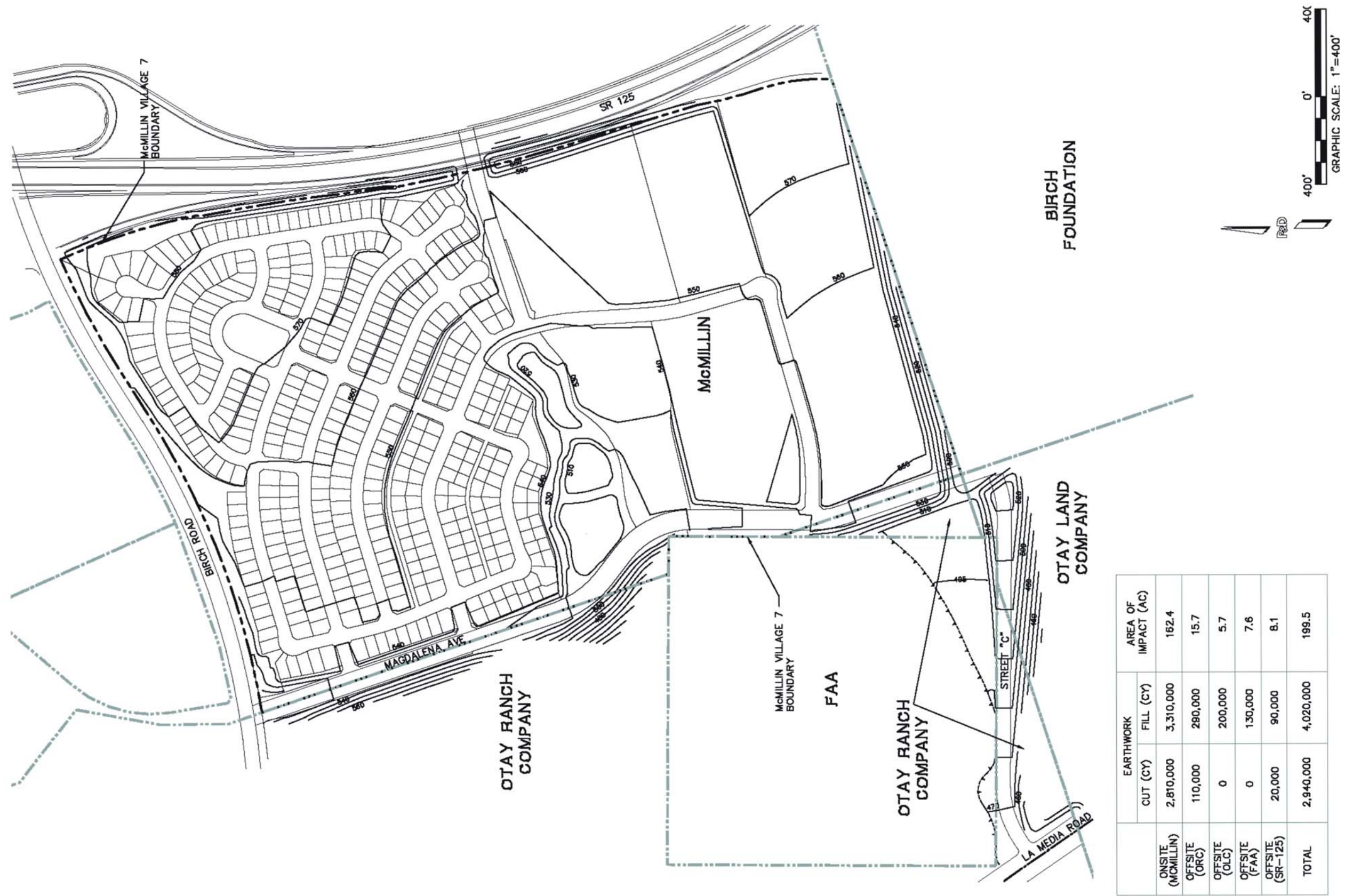
Note: The Site Planning indicated on this exhibit is for illustrative purposes. Final School and Park design will occur when these facilities are implemented.

Source: Cinti Land Planning

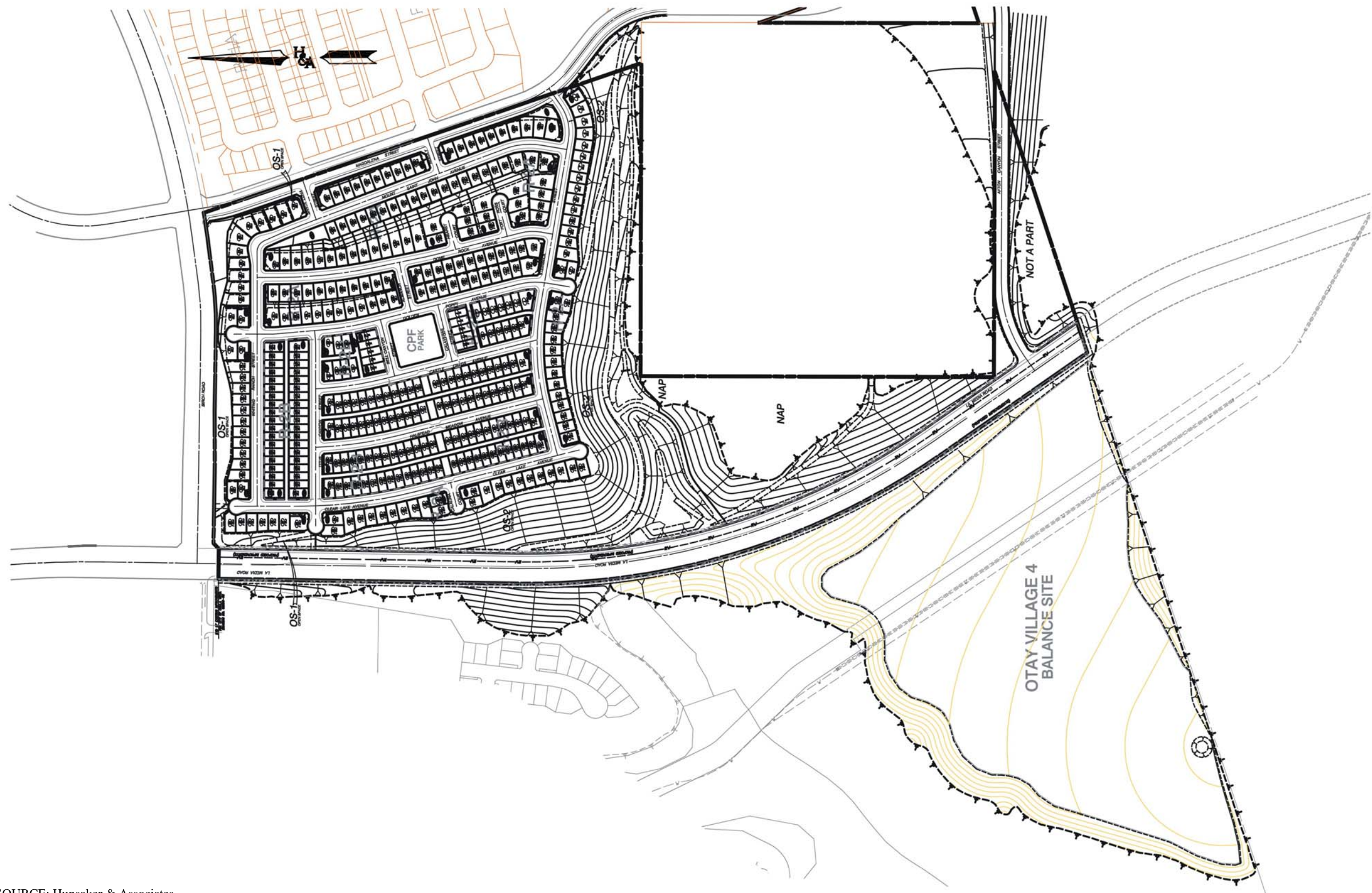


No Scale

CONCEPTUAL PARK PLAN



SOURCE: P&D Consultants



SOURCE: Hunsaker & Associates

4.0 ENVIRONMENTAL IMPACT ANALYSIS

The following sections analyze the potential environmental impacts that may occur as a result of project implementation. Issue areas subject to detailed analysis include those that were identified by the City of Chula Vista as potentially causing significant environmental impacts and issues that were identified in response to the ~~Notice of Preparation (NOP)~~ as having potentially significant impacts. The NOP, as well as letters received in response to the NOP, ~~is~~ are included in Appendix A of this EIR. The following environmental issues are addressed in this EIR:

- ◆ Land Use and Planning;
- ◆ Agricultural Lands;
- ◆ Traffic, Circulation and Access;
- ◆ Noise;
- ◆ Air Quality;
- ◆ Landform Alteration/Aesthetics;
- ◆ Hydrology/Drainage/Water Quality;
- ◆ Geology and Soils;
- ◆ Cultural Resources;
- ◆ Paleontological Resources;
- ◆ Biological Resources;
- ◆ Utilities and Public Services;
- ◆ Public Health and Safety;
- ◆ Population and Housing; and
- ◆ Parks, Recreation, Trails and Open Space~~Recreation.~~

The environmental analysis contained in this EIR has been developed to adequately address the environmental issues identified by the City as needing further analysis and the concerns raised by comments on the NOP. The environmental impact analysis presented in Section 4.0 of this EIR seeks to determine the significance of potential impacts and to develop appropriate mitigation for impacts that have been determined to be significant. In order to facilitate the analysis of each issue, a standard format was developed to analyze each issue thoroughly. This format is presented below, with a brief discussion of the information included within each topic.

Existing Conditions

This introductory discussion of each issue section describes the existing environmental conditions related to each issue and each project scenario analyzed in the EIR. In accordance with Section 15125 of the CEQA Guidelines, both the existing local and regional settings are discussed as appropriate and as they exist prior to implementation of the proposed project and during the preparation of this EIR. This section provides the baseline conditions with which environmental changes created by the project would be compared and analyzed. The existing environmental conditions section is the baseline setting for documenting the nature and extent of environmental changes or impacts anticipated to result from project implementation.

Thresholds of Significance

In determining whether an impact is “significant,” Section 15064.7 of the CEQA Guidelines encourages each public agency to develop and publish thresholds of significance to use in determining the significance of an environmental impact. These thresholds may consist of identifiable quantitative, qualitative or performance level criteria, of which non-compliance would mean the effect would be determined to be significant and compliance with the thresholds would mean the effect normally would be determined to be less than significant.

The City of Chula Vista has developed significance thresholds for certain environmental issue areas as part of the City’s Growth Management Policy. These significance thresholds provide the basis for distinguishing between impacts which are determined to be significant (i.e., impact exceeds the threshold of significance) and those which are less than significant. This EIR uses the City’s Thresholds of Significance, except in cases where none have been developed. In those cases, significance criteria used in the analysis in Section 4.0, *Environmental Impact Analysis*, of this EIR are derived from the Otay Ranch GDP Program EIR and environmental concerns outlined in the Environmental Checklist, provided in Appendix G to the CEQA Guidelines. In some cases, thresholds adopted by other public agencies with jurisdiction over select environmental issues are used as thresholds of significance. Also, accepted technical and scientific data are used in other instances to determine if an impact would be considered significant. An effort has been made to avoid overly subjective significance criteria, which are not based on specific CEQA policies, and/or generally accepted thresholds upon which significance can be determined.

Impact Analysis

The impact analysis presented in the EIR identifies specific project-related direct and indirect, short term and long term, and unavoidable and cumulative impacts. The analysis is subdivided into ~~four~~ three sections to provide a better understanding of impacts associated with the Village 7 SPA Plan, as well as individual portions of the project site each entitlement addressed in this EIR. Presented first is the analysis of the overall implementation of the *Village 7 SPA Plan*. Due to divided ownership of the project site, specific analysis of implementation of the McMillin Otay Ranch, LLC TM and the Otay Project LP TM is also provided.

Section 15126.2 of the CEQA Guidelines requires that an EIR “identify and focus on the significant environmental effects of the proposed project.” “*Effects*” and “*impacts*” have the same meaning under CEQA and are used interchangeably within this EIR. A “*significant effect*” or “*significant impact*” on the environment means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (Section 15382 of the CEQA Guidelines). With respect to each potential effect, an analysis has been conducted in the EIR to determine if:

- ◆ The project causes the identified “*effect*,” and
- ◆ The effect produces a substantial, or potentially substantial, change in the physical conditions within the area affected by the project (i.e., “*significant*”); and
- ◆ The changed conditions are “*adverse*.”

Where the investigation of a potential effect concludes that the effect is too speculative or subjective for evaluation, is beneficial, or is not significant or adverse, that conclusion is noted and the discussion of that effect is ended.

Level of Significance Before Mitigation

The *Level of Significance Before Mitigation* subsection identifies whether or not the proposed project would result in an environmental impact without the implementation of mitigation measures [and if the impact is significant](#).

Mitigation Measures

This section identifies those mitigation ~~measures which~~ [measures that](#) are required to reduce [or eliminate](#) potential impacts ~~to below a level of significance~~.

Level of Significance After Mitigation

The *Level of Significance After Mitigation* subsection provides a brief ~~conclusionary~~ statement as to whether ~~the or not the effect would constitute a significant, unmitigatable environmental impact~~ [mitigation measures reduce the impact to insignificance or there remain unmitigable impacts after mitigation](#).

4.1 LAND USE AND PLANNING

The Otay Ranch GDP Program EIR (EIR 90-01/SCH#89010154) analyzed the existing conditions, potential impacts, and mitigation measures related to land use, planning, and zoning for the entire Otay Ranch area. Eight on-site alternatives were analyzed by the Program EIR, including the Phase II Progress Plan Alternative, which was ultimately selected and approved by the decision-makers. The analysis and discussion of land use issues contained in the Program EIR is hereby incorporated by reference. The following discussion focuses specifically on potential impacts to land use, planning, and zoning that could result from implementation of the proposed *Village 7 SPA Plan* and the proposed McMillin Otay Ranch, LLC and Otay Project LP TMs.

4.1.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

Existing Site Conditions and Surrounding Land Uses

As shown by Figure 2-4, *Vicinity Map*, the *Village 7 SPA Plan* project site is currently undeveloped. It is located on land that has historically been and continues to be used for agricultural purposes, including ranching, grazing, dry farming, and truck farming activities. Additionally, there is an approved borrow site in the northeastern portion of the project site that has been graded as part of the development of Village 6. The existing borrow site has been addressed as part of the certified Village 6 SPA Final EIR (EIR 98-01/SCH#2001041033).

The areas surrounding the project site on its west, east, and south sides are in similar condition to the project site. They are undeveloped areas with rolling hills and have been historically used for agricultural activities. A 51.9-acre FAA aviation navigation facility, known as VORTAC, is also located adjacent to the western boundary of the project site; and the Otay Land Company and Stephen & Mary Birch Foundation ownerships within Village 7 are located to the south. The area immediately north of the project site is Village 6 of the Otay Ranch. Village 6 is currently being developed with residential units and a private high school and church, consistent with the approved Village 6 SPA Plan.

Other areas surrounding the project site are part of the Otay Ranch GDP and are planned for future development with a mix of uses as part of Villages 2 and 4 (to the west), 8 (to the south), and the Eastern Urban Center (to the east). (See Figure 2-3, *Otay Ranch GDP Otay Valley Parcel Villages Map*, for the location of the project site relative to adjacent villages.) A SPA plan for Villages 2, 3, and a portion of 4, is currently being processed that would allow for development of a range of land uses, including: single-family residential, multi-family residential, commercial, business park, community purpose facility, park, school, and open space. Villages 4 and 8 are identified as Urban Villages in the Otay Ranch GDP, and SPA level documents are required for the development of the balance of Village 4 and for Village 8. The Eastern Urban Center is approved for development with high density residential and commercial land uses.

Planned roadways in the project vicinity include SR 125, Birch Road, La Media Road, and Rock Mountain Road. SR 125, ~~an Expressway~~ Tollway/Freeway and the location for regional transit, is approved adjacent to the eastern side of the project site but has not yet been constructed. Birch Road, a six-lane major street, forms the northern boundary of the site and is currently being constructed with the development of Village 6. La Media Road is identified as a six-lane prime arterial that forms the site's western boundary and is not

currently constructed south of Birch Road. Rock Mountain Road is planned as a four-lane major arterial south of the project site. These roads would ultimately serve the project site and the surrounding area.

Relevant Plans and Policies

Several land use plans and documents pertain to the *Village 7 SPA Plan* project site. Pertinent land use plans include the City of Chula Vista General Plan, Title 19 of the Chula Vista Municipal Code (zoning title), the Otay Ranch GDP and its supporting documents, the Otay Ranch Resource Management Plan (RMP), and the Chula Vista Greenbelt Master Plan. The City recently adopted a Multiple Species Conservation Plan (MSCP) Subarea Plan that implements the MSCP within Chula Vista; however, the project site is not located within or adjacent to areas identified by the MSCP as Conserved Areas.

City of Chula Vista General Plan

Development within the City of Chula Vista, including the project site, is regulated by the City's General Plan. The General Plan was originally adopted July 1989 and was last amended September 1995. Currently, the City of Chula Vista is in the process of updating its General Plan, as described below.

The General Plan is comprised of ten elements, which address the following aspects of the City's development: land use, circulation, public facilities, housing, growth management, child care, open space and conservation, parks and recreation, safety, and noise. These elements are grouped into three main categories: Community Development, Environmental Resources Management, and Hazard Management, which reflect specific aspects of development policies. The Land Use, Circulation, Public Facilities, Housing, Growth Management, Conservation and Open Space, Safety, and Noise Elements, and the Eastern Territories Area Plan, are particularly relevant to the proposed project. Each of these Elements is addressed below in detail.

The General Plan also contains area plans for the five planning areas within Chula Vista: Central Chula Vista, Bayfront, Montgomery, Sweetwater, and Eastern Territories. As previously stated, the project site is located within the Eastern Territories Planning Area. According to the General Plan, the majority of new urban growth within Chula Vista is expected to occur in the Eastern Territories Planning Area. In addition, this area contains some of the most valuable environmental and visual resources of the General Plan area. The Eastern Territories Area Plan contains goals, policies and objectives for the Eastern Territories, which are intended to be implemented in conjunction with all of the other elements of the General Plan. The Eastern Territories Area Plan is described below.

The City of Chula Vista is in the process of updating the City's General Plan in order to reflect changing community needs, values, shifts in demographic and economic conditions, and growth and development patterns in the City. The General Plan Update is largely in response to the projected Chula Vista population increase of 100,000 persons between 2000 and 2020, as estimated by SANDAG. The General Plan Update will develop solutions for new long-term planning issues and take advantage of opportunities through comprehensive planning. It will identify how land will be used in the City, where roads and other public facilities will be located, and how natural resources will be protected. However, the General Plan Update is a planned project that has not yet been adopted; therefore, the proposed *Village 7 SPA Plan* is evaluated against the adopted General Plan, and the potential impacts related to the General Plan Update are considered as part of the cumulative impacts analysis in this EIR (See Section 5.1, *Cumulative Impacts*).

Land Use

The Land Use Element establishes a guide for the long-term development and use of all lands within the General Plan planning area. There are 15 land use categories included in this element, each with specific guidance for determining which land uses should be permitted. Goals and objectives applicable to the entire General Plan area are also presented; however, specific goals and objectives for the five planning areas of Chula Vista are contained within each specific Area Plan.

Section 7.1, Land Form, of the Chula Vista General Plan Land Use Element discusses the rolling hills that are characteristic of the portion of the City that is located east of I-805, where the project site is located. As discussed in the Land Use Element, the topographic features of this part of the City lead to curvilinear patterns of circulation, open space, and public facilities rather than the traditional grid plan of Chula Vista.

The Land Use Element also addresses Wolf Canyon, which is located across several Otay Ranch GDP villages including the project site. The Land Use Element states that Wolf Canyon provides several different connections in the Wolf Canyon open space network. Relevant to the project area is the discussion stating that branch canyons extend the greenbelt into various residential neighborhoods, such as Village 7. Also, it is acknowledged that the open space of Wolf Canyon forms a separation between the residential neighborhood of Village 7 and industrial development to the west, outside of the project area.

Circulation

The Circulation Element presents a circulation plan designed to serve the land use densities and patterns described in the General Plan. With regard to the project site, the Circulation Element identifies Birch Road, from La Media Road to SR 125, as a six-lane major street; and Rock Mountain Road, from SR 125 east to Hunte Parkway, as a six-lane major street and west of SR 125 as a four-lane major street. It also identifies SR 125, which is adjacent to the eastern side of the project site, as [a Tollway/Freeway](#) and location for regional transit. An east-west express bus between the urban core area and the Eastern Urban Center, adjacent to the east side of the proposed project, is also called out within the Element. The Element identifies bicycle routes along roadways that surround the project site, such as Birch Road, La Media Road, and Rock Mountain Road.

Public Facilities

The Public Facilities Element addresses the facilities and services controlled by the City or provided as obligatory services by other public agencies and which are not addressed in other elements of the General Plan. These facilities include water, wastewater, drainage and flood control, solid and hazardous waste, schools, and library facilities. Proper water management and conservation, the expansion of the City of San Diego Metropolitan Sewage System, and solid waste disposal are identified as major issues facing public facilities.

Housing

The Housing Element identifies the housing needs for Chula Vista and the response necessary to fulfill them. This element is a State required component of the General Plan and was last updated in 1991. The update is divided into three parts: Review of the Housing Element of 1986; Needs, Resources, and Constraints; and, Comprehensive Housing Plan – 1991 to 1996. Relevant to the proposed project is the goal

to accomplish “*the overall increase of the housing stock through provision of decent housing in well-planned neighborhoods for families and individuals of all socioeconomic levels.*”

Growth Management

The Growth Management Element represents the guide to accomplishing the overall vision for Chula Vista set forth in the Introduction of the General Plan. This element provides a conceptual framework for the comprehensive management of growth for the City, which will ensure adequate public facilities and services meet the public’s needs as the City develops. The goal of the Growth Management Element is to “*direct and coordinate growth and development policies in ways that not just maintain, but consistently endeavor to improve, the quality of life for current and future residents of Chula Vista.*” This goal is implemented through the City’s adopted threshold standards.

Conservation and Open Space

The Conservation and Open Space Element identifies preservation and enhancement of the natural environment for the General Plan area. Open space is used to preserve natural resources, create visual relief in the urban structure, and to set aside areas that have potential exposure to hazards or noise impacts. Relevant to the proposed project are the goals to preserve natural resources by incorporation into the open space system and to develop a system of open space corridors.

Safety Element

The purpose of the Safety Element is to establish a long-range, comprehensive, and general policy which will provide direction, continuity, order, and substance to existing and future safety programs. The primary goal of this element is for protection from fires, flooding and geologic hazards. The standards established for Fire Safety state: “*75% of all dwelling unit responses should be within a 5 minute response time and 95% within a 7 minute response time.*” Other safety policies include the establishment and maintenance of evacuation routes, and the promotion of public safety from geologic hazards.

Noise Element

The Noise Element is a state required element of the General Plan. The purpose of this element is to identify existing conditions and to provide general guidelines to reduce the negative impact of noise on the community in the future. Various sources of noise and techniques to abate the associated noise have been identified by the City of Chula Vista and are discussed in this element.

Eastern Territories Area Plan

As previously stated, the project site is located within the Eastern Territories Area Plan, one of five area plans in the City. The Eastern Territories Area Plan is contained in Chapter 14 of the City’s General Plan and is intended to be used in conjunction with the other sections of the General Plan. It is divided into seven sections, including Introduction; Existing Setting; Forecast and Proposed Change; Goals and Objectives; Area Land Use Diagram; Planning and Design Proposals; and References. Relevant to the proposed project are the following objectives of the Area Plan:

- ◆ Goal 1, Objective 1: Direct new urban development in Eastern Territories to broad mesa tops which are

generally located away from environmentally sensitive areas such as flood plains, canyons, and steeply sloped areas.

- ◆ Goal 1, Objective 2: Require thorough environmental reviews of all proposed conversions of vacant or agricultural land to urban uses.
- ◆ Goal 2, Objective 6: Assure that all new development is provided with acceptable levels of public services. Each development should include local public facilities required to serve the development. Interim services that vary from citywide standards may be acceptable for projects with substantial public benefits.
- ◆ Goal 2, Objective 7: Encourage orderly and compact patterns of development, which will make maximum uses of existing public facilities and avoid “leap frog” development. In particular, encourage development phasing which will substantially build out drainage and hydrologic basins with existing public service facilities before development new basins. Exceptions should be allowed for projects with substantial public benefits, which should be permitted special public service consideration on an interim basis.
- ◆ Goal 2, Objective 4: Create, for the planning area as a whole, a balanced community of residential, commercial, and industrial uses. To the extent that employment uses may be more difficult to establish, provide for additional designations of commercial and industrial land and encourage retention of vacant land for commercial and industrial uses.

Zoning

Title 19 of the City of Chula Vista Municipal Code is the City’s zoning title, which is intended to implement the City of Chula Vista General Plan. The zoning title is adopted to protect and promote the public health, safety, morals, peace, comfort, convenience, prosperity, and general welfare. It was last updated in July 2001.

The Eastern Territories, which includes the Otay Ranch area, is zoned Planned Community Zone (P-C) by the City of Chula Vista zoning title. According to Section 19.48.010 of the zoning title, the purposes of the P-C zone are to:

- ◆ Provide for the orderly preplanning and long-term development of large tracts of land which may contain a variety of land uses, but are under unified ownership or development control so that the entire tract will provide an environment of stable and desirable character;
- ◆ Give the developer reasonable assurance that sectional development plans prepared by him in accordance with an approved general development plan will be acceptable by the City. Section development plans may include subdivision plans and/or planned unit development plans as provided in this title; and
- ◆ Enable the City to adopt measures providing for the development of the surrounding area compatible with the planned community zone.

According to Section 19.48.020 of the zoning title, the following ownership regulations apply to properties zoned P-C:

- ◆ P-C zones may be established on parcels of land which are suitable for, and of sufficient size to be

planned and developed in a manner consistent with the purpose of this chapter and objectives of this title. No P-C zone shall include less than 50 acres of contiguous lands.

Otay Ranch General Development Plan

As discussed in Section 2.0, *Environmental Setting*, of this EIR, the Otay Ranch GDP sets forth a framework for land use, circulation, open space, community design, and public facilities and services upon which subsequent development of Otay Ranch within the City of Chula Vista will be based. The major components of the Otay Ranch GDP include an adopted land use map, Facility Implementation Plans, a Service/Revenue Plan, a Village Phasing Plan, and a Resource Management Plan.

The Otay Ranch GDP is the implementing mechanism for the City's General Plan for the planning area. It utilizes a village concept to identify a mix of residential neighborhoods, as well as commercial centers, research-oriented industrial uses, a civic center, art centers, resort facilities, recreational parks, a town center, and a university site. The Otay Ranch GDP also designates permanent natural open space preserve areas. The Otay Ranch GDP area is zoned as a Planned Community Zone (P-C) by the Chula Vista General Plan.

An amendment subsequent to the 1993 adoption of the Otay Ranch GDP moved the location of a High School from Village 11 to Village 7. According to the Otay Ranch GDP, Village 7 is designed to transition from the lower densities, open space, and recreational opportunities near Wolf Canyon to the more intense neighborhoods in the Eastern Urban Center. Village 7 has direct access to the Eastern Urban Center and a close relationship with Village 2 and Village 4, which are lower density villages to the west of the project site on the edges of Wolf Canyon to the west.

The GDP requires SPAs to be developed for all areas within the Otay Ranch GDP. The Otay Ranch GDP was amended in May 2004 to allow for instances when a Village is not under unified control. Based on the amendment, the GDP allows SPA applications to be filed for a portion of a Village, if the application meets the provisions of the GDP, as amended. As proposed, the *Village 7 SPA Plan* covers only the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7.

As discussed in the Otay Ranch GDP, Village 7 is identified as an Urban Village. As such, according to the Otay Ranch GDP, Village 7 is characterized by its adjacency to other urban development and it is planned for transit-oriented development with higher densities and mixed uses in its core. The Otay Ranch GDP identifies Village 7 as including the following features:

- ◆ A maximum of 1,053 single family residential units;
- ◆ A maximum of 448 multi-family residential units;
- ◆ Build-out population of approximately 4,512 persons;
- ◆ A middle school;
- ◆ A high school;
- ◆ A trail connection through the village connecting Wolf Canyon to the west to the Eastern Urban Center to the east;
- ◆ A village core area containing
 - Commercial Uses in a mixed use setting
 - Public and community purpose facilities
 - Transit stop

- Elementary school
- Multi-family residential
- Town Square/Village Green/Main Street
- Affordable Housing
- Neighborhood Park

The Otay Ranch GDP also sets forth land uses for Village 7 by acreage, which is reproduced below as Table 4.1-1, *Village 7 Land Use*. The land use designations that apply to Village 7 include: Low-Medium Village Density (LMV), Medium-High Density Residential (MH), and Mixed Use (MU).

**TABLE 4.1-1
VILLAGE 7 LAND USE**

Use	Sf Units	Mf Units	Total Units	Res. Ac.	Dens	Park Ac.*	CPF Ac.	Sch Ac.	C'ml. Ac.	Open Sp.	Art. Ac.	Total Ac.	Approx. Pop.
LMV	1,053	0	1,053	210.6	5.0			75.0				285.6	3,370
MU	0	0	0	0.0	0.0	9.3	6.3		7.2			22.8	0
MH	0	448	448	30.9	14.5			10.0				40.9	1,142
Other	0	0	0	0.0	0.0					45.3	17.1	62.4	0
Total	1,053	448	1,501	241.5		9.3	6.3	85.0	7.2	45.3	17.1	411.7	4,512

* Part of park acreage requirements have been allocated to community parks. Actual park size to be determined by Parks Master Plan at the SPA level.

The Otay Ranch GDP has established goals and objectives for land use; mobility; housing; parks, recreation, open space; public facilities; safety; phasing; and resource protection, conservation and management. Table 4.1-2, *Otay Ranch GDP Relevant Goals and Policies*, identifies those goals and policies relevant to Village 7.

**TABLE 4.1-2
OTAY RANCH GDP RELEVANT GOALS AND POLICIES**

CATEGORY:	APPLICABLE GOALS AND POLICIES:
Land Use	<p>GOAL: DEVELOP COMPREHENSIVE, WELL INTEGRATED AND BALANCED LAND USES WHICH ARE COMPATIBLE WITH THE SURROUNDINGS.</p> <p>Objective: Provide a well-integrated land use pattern which promotes both housing and employment opportunities, while enhancing the unique environmental and visual qualities of the Otay Ranch.</p> <p>Objective: Provide a wide range of residential housing opportunities, from rural and estate homes to high-density multi-family projects. Provide a balanced and diverse residential land use pattern for the Otay Valley Parcel, which promotes a blend of multi-family and single-family housing styles and densities, integrated and compatible with other land uses in the area.</p> <p>Objective: Provide development patterns complementary to the adopted plans and existing development of the adjacent communities.</p>
	<p>GOAL: REDUCE RELIANCE ON THE AUTOMOBILE AND PROMOTE ALTERNATIVE MODES OF TRANSPORTATION.</p> <p>Objective: Develop villages which integrate residential and commercial uses with a mobility system that accommodates alternative modes of transportation, including pedestrian, bicycle, bus, light rail, and other modes of transportation.</p> <p>Objective: Develop residential land uses which encourages the use of alternative modes of transportation through the provision of bus and light rail right-of-way, and the inclusion of a bicycle and pedestrian network.</p>

CATEGORY:	APPLICABLE GOALS AND POLICIES:
	<p>GOAL: PROMOTE VILLAGE LAND USES WHICH OFFER A SENSE OF PLACE TO RESIDENTS AND PROMOTES SOCIAL INTERACTION.</p> <p>Objective: Organize Otay Ranch into villages, each having its own identity and sense of place.</p> <p>Objective: The design of the Otay Ranch should promote variety and diversity at the village scale, while providing a sense of continuity through the use of unifying design elements.</p> <p>Objective: Promote a diverse range of activities and services to encourage a mixture of day/night and weekday/weekend uses.</p>
Mobility	<p>GOAL: PROVIDE A SAFE AND EFFICIENT TRANSPORTATION SYSTEM WITHIN OTAY RANCH WITH CONVENIENT LINKAGES TO REGIONAL TRANSPORTATION ELEMENTS ABUTTING THE OTAY RANCH.</p> <p>Objective: Ensure timely provision of adequate local circulation system capacity to respond to planned growth, maintaining acceptable levels of service (LOS).</p> <p>Objective: Plan and implement a circulation system such that the operational goal of Level of Service “C” for circulation element arterial and major roads and intersections can be achieved and maintained. Internal village streets/roads are not expected to meet this standard.</p> <p>Objective: Encourage other transportation modes through street/road design standards within the village, while accommodating the automobile. Design standards are not focused on achieving LOS standards or providing auto convenience.</p> <p>Objective: Provide an efficient circulation system that minimizes impacts on residential neighborhoods and environmentally sensitive areas.</p>
	<p>GOAL: ACHIEVE A BALANCED TRANSPORTATION SYSTEM WHICH EMPHASIZES ALTERNATIVES TO AUTOMOBILE USE AND IS RESPONSIVE TO THE NEEDS OF RESIDENTS.</p> <p>Objective: Study, identify, and designate corridors, if appropriate, for light rail and transit facilities.</p> <p>Objective: Promote alternative forms of transportation, such as bicycle and car paths, riding and hiking trails, and pedestrian walkways as an integral part of the circulation system.</p>
Housing	<p>GOAL: CREATE A BALANCED COMMUNITY EXEMPLIFIED BY THE PROVISION OF A DIVERSE RANGE OF HOUSING STYLES, TENANCY TYPES AND PRICES.</p> <p>Objective: Provide a variety of housing opportunities sufficient to meet a proportionate share of the Regional Share allocation of housing.</p>
	<p>GOAL: THE PROVISION OF SUFFICIENT HOUSING OPPORTUNITIES FOR PERSONS OF ALL ECONOMIC, ETHNIC, RELIGIOUS AND AGE GROUPS, AS WELL AS THOSE WITH SPECIAL NEEDS SUCH AS THE HANDICAPPED, ELDERLY, SINGLE PARENT FAMILIES AND THE HOMELESS.</p> <p>Objective: Ensure that the Otay Ranch provides housing opportunities sufficient to meet a proportionate share of identified special housing needs, and applies fair housing practices for all needs groups in the sale, rental, and advertising of housing units.</p>

CATEGORY:	APPLICABLE GOALS AND POLICIES:
<p>Parks, Recreation, Open Space</p>	<p>GOAL: PROVIDE DIVERSE PARK AND RECREATIONAL OPPORTUNITIES WITHIN OTAY RANCH WHICH MEET THE RECREATIONAL, CONSERVATION, PRESERVATION, CULTURAL AND AESTHETIC NEEDS OF PROJECT RESIDENTS OF ALL AGES AND PHYSICAL ABILITIES.</p> <p>Objective: Identify park, recreational and open space opportunities, where appropriate, to serve the South County region and San Diego County as a whole.</p> <p>Objective: Maximize conservation, joint uses and access and consider safety in the design of recreational facilities.</p> <p>Objective: Provide neighborhood and community park and recreational facilities to serve the recreational needs of local residents.</p>
<p>Capital Facilities</p>	<p>GOAL: ASSURE THE EFFICIENT AND TIMELY PROVISION OF PUBLIC SERVICES AND FACILITIES OF DEVELOPABLE AREAS OF OTAY RANCH CONCURRENT WITH NEED.</p> <p>Objective: Ensure that the pace and pattern of residential, commercial and other non-residential development is coordinated with the provision of adequate public facilities and services.</p> <p>Objective: Permit development only through a process that phases construction with the provision of necessary infrastructure prior to or concurrent with need.</p> <p>Objective: Development projects shall be required to provide or fund their fair share of all public facilities needed by the development.</p> <p>Objective: Monitor the impacts of growth and development on critical facilities and services to ensure that necessary infrastructure is provided prior to or concurrent with need.</p>
<p>Community and Regional Purpose Facilities</p>	<p>GOAL: DESIGNATE AREAS WITHIN THE OTAY RANCH PROJECT AREA FOR RELIGIOUS, ANCILLARY PRIVATE EDUCATIONAL, DAY CARE, BENEVOLENT, FRATERNAL, HEALTH, SOCIAL AND SENIOR SERVICES, CHARITABLE, YOUTH RECREATION FACILITIES, AND OTHER COUNTY REGIONAL SERVICES.</p>
<p>School Facilities</p>	<p>GOAL: PROVIDE HIGH QUALITY, K-12 EDUCATIONAL FACILITIES FOR OTAY RANCH RESIDENTS BY COORDINATED PLANNING OF SCHOOL FACILITIES WITH THE APPROPRIATE SCHOOL DISTRICT.</p> <p>GOAL: COORDINATE THE PLANNING OF ADULT EDUCATIONAL FACILITIES WITH APPROPRIATE DISTRICT.</p> <p>Objective: School facilities shall be provided concurrently with need and integrated with related facility needs, such as childcare, health care, parks, and libraries, where practical.</p> <p>Objective: Provide school district with 12 to 18 month development plan and 3 to 5 year development forecasts so that they may plan and implement school building and/or allocation programs in a timely manner.</p>
<p>Air Quality</p>	<p>GOAL: MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT ON AIR QUALITY.</p>
<p>Noise</p>	<p>GOAL: PROMOTE A QUIET COMMUNITY WHERE RESIDENTS LIVE WITHOUT NOISE WHICH IS DETRIMENTAL TO HEALTH AND ENJOYMENT OF PROPERTY.</p> <p>GOAL: ENSURE RESIDENTS ARE NOT ADVERSELY AFFECTED BY NOISE.</p> <p>Objective: Otay Ranch shall have a noise abatement program to enforce regulations to</p>

CATEGORY:	APPLICABLE GOALS AND POLICIES:
	control noise.
Growth Management	<p>GOAL: DEVELOP OTAY RANCH VILLAGES TO BALANCE REGIONAL AND LOCAL PUBLIC NEEDS, RESPOND TO MARKET FORCES, AND ASSURE THE EFFICIENT AND TIMELY PROVISION OF PUBLIC SERVICES AND FACILITIES CONCURRENT WITH NEED.</p> <p>Objectives: Coordinate the timing of the development of Otay Ranch villages to provide for the timely provision of public facilities, assure the efficient use of public fiscal resources and promote the viability of the existing and planned villages.</p>

The Otay Ranch GDP also identifies policies for each village. The Otay Ranch GDP policies applicable only to Village 7 are listed below in Table 4.1-3, *GDP Policies Pertaining to Village 7*. The policies address village character, the village core, parks and open space policies, and other policies.

**TABLE 4.1-3
GDP POLICIES PERTAINING TO VILLAGE 7**

Goal	Policies
Village Character	<ul style="list-style-type: none"> ◆ The village character shall be guided by the following policies: <ul style="list-style-type: none"> - The greenbelt corridor connecting the village with Wolf Canyon, the Eastern Urban Center and Salt Creek shall be a unifying feature of the village - Compatibility with the Eastern Urban Center - Views into Wolf Canyon and distant views to the mountains to the east and northeast - Complementary relationship with Village 4. ◆ Higher densities shall be strategically located to provide a transition from the more intense urban uses of the Eastern Urban Center and SR 125, to the lower intensity uses near Wolf Canyon.
Village Core	<ul style="list-style-type: none"> ◆ The greenbelt connection which winds through the village shall be an integral design element of the village core, potentially connecting open space, trails, recreational amenities, civic uses and schools. This greenbelt may be located within or adjacent to the core area.
Parks and Open Space	<p>Application of the three acres per 1,000 residents standard would result in the development of 13.5 acres of local parks in Village 7. To satisfy this requirement, 7.6 acres of neighborhood parks is planned. The remaining obligation is satisfied through the provision of community parks in Villages 2, 10, and the Eastern Urban Center. The following policies shall guide the design of parks and open spaces in Village 7:</p> <ul style="list-style-type: none"> ◆ A regional pedestrian and open space link will be provided through the village connecting Wolf Canyon on the west to the Eastern Urban Center and Salt Creek on the east. This greenbelt connection may take several forms, including a greenbelt, parks, trails, and the pedestrian portion of promenade streets. The average width and continuous character of the greenbelts shall be defined in the Overall Ranch Design Plan. The greenbelt shall average 200 feet in width (excluding street ROW) over the entire length of any village (requirements set forth in Section E of the Otay Ranch GDP, Implementation) to provide a direct connection between the village core, Wolf Canyon, and the intense uses of the Eastern Urban Center. ◆ The average width of the pedestrian open space/trail corridor shall be calculated from one edge of the village to the other. ◆ Buffering shall be provided to screen the VORTAC facility (aviation navigation facility) from adjacent land uses, if this use is not relocated.

Goal	Policies
Other	<ul style="list-style-type: none"> ◆ Three schools are planned in Village 7. These shall be appropriately separated with intervening land uses. The high school and middle school shall abut the regional open space, providing for non-vehicular access. ◆ A transit stop shall be reserved at the SPA level and irrevocably offered for dedication at the Tentative Map level.

The Otay Ranch GDP is currently being updated in order to reflect modifications determined necessary by the City. Several amendments to the GDP have occurred with the development of villages within Otay Ranch, and the update would reflect those changes. The Otay Ranch GDP update would reflect new projections for the buildout of Otay Ranch. Relevant to Village 7, the *Village 7 SPA Plan* project is consistent with the approved Otay Ranch GDP, and no changes are proposed for this village by the update.

Otay Ranch Resource Management Plan

The Phase I Otay Ranch Resource Management Plan (RMP) was adopted in October 1993 and provides a general framework for resource protection and biological maintenance and monitoring within the Otay Ranch Preserve. In accordance with the Phase I RMP, a Phase II RMP was adopted with approval of SPA Plan One in 1996. The goal of the RMP is to establish an open space system that will become a permanent management preserve dedicated to the protection and enhancement of the multiple resources present on Otay Ranch. Accordingly, the RMP provides for the long-term protection, enhancement, and management of sensitive natural and cultural resources on Otay Ranch. To mitigate for the biological impacts of implementing the Otay Ranch GDP, the RMP has established a permanent open space Preserve comprised of 11,375 acres within Otay Ranch.

The RMP includes a Preserve Conveyance Plan which serves to facilitate transfer of Preserve land to the identified Preserve Owner/Manager. The conveyance of Preserve lands is to be met on a village-by-village basis. Development within Otay Ranch must adhere to a conveyance ratio of 1.188 acres of preserve open space for each acre of development minus “common use” lands (i.e., parks, schools, arterials, SR 125, and public use areas), pursuant to the guidelines contained in the RMP. Conveyance is required prior to approval of final maps.

Chula Vista Greenbelt Master Plan

The Chula Vista Greenbelt Master Plan (Greenbelt Master Plan) serves as a flexible, comprehensive, and long-range planning document that is a tool for planning and developing the entire City of Chula Vista Greenbelt. The Greenbelt Master Plan acts as a guide for identifying significant open space areas within the City’s Greenbelt and potential multi-use trails. It provides guidance and continuity for planning open space and constructing and maintaining trails that encircle the City. The plan’s primary purpose is to provide goals and policies, trail design standards, and implementation tolls that guide the creation of a greenbelt system connected by multi-use trails.

The Greenbelt is divided into eight segments. These segments are known as Lower Sweetwater; Sweetwater Regional Park; San Miguel; Otay Lakes; Salt Creek Corridor; Otay Ranch Village Greenway; Otay Valley Regional Park; East and West; and The Bayfront. A portion of the proposed project site is identified as being within the major trail linkage of the Otay Ranch Village Greenway segment of the Greenbelt Master Plan. This segment is planned to connect from the Salt Creek trail through urban villages, including the *Village 7 SPA Plan* project area, in or near Wolf Canyon to the Otay Valley. The Greenbelt Master Plan

sets forth design criteria and standards for development of the City of Chula Vista Greenbelt, include the portion of it that is planned to cross the *Village 7 SPA Plan* project site.

Multiple Species Conservation Plan (MSCP)/City of Chula Vista MSCP Subarea Plan

The *Village 7 SPA Plan* project site is not located within or adjacent to the MSCP Preserve Area; however it is located within the City of Chula Vista MSCP planning area. The *Village 7 SPA Plan* project site is a part of a covered project, as defined by the Chula Vista Subarea Plan. Additionally, the segment of Wolf Canyon through the project site is identified as an improved channel with a detention basin in the Subarea Plan, and La Media and Rock Mountain Roads are identified as planned facilities in the Subarea Plan.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Existing Site Conditions and Surrounding Land Uses

The McMillin Otay Ranch, LLC project site is located on 180.2 acres in the eastern portion of the *Village 7 SPA Plan* project area. The project site is currently undeveloped and has been historically used for agricultural purposes. Land surrounding the project site to the east, south, and west are also undeveloped and previously farmed with the exception of the FAA VORTAC facility located to the west. To the north, Birch Road, a six-lane major street, is under construction. On the north side of Birch Road, a private high school and church are being constructed as part of the approved Village 6 SPA Plan.

Relevant Plans and Policies

The plans and policies discussed above for the *Village 7 SPA Plan* also apply to the McMillin Otay Ranch, LLC TM project site. These include the City's General Plan, Zoning title, Otay Ranch GDP, Otay Ranch RMP Phase I and II, Greenbelt Master Plan, and the City of Chula Vista MSCP Subarea Plan.

C. OTAY PROJECT LP TENTATIVE MAP

Existing Site Conditions and Surrounding Land Uses

The Otay Project LP TM project site is located on 108.3 acres in the western portion of the *Village 7 SPA Plan* project area, and also includes a 44.4-acre borrow site within Village 4 located to the southwest (see Figure 3-13, *Proposed Otay Project LP TM Project*). The location of the Otay Project LP TM is currently undeveloped and has been historically used for agricultural purposes. Land surrounding the project site to the east and west are also undeveloped and previously farmed. North of the site, Birch Road, a six-lane prime arterial, and residential units are under construction as part of the approved Village 6 SPA Plan. To the south, south of Wolf Canyon, is the 51.9-acre FAA aviation navigation facility.

Relevant Plans and Policies

The plans and policies discussed above for the *Village 7 SPA Plan* project are also applicable to the Otay Project LP TM site. Relevant plans include the City's General Plan, Zoning title, Otay Ranch GDP, Otay Ranch RMP, Greenbelt Master Plan, and the City of Chula Vista MSCP Subarea Plan.

4.1.2 Thresholds of Significance

As represented in Appendix G of the CEQA Guidelines, the *Village 7 SPA Plan* could have a significant effect if it would:

- ◆ Physically divide an established community;
- ◆ Conflict with any applicable land use plan, policy, or applicable agency regulation adopted for the purpose of avoiding or mitigating an environmental effect; or
- ◆ Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.1.3 Impact Analysis

The following land use impacts were identified in the Otay Ranch Program GDP EIR (90-01). Since this EIR tiers from the Program EIR, the impacts identified in the Program EIR are considered in the analysis of the *Village 7 SPA Plan*.

- ◆ Potential incompatibility with internal project land uses such as where residential development would occur adjacent to non-residential land uses or where low density residential development would occur adjacent to medium or high density residential development. Internal compatibility of land use was identified as potentially significant. Relevant to the *Village 7 SPA Plan*, the incompatibility of the FAA VORTAC site was identified. Mitigation to reduce this impact to a below level of significance include identifying landscaping, grading, and buffering guidelines to prevent significant interface inconsistencies of the change to the City's goals for the Eastern Territories was considered a significant unavoidable impact. A Statement of Overriding Considerations was adopted.
- ◆ The change in land use character from undeveloped open space to urban development, and the related inconsistencies of the change to the City of Chula Vista's goals for the Eastern Territories was considered to be a significant and unmitigable impact.

These impacts were re-examined for purposes of determining the level of impact caused by the proposed *Village 7 SPA Plan* and TMs.

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* is proposed for development as part of the Otay Ranch GDP. It is surrounded by urban uses to the north, and undeveloped lands used for agricultural to the east, west, and south. The FAA VORTAC facility is also located south and west of the project site. Development of the *Village 7 SPA Plan* project site would not physically divide an established community.

The *Village 7 SPA Plan* implements the land use plans, goals, objectives, and policies of the Otay Ranch GDP for a 288.5-acre portion of Village 7. The *Village 7 SPA Plan* provides a development concept for the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 and addresses circulation, grading, parks, recreation and open space, phasing, and public facilities for each ownership. Additionally, the *Village 7 SPA Plan* provides PC District regulations, and specific plans for design, public facilities financing, affordable housing, air quality, water conservation, energy conservation, and parks, recreation, and open space within the project site.

Compatibility with Surrounding and Planned Land Use in the Project Vicinity

The proposed *Village 7 SPA Plan* would develop a mix of residential, public, and civic uses. Two public schools are proposed as part of the project, including an elementary school and a high school. Residential development would occur adjacent to non-residential land uses, and low-density residential development would occur adjacent to medium or high-density residential development. The proposed design and layout of land uses for the *Village 7 SPA Plan* would be compatible with one another and would not result in significant impacts.

As identified in the Otay Ranch GDP Program EIR, a significant impact would occur between the proposed development of the *Village 7 SPA Plan* and the existing FAA VORTAC facility. The *Village 7 SPA Plan* project includes a landscape plan. However, as discussed in Section 4.6, *Landform Alteration/Aesthetics*, of this EIR, views of the FAA VORTAC facility are considered a significant visual impact and would remain until the VORTAC facility is removed and the FAA site is redeveloped. Mitigation, including screening and buffering, would reduce potential land use compatibility impacts related to noise to below a level of significance.

The *Village 7 SPA Plan* project site would be bordered by Birch Road to the north, future SR 125 to the east, and future La Media Road to the west. These roadways have the potential to generate traffic noise in excess of acceptable noise thresholds and would result in significant noise impacts to adjacent residents. Impacts associated with noise are discussed in Section 4.4, *Noise*, and mitigation measures are identified to reduce potential impacts to below a level of significance.

The proposed park and high school uses may introduce nighttime lighting to the area. Nighttime lighting at the park could spillover into adjacent residential uses, and potential lighting impacts would occur. The high school site would also be located adjacent to multi-family residential uses; therefore, when the high school site is developed, there is a potential for lighting from the sports fields to spillover into adjacent residences which would be considered a significant impact. Mitigation has been identified in Section 4.6 to reduce potential lighting impacts to below a level of significance.

The areas surrounding the project site on its west, east, and south sides are undeveloped areas with rolling hills. These areas have been historically and are currently used for agricultural activities and are in similar condition to the project site. These areas are planned for future development with a mix of uses as the remainder of Village 7 and as part of Villages 2 and 4 (to the east), Village 8 (to the south), and the Eastern Urban Center (to the east). A SPA plan for Villages 2, 3, and a portion (approximately 44 acres) of 4 is currently being processed that would allow for development of a range of land uses, including: single-family residential, multi-family residential, commercial, business park, community purpose facility, park, school, and open space. Villages 4 and 8 are identified as Urban Villages in the Otay Ranch GDP, which include a mix of residential, commercial, community purpose facility, and park uses. SPA level documents are required for development of the balance of Village 4 and Village 8. The Eastern Urban Center is approved in the Otay Ranch GDP for development with high density residential and commercial land uses. The area immediately north of the project site is currently being developed with residential units that are part of Village 6 of the Otay Ranch GDP. The *Village 7 SPA Plan* project would be surrounded by planned and developed urban land uses, similar to the proposed project. No compatibility impacts with planned and surrounding villages would occur.

Conformance with Relevant Plans and Policies

City of Chula Vista General Plan and the Otay Ranch General Development Plan

Table 4.1-4, *Otay Ranch GDP Conformance*, analyzes the consistency between the proposed *Village 7 SPA Plan* and the adopted GDP. Because the adopted GDP and the current General Plan are consistent with one another, analysis of consistency of the GDP serves to analyze the consistency of the General Plan. As demonstrated in Table 4.1-4, *Otay Ranch GDP Conformance*, the project would be consistent with the Otay Ranch GDP.

**TABLE 4.1-4
OTAY RANCH GDP CONFORMANCE**

Applicable Goals, Objectives and Policies	Project Conformance
<p>GOAL: DEVELOP COMPREHENSIVE, WELL INTEGRATED AND BALANCED LAND USES WHICH ARE COMPATIBLE WITH THE SURROUNDINGS.</p> <p>Objective: Provide a well-integrated land use pattern which promotes both housing and employment opportunities, while enhancing the unique environmental and visual qualities of the Otay Ranch.</p> <p>Objective: Provide a wide range of residential housing opportunities, from rural and estate homes to high-density multi-family projects. Provide a balanced and diverse residential land use pattern for the Otay Valley Parcel, which promotes a blend of multi-family and single-family housing styles and densities, integrated and compatible with other land uses in the area.</p> <p>Objective: Provide development patterns complementary to the adopted plans and existing development of the adjacent communities.</p>	<p>The <i>Village 7 SPA Plan</i> land use plan provides a range of housing and employment opportunities. The plan adheres to the GDP specific directives for Village 7 that would provide residential neighborhoods that offer a variety of housing styles and densities. Schools, public parks, and community purpose facilities would also be provided. Although not proposed by the <i>Village 7 SPA Plan</i>, ultimate buildout of Village 7 in accordance with the GDP would provide a village core with commercial land uses.</p> <p>The organization of the land uses within the <i>Village 7 SPA Plan</i> integrates compatible land uses within the village and with adjacent communities. Adjacent land uses are proposed in Villages 2 and 4 to the west, Village 6 is located to the north and contains residential uses including a private high school, proposed Eastern Urban Center and University Site to the east, and residential use and Wolf Canyon to the west. The land uses within Village Seven transition from higher density residential uses in the central and western area of the village, to lower density residential uses on the edges of Wolf Canyon to the west.</p> <p>The <i>Village 7 SPA Plan</i> supports the objective of enhancing the unique environmental and visual qualities of Otay Ranch. The proposed plan maintains views into the upper reaches of Wolf Canyon, and distant views to the mountains to the east and northeast. Multi-level pads and contour grading are proposed to retain the rolling-hill character of the site.</p>

Applicable Goals, Objectives and Policies	Project Conformance
<p>GOAL: REDUCE RELIANCE ON THE AUTOMOBILE AND PROMOTE ALTERNATIVE MODES OF TRANSPORTATION.</p> <p>Objective: Develop villages which integrate residential and commercial uses with a mobility system that accommodates alternative modes of transportation, including pedestrian, bicycle, bus, light rail, and other modes of transportation.</p> <p>Objective: Develop residential land uses which encourages the use of alternative modes of transportation through the provision of bus and light rail right-of-way, and the inclusion of a bicycle and pedestrian network.</p>	<p>Land uses within the Village 7 SPA Plan include park and school uses and are designed to provide for the daily needs of the residents. Provision of land uses that minimize the need for automobile travel coupled with the pedestrian-oriented design of the village are two ways the plan meets the GDP goals and objectives. Throughout the project site, a system of paseos and landscaped streets link residential neighborhoods, the park, and schools to encourage walking, rather than driving. These paths are designed with parkway separations between walkways and streets, landscaping, lighting and furnishings to make the pedestrian experience pleasant and promote safety. A bus route can be accommodated around and through the village with strategically located stops. The village trail system also connects to the surrounding community trail system. The <i>Village 7 SPA Plan</i> would be developed with an advanced wiring telecommunications and information technology system. Availability of these facilities will encourage telecommuting and accommodate home-based businesses.</p>
<p>GOAL: PROMOTE VILLAGE LAND USES WHICH OFFER A SENSE OF PLACE TO RESIDENTS AND PROMOTES SOCIAL INTERACTION.</p> <p>Objective: Organize Otay Ranch into villages, each having its own identity and sense of place.</p> <p>Objective: The design of the Otay Ranch should promote variety and diversity at the village scale, while providing a sense of continuity through the use of unifying design elements.</p> <p>Objective: Promote a diverse range of activities and services to encourage a mixture of day/night and weekday/weekend uses.</p>	<p>The <i>Village 7 SPA Plan</i> provides community purpose facilities, an elementary school and high school, a neighborhood park and a variety of residential housing types. The land uses, coupled with a village design theme create the village identity and sense of place. The village incorporates Ranch-wide design elements such as signage and landscaping to connect it with the other villages of Otay Ranch.</p>
<p>GOAL: PROVIDE A SAFE AND EFFICIENT TRANSPORTATION SYSTEM WITHIN OTAY RANCH WITH CONVENIENT LINKAGES TO REGIONAL TRANSPORTATION ELEMENTS ABUTTING THE OTAY RANCH.</p> <p>Objective: Ensure timely provision of adequate local circulation system capacity to respond to planned growth, maintaining acceptable levels of service (LOS).</p>	<p>Streets surrounding and internal to the <i>Village 7 SPA Plan</i> are designed in compliance with the goals and objectives of the GDP. Street design and phasing strive to provide efficient and appropriate level of service. The village circulation system provides for connections to the regional transit-way to the east. Internal streets have been designed to accommodate bicycles and carts, and a series of pedestrian paths are provided throughout the village to provide alternatives to automobile travel.</p>

Applicable Goals, Objectives and Policies	Project Conformance
<p>Objective: Plan and implement a circulation system such that the operational goal of Level of Service “C” for circulation element arterial and major roads and intersections can be achieved and maintained. Internal village streets/roads are not expected to meet this standard.</p> <p>Objective: Encourage other transportation modes through street/road design standards within the village, while accommodating the automobile. Design standards are not focused on achieving LOS standards or providing auto convenience.</p> <p>Objective: Provide an efficient circulation system that minimizes impacts on residential neighborhoods and environmentally sensitive areas.</p>	
<p>GOAL: ACHIEVE A BALANCED TRANSPORTATION SYSTEM WHICH EMPHASIZES ALTERNATIVES TO AUTOMOBILE USE AND IS RESPONSIVE TO THE NEEDS OF RESIDENTS.</p> <p>Objective: Study, identify, and designate corridors, if appropriate, for light rail and transit facilities.</p> <p>Objective: Promote alternative forms of transportation, such as bicycle and car paths, riding and hiking trails, and pedestrian walkways as an integral part of the circulation system.</p>	<p>A wide variety of alternative forms of transportation, including trails, paths and paseos, are provided within the <i>Village 7 SPA Plan</i>. This alternative transportation network addresses the needs of residents by offering different routes to uses within and outside of the village.</p>
<p>GOAL: CREATE A BALANCED COMMUNITY EXEMPLIFIED BY THE PROVISION OF A DIVERSE RANGE OF HOUSING STYLES, TENANCY TYPES AND PRICES.</p> <p>Objective: Provide a variety of housing opportunities sufficient to meet a proportionate share of the Regional Share allocation of housing.</p>	<p>The <i>Village 7 SPA Plan</i> meets these goals and objectives by providing a wide variety of housing types, including affordable housing. Proposed housing includes apartments, townhouses, condominiums, attached housing (duplexes and/or triplexes), and small lot single-family residential.</p>

Applicable Goals, Objectives and Policies	Project Conformance
<p>GOAL: THE PROVISION OF SUFFICIENT HOUSING OPPORTUNITIES FOR PERSONS OF ALL ECONOMIC, ETHNIC, RELIGIOUS AND AGE GROUPS, AS WELL AS THOSE WITH SPECIAL NEEDS SUCH AS THE HANDICAPPED, ELDERLY, SINGLE PARENT FAMILIES AND THE HOMELESS.</p> <p>Objective: Ensure that the Otay Ranch provides housing opportunities sufficient to meet a proportionate share of identified special housing needs, and applies fair housing practices for all needs groups in the sale, rental, and advertising of housing units.</p>	<p>The <i>Village 7 SPA Plan</i> would contain a wide variety of housing types ranging in density from low-medium to high. The variety of housing types would accommodate families, singles and those with special housing needs, including the handicapped and the elderly. Additionally, the project is required to provide 10 percent low income housing. Fair housing practices will be employed in the sale, rental and advertising of all units.</p>
<p>GOAL: PROVIDE DIVERSE PARK AND RECREATIONAL OPPORTUNITIES WITHIN OTAY RANCH WHICH MEET THE RECREATIONAL, CONSERVATION, PRESERVATION, CULTURAL AND AESTHETIC NEEDS OF PROJECT RESIDENTS OF ALL AGES AND PHYSICAL ABILITIES.</p> <p>Objective: Identify park, recreational and open space opportunities, where appropriate, to serve the South County region and San Diego County as a whole.</p> <p>Objective: Maximize conservation, joint uses and access and consider safety in the design of recreational facilities.</p> <p>Objective: Provide neighborhood and community park and recreational facilities to serve the recreational needs of local residents.</p>	<p>A neighborhood park and the regional trail system proposed as part of the project would provide residents of all ages and physical abilities with both active and passive recreational opportunities. The location of the neighborhood park adjacent to the elementary school provides an opportunity for shared use. The “Village Greenway”, located within the open space corridor defined within Wolf Canyon, provides east-west circulation through Village 7. Village 7 would contribute its share of the cost of community and/or regional park facilities.</p>
<p>GOAL: ASSURE THE EFFICIENT AND TIMELY PROVISION OF PUBLIC SERVICES AND FACILITIES OF DEVELOPABLE AREAS OF OTAY RANCH CONCURRENT WITH NEED.</p>	<p>The <i>Village 7 SPA Plan</i> meets these goals and objectives through a plan that phases development with infrastructure improvements. The developers would participate in fair-share funding of facilities.</p>

Applicable Goals, Objectives and Policies	Project Conformance
<p>Objective: Ensure that the pace and pattern of residential, commercial and other non-residential development is coordinated with the provision of adequate public facilities and services.</p> <p>Objective: Permit development only through a process that phases construction with the provision of necessary infrastructure prior to or concurrent with need.</p> <p>Objective: Development projects shall be required to provide or fund their fair share of all public facilities needed by the development.</p> <p>Objective: Monitor the impacts of growth and development on critical facilities and services to ensure that necessary infrastructure is provided prior to or concurrent with need.</p>	
<p>GOAL: DESIGNATE AREAS WITHIN THE OTAY RANCH PROJECT AREA FOR RELIGIOUS, ANCILLARY PRIVATE EDUCATIONAL, DAY CARE, BENEVOLENT, FRATERNAL, HEALTH, SOCIAL AND SENIOR SERVICES, CHARITABLE, YOUTH RECREATION FACILITIES, AND OTHER COUNTY REGIONAL SERVICES.</p>	<p>Three community purpose facilities sites are proposed by the <i>Village 7 SPA Plan</i>. Additionally, the elementary school, high school and parks may also be available to share facilities with community-serving organizations.</p>
<p>GOAL: PROVIDE HIGH QUALITY, K-12 EDUCATIONAL FACILITIES FOR OTAY RANCH RESIDENTS BY COORDINATED PLANNING OF SCHOOL FACILITIES WITH THE APPROPRIATE SCHOOL DISTRICT.</p> <p>GOAL: COORDINATE THE PLANNING OF ADULT EDUCATIONAL FACILITIES WITH APPROPRIATE DISTRICT.</p> <p>Objective: School facilities shall be provided concurrently with need and integrated with related facility needs, such as childcare, health care, parks, and libraries, where practical.</p>	<p>An elementary school and a high school site are provided within the <i>Village 7 SPA Plan</i>. Adult education facilities could be accommodated in the community purpose facility sites or as a shared use within the public schools.</p>

Applicable Goals, Objectives and Policies	Project Conformance
<p>Objective: Provide school district with 12 to 18 month development plan and 3 to 5 year development forecasts so that they may plan and implement school building and/or allocation programs in a timely manner.</p>	
<p>GOAL: MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT ON AIR QUALITY.</p>	<p>The <i>Village 7 SPA Plan</i> proposed Air Quality Improvement Plan provides measures to meet this goal. The plan addresses improvement measures including job/housing balance, transit access, alternative travel modes, building construction methods and educational programs. The project has been designed to offer residents alternative methods of transportation, including public transit and pedestrian trails which connect to the village core as well as to other areas outside of the village.</p>
<p>GOAL: PROMOTE A QUIET COMMUNITY WHERE RESIDENTS LIVE WITHOUT NOISE WHICH IS DETRIMENTAL TO HEALTH AND ENJOYMENT OF PROPERTY. (Page 340)</p> <p>GOAL: ENSURE RESIDENTS ARE NOT ADVERSELY AFFECTED BY NOISE.</p> <p>Objective: Otay Ranch shall have a noise abatement program to enforce regulations to control noise.</p>	<p>The design of the <i>Village 7 SPA Plan</i> separates higher noise generating land uses from more sensitive residential land uses. Sound abating features, such as masonry walls and dual-glazed windows, will be provided as needed. City standards for noise regulation and abatement shall be enforced.</p>
<p>GOAL: DEVELOP OTAY RANCH VILLAGES TO BALANCE REGIONAL AND LOCAL PUBLIC NEEDS, RESPOND TO MARKET FORCES, AND ASSURE THE EFFICIENT AND TIMELY PROVISION OF PUBLIC SERVICES AND FACILITIES CONCURRENT WITH NEED.</p> <p>Objectives: Coordinate the timing of the development of Otay Ranch villages to provide for the timely provision of public facilities, assure the efficient use of public fiscal resources and promote the viability of the existing and planned villages.</p>	<p>The <i>Village 7 SPA Plan</i> would be developed in a way that balances market forces with implementation of the facilities, as identified by the Public Facilities Finance Plan.</p>

Applicable Policies	Project Conformance
Village Character	
<p>◆ The village character shall be guided by the following policies:</p> <ul style="list-style-type: none"> - The greenbelt corridor connecting the village with Wolf Canyon, the Eastern Urban Center and Salt Creek shall be a unifying feature of the village - Compatibility with the Eastern Urban Center - Views into Wolf Canyon and distant views to the mountains to the east and northeast - Complementary relationship with Village 4. 	<p>◆ The proposed <i>Village 7 SPA Plan</i> would conform with this policy, as described below:</p> <ul style="list-style-type: none"> - The <i>Village 7 SPA Plan</i> would include a greenbelt corridor and trails that would connect to the community-wide trail system of Otay Ranch. The greenbelt corridor or Village Greenway trails would provide a connection between Wolf Canyon to the west, the Eastern Urban Center to the east and Salt Creek to the west. As shown by Figure 3-7, <i>Trails</i>, five types of trails are proposed: Regional Trail; Village Greenway; Village Pathway; Village Core Promenade; and Residential Promenade. These trails would provide additional connections to the public park, schools, and civic uses. In addition, the land use design of the project would bring open space corridors into the center of the site, unifying the village. - The Eastern Urban Center is approved for development with high density residential and commercial uses. The <i>Village 7 SPA Plan</i> would include 448 multi-family residential units, which are compatible to the adjacent Eastern Urban Core Center. The higher densities would be clustered around the eastern end of the greenbelt. - Views into Wolf Canyon would remain at the project site due to the project’s use of open space. Distant views of the mountains to the east and northeast would also remain visible from most of the project site due to the use of open space corridors and the low density development of schools proposed on-site, which would include large fields without structures.
<p>◆ Higher densities shall be strategically located to provide a transition from the more intense urban uses of the Eastern Urban Center and SR 125, to the lower intensity uses near Wolf Canyon.</p>	<p>As shown on Figure 3-1, <i>Site Utilization Plan</i>, the project would include single-family residential uses, multi-family residential uses, and the high school along the outer perimeters of the site, and along SR 125. Open space areas and single-family residential units are proposed along Wolf Canyon.</p>
Village Core	

Applicable Policies	Project Conformance
<ul style="list-style-type: none"> ◆ The greenbelt connection which winds through the village shall be an integral design element of the village core, potentially connecting open space, trails, recreational amenities, civic uses and schools. This greenbelt may be located within or adjacent to the core area. 	<p>The proposed <i>Village 7 SPA Plan</i> would conform with this policy because the greenbelt corridor would extend east along Wolf Canyon from a trail crossing at La Media Road, via either a potential pedestrian bridge or an at-grade crossing, to the planned neighborhood park and elementary school, to the Eastern Urban Center, via an underpass crossing of SR 125. Crossing east-west through the project site, the greenbelt is an integral part of the village design.</p>
<p>Parks and Open Space</p>	
<p>The following policies shall guide the design of parks and open spaces in Village 7: A regional pedestrian and open space link will be provided through the village connecting Wolf Canyon on the west to the Eastern Urban Center and Salt Creek on the east. This greenbelt connection may take several forms, including a greenbelt, parks, trails, and the pedestrian portion of promenade streets. The average width and continuous character of the greenbelts shall be defined in the Overall Ranch Design Plan. The greenbelt shall average 200 feet in width (excluding street ROW) over the entire length of any village (requirements set forth in Section E of the Otay Ranch GDP, Implementation) to provide a direct connection between the village core, Wolf Canyon, and the intense uses of the Eastern Urban Center.</p>	<p>As stated above, the <i>Village 7 SPA Plan</i> would include the Village Greenway that would provide a connection between Wolf Canyon, the Eastern Urban Center, and Salt Creek. The Village Greenway ranges from 30 to 600 feet wide, excluding street right-of-way, with an average width of more than 200 feet. In addition, trails are proposed which would provide an open space link through the village (see Figure 3-7 <i>Trails</i>).</p>
<ul style="list-style-type: none"> ◆ The average width of the pedestrian open space/trail corridor shall be calculated from one edge of the village to the other. 	<p>The Village Greenway ranges from approximately 30 to 600 feet wide. In addition, the proposed Regional Trail, Village Greenway, and Village Pathway would be 10 feet wide, while the Village Core Promenade and the Residential Promenade would be 6 feet wide. See Figure 3-7, <i>Trails</i>.</p>
<ul style="list-style-type: none"> ◆ Buffering shall be provided to screen the VORTAC facility (aviation navigation facility) from adjacent land uses, if this use is not relocated. 	<p>The project would provide buffering as a mitigation measure to screen the VORTAC facility from adjacent land uses, until the facility is relocated and the site redeveloped.</p>
<p>The neighborhood park shall be planned in accordance with the Chula Vista Parks and Recreation Master Plan.</p>	<p>The project includes a neighborhood park, which will be planned in accordance with the Chula Vista Parks and Recreation Master Plan.</p>
<p>Other</p>	
<ul style="list-style-type: none"> ◆ Three schools are planned in Village 7. These shall be appropriately separated with intervening land uses. The high school and middle school shall abut the regional open space, providing for non-vehicular access. 	<p><i>The Village 7 SPA Plan</i> would provide sites for two of the three schools specified in the GDP, an elementary school and a high school. The elementary school would be located south of the proposed neighborhood park and separated from the high school by a roadway. The high school would be located in the southeast portion of the project site. The high school does not abut regional open space; however, it lies along the trail system, which provides for non-vehicular access. The third school specified in the GDP, a middle school, is not being proposed for the Village 7 SPA portion of the village.</p>

Applicable Policies	Project Conformance
<ul style="list-style-type: none"> ◆ A transit stop shall be reserved at the SPA level and irrevocably offered for dedication at the Tentative Map level. 	<p>A bus stop with shelter and turnout is planned in the center of the <i>Village 7 SPA Plan</i> project site. In addition, eight curbside bus stops are planned within Village 7, which would be served by the Green Car. City-wide Transit Routes (Blue Car) would run along Birch Road and future Rock Mountain Road, to the north and south of Village 7, respectively (see Figure 3-4, <i>Conceptual Transit Plan</i>).</p>

Eastern Territories Area Plan Consistency

The proposed *Village 7 SPA Plan* complies with the major policies of the Eastern Territories Area Plan. Table 4.1-5, *Eastern Territories Area Plan Consistency*, analyzes the consistency between the proposed *Village 7 SPA Plan* project and the Eastern Territories Area Plan.

**TABLE 4.1-5
EASTERN TERRITORIES AREA PLAN CONSISTENCY**

Policy Type	Project Conformance
<p>Goal 1, Objective 1: Direct new urban development in Eastern Territories to broad mesa tops which are generally located away from environmentally sensitive areas such as flood plains, canyons, and steeply sloped areas.</p>	<p>The natural drainage basin in the area is Wolf Canyon, which is located west of the project site, with the upper reaches of Wolf Canyon extending into the northern portion of the project site. The <i>Village 7 SPA Plan</i> would include a Village Greenway, a greenbelt corridor, which would be graded and landscaped, but not developed with any buildings. The proposed residential, park, community purpose facilities, and the two public schools would be constructed where the existing agricultural uses occur.</p>
<p>Goal 1, Objective 2: Require thorough environmental reviews of all proposed conversions of vacant or agricultural land to urban uses.</p>	<p>A thorough environmental evaluation of the conversion of agricultural land to urban uses was provided in the GDP Program EIR and is also discussed in Section 4.2, <i>Agricultural Resources</i>.</p>
<p>Goal 2, Objective 6: Assure that all new development is provided with acceptable levels of public services. Each development should include local public facilities required to serve the development. Interim services which vary from citywide standards may be acceptable for projects with substantial public benefits.</p>	<p>The proposed project includes the development of public and community purpose facilities, a public park and two public schools. Detailed analyses of public services and the ability for these services to serve the project are provided in Section 4.12, <i>Utilities and Public Services</i>, of this EIR.</p>
<p>Goal 2, Objective 7: Encourage orderly and compact patterns of development, which will make maximum uses of existing public facilities and avoid “leap frog” development. In particular, encourage development phasing which will substantially build out drainage and hydrologic basins with existing public service facilities before development new basins. Exceptions should be allowed for projects with substantial public benefits, which should be permitted special public service consideration on an interim basis.</p>	<p>Development of the <i>Village 7 SPA Plan</i> would be completed in phases. The project has been designed to ensure that the construction of necessary infrastructure and amenities is completed as the project progresses to meet the demand for services. Additionally, the proposed <i>Village 7 SPA Plan</i> would provide two public school sites, which represent public benefits.</p>

Policy Type	Project Conformance
<p>Goal 2, Objective 4: Create, for the planning area as a whole, a balanced community of residential, commercial, and industrial uses. To the extent that employment uses may be more difficult to establish, provide for additional designations of commercial and industrial land and encourage retention of vacant land for commercial and industrial uses.</p>	<p>Although no industrial or commercial uses are proposed by the <i>Village 7 SPA Plan</i>, the project proposes a mix of residential uses, a public park, community facilities, open space, and roadways. Additionally an elementary school and a high school would be located within the project area. The project is intended to be pedestrian-friendly and provide a place where residents can live, work, and play at buildout.</p>

Zoning

Under the existing Planned Community (PC) Zone, Planned Community District Regulations specific to development within Village 7 are required. The proposed *Village 7 SPA Plan* has established City regulations called the PC District Regulations for development of the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7. These regulations provide the basis by which the City would review and evaluate the preliminary and final drawings for subsequent development applications and provide guidance at the design review level. Special uses and conditions are also discussed, and administrative procedures to implement the regulations are identified. The proposed *Village 7 SPA Plan* PC District Regulations have established development standards and guidelines for residential uses, mixed use and village core development, and open space and parks. The proposed project is consistent with the requirements of the PC Zone, and no significant land use impacts related to regulations of the zoning ordinance would result.

MSCP/City of Chula Vista MSCP Subarea Plan

The *Village 7 SPA Plan* project site is within the Chula Vista MSCP; however, it is not located within or adjacent to the MSCP Preserve area. The project does not conflict with any habitat conservation plan or natural community conservation plan (see also Section 4.11, *Biological Resources*).

Otay Ranch Resource Management Plan

The Otay Ranch RMP also applies to the project site. The *Village 7 SPA Plan* would not affect any property or resources identified for permanent preservation within the Otay Ranch GDP. In accordance with the RMP, the project would convey open space at a ratio of 1.188 acres for each acre of project area, to the Otay Ranch preserve, as discussed in Section 4.11, *Biological Resources*, of this EIR.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Compatibility with the Surrounding Existing and Future Land Uses in the Project Vicinity

Development of the McMillin Otay Ranch, LLC TM would occur in the eastern portion of the *Village 7 SPA Plan* project site on the land under ownership of McMillin Otay Ranch, LLC (see Figure 2-6, *Ownership*). As proposed, the McMillin Otay Ranch, LLC TM would result in 310 single-family units, 448 multi-family units, a 7.6-acre neighborhood park, an 11.1-acre elementary school site, a 23.4-acre high school site, a 1.1-acre community purpose facility site, as well as open space and roadways. Residential uses would be located in the northern and eastern portions of the project site, the park and elementary

school would comprise the central-western portion of the site, and the high school would comprise the southern portion of the site. The proposed uses are compatible with one another.

The McMillin Otay Ranch, LLC TM project site would be bordered by Birch Road to the north and future SR 125 to the east. These roadways have the potential to generate traffic noise in excess of acceptable noise thresholds. Land use compatibility impacts related to noise are discussed in Section 4.4, *Noise*, and mitigation measures are identified to reduce potential impacts to below a level of significance.

The proposed park use would introduce nighttime lighting to the area, as discussed in Section 4.6, *Landform Alterations/Aesthetics*, of this EIR. The park is not immediately adjacent to habitat areas. However, the park site is adjacent to residential uses and potential spillover effects at the residences could result in potentially significant impacts. Mitigation has been identified in Section 4.6, *Landform Alteration/Aesthetics*, to reduce potential impacts to below a level of significance.

Existing, interim agricultural activities would occur adjacent to and surrounding the McMillin Otay Ranch, LLC TM project site until these areas are developed. The project would comply with the Village 7 Agricultural Plan, as discussed in Section 4.2, *Agricultural Resources*, of this EIR. Mitigation has been identified, which would reduce potential land use compatibility impacts associated with agricultural resources to below a level of significance. No other compatibility impacts with existing and future land uses may occur from development of the McMillin Otay Ranch, LLC TM.

Otay Ranch General Development Plan

The Otay Ranch GDP identifies single-family, multi-family, park, and elementary and high school uses within Village 7 and as proposed by the McMillin Otay Ranch, LLC TM. The 310 proposed single-family units would not exceed the maximum 1,053 single-family units identified for buildout of Village 7; similarly, the 448 multi-family units would not exceed the maximum 448 multi-family units allotted to Village 7 by the Otay Ranch GDP. Development of McMillin Otay Ranch, LLC TM would not conflict with the land use plan regulating development the site.

C. OTAY PROJECT LP TENTATIVE MAP

Compatibility with the Surrounding Existing and Future Land Uses in the Project Vicinity

The Otay Project LP TM project site is located in the western portion of the *Village 7 SPA Plan* on the land under ownership of Otay Project LP (see Figure 2-6, *Ownership*). Implementation of the proposed Otay Project LP TM would result in the development of 375 single-family homes. Residential uses would be compatible with the other uses proposed within the McMillin Otay Ranch, LLC ownership. The southern portion of the site is comprised of the upper reach of Wolf Canyon and would be retained as open space. Landscaping proposed as part of the Otay Project LP TM would also screen views of the FAA VORTAC Facility, located south of Wolf Canyon, which would avoid potential land use conflicts in this area.

The Otay Project LP TM project site would be bordered by Birch Road to the north and future La Media Road to the west. These roadways have the potential to generate traffic noise in excess of acceptable noise thresholds. Land use compatibility impacts related to noise are discussed in Section 4.4, *Noise*, and mitigation measures are identified to reduce potential impacts to below a level of significance.

The exact timing of development for the *Village 7 SPA Plan* is unknown; ~~however, no building permits for residential units can be issued until April 2006 based on the fact that Village 7 was not included in the “Agreement for Monitoring of Building Permits” entered into between the City and developers.~~ When the Otay Project LP TM develops, interim agricultural activities could occur adjacent to the east side of the Otay Project LP TM project site until that area (McMillin Otay Ranch, LLC TM) is developed. Similarly, interim agricultural activities could occur to the west and south of the Otay Project LP TM project site until those areas are developed. The project would comply with the Village 7 Agricultural Plan, as discussed in Section 4.2, *Agricultural Resources*, of this EIR. Mitigation has been identified to reduce potential land use compatibility impacts related to agriculture to below a level of significance.

No other compatibility impacts with existing and future land uses may occur from development of the Otay Project LP TM.

Otay Ranch General Development Plan

The Otay Ranch GDP identifies single-family uses within Village 7. As proposed, the Otay Project LP TM would develop 375 single-family homes. The 375 single-family homes allowed by the Otay Project LP TM would not exceed the maximum 1,053 single-family units identified for the entire Village 7. Implementation of the Otay Project LP TM would not conflict with the land use plan regulating development the site.

4.1.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Implementation of the proposed *Village 7 SPA Plan*, McMillin Otay Ranch LLC TM and Otay Ranch LP TM would result in potentially significant land use compatibility impacts associated with:

- ◆ Visual impacts of the FAA VORTAC facility from residential areas;
- ◆ Noise impacts from traffic along Birch and La Media Roads;
- ◆ Park lighting “spill over” into residential neighborhoods; and
- ◆ On-going agricultural operations adjacent to proposed urban uses.

In addition, development of the *Village 7 SPA Plan*, McMillin Otay Ranch LLC TM and Otay Ranch LP TM would result in a significant change in the character of the site from undeveloped to intensive urban uses. No feasible mitigation measures have been identified to reduce this impact to less than significant levels.

4.1.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The proposed *Village 7 SPA Plan* would result in potentially significant land use compatibility impacts due to the existing FAA VORTAC facility, lighting, projected traffic noise, and on-going agricultural activities. Mitigation for the FAA VORTAC facility, lighting, noise, and agricultural impacts are identified in Sections 4.6, 4.4, and 4.2 of this EIR, respectively. Implementation of mitigation measures 4.6-1, 4.6-2, 4.4-1, 4.4-2, and 4.2-1 would reduce impacts to below a level of significance. No additional mitigation

measures are required.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would result in potential land use compatibility impacts associated with on-going agricultural activities, noise, lighting, and the FAA VORTAC facility. Mitigation for agricultural, noise, lighting, and visual impacts are identified in Sections 4.2, 4.4 and 4.6 of this EIR, respectively. Implementation of mitigation measures 4.2-1, 4.4-1, 4.4-2, 4.4-3, 4.6-1, 4.6-2, and 4.6-3 would reduce impacts to below a level of significance. No additional mitigation measures are required.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would result in potential land use compatibility impacts associated with on-going agricultural activities, traffic noise, and the FAA VORTAC facility. Mitigation for agricultural, noise and visual impacts are identified in Section 4.2, 4.4, and 4.6 of this EIR, respectively. Implementation of mitigation measures 4.2-1, 4.4-1, 4.4-2, 4.4-3, 4.6-1 and 4.6-2 would reduce impacts to below a level of significance. No additional mitigation measures are required.

4.1.5 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Implementation of the mitigation measures identified above would reduce site specific land use compatibility impacts to below a level of significance. However, implementation of the *Village 7 SPA Plan* and TMs would result in the conversion of the site from undeveloped to intensive urban uses, as identified in the Otay Ranch GDP Program EIR (EIR 90-01). No feasible mitigation has been identified to reduce this impact to less than significant levels. Approval of the proposed project would require the adoption of a Statement of Overriding Considerations.

4.2 AGRICULTURAL RESOURCES

Agricultural resources were evaluated for the entire Otay Ranch project area as part of the Otay Ranch GDP Program EIR (EIR 90-01/SCH#89010154). Significant impacts to agricultural resources were identified in the Program EIR due to the conversion of prime farmland, elimination of existing crop production, and inconsistency with existing County of San Diego and City of Chula Vista plans and policies associated with the Otay Ranch GDP. Mitigation measures were identified in the Program EIR to reduce potential impacts associated with agricultural resources. These measures included providing space for irrigated agricultural demonstration areas; implementing an Agricultural Plan to allow for interim agricultural activity, where possible; and landscaping and buffering land uses adjacent to agricultural areas. However, even with mitigation, impacts to agricultural resources would not be reduced to below a level of significance, and a Statement of Overriding Considerations was adopted for the Program EIR. This analysis and discussion of agricultural issues applies to the proposed *Village 7 SPA Plan* because the project would convert prime farmland to urban use. The analysis and discussion of agricultural issues from the Program EIR is hereby incorporated by reference.

The following discussion focuses on project specific impacts on agricultural resources associated with development of the *Village 7 SPA Plan*. Additionally, this section evaluates impacts to agricultural resources associated with the implementation of the McMillin Otay Ranch LLC and Otay Project LP TMs.

4.2.1 Existing Setting

A. VILLAGE 7 SPA PLAN

The Otay Ranch GDP area, including the proposed *Village 7 SPA Plan* project site, was historically used for agriculture activities, such as dry farming and cattle and sheep grazing. Such agricultural activity on the site dates back to the mid-1800s. To support agriculture in the project site and surrounding area, the Otay River was dammed in 1909 and 1916, creating a method of storing and controlling water in Otay Lake. Later, water for agricultural use was imported via the San Diego aqueduct. More recently, agriculture crops on the project site and surrounding area consisted of grains and lima beans (1950-1960); and tomatoes, barley, oats, celery, cucumbers, lettuce, and bell peppers (1960s). Due to increased water prices, production of row crops such as those listed above became economically infeasible to grow in the mid-1970s. Since that time, the *Village 7 SPA Plan* project site has been in continuous agricultural use for non-irrigated barley production and cattle grazing. These activities are currently allowed on the project site; however, grazing no longer occurs.

While some agricultural activity presently occurs on the project site, the amount of agricultural activity on the site has decreased in recent years. Factors leading to the decrease include increases in land value and property taxes, which lead to conversion of farmland to urban uses. The high costs of property taxes and importing water for irrigation have resulted in many agricultural activities becoming cost prohibitive.

The San Diego County Farmland Maps (2000) show that the site is considered Farmland of Local Importance and Grazing Land (see Figure 4.2-1, *Farmland Mapping and Monitoring*), based on the agricultural suitability of the soil comprising the site. The County's definition of Farmland of Local Importance is that the land meets all the characteristics of Prime and Statewide Important Farmland with the exception of not having a developed irrigation system. This means that the land has a good combination of physical and chemical characteristics for producing crops.

As stated in the Otay Ranch GDP Program EIR, the County considers the westernmost portion of Otay Ranch, including parts of the *Village 7 SPA Plan* project site, as having moderate-to-high agricultural potential from a physical resources point-of-view. However, barley, the major crop produced on the project site and in the surrounding area, is a low-cost, low yield, low return crop. Field crops as a whole are not significant in terms of County-wide agricultural value. As described above, revenues generated by barley cultivation are primarily used to offset property taxes. Consequently, the project site does not contribute significantly to the agricultural production or economy of San Diego County. Additionally, the project site is not identified as an agricultural preserve.

B. McMILLIN OTAY RANCH LLC TENTATIVE MAP

The McMillin Otay Ranch LLC TM proposes development of the land under the McMillin Otay Ranch, LLC ownership, located in the eastern portion of the *Village 7 SPA Plan* project site. As with all of the *Village 7 SPA Plan* project site, the land on which development would occur with the McMillin Otay Ranch LLC TM is identified as Farmland of Local Importance and Grazing Land by the San Diego County Farmland Maps (2000) (see Figure 4.2-1, *Farmland Mapping and Monitoring*), but is not identified as an agricultural preserve. Currently, this site is used for the cultivation of barley.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM would develop the western portion of the *Village 7 SPA Plan* project site. This 108.3-acre area is comprised of lands identified by the San Diego County Farmland Maps (2000) as Farmland of Local Importance and Grazing Land (see Figure 4.2-1, *Farmland Mapping and Monitoring*). Additionally, implementation of the Otay Project LP TM would affect the 44.4 acre borrow site located off-site, within Village 4, also identified as Farmland of Local Importance and Grazing Land. Currently, limited farming activities occur on the Otay Project LP TM site. The Otay Project LP TM project site is not located on land identified as an agricultural preserve.

4.2.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant adverse impact on agricultural resources, if its implementation results in any of the following:

- ◆ Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- ◆ Conflict with existing zoning for agricultural use, or a Williamson Act contract; or
- ◆ Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

FIGURE 4.2-1, *FARMLAND MAPPING AND MONITORING*

4.2.3 Impact Analysis

The existing conditions and potential impacts of implementation of the entire Otay Ranch GDP were analyzed in the Otay Ranch GDP Program EIR. As stated above, significant impacts to agricultural resources were found due to:

- ◆ Conversion of prime farmland and elimination of existing crop production. Mitigation measures were identified; however, no feasible mitigation measures were found that would reduce impacts to below a level of significance.
- ◆ Inconsistency with existing County of San Diego and City of Chula Vista plans and policies associated with the Otay Ranch GDP. Mitigation measures were identified in the Program EIR for these impacts, although impacts were not reduced to below a level of significance.
- ◆ Land use interface impacts associated with agricultural activities and urban uses. Mitigation measures that would reduce the impacts to below a level of significance were identified and required.

The Program EIR determined that mitigation identified for the Otay Ranch GDP would not reduce all impacts to below a level of significance, and a Statement of Overriding Considerations was adopted.

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* project site is comprised of soil with high agricultural suitability; therefore, the site is considered Farmland of Local Importance and Grazing Land, as shown by the San Diego County Farmland Maps (2000) (see Figure 4.2-1, *Farmland Mapping and Monitoring*). According to the Program EIR, parts of the *Village 7 SPA Plan* project site are considered to have moderate-to-high agricultural potential from a physical resources point of view. However, the major crop produced on the project site is barley, which is a low-cost, low yield, low return crop and does not have significant County-wide agricultural value. As a result, the project site is not a major contributor to the agricultural production or economy of San Diego County.

The proposed project would result in the direct conversion of approximately 288.5 acres of Farmland of Local Importance and Grazing Land to urban uses. Once fully developed, the proposed *Village 7 SPA Plan* would eliminate all agricultural activity that occurs on-site; however, portions of the project site may continue to be used for grazing and/or barley production while adjacent uses are developed. Additionally, agricultural activities would continue on surrounding properties until they are developed. As development of the project occurs, interim and surrounding farming activities could adversely affect the adjacent uses from the association of noise, odor, rodents, and chemical applications. The incompatibility of land uses was identified as a short-term impact in the Program EIR, and the preparation of an Agricultural Plan was identified as mitigation to reduce the impact to below a level of significance.

- ◆ In accordance with the mitigation identified in the Program EIR, an Agricultural Plan has been prepared as part of the *Village 7 SPA Plan*. The Agricultural Plan is intended to allow for interim agricultural activity and to prevent potential land use impacts between developed land and on-going agricultural activities at the project site. Figure 4.2-2, *Agricultural Plan*, graphically shows the *Village 7 SPA Plan* Agricultural Plan.

Figure 4.2-2, *Agricultural Plan*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The San Diego County Farmland Maps show the McMillin Otay Ranch, LLC TM site as being comprised of Farmland of Local Importance (see Figure 4.2-1, *Farmland Mapping and Monitoring*). Crops, such as barley, that could be produced on the site do not have significant agricultural value. Revenues generated by crops farmed at the site are primarily used to offset property taxes and do not contribute significantly to the agricultural production or economy of San Diego County. Therefore, the McMillin Otay Ranch, LLC TM site does not contribute significantly to the agricultural production or economy of San Diego County. However, the development of residential, park, and school land uses on the 180.2-acre site, as proposed by the McMillin Otay Ranch, LLC TM, would result in the conversion of Farmland of Local Importance to urban use. As identified by the Program EIR, the loss of important farmland is considered a significant impact.

Development of the McMillin Otay Ranch, LLC TM would result in potential incompatibilities between the proposed residential, park, and school uses and on-going agricultural uses within undeveloped portions of the project site, as well as surrounding lands. Incompatibilities include noise, odor, rodents, and chemical applications associated with agricultural activities. It is anticipated that the entire McMillin Otay Ranch, LLC ownership would be graded at one time. In accordance with the Agricultural Plan prepared as part of the *Village 7 SPA Plan*, development of the McMillin Otay Ranch, LLC TM would implement the standards identified in the Agricultural Plan. These standards are intended to reduce potential impacts between urban and agricultural land uses. However, mitigation would be required to ensure potential impacts associated with land use incompatibilities due to on-going agricultural activities are reduced to a less than significant level.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM site is comprised of Farmland of Local Importance and Grazing Land (see Figure 4.2-1, *Farmland Mapping and Monitoring*). If irrigated, the 108.3-acre Otay Project LP TM site located within the *Village 7 SPA Plan* project site, as well as the 44.4-acre borrow site located to the southwest, would be capable of producing agricultural crops. However, crops that could be produced on the site, such as barley, are considered low-cost, low yield, and low-return crops and do not have significant agricultural value. Revenues generated from these types of crops are primarily used to offset property taxes. Agricultural productivity at the site does not contribute significantly to the agricultural production or economy of San Diego County. Nonetheless, development of residential land use on the site, as proposed by the Otay Project LP TM, would result in the conversion of Farmland of Local Importance and Grazing Land to urban use. As identified by the Program EIR, the loss of important farmland is considered a significant impact.

Development of the Otay Project LP TM would result in the conversion of agricultural lands to urban uses. Noise, odors, dust, insects, rodents, or chemicals associated with interim agricultural activities could result in short-term impacts to future residents at the site. Development of the Otay Project LP TM would be subject to the Agricultural Plan prepared as part of the *Village 7 SPA Plan*, which requires implementation of standards related to agricultural uses. Mitigation is required for the potential short-term impacts associated with land use incompatibilities associated with on-going agricultural operations.

4.2.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Implementation of the proposed *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM and Otay Project TM would result in a significant impact to agricultural resources due to the conversion of Farmland of Local Importance and grazing land to urban uses. This was previously addressed in the GDP Program EIR and was determined to be significant and not fully mitigated. A Statement of Overriding Considerations was adopted for this impact. Implementation of the proposed *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM and Otay Project LP TM would also result in a significant short-term land use compatibility impact at the interface between on-going agricultural operations and urban development. The *Village 7 SPA Plan* includes an agricultural plan that identifies standards for on-going agricultural activities; however, mitigation is required to reduce potential incompatibility impacts to below a level of significance.

4.2.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

Development of the *Village 7 SPA Plan* would result in a significant impact to agricultural resources, due to the loss of approximately 288.5 acres of Farmland of Local Importance and Grazing Land to urban uses. As identified in the Program EIR, there is no mitigation to reduce this impact to below a level of significance.

The following mitigation has been identified to reduce potentially significant, short-term impacts between on-going agricultural uses and urban uses:

4.2-1 *The agricultural plan included in the Village 7 SPA Plan shall be implemented for the area as development proceeds on the project. The following measures shall be implemented by the developer to the satisfaction of the Director of Planning and Building:*

- 1) *A 200-foot buffer between developed property and on-going agriculture operations;*
- 2) *Vegetation to shield adjacent urban development (within 400 feet) from agriculture activities where pesticides are to be applied;*
- 3) *Notification of adjacent property owners of potential pesticide application through newspaper advertisements; and*
- 4) *Fencing, where necessary, to ensure the safety of Village 7 SPA Plan residents.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would convert 180.2 acres of Farmland of Local Importance to residential, school, and park uses. The loss of farmland is considered a significant impact, and there is no mitigation to reduce the loss of farmland to below a level of significance, as stated above. Impacts would remain significant. Potentially significant, short-term impacts between on-going agricultural uses and urban uses would be reduced to below a level of significance with implementation of measure 4.2-1, identified above.

C. OTAY PROJECT LP TENTATIVE MAP

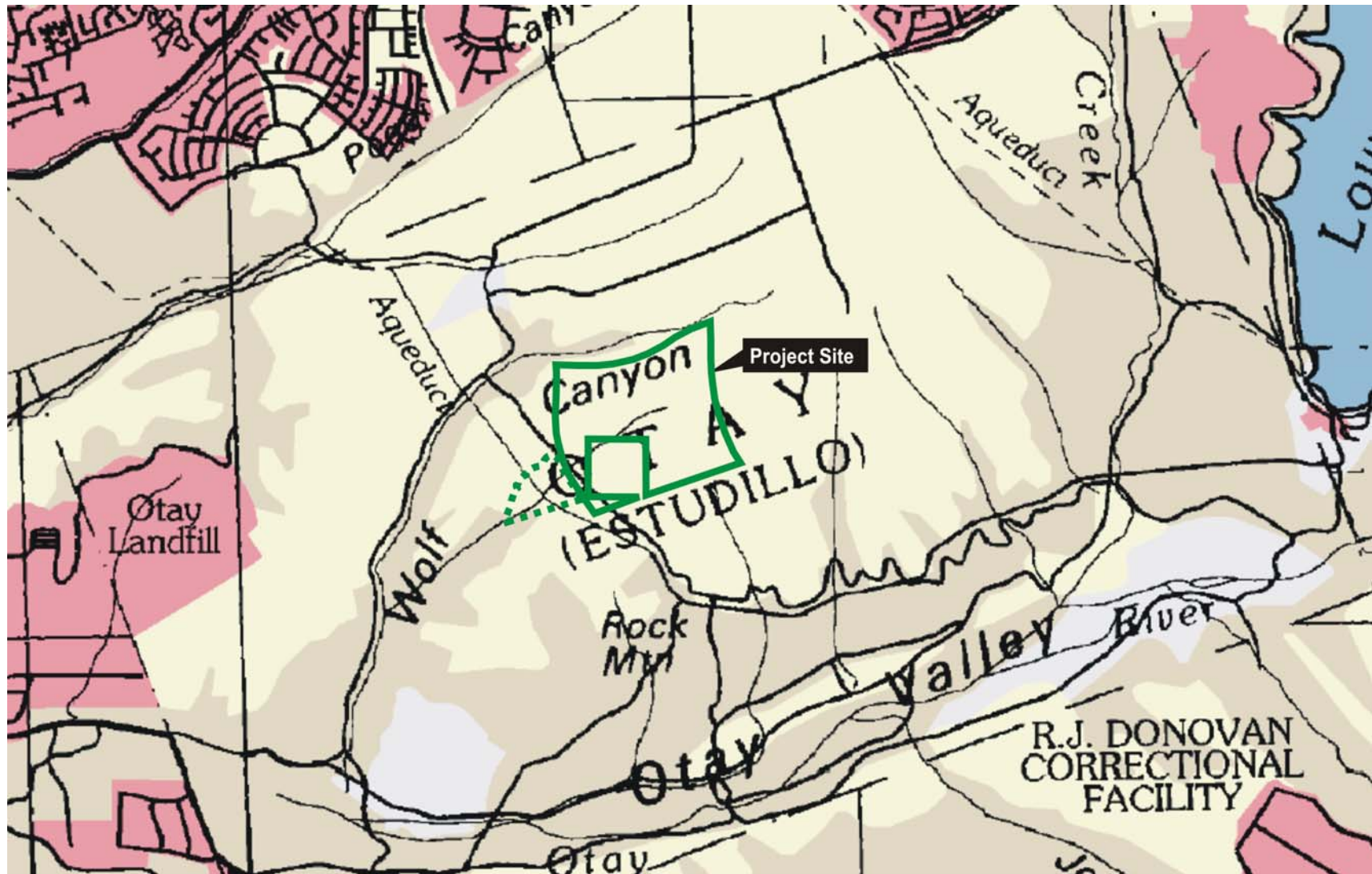
Development of the Otay Project LP TM would result in the conversion of 108.3 acres within the *Village 7 SPA Plan*, as well as 44.4 acres off-site, of Farmland of Local Importance and Grazing Land to urban uses, which is considered a significant impact. As stated above, there is no mitigation that would reduce impacts associated with the loss of farmland to below a level of significance. Potentially significant, short-term impacts between on-going agricultural uses and urban uses would be reduced to below a level of significance with implementation of measure 4.2-1, identified above.

4.2.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Implementation of the agricultural plan would reduce short-term significant impacts between urban uses and agricultural operations to below a level of significance. The agricultural plan provides separation between urban uses and adjacent agricultural uses and requires notification of adjacent property owners of pesticide use and other potentially harmful activities, as well as physical barriers if warranted.

The loss of important farmland to urban uses associated with implementation of the proposed *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would remain significant and unmitigated. Approval of the proposed project would require the adoption of a Statement of Overriding Considerations.

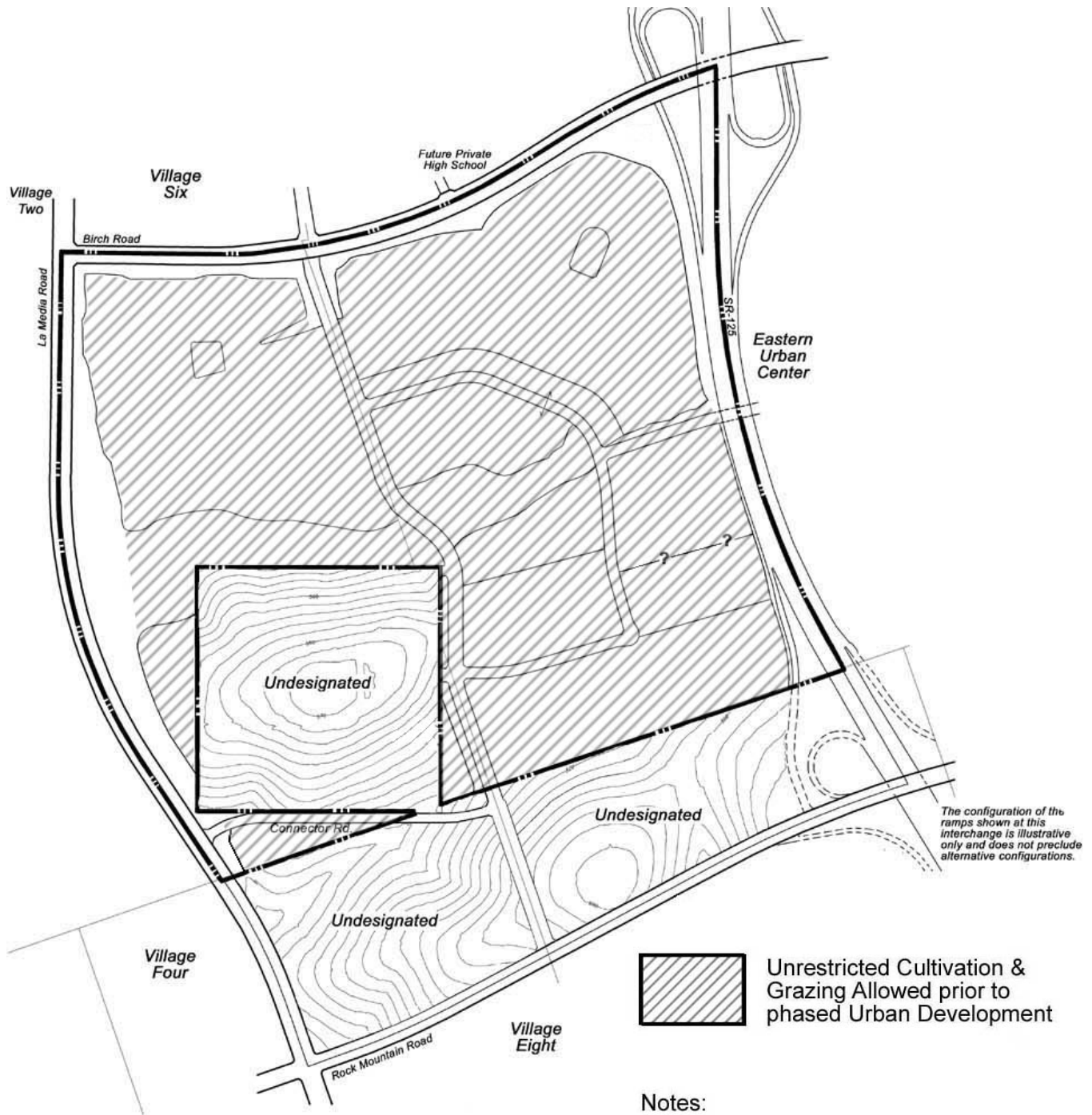


Source: Department of Conservation, Division of Land Resources Protection

- | | | |
|--|---|---|
|  Farmland of Local Importance |  Other Land |  Otay Project Off-Site Borrow Area |
|  Grazing Land |  Water | |
|  Urban and Built-Up Land |  Village 7 SPA Plan Project Site | |



FARMLAND MAPPING AND MONITORING



 Unrestricted Cultivation & Grazing Allowed prior to phased Urban Development

Notes:

1. 200' Fenced buffer required between developed property and agricultural operations.
2. 400' Buffer required between pesticide use and urban development.

Source: Cinti Land Planning



No Scale

AGRICULTURAL PLAN

4.3 TRAFFIC, CIRCULATION, AND ACCESS

Linscott, Law and Greenspan (LLG) conducted a Traffic Study for the *Village 7 SPA Plan* and documented the results in a report dated June 7, 2004. The report addresses the proposed development of the *Village 7 SPA Plan* and includes a discussion of the implementation of the McMillin Otay Ranch, LLC and Otay Project LP TMs, in addition to buildout of the entire Village 7. Information from this report, titled *Otay Ranch Village 7 Traffic Impact Analysis* (the “Traffic Study”), is summarized in this section, and a copy of the report is included as Appendix B of this EIR.

4.3.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

Currently, the project site consists of undeveloped land, and no roadways have been constructed through the site. The following discussion summarizes existing traffic conditions for the *Village 7 SPA Plan* project area. This discussion of existing conditions is also applicable to the McMillin Otay Ranch, LLC TM the Otay Project LP TM project sites.

The *Village 7 SPA Plan* project site is an undeveloped area located within Otay Ranch in the Eastern Territories Planning Area of the City of Chula Vista. There are no existing roads through the site; however, the project site will be surrounded by Birch Road to the north (currently under construction), SR 125 to the east, and La Media Road to the west. Rock Mountain Road would be located south of the project site, south of the Otay Land Company and Stephen & Mary Birch Foundation ownerships within Village 7. The nearest existing road is Olympic Parkway, located north of the project site (see Figure 4.3-1, *Existing and Future Roadways in the Project Vicinity*). However, Birch Road, located at the northern boundary of the project site is currently under construction. Other roadways comprising the existing street system in the project vicinity include: Interstate 805 (I-805), Telegraph Canyon Road/Otay Lakes Road, East Palomar Street, Olympic Parkway, Oleander Avenue, Medical Center Drive, Brandywine Avenue, Paseo Ranchero, Heritage Road, La Media Road, Eastlake Parkway, and Hunte Parkway. Classifications of these roadways are based on the Circulation Element in the City’s General Plan.

Existing Freeway and Street Network

The following is a brief description of the existing street system in the project area.

I-805

I-805 is a north-south freeway, which originates in South County and terminates at its connection with the I-5 Freeway in the Sorrento Valley area. Local interchanges in the project vicinity are at Olympic Parkway, Telegraph Canyon Road, and East H Street. I-805 is generally an eight-lane freeway between I-5 and SR 54 with auxiliary lanes present between some interchanges.

Telegraph Canyon Road/Otay Lakes Road

Telegraph Canyon Road/Otay Lakes Road provides east-west access through the northern portions of the study area. Telegraph Canyon Road/Otay Lakes Road is classified as a Six-Lane Major west of Paseo del

Figure 4.3-1, *Roadways*

Rey and as a Six-Lane Prime Arterial east of Paseo del Rey in the City of Chula Vista Circulation Plan. It currently exists as a generally six-lane facility, which transitions into a Class I Collector east of Hunte Parkway. Bike lanes exist on both sides of the road and bus stops are located intermittently along Telegraph Canyon Road /Otay Lakes Road. On-street parking is prohibited. The posted speed limit is 40 miles per hour (mph) from I-805 to Crest Drive/Oleander Avenue, 45 mph from Crest Drive/Oleander Avenue to Old Telegraph Canyon Road, and 50 mph from Old Telegraph Canyon Road to Hunte Parkway.

East Palomar Street

East Palomar Street is classified as a Four-Lane Major Street in the City of Chula Vista Circulation Plan. Currently, it is a four-lane divided road. On-street parking is allowed along East Palomar Street, and the posted speed limit is 35 mph.

Olympic Parkway

Olympic Parkway is classified as a Six-Lane Prime Arterial from I-805 to Hunte Parkway, and as a Four-Lane Major east of Hunte Parkway in the City of Chula Vista Circulation Plan. On-street parking is prohibited. The posted speed limit is 45 mph, and bike Lanes are provided. The section of Olympic Parkway from La Media Road to Hunte Parkway was recently completed and is now open to traffic. A raised median is provided along Olympic Parkway.

Oleander Avenue

Oleander Avenue is classified as a Class II Collector in the City of Chula Vista Circulation Plan. Currently, Oleander is a two-lane undivided roadway with two lanes of travel. Bike lanes are not provided, and curbside parking is permitted. The posted speed limit for Oleander Avenue is 25 mph.

Medical Center Drive

Medical Center Drive is classified as a Class I Collector in the City of Chula Vista Circulation Plan and currently provides four lanes of travel. Bike lanes exist on both sides of the street, and curbside parking is prohibited. The posted speed limit is 25 mph. Medical Center Drive becomes Brandywine Avenue south of East Palomar Street.

Brandywine Avenue

Brandywine Avenue is classified as a Class I Collector in the City of Chula Vista Circulation Plan and currently provides four lanes of travel narrowing to two lanes with a two-way turn lane, just north of Main Street. Bike lanes exist on both sides of the street, and curbside parking is generally prohibited except in the two-lane section of Brandywine Avenue. The posted speed limit is 25 mph.

Paseo Ranchero

Paseo Ranchero is classified as a Class I Collector in the City of Chula Vista Circulation Plan and becomes Heritage Road south of Telegraph Canyon Road. Currently, Paseo Ranchero is an undivided roadway with four lanes of travel and a center two-way turn lane. Bike lanes exist on both sides of the road, and curbside parking is prohibited. The posted speed limit is 40 mph.

Heritage Road

Heritage Road is classified as a Six-Lane Prime Arterial in the City of Chula Vista Circulation Plan. Heritage Road currently ends at Olympic Parkway and is a six-lane prime arterial. Bike lanes exist on both sides of the road, and curbside parking is prohibited. The posted speed limit is 40 mph.

La Media Road

La Media Road is classified as a Six-Lane Prime Arterial in the City of Chula Vista Circulation Plan. Currently, La Media Road terminates south of Olympic Parkway at Santa Venetia. La Media Road provides six lanes of travel and has a raised median. Bike lanes are present on both sides of the road, and curbside parking is prohibited. The posted speed limit is 40 mph.

Eastlake Parkway

Eastlake Parkway is classified as a Four-Lane Major Street in the City of Chula Vista Circulation Plan, between north of Otay Lakes Road to South of SDG&E easement and as a Six-Lane Major Road south of the SDG&E easement in Eastlake Greens. Currently, it provides four lanes (two lanes in each direction). The new section of Eastlake Parkway from south of Clubhouse Drive to Olympic Parkway is has six lanes of travel. Eastlake Parkway currently terminates at Olympic Parkway. Bike lanes exist on either side of the road and curbside parking is prohibited.

Hunte Parkway

Hunte Parkway is classified as a Four-Lane Major Arterial from Otay Lakes Road to Olympic Parkway in the City of Chula Vista Circulation Plan. Currently, it extends south of Otay Lakes Road to Olympic Parkway as a Four-Lane Major Street with a posted speed limit of 45 mph. Bike lanes exist on either side of the road, and curbside parking is prohibited. Hunte Parkway connects to Olympic Parkway to the south. Construction of Hunte Parkway as a six-lane Prime Arterial from Olympic Parkway to Eastlake Parkway is proposed.

Levels of Service (LOS)

Level of Service (LOS) is a qualitative measure used to describe the operational conditions within a traffic stream and a motorist's and/or passenger's perception of the roadway's performance. LOS is designated a letter from A to F, with LOS A representing the best traffic conditions and LOS F representing the worst conditions. In general, LOS A represents free flow traffic conditions; LOS B represents a stable flow with operating speeds beginning to be affected by traffic volumes; LOS C represents a stable flow with increased restrictions so that speed and maneuverability are more closely controlled by higher traffic volumes; LOS D represents conditions approaching unstable flow, in which traffic volumes profoundly affect arterial flow; LOS E represents unstable flow and some stoppages; and LOS F represents forced flow, many stoppages, and low operating speeds.

Peak Hour Intersection Levels of Service

Roadway performance is often controlled by the performance of intersections, and more specifically, intersection performance during AM (morning) and PM (evening) peak traffic periods. This is because

traffic control at intersections interrupts traffic flow that would otherwise be relatively unimpeded. For this reason, existing AM and PM peak hour operating conditions were evaluated for key intersections in the project area. The AM peak hour is defined as the hour with the highest level of traffic between midnight and noon. The PM peak hour is defined as the hour with the highest level of traffic between noon and midnight.

An intersection LOS analysis was conducted using methods in the 2000 Highway Capacity Manual (HCM) for signalized and unsignalized intersections. Table 4.3-1, *LOS Thresholds for Signalized Intersections*, summarizes the delay thresholds for signalized intersections. In the case of unsignalized intersections, level of service is determined by the computed or measured control delay and is defined for each minor movement. At two-way stop controlled intersections, LOS is measured by the minor street left-turn movement which is considered the primary factor affecting overall intersection performance. Vehicle delay is calculated from the time the vehicle stops at the intersection or the last vehicle in the queue, until the time the vehicle leaves the stop bar. Table 4.3-2, *LOS Thresholds for Unsignalized Intersections*, defines the LOS and average delay time for unsignalized intersections according to the HCM.

**TABLE 4.3-1
LOS THRESHOLDS FOR SIGNALIZED INTERSECTIONS**

Average Control Delay per Vehicle (seconds/vehicle)	Level of Service
0.0 ≤ 10.0	A
10.1 to 20.0	B
20.1 to 35.0	C
35.1 to 55.0	D
55.1 to 80.0	E
≥ 80.0	F

Source: Highway Capacity Manual, 2000.

**TABLE 4.3-2
LOS THRESHOLDS FOR UNSIGNALIZED INTERSECTIONS**

Average Control Delay per Vehicle (seconds/vehicle)	Level of Service	Expected Delay to Minor Street Traffic
0.0 ≤ 10.0	A	Little or no delay
10.1 to 15.0	B	Short traffic delays
15.1 to 25.0	C	Average traffic delays
25.1 to 35.0	D	Long traffic delays
35.1 to 50.0	E	Very long traffic delays
≥ 50.0	F	Severe congestion

Source: Highway Capacity Manual, 2000.

All intersections within the project area are calculated to currently operate at LOS D or better during the AM and PM peak hours, with the exception of the following:

- ◆ Telegraph Canyon Road/I-805 NB Ramps (LOS E in the PM peak hour)
- ◆ Olympic Parkway/I-805 SB Ramps (LOS E in the PM peak hour)
- ◆ Olympic Parkway/I-805 NB Ramps (LOS E in the AM peak hour)

Daily Segment Levels of Service

Levels of service for roadway segments are defined by the City of Chula Vista based on traffic volumes and roadway characteristics. Table 4.3-3, *City of Chula Vista Roadway Capacity Standards*, identifies the City’s standards for roadway segment LOS.

**TABLE 4.3-3
CITY OF CHULA VISTA ROADWAY CAPACITY STANDARDS**

ROAD		LEVEL OF SERVICE				
Class	X-Section Curb-to-Curb ROW	A (0.6)	B (0.7)	C (0.8)	D (0.9)	E (1.0)
Expressway	104/128	52,000	61,300	70,000	78,800	87,500
Prime Arterial	104/128	37,500	43,800	50,000	56,300	62,500
Major Street (6 lanes)	104/128	30,000	35,000	40,000	45,000	50,000
Major Street (4 lanes)	80/104	22,500	26,300	30,000	33,800	37,500
Class I Collector	74/94	16,500	19,300	22,000	24,800	27,500
Class II Collector	52/72	9,000	10,500	12,000	13,500	15,000
Class III Collector	40/60	5,600	6,600	7,500	8,400	9,400

Source: Linscott, Law and Greenspan, 2004

The traffic analysis calculated all existing street segments within the project vicinity to operate at acceptable levels of service (LOS), with the following exceptions:

- ◆ Telegraph Canyon Road from I-805 to Oleander Avenue (LOS F)
- ◆ Telegraph Canyon Road Oleander Avenue to Medical Center Drive (LOS E)
- ◆ Telegraph Canyon Road from Paseo Ranchero to Otay Lakes Road (LOS D)

Currently, the City is in the process of widening Telegraph Canyon Road between the Canyon Plaza entrance and I-805 northbound ramps.

Congestion Management Program

The Congestion Management Program Update (CMP) is intended to directly link land use, transportation and air quality through Level of service performance. The CMP was adopted in January 2003 by the SANDAG Board. Local agencies are required by statute to conform to the CMP.

The CMP requires an Enhanced CEQA Review for all large projects that are expected to generate more than 2,400 ADT or more than 200 peak hour trips. Since the project is calculated to generate traffic in excess of these amounts, this level of review is required of the proposed project.

In 1993, the Institute of Transportation Engineers California Border Section and the San Diego Region Traffic Engineer’s Council established a set of guidelines to be used in the preparation of traffic impact studies that are subject to the Enhanced CEQA review process. Under these guidelines, a project study area is required to be established as follows:

1. All streets and intersections on CMP principal arterials where the project will add 50 or more peak hour trips in either direction.
2. Mainline freeway locations where the project will add 50 or more peak hour trips in either direction.

This project is calculated to add more than 50 new directional peak hour trips to I-805. This is the only CMP facility in the study area. A complete analysis of I-805 is included in the traffic study and is presented in this analysis.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM site is located in the eastern portion the *Village 7 SPA Plan* project site and is surrounded by future Birch Road to the north, SR 125 to the east, the Stephen & Mary Birch Foundation property to the south, and proposed Magdalena Avenue to the west. The Village Core Promenade would loop through the McMillin Otay Ranch, LLC TM. A Residential Promenade and a Secondary Village Promenade at SR 125 Underpass would gain access off the Village Core Promenade (see Figure 3-3, *Conceptual Circulation Plan*). A portion of the Regional Trail would bisect the McMillin Otay Ranch, LLC TM site in an east-west direction, following the south side of Wolf Canyon.

As proposed, Magdalena Avenue would be a modified Secondary Village Entry with a median between Birch Road and the northern entrance to the Village Core Promenade, and a Secondary Village Promenade from the Village Core Promenade south. The Village Core Promenade would loop through the project site. Descriptions of the modified Secondary Village Entry with Median, the Secondary Village Promenade, and the Village Core Promenade are provided above. Similarly, future SR 125, which forms the eastern boundary of the McMillin Otay Ranch, LLC TM, is also described above. Descriptions of Birch Road, the Residential Promenade, and the Secondary Village Promenade at SR 125 Underpass are described below.

Birch Road

Birch Road forms the northern boundary of the McMillin Otay Ranch, LLC TM and is identified as a six-lane major arterial in the City of Chula Vista. Birch Road is currently under construction. This roadway includes three 12-foot travel lanes and an eight-foot bike/emergency lane in either direction, with a median. Five-foot sidewalks separated by a 10-foot buffer area align both sides of the roadway. Additionally, a 10-foot Village Pathway is located adjacent to the sidewalk on the side nearest to the *Village 7 SPA Plan* project site. The right-of-way width varies due to turn pockets, but is generally 144 feet.

Residential Promenade

The Residential Promenade provides a main access to the single-family residential uses from the Village Core Promenade. The Residential Promenade has a 59-foot right-of-way width. A 10-foot travel lane occurs in both directions, with an eight-foot parking lane provided on one side of the street. On the side with the parking lane, there is a six-foot sidewalk with an eight-foot buffer separation. The other side of the street has a five-foot sidewalk with an eight-foot buffer separation.

Modified Secondary Village Promenade at SR 125 Underpass

The Modified Secondary Village Promenade at SR 125 Underpass leads from the Village Core Promenade to the Eastern Urban Center, located on the east side of SR 125. This roadway contains a 10-foot travel lane and a seven-foot bike/emergency lane on both sides. A 10-foot wide Regional Trail occurs on the southerly side of the street, separated from the bike/emergency lane by a five-foot buffer with rail fencing. On the northerly side of the street, a five-foot sidewalk is also separated from the street by a five-foot buffer with rail fencing. An overhead bridge structure would also occur where this roadway passes under SR 125.

Regional Trail

A 10-foot wide trail runs along the southern side of Wolf Canyon through Village 7 that forms part of the City's regional trail system. This trail is contained within the Village Greenway. Additionally, the regional trail runs north-south along the west side of Magdalena Avenue, known as the Village Pathway. The purpose of the trail is to provide access to the planned regional transit stations and between the villages of Otay Ranch. This trail implements and is consistent with the Greenbelt Master Plan.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM is located in the western portion of the *Village 7 SPA Plan*. It is surrounded by Birch Road to the north, Magdalena Avenue to the east, Wolf Canyon and the Region Trail to the south, and La Media Road to the west. Each of these roadways, as well as the Regional Trail, has been described above.

4.3.2 Thresholds of Significance

The criteria utilized to determine if a traffic impact at an intersection, street segment, or freeway is considered significant is based on City of Chula Vista standards. Both project specific and cumulative project impacts can be significant impacts. Additionally, the criteria differ depending on whether the timing of impacts is near-term or long-term. These criteria are outlined below.

Near Term (Study Horizon Year 0 to 4)

Intersections

A direct project impact to an intersection would occur if both of the following criteria are met:

1. Level of service is LOS E or LOS F; and
2. Project trips comprise five percent or more of entering volume.

A cumulative impact to an intersection would occur if only Criteria #1 is met.

Street Segments

If Average Daily Trips (ADT) methodology indicates LOS C or better for a street segment, an impact is not significant; if ADT methodology indicates LOS D, E or F for a street segment, the Growth Management

Oversight Committee (GMOC) method should be utilized, which uses the following criteria:

A direct project impact would occur to a street segment if all of the following criteria are met:

1. Level of service is LOS D for more than two hours or if LOS E/F for one hour based on GMOC criteria;
2. Project trips comprise five percent or more of segment volume; and
3. Project adds greater than 800 ADT to segment.

A cumulative impact to a street segment would occur only if Criteria #1 is met.

Freeway Analysis

A direct project impact would occur to a freeway segment if all of the following criteria were met:

1. Level of service for the freeway segment is LOS E or F; and
2. Project trips comprise five percent or more of total forecasted ADT on that freeway segment.

A cumulative impact to a freeway segment would occur only if Criteria #1 is met.

Long Term (Study Horizon Year 5 and Later)

Intersections

A direct project impact to an intersection would occur if both of the following criteria are met:

1. Level of service is LOS E or LOS F; and
2. Project trips comprise five percent or more of entering volume.

A cumulative impact to an intersection would occur only if Criteria #1 is met.

Street Segments

Using the ADT methodology, an impact is considered significant if the following criteria are met:

A direct project impact to a street segment would occur if all three of the following criteria are met:

1. Level of service is LOS D, LOS E, or LOS F;
2. Project trips comprise five percent or more of total segment volume; and
3. Project adds greater than 800 ADT to segment.

A cumulative impact to a street segment would occur only if Criteria #1 is met.

However, if the intersections along a LOS D or LOS E operating segment all operate at LOS D or better, the segment impact is considered not significant since intersection analysis is more indicative of actual roadway system operations than street segment analysis. If the segment LOS is LOS F, the impact is significant regardless of the intersection LOS. The impact is direct if the project is responsible for over five

percent of total ADT on that segment and cumulative if less than five percent.

If it is determined that a direct project impact would occur at Study Horizon Year 10 or later, and is offsite and not adjacent to the project, the impact is considered cumulative.

In the event a direct identified project specific impact occurs at Study Horizon Year 5 or earlier and the impact is offsite and not adjacent to this project, but the property immediately adjacent to the identified project specific impact is also proposed to be developed in approximately the same time frame, an additional analysis may be required to determine whether or not the identified project specific impact would still occur if the development of the adjacent property does not take place. If the additional analysis concludes that the identified project specific impact is no longer a direct impact, then the impact shall be considered cumulative.

Freeway Analysis

A project specific impact would occur if all of the following criteria are met:

1. Freeway segment level of service is LOS E or LOS F; and
2. Project trips comprise five percent or more of the total forecasted ADT on that freeway segment.

A cumulative impact to a freeway segment would occur only if Criteria #1 is met.

4.3.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

The Traffic Study analyzed key intersections (signalized and unsignalized), street segments, freeways, and City Traffic Monitoring Program arterials in the project area. A total of 10 scenarios were evaluated to determine the project's impacts on the prevailing street network under different land use and roadway network assumptions. Five scenarios assumed the *Village 7 SPA Plan* would buildout as submitted, and five scenarios assumed the project would buildout under the City's proposed "worst case" scenario. The "worst case" scenario assumes Main Street ends at its intersection with Heritage Road. Each scenario is described and evaluated in this section of the EIR.

Trip Generation

Trip generation is the potential rate of vehicular traffic increase due to a specific land use. The proposed project consists of 756 single-family dwelling units, 448 multi-family dwelling units, a 7.6-acre neighborhood park, 2.8 acres of Community Purpose Facilities, an 11.1-acre elementary school, and a 23.4-acre high school that would accommodate up to 2,950 students. As shown in Table 4.3-4, *Trip Generation of the Proposed Project*, a total of 18,165 daily trips would be generated by the proposed *Village 7 SPA Plan*. These trips are further divided into 2,397 trips (1,258 inbound and 1,139 outbound trips) in the AM peak hour and 1,804 trips (1,056 inbound and 748 outbound trips) in the PM peak hour.

**TABLE 4.3-4
TRIP GENERATION OF THE PROPOSED PROJECT**

Land Use	Quantity	Daily Trip Ends (ADT)		AM Peak Hour			PM Peak Hour		
		Rate	Volume	In	Out	Total	In	Out	Total
Single-Family	756 du	10 du/ac	7,560	181	424	605	529	227	756
Multi-Family	448 du	8 du/ac	3,584	57	230	287	251	107	358
Neighborhood Park	7.6 acres	5/ac	38	1	1	2	2	1	3
Community Purpose Facility	2.8 acres	30/ac	84	2	1	3	3	4	7
Elementary School	11.1 acres	90/ac	999	192	128	320	36	54	90
High School	2,950 students	2/student	5,900	825	355	1,180	235	355	590
Open Space/Roadways	112.6 acres	0	0	0	0	0	0	0	0
Total			18,165	1,258	1,139	2,397	1,056	748	1,804

Source: LLG 2004

Village 7 is proposed as an Urban Village by the Otay Ranch GDP, and a range of land uses are proposed within the *Village 7 SPA Plan*, in accordance with the GDP. Due to the variety of uses proposed by the project, it is anticipated that some of the trips generated by the project would remain within the project site (i.e., a parent may drive from their home to the elementary school, remaining within the *Village 7 SPA Plan* area). The trips that remain within the *Village 7 Plan* area are called “internal trips.” The traffic study generally assumes that 15 percent of the residential trips would be internal trips. Table 4.3-5, *Internal Trips of the Proposed Project*, identifies the number of internal trips anticipated for the proposed project. As shown, the project would generate a total of 3,174 daily internal trips. By subtracting the number of internal trips from the total trip generation for the project, a total of 14,991 daily external trips would be expected.

**TABLE 4.3-5
INTERNAL TRIPS OF THE PROPOSED PROJECT**

Land Use	Total Daily Trips	% Of Trips that are Internal	Internal Trips (Daily)	External Trips (Daily)
RESIDENTIAL				
Single-Family	7,560	15%	1,134	6,426
Multi-Family	3,584	15%	538	3,046
Subtotal Residential	11,144		1,672	9,472
NON-RESIDENTIAL				
Neighborhood Park	38	65%	25	13
Community Purpose Facility	84	75%	63	21
Elementary School	999	53%	529	470
High School	5,900	15%	885	5,015
Open Space	0	--	--	--
Subtotal Non-Residential	7,021		1,502	5,519
TOTAL PROJECT	18,165		3,174	14,991

Source: LLG 2004

Trip Distribution

In order to determine where the project generated vehicle trips are to be assigned to the roadway network, a regional distribution pattern was developed using select zone assignments for the Traffic Analysis Zones (TAZ) 4329, 4361, and 4381 prepared by the San Diego Association of Governments (SANDAG). Figure 4.3-2, *Existing Trip Distribution*, shows existing traffic volumes (ADT) on the roadway network. Regional trip distribution was analyzed for the years 2005, 2010, 2015, 2030, for each of the ten scenarios evaluated for the *Village 7 SPA Plan*. According to the Traffic Report, the majority of the trips (88 percent) would be to and from the west; two percent of the trips would be to the east; and 10 percent of the trips would go south on Hunte Parkway.

Existing + Project Level of Service

An analysis was conducted to determine the theoretical impacts of the entire *Village 7 SPA Plan* were to be completed with only the existing roadway network to serve it. Since the project access is planned mainly on future roadways, the following assumptions have been made for the analysis of this scenario:

- ◆ La Media Road is built between Olympic Boulevard and Birch Road
- ◆ Magdalena Avenue is built from Birch Road to the school site, providing access to the school
- ◆ Birch Road is built between La Media Road and Eastlake Parkway

Intersection Operations

As shown by Table 4.3-6, *Existing + Project Peak Hour Intersection Operations*, most of the existing intersections would continue to operate at LOS D or better. However, the following four intersections would operate at LOS E or F:

- ◆ Telegraph Canyon Road/I-805 southbound ramps (LOS F during the PM peak hour)
- ◆ Olympic Parkway/I-805 southbound ramps (LOS F during the PM peak hour)
- ◆ Olympic Parkway/I-805 northbound ramps (LOS F during the AM peak hour, and LOS E during the PM peak hour)
- ◆ Magdalena Avenue/Birch Road (LOS F during the AM peak hour, and LOS E during the PM peak hour)

Segment Operations

Table 4.3-7, *Existing + Project Segment Operations*, shows the peak hour roadway segment operations for this scenario. As shown, most of the existing segments are calculated to operate at LOS C or better. Segments that would operate at LOS D or worse include:

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS F)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS E)
- ◆ Telegraph Canyon Road from Paseo Ranchero/Heritage Rd. to Otay Lakes Rd. (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS D)

Figure 4.3-2 Existing Traffic Volumes (ADT)

Freeway Analysis

Under the existing plus project conditions, all freeway segments along I-805 in the project vicinity would operate at LOS D or better during the AM and PM peak hours, except for the segment from East “H” Street to Telegraph Canyon Road. That segment would operate at LOS E in the PM peak hour

**TABLE 4.3-6
EXISTING + PROJECT PEAK HOUR INTERSECTION OPERATIONS**

INTERSECTION	PEAK HOUR	EXISTING		EXISTING + PROJECT	
		DELAY	LOS	DELAY	LOS
1. Telegraph Cnyn. Rd./I-805 SB Ramps	AM	27.9	C	31.1	C
	PM	68.0	E	88.5	F
2. Telegraph Cnyn. Rd./I-805 NB Ramps	AM	32.2	C	32.6	C
	PM	24.5	C	24.8	C
3. Telegraph Cnyn. Rd./Oleander Ave.	AM	15.8	B	16.0	B
	PM	20.0	B	22.1	C
4. Telegraph Cnyn. Rd./Medical Center Dr.	AM	15.4	B	15.8	B
	PM	18.2	B	19.3	B
5. Telegraph Cnyn. Rd./Paseo Ranchero/Heritage Rd.	AM	25.5	C	27.2	C
	PM	25.7	C	27.0	C
6. Telegraph Cnyn. Rd./Otay Lakes Rd./La Media Rd.	AM	35.9	D	36.9	D
	PM	36.9	D	38.0	D
9. Otay Lakes Rd./Eastlake Pkwy.	AM	32.5	C	33.5	C
	PM	30.9	C	31.3	C
10. Otay Lakes Rd./Hunte Pkwy.	AM	33.8	C	33.8	C
	PM	33.1	C	35.8	D
11. East Palomar St./Oleander Ave.	AM	10.2	B	32.7	C
	PM	9.8	A	26.1	C
12. East Palomar St./Brandywine Ave.	AM	33.1	C	33.3	C
	PM	37.5	D	37.5	D
13. East Palomar St./Heritage Rd.	AM	32.9	C	35.7	D
	PM	32.7	C	32.8	C
14. East Palomar St./La Media Rd.	AM	39.0	C	40.4	D
	PM	37.8	D	39.1	D
15. Olympic Pkwy./I-805 SB Ramps	AM	29.9	C	50.4	D
	PM	66.3	E	93.6	F
16. Olympic Pkwy./I-805 NB Ramps	AM	71.0	E	>100.0	F
	PM	45.5	D	79.0	E

Notes:

- 1. Intersection does not exist in that scenario.
- 2. Bold and shading indicate LOS E or LOS F operations.

Source: LLG 2004

TABLE 4.3-6 (CONTINUED)

INTERSECTION	PEAK HOUR	EXISTING		EXISTING + PROJECT	
		DELAY	LOS	DELAY	LOS
17. Olympic Pkwy./Oleander Ave.	AM	26.7	C	27.4	C
	PM	22.7	C	23.7	C
18. Olympic Pkwy./Brandywine Ave.	AM	38.3	D	43.4	D
	PM	36.1	D	36.9	D
19. Olympic Pkwy./Heritage Rd.	AM	25.2	C	30.8	C
	PM	33.9	C	34.5	C
20. Olympic Pkwy./La Media Rd.	AM	29.3	C	36.2	D
	PM	27.8	C	35.5	D
21. Olympic Pkwy./East Palomar St.	AM	23.7	C	28.8	C
	PM	20.2	C	23.3	C
24. Olympic Pkwy./Eastlake Pkwy.	AM	26.3	C	30.1	C
	PM	25.3	C	29.3	C
25. Olympic Pkwy./Hunte Pkwy.	AM	33.7	C	44.3	D
	PM	29.9	C	30.2	C
26. Main St./I-805 SB Ramps	AM	24.6	C	27.4	C
	PM	30.2	C	36.1	D
27. Main St./I-805 NB Ramps	AM	21.4	C	22.2	C
	PM	23.4	C	25.7	C
28. Main St./Oleander Ave.	AM	9.8	A	10.9	B
	PM	7.1	A	7.5	A
29. Main St./Brandywine Ave.	AM	30.3	C	31.0	C
	PM	32.6	C	34.8	C
31. La Media Rd./Birch Rd.	AM	1	1	38.5	D
	PM	1	1	22.0	C
44. Magdalena Ave./Birch Rd.	AM	1	1	>100.0	F
	PM	1	1	63.3	E

Notes:

1. Intersection does not exist in that scenario.
2. Bold and shading indicate LOS E or LOS F operations.

Source: LLG 2004

**TABLE 4.3-7
EXISTING + PROJECT SEGMENT OPERATIONS**

SEGMENT	EXISTING ROADWAY CLASSIFICATION	LOS C CAPACITY	EXISTING		EXISTING + PROJECT	
			VOLUME	LOS	VOLUME	LOS
TELEGRAPH CANYON ROAD						
I-805 to Oleander Ave. ¹	7-Ln Major Arterial	58,300	64,100	F	64,520	F
Oleander Ave. to Medical Center Dr.	6-Ln Prime Arterial	50,000	60,000	E	60,640	E
Medical Center Dr. to Paseo Rancho/Heritage Rd.	6-Ln Prime Arterial	50,000	46,900	C	47,750	C
Paseo Rancho/Heritage Rd. to Otay Lakes Rd.	6-Ln Prime Arterial	50,000	50,500	D	50,500	D
OTAY LAKES ROAD						
North of Telegraph Canyon Rd.	4-Ln Major Arterial	30,000	21,200	A	21,120	B
La Media Rd. to Eastlake Pkwy.	6-Ln Prime Arterial	50,000	42,000	B	42,420	B
Eastlake Pkwy. to Lane Ave.	6-Ln Prime Arterial	50,000	17,200	A	17,620	A
EAST PALOMAR STREET						
I-805 to Oleander Ave.	4-Ln Major Arterial	30,000	7,000	A	7,210	A
Oleander Ave. to Medical Center Dr.	4-Ln Major Arterial	30,000	4,500	A	4,710	A
Medical Center Dr. to Heritage Rd.	4-Ln Major Arterial	30,000	11,200	A	11,410	A
Heritage Rd. to La Media Rd.	4-Ln Major Arterial	30,000	14,100	A	14,520	A
La Media Rd. to Olympic Pkwy.	4-Ln Major Arterial	30,000	8,800	A	9,010	A
OLYMPIC PARKWAY						
I-805 to Medical Center Dr.	6-Ln Prime Arterial	50,000	38,900	C	44,430	D
Oleander Ave. to Medical Center Dr.	6-Ln Prime Arterial	50,000	32,700	A	38,230	B
Medical Center Dr. to Heritage Rd.	6-Ln Prime Arterial	50,000	25,400	A	31,790	A
Heritage Rd. to La Media Rd.	6-Ln Prime Arterial	50,000	20,500	A	28,380	A
La Media Rd. to East Palomar St.	6-Ln Prime Arterial	50,000	11,500	A	11,710	A
East Palomar St. to Eastlake Pkwy.	6-Ln Prime Arterial	50,000	9,500	A	9,500	A
Eastlake Pkwy. to Hunte Pkwy.	6-Ln Prime Arterial	50,000	8,500	A	11,480	A
BIRCH ROAD						
La Media Rd. to Eastlake Pkwy.	6-Ln Major Arterial	40,000	²	²	12,560	A

Notes:

¹ To be widened to 4 through lanes in the westbound direction.

² Segment does not currently exist.

³ Bold and shading indicate LOS E or LOS F operations.

TABLE 4.3-7 (CONTINUED)

SEGMENT	EXISTING ROADWAY CLASSIFICATION	LOS C CAPACITY	EXISTING		EXISTING + PROJECT	
			VOLUME	LOS	VOLUME	LOS
OLEANDER AVENUE						
Telegraph Canyon Rd. to East Palomar St.	Class II Collector	12,000	5,600	A	11,300	C
East Palomar St. to Olympic Pkwy.	Class II Collector	12,000	3,800	A	6,700	A
Olympic Pkwy. to Main St.	Class II Collector	12,000	2,700	A	4,400	A
MEDICAL CENTER DRIVE						
Telegraph Canyon Rd. to East Palomar St.	Class I Collector	22,000	13,080	A	17,200	B
BRANDYWINE AVENUE						
East Palomar St. to Olympic Pkwy.	Class I Collector	22,000	8,200	A	9,600	A
Olympic Pkwy. to Main St.	Class I Collector	22,000	6,800	A	9,800	A
PASEO RANCHERO						
North of Telegraph Canyon Rd.	Class I Collector	22,000	8,200	A	8,630	A
PASEO RANCHERO/HERITAGE ROAD						
Telegraph Canyon Rd. to East Palomar St.	6-Ln Prime Arterial	50,000	15,600	A	17,500	A
East Palomar St. to Olympic Pkwy.	6-Ln Prime Arterial	50,000	11,300	A	21,900	A
LA MEDIA ROAD						
Telegraph Canyon Rd. to East Palomar St.	6-Ln Prime Arterial	50,000	13,400	A	11,600	A
East Palomar St. to Olympic Pkwy.	6-Ln Prime Arterial	50,000	8,200	A	12,400	A
South of Olympic Pkwy.	6-Ln Prime Arterial	50,000	²	²	8,200	A
EASTLAKE PARKWAY						
Fenton St. to Otay Lakes Rd.	4-Ln Major	30,000	8,400	A	19,100	A
Otay Lakes Rd. to Olympic Pkwy.	6-Ln Prime Arterial	50,000	20,700	A	35,100	A
Olympic Pkwy. to Birch Rd.	6-Ln Prime Arterial	50,000	²	²	6,900	A
HUNTE PARKWAY						
Otay Lakes Rd. to Olympic Pkwy.	4-Ln Major	30,000	8,400	A	8,700	A
Olympic Pkwy. to Eastlake Pkwy.	4-Ln Major	30,000	5,400	A	8,300	A

Notes:

- ¹ To be widened to 4 through lanes in the westbound direction.
- ² Segment does not currently exist.
- ³ Bold and shading indicate LOS E or LOS F operations.

Analysis Scenarios

A total of 10 scenarios were analyzed for the buildout of Village 7, including the *Village 7 SPA Plan*. Scenarios one through five are based on Development Plan I, and scenarios six through 10 are based on Development Plan II. The assumptions for Development Plan I and Development Plan II are as follows:

- ◆ For **Development Plan I**, all study area intersections and segments were analyzed for year 2005, 2010, 2015, 2030 and buildout conditions with the **proposed** land uses (the proposed land uses for Village 7 are the same as those identified for Village 7 in the Otay Ranch GDP), City of Chula Vista **adopted General Plan** land uses outside Village 7, and **adopted** City of Chula Vista Circulation Element.
- ◆ For **Development Plan II**, all study area intersections and segments were analyzed for year 2005, 2010, 2015, 2030 and buildout conditions with the **proposed** land uses (the proposed land uses for Village 7 are the same as those identified for Village 7 in the Otay Ranch GDP), **proposed** land uses outside Village 7, and **proposed** City of Chula Vista Circulation Element. The proposed land uses represent the “worst case” or “highest intensity” land uses.

Scenario 1 –Year 2005 without SR 125

The analysis time frame for Scenario 1 is the approximate project opening year (Year 2005). It is assumed that SR 125 is not built, and Heritage Road is not connected to Main Street. The **proposed** land uses are assumed for the *Village 7 SPA Plan* project. The **adopted General Plan** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan* project. The City of Chula Vista **adopted** Circulation Element is assumed.

Intersection Operations

Analysis of Scenario 1 showed all intersections in the project vicinity would operate at LOS D or better, with the exception of the following:

- ◆ Telegraph Canyon Road/I-805 southbound ramp (LOS E during the PM peak hour)

According to the Traffic Study, Village 7 would contribute one percent of the traffic at this intersection; therefore, the project would not result in a direct impact. However, the proposed project would contribute incrementally to a cumulatively significant impact at the Telegraph Canyon Road/I-805 southbound ramp intersection. Cumulatively significant impacts are also discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Segment Operations

The roadway segment analysis for Scenario 1 showed that most segments would continue to operate at LOS C or better. However, the following six segments would operate at unacceptable levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS F)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS D)
- ◆ Telegraph Canyon Road from Medical Center Dr. to Paseo Ranchero/Heritage Rd. (LOS D)
- ◆ Telegraph Canyon Road from Paseo Ranchero/Heritage Rd. to Otay Lakes Rd. (LOS D)

- ◆ Otay Lakes Road from La Media Rd. to SR 125 (LOS E)
- ◆ Otay Lakes Road from North of Telegraph Canyon Rd. (LOS D)

The proposed *Village 7 SPA Plan* would not contribute more than 800 ADT and would not be responsible for more than five percent of the traffic for any of the impacted roadway segments listed above; therefore, the project would not result in direct impacts to roadway segments.

Intersections along the impacted segments would operate at LOS D or better, with the exception of the segment along Telegraph Canyon Road from I-805 to Oleander Avenue. Therefore, the project would contribute incrementally to a cumulatively significant impact along Telegraph Canyon Road from I-805 to Oleander Avenue. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

Scenario 1 assumes SR 125 is not built; therefore, only impacts to I-805 are considered. The freeway analysis shows that all segments of I-805 between East H Street and Palm Avenue would continue to operate at LOS D or better in both directions during the AM and PM peak hours, with the exception of the following segment:

- ◆ I-805 from East H Street to Telegraph Canyon Road would operate at LOS E in the southbound direction during the PM peak hour.

The project would not contribute more than five percent of the total forecasted traffic on that segment; therefore, the project would not result in a significant direct impact.

Scenario 2 – Year 2010

The analysis time frame for Scenario 2 is the Year 2010. It is assumed that SR 125 is built as a toll facility and Heritage Road is connected southbound to Main Street. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **adopted General Plan** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **adopted** Circulation Element is assumed.

Intersection Operations

All study area intersections are calculated to operate at LOS D or better for the Scenario 2 condition. No impacts would occur.

Segment Operations

Under Scenario 2, most roadway segments would continue to operate at LOS C or better. However, the following segments would operate at unacceptable levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS E)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS D)
- ◆ Telegraph Canyon Road from Medical Center Dr. to Paseo Ranchero/Heritage Rd. (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS D)

- ◆ Olympic Parkway from SR 125 to Eastlake Pkwy. (LOS D)

The project would not contribute more than 800 ADT and more than five percent of the traffic, and result in LOS D conditions for more than two hours or LOS E or F conditions for more the one hour; therefore, the *Village 7 SPA Plan* would not result in direct impacts to roadway segments. Because the project would not result in LOS D conditions for more than two hours or LOS E or F conditions for more the one hour at any of the intersections identified above, the project is not considered to contribute to cumulatively significant impacts. Under Scenario 2, no impacts to roadway segments would occur.

Freeway Analysis

The freeway analysis for Scenario 2 analyzed segments of I-805 and SR 125. All segments of I-805 between East H Street and Palm Avenue would continue to operate at LOS D or better in both directions during the AM and PM peak hours, with the exception of the following segment:

- ◆ I-805 from East H Street to Telegraph Canyon Road would operate at LOS E in the southbound direction during the PM peak hour.

The project would not contribute more the five percent of the total forecasted traffic on that segment; therefore, the project would not result in a significant direct impact to that freeway segment. All segments of SR 125 from East H Street to south of Main Street would operate at LOS A. No impacts to SR 125 would occur under Scenario 2.

Scenario 3 – Year 2015

The analysis time frame for Scenario 3 is the Year 2015. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **adopted General Plan** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **adopted** Circulation Element is assumed.

Intersection Operations

All study area intersections are calculated to operate at LOS D or better for the Scenario 3 condition. No impacts would occur.

Segment Operations

The analysis for Scenario 3 showed that most roadway segments would continue to operate at LOS C or better. However, the following segments would operate at unacceptable levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS E)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS E)
- ◆ Telegraph Canyon Road from Medical Center Dr. to Paseo Ranchero/Heritage Road (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS E)
- ◆ Olympic Parkway from Medical Center Dr. to Heritage Rd. (LOS D)
- ◆ Olympic Parkway from SR 125 to Eastlake Pkwy. (LOS D)
- ◆ Rock Mountain Road from La Media Road to SR 125 (LOS D)
- ◆ Rock Mountain Road from SR 125 to Eastlake Parkway (LOS F)

Although the segments listed above would operate at an unacceptable LOS, the project would not contribute more than 800 ADT and more than five percent of the traffic, and result in LOS D conditions for more than two hours or LOS E or F conditions for more the one hour for all segments.

The project would contribute incrementally to a volume greater than the capacity for the segment of Rock Mountain Road from SR 125 to Eastlake Parkway. Therefore, the project would contribute to cumulative impacts along that roadway segment under Scenario 3 conditions. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

Segments of I-805 and SR 125 were analyzed for Scenario 3. The analysis showed that most of the segments of I-805 between East H Street and Palm Avenue would continue to operate at LOS D or better in both directions during the AM and PM peak hours. However, the following segments of I-805 would operate at LOS E or F:

- ◆ Northbound I-805 from Telegraph Canyon Road to East “H” Street (LOS E during the AM peak hour)
- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS F(0) during the PM peak hour)
- ◆ Southbound I-805 from Olympic Parkway to Main Street (LOS E during the PM peak hour)

The project would not contribute more the five percent of the total forecasted traffic on that segment; therefore, the project would not result in a significant direct impact to freeway segments.

Under Scenario 3, all segments of SR 125 from East H Street to south of Main Street would continue to operate at LOS A. No impacts to SR 125 segments would occur.

Scenario 4 – Year 2030

The analysis time frame for Scenario 4 is the Year 2030. It is assumed that SR 125 is still a toll facility. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **adopted General Plan** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **adopted** Circulation Element is assumed.

Intersection Operations

The analysis for Scenario 4 showed all study area intersections would operate at LOS D or better. No impacts to intersection operations would occur under Scenario 4.

Segment Operations

Under Scenario 4, most roadway segments would continue operating at LOS C or better. However, the following segments would operate at unacceptable levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS E)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS D)
- ◆ Telegraph Canyon Road from Medical Center Dr. to Paseo Ranchero/Heritage Rd. (LOS D)

- ◆ Otay Lakes Road from Eastlake Pkwy. to Lane Ave. (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS D)
- ◆ Olympic Parkway from Heritage Rd. to La Media Rd. (LOS D)
- ◆ Rock Mountain Road from SR 125 to Eastlake Parkway (LOS F)

Although the segments listed above would operate at an unacceptable LOS, the project traffic would not meet all the significance criteria listed in Section 4.3.2, above.

Traffic from the project would contribute to a traffic volume on Rock Mountain Road from SR 125 to Eastlake Parkway that is greater than the capacity of the roadway. Therefore, the project would contribute incrementally to a cumulatively significant impact to the roadway segment of Rock Mountain Road from SR 125 to Eastlake Parkway. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

The freeway analysis for Scenario 4 analyzed segments of I-805 and SR 125. The analysis showed that most of the I-805 segments would operate at LOS D or better; however, the following segments would operate at LOS E or worse:

- ◆ Northbound I-805 from Telegraph Canyon Road to East “H” Street (LOS F(0) during the AM peak hour and LOS E during the PM peak hour)
- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS F(0) during the AM and PM peak hours)
- ◆ Southbound I-805 from Telegraph Canyon Road to Olympic Parkway (LOS E during the PM peak hour)
- ◆ Southbound I-805 from Olympic Parkway to Main Street (LOS E during the AM peak hour and LOS F(0) during the PM peak hour)

The project would not contribute more the five percent of the total forecasted traffic on that segment; therefore, the project would not result in significant direct impacts to freeway segments.

For SR 125 all segments from East H Street to south of Main Street would operate at acceptable levels of service. Under Scenario 4, all segments would continue operating at LOS A except for the segment between East H Street and Telegraph Canyon Road, which would operate at LOS B.

Scenario 5 - Buildout

The analysis time frame for Scenario 5 is the City of Chula Vista buildout. It is assumed that SR 125 is still a toll facility. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **adopted General Plan** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **adopted** Circulation Element is assumed.

Intersection Operations

Under Scenario 5, Buildout, the analysis showed that all study area intersections are calculated to operate at LOS D or better. No impacts to intersection operations would occur.

Segment Operations

The analysis of Scenario 5 showed that most roadway segments would continue to operate at LOS C or better under buildout conditions. However, the following segments would operate at LOS D or worse:

- ◆ Otay Lakes Road from SR 125 to Eastlake Parkway (LOS E).
- ◆ Otay Lakes Road from Eastlake Parkway to Lane Avenue (LOS E).
- ◆ Olympic Parkway from SR 125 to Eastlake Pkwy. (LOS D)
- ◆ Rock Mountain Road from SR 125 to Eastlake Parkway (LOS F)

Although the five roadway segments listed above would operate at unacceptable levels of service under Scenario 5 conditions, the *Village 7 SPA Plan* would not result in a direct impact to any of the segments.

Traffic from the project would contribute to a traffic volume that is greater than the capacity of the roadway segment on Rock Mountain Road from SR 125 to Eastlake Parkway. Therefore, the project would contribute incrementally to a cumulatively significant impact to the roadway segment of Rock Mountain Road from SR 125 to Eastlake Parkway. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

Freeway segments for both I-805 and SR 125 were evaluated for the buildout condition. The following three freeway segments along I-805 would operate at LOS E or F, all others would operate at LOS D or better:

- ◆ Northbound I-805 from Telegraph Canyon Road to East “H” Street (LOS F(0) during the AM peak hour)
- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS E during the AM peak hour and LOS F(0) during the PM peak hour)
- ◆ Southbound I-805 from Olympic Parkway to Main Street (LOS E during the AM peak hour and LOS F(0) during the PM peak hour)

As compared to Scenario 4, some freeway segments are shown to improve. This is expected due to the removal of the toll on SR 125, which results in the reduction of traffic on the northern two segments of I-805. The project would not result in significant direct impacts to freeway segments.

Due to the removal of the toll on SR 125 under this scenario, traffic on SR 125 would increase. All segments would continue operating at LOS C or better, with the exception of the following one freeway segment:

- ◆ Southbound SR 125 between East “H” Street and Otay Lakes Road (LOS E during the PM peak hour)

Scenario 6 – Opening Year without SR 125

The analysis time frame for Scenario 6 is the project opening year (Year 2005). It is assumed that SR 125 is not built and Heritage Road is not connected to Main Street. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **proposed** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **proposed** Circulation Element is assumed.

Intersection Operations

The analysis for Scenario 6 showed that all study area intersections are calculated to operate at LOS D or better, with the exception of the following intersection:

- ◆ Telegraph Canyon Road/I-805 southbound ramps (LOS E during the PM peak hour)

According to the Traffic Study, the *Village 7 SPA Plan* would contribute one percent of the traffic at this intersection; therefore, the project would not result in a direct impact. However, the proposed project would contribute incrementally to a cumulatively significant impact at the Telegraph Canyon Road/I-805 southbound ramp intersection. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Segment Operations

The analysis of Scenario 6 showed that most roadway segments would continue to operate at LOS C or better. However, the following segments would operate at an unacceptable levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS F)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS D)
- ◆ Telegraph Canyon Road from Paseo Ranchero to Otay Lakes Road (LOS D)
- ◆ Otay Lakes Road from North of Telegraph Canyon Rd. (LOS D)

Traffic from the project would not result in a direct impact to any of the roadway segments listed above. However, the project would contribute incrementally to a cumulative impact along Telegraph Canyon Road from I-805 to Oleander Avenue. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

This scenario assumes SR 125 is not built; therefore, project traffic would be expected to utilize I-805. According to the freeway analysis, all segments of I-805 between East H Street and Palm Avenue are calculated to operate at LOS D or better in both directions during the AM and PM peak hours, with the exception of the one following freeway segment:

- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS E during the PM peak hour)

The project would not contribute more the five percent of the total forecasted traffic on that segment;

therefore, the project would not result in a significant direct impact to that freeway segment.

Scenario 7 – Year 2010

The analysis time frame for Scenario 7 is the Year 2010. It is assumed that SR 125 is built and Heritage Road is connected to Main Street. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **proposed** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **proposed** Circulation Element is assumed.

Intersection Operations

The analysis for Scenario 7 shows that all peak hour intersection operations would be at LOS D or better. No impacts would occur.

Segment Operations

Under Scenario 7 conditions, most roadway segments would operate at acceptable levels of service (LOS C or better); however, seven segments would operate at LOS D or worse. The following segments would operate at unacceptable levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS E)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS E)
- ◆ Telegraph Canyon Road from Medical Center Dr. to Paseo Ranchero/Heritage Rd. (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS E)
- ◆ Olympic Parkway from Medical Center Dr. to Heritage Rd. (LOS D)
- ◆ Olympic Parkway from SR 125 to Eastlake Pkwy. (LOS D)

Although seven roadway segments would operate at LOS D or worse under Scenario 7 conditions, traffic from the proposed project would not result in direct impacts to any of the roadway segments. Project traffic would not contribute to a cumulatively significant impact on any of the study area roadways.

Freeway Analysis

Segments of I-805 and SR 125 were analyzed under Scenario 7 conditions. Most segments of I-805 between East H Street and Palm Avenue would continue to operate at LOS D or better in both directions during the AM and PM peak hours. However, the following freeway segments would operate at unacceptable levels of service:

- ◆ Northbound I-805 from Telegraph Canyon Road to East “H” Street (LOS E during the AM peak hour)
- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS E during the PM peak hour)

The project would not contribute more the five percent of the total forecasted traffic to those segments; therefore, the project would not result in significant direct impacts to freeway segments.

All segments of SR 125 from East H Street to south of Main Street would operate LOS A. No impacts to SR 125 would occur.

Scenario 8

The analysis time frame for Scenario 8 is the Year 2015. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **proposed** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **proposed** Circulation Element is assumed.

Intersection Operations

The analysis for Scenario 8 shows that all peak hour intersection operations would be at LOS D or better. No impacts would occur.

Segment Operations

Under Scenario 8 conditions, most roadway segments would operate at LOS C or better. However, the following segments would operate at levels of service (LOS D or worse):

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS E)
- ◆ Telegraph Canyon Road from Medical Center Dr. to Paseo Ranchero/Heritage Rd. (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS D)
- ◆ Rock Mountain Road from Main Street to La Media Road (LOS F)
- ◆ Rock Mountain Road from La Media Road to SR 125 (LOS F)
- ◆ Rock Mountain Road from SR 125 to Eastlake Pkwy. (LOS F)

Traffic from the proposed project would not result in direct impacts to any of the study area roadway segments. However, under the Scenario 8 conditions, project traffic would contribute incrementally to cumulatively significant impacts along the following three segments of Rock Mountain Road: Main Street to La Media Road, La Media Road to SR 125, and SR 125 to Eastlake Parkway. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

Freeway segments of I-805 and SR 125 were evaluated under Scenario 8 conditions. The analysis showed most of the I-805 freeway segments between East H Street and Palm Avenue would operate at LOS D or better; however, the following three freeway segments would deteriorate to unacceptable levels of service:

- ◆ Northbound I-805 from Telegraph Canyon Road to East "H" Street (LOS E during the AM peak hour)
- ◆ Southbound I-805 from East "H" Street to Telegraph Canyon Road (LOS F(0) during the PM peak hour)
- ◆ Southbound I-805 from Olympic Parkway to Main Street (LOS E during the PM peak hour)

The project would not contribute more than five percent of the total forecasted traffic on these segments; therefore, the project would not result in significant direct impacts to freeway segments.

For SR 125, the analysis showed that all segments from East H Street to south of Main Street would continue operating at LOS A. No impacts to SR 125 would occur.

Scenario 9 – Year 2030, Proposed Project No Toll

The analysis time frame for Scenario 9 is the Year 2030. It is assumed that SR 125 is still a toll facility. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **proposed** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **proposed** Circulation Element is assumed.

Intersection Operations

The analysis shows that all intersections in the study are would operate at LOS D or better under Scenario 9 conditions, with the exception of one intersection. The following intersection would not operate at an acceptable level of service under Scenario 9 conditions:

- ◆ Rock Mountain Road/La Media Road (LOS E in the AM peak hour and LOS F in the PM peak hour)

Traffic from the proposed *Village 7 SPA Plan* would comprise nine percent of the traffic entering this intersection; therefore, the project would result in a direct impact to the Rock Mountain Road/La Media Road intersection.

Segment Operations

Most roadway segments would operate at LOS C or better under Scenario 9 conditions. However, the following nine segments would operate at unacceptable levels of service:

- ◆ Telegraph Canyon Road from I-805 to Oleander Ave. (LOS E)
- ◆ Telegraph Canyon Road from Oleander Ave. to Medical Center Dr. (LOS E)
- ◆ Otay Lakes Road from Eastlake Pkwy. to Lane Ave. (LOS D)
- ◆ Olympic Parkway from I-805 to Medical Center Dr. (LOS D)
- ◆ Rock Mountain Road from Main Street to La Media Road (LOS F)
- ◆ Rock Mountain Road from La Media Road to SR 125 (LOS F)
- ◆ Rock Mountain Road from SR 125 to Eastlake Pkwy. (LOS F)
- ◆ Oleander Avenue from Telegraph Canyon Rd. to East Palomar St. (LOS D)

The proposed project would result in a direct impact to Rock Mountain Road from La Media Road to SR 125. However, the project would not contribute to a cumulatively significant impact along this roadway segment. For Rock Mountain Road from Main Street to La Media Road and from SR 125 to Eastlake Parkway, the project would contribute incrementally to cumulatively significant impacts along these segments. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

Freeway segments for both I-805 and SR 125 were evaluated. Five freeway segments along I-805 would deteriorate to LOS E or F, and all others would continue operating at LOS D or better. The following I-805 freeway segments would be impacted under Scenario 9:

- ◆ Northbound I-805 from Telegraph Canyon Road to East “H” Street (LOS F(0) during the AM peak hour and LOS E during the PM peak hour)
- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS E during the AM peak hour and LOS F(0) during the PM peak hour)

- ◆ Northbound I-805 from Olympic Parkway to Telegraph Canyon Road (LOS E during the AM peak hour)
- ◆ Southbound I-805 from Telegraph Canyon Road to Olympic Parkway (LOS E during the PM peak hour)
- ◆ Southbound I-805 from Olympic Parkway to Main Street (LOS E during the AM peak hour and LOS F(0) during the PM peak hour)

The project would not contribute more than five percent of the total forecasted traffic on these freeway segments; therefore, the project would not result in a significant direct impact to freeway segments.

For Scenario 9, all segments of SR 125 from East H Street to south of Main Street would continue to operate at acceptable levels of service. However, the freeway segment between East H Street and Telegraph Canyon Road would deteriorate from LOS A and operate at LOS B. LOS B is considered an acceptable level of service.

Scenario 10 - Buildout

The analysis time frame for Scenario 10 is the City of Chula Vista buildout. It is assumed that SR 125 is no longer a toll facility. The **proposed** land uses are assumed for the *Village 7 SPA Plan*. The **proposed** land uses are assumed for the City of Chula Vista outside the *Village 7 SPA Plan*. The City of Chula Vista **proposed** Circulation Element is assumed.

Intersection Operations

Intersections with the project study area would continue to operate at LOS D or better under Scenario 10 conditions, with the exception of the following three intersections, which operate at unacceptable levels of service:

- ◆ Rock Mountain Road/La Media Road (LOS E in the AM peak hour and LOS F in the PM peak hour)
- ◆ Rock Mountain Road/SR 125 SB Ramps (LOS F in the PM peak hour)
- ◆ Rock Mountain Road/SR 125 NB Ramps (LOS F in the AM peak hour and LOS E in the PM peak hour)

Traffic from the proposed *Village 7 SPA Plan* would comprise nine percent of the traffic entering the Rock Mountain Road/La Media Road intersection; therefore, the project would result in a direct impact to the Rock Mountain Road/La Media Road intersection, as identified in Scenario 9 above.

Project traffic would comprise one percent of the total traffic at the Rock Mountain Road/SR 125 SB Ramp intersection; therefore, the project would not result in a direct impact to this intersection. However, the project would contribute incrementally to cumulatively significant impacts because the intersection would operate at an unacceptable level of service. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

For the Rock Mountain Road/SR 125 NB Ramp intersection, project traffic would comprise two percent of the total traffic at that intersection; therefore, the project would not result in a direct impact to this intersection. However, the project would contribute incrementally to cumulatively significant impacts. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Segment Operations

The analysis for Scenario 10 showed that most roadway segments would continue operating at LOS C or better; however, seven segments would operate at LOS D or worse. The following segments would operate at unacceptable levels of service:

- ◆ Otay Lakes Road from SR 125 to Eastlake Pkwy. (LOS D)
- ◆ Otay Lakes Road from Eastlake Pkwy. to Lane Ave. (LOS E)
- ◆ Olympic Parkway from SR 125 to Eastlake Pkwy. (LOS D)
- ◆ Rock Mountain Road from Main Street to La Media Road (LOS F)
- ◆ Rock Mountain Road from La Media Road to SR 125 (LOS F)
- ◆ Rock Mountain Road from SR 125 to Eastlake Pkwy. (LOS F)

Of these, the proposed project would result in a direct impact to Rock Mountain Road from La Media Road to SR 125 and from SR 125 to Eastlake Parkway. However, the project would not contribute to a cumulatively significant impact along this roadway segment. For Rock Mountain Road from Main Street to La Media Road and from SR 125 to Eastlake Parkway, the project would contribute incrementally to cumulatively significant impacts along these segments. Cumulatively significant impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Freeway Analysis

The Traffic Study analyzed freeway segments for both I-805 and SR 125 under Scenario 10 conditions. For I-805, most segments would continue operating at LOS D or better; however, the following five segments would operate at LOS E or F:

- ◆ Northbound I-805 from Telegraph Canyon Road to East “H” Street (LOS F(0) during the AM peak hour)
- ◆ Southbound I-805 from East “H” Street to Telegraph Canyon Road (LOS E during the AM peak hour and LOS F(0) during the PM peak hour)
- ◆ Southbound I-805 from Telegraph Canyon Road to Olympic Parkway (LOS E during the PM peak hour)
- ◆ Northbound I-805 from Main Street to Olympic Parkway (LOS E during the AM peak hour)
- ◆ Southbound I-805 from Olympic Parkway to Main Street (LOS F(0) during the AM and PM peak hours)

The project would not contribute more than five percent of the total forecasted traffic on these freeway segments; therefore, the project would not result in significant direct impacts to freeway segments.

Scenario 10 assumes that the toll on SR 125 would be removed. As compared to Scenario 9, some operations along I-805 freeway segments would improve. This is the result of more traffic utilizing SR 125, due to the removal of its toll.

As stated above, traffic on SR 125 would increase due to the removal of the toll. However, all SR 125 segments between East H Street and south of Main Street would continue to operate at LOS D or better. Impacts would not result.

Village 7 Access

Three major entries into Village 7 are proposed, which would serve the *Village 7 SPA Plan* project site. These include the intersections of Magdalena Avenue/Birch Road, Magdalena Avenue/Rock Mountain

Road, and Street “C”/La Media. Additionally, a fourth entry would be provided along Street “F” which would connect to the Eastern Urban Center. The Traffic Study assigned project traffic to these major access driveways and analyzed peak hour turning movement volumes under buildout conditions. Table 4.3-8, *Access Intersection Operations at Buildout*, summarizes the result of the access intersection analysis. As shown by Table 4.3-8, all of the major project access intersections would operate at LOS D or better; therefore, no intersection impacts would occur.

**TABLE 4.3-8
ACCESS INTERSECTION OPERATIONS AT BUILDOUT**

INTERSECTION	PEAK HOUR	BUILDOUT	
		DELAY	LOS
44. Magdalena Ave./Birch Rd.	AM	34.3	C
	PM	21.8	C
45. Street “A”/La Media Rd.	AM	24.0	C
	PM	24.6	C
46. Magdalena Ave./Rock Mountain Rd.	AM	24.0	C
	PM	22.1	C

Source: LLG 2004

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM project would develop single-family residential, multi-family residential, elementary school, community purpose facility, and neighborhood park uses in the eastern portion of the *Village 7 SPA Plan*. The 310 single-family residential units would generate a total of 3,100 daily trips; the 448 multi-family dwelling units would generate a total of 3,584 daily trips; the 11.1-acre elementary school would generate a total of 999 daily trips; the 1.1-acre community purpose facility would generate a total of 33 daily trips; the 23.4-acre high school would generate a total of 5,900 daily trips; and the 7.6-acre neighborhood park would generate 38 daily trips. Overall, the McMillin Otay Ranch, LLC TM would generate a total of 7,754 daily trips. These trips would contribute to the total amount of trips generated by the proposed *Village 7 SPA Plan*. Therefore, the analysis of the *Village 7 SPA Plan* applies to and includes the McMillin Otay Ranch, LLC TM project.

C. OTAY PROJECT LP TENTATIVE MAP

Development of the Otay Project LP TM project would result in single-family residential and community purpose facility land uses. The 375 residential units would generate a total of 3,750 daily trips and the 1.7-acre community purpose facilities would generate a total of 51 daily trips. Overall, the Otay Project LP TM would generate a total of 3,801 daily trips. These trips would contribute to the total amount of trips generated by the proposed *Village 7 SPA Plan*. Therefore, the analysis of the *Village 7 SPA Plan* applies to and includes the Otay Project LP TM project.

4.3.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The *Village 7 SPA Plan* would generate a total of 18,165 daily trips. Distribution of these trips to the street network in the project vicinity would not result in direct impacts to any of the study area intersections under the conditions of Scenarios 1, 2, 3, 4, 5, 6, 7, and 8. Under Scenarios 9 and 10, the project would result in a significant direct impact to the following intersection:

- ◆ Rock Mountain Road/La Media Road

Direct impacts to roadway segments within the study area would also occur only under Scenarios 9 and 10. Under Scenario 9, a significant traffic impact would also occur if more than 870 residential units were constructed within the *Village 7 SPA Plan* area and La Media Road was not yet constructed. For Scenarios 9 and 10, the proposed project would contribute incrementally to a cumulatively significant impact for the following segment:

- ◆ Rock Mountain Road from La Media Road to SR 125

The project would contribute incrementally to cumulatively significant impacts under Scenarios 1, 3, 4, 5, 6, 8, 9, and 10. Cumulative impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

Development of the McMillin Otay Ranch, LLC TM, as well as the Otay Project LP TM, would contribute 14,014 daily trips and the development of the Otay Project LP TM project would contribute 7,754 and 3,801 daily trips, respectively, of the 18,165 daily trips expected to be generated by the *Village 7 SPA Plan*. Since the only direct impact identified for the *Village 7 SPA Plan* would not occur until Year 2030, the TMs would not contribute to this impact. The TMs would not result in any direct traffic impacts. Cumulative impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR.

4.3.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The project would contribute direct impacts to the intersection of Rock Mountain Road/La Media Road, and to Rock Mountain Road from La Media Road to SR 125. These impacts are considered significant and would require mitigation. The following mitigation measures have been identified to reduce direct traffic impacts associated with the *Village 7 SPA Plan* to below a level of significance.

- 4.3-1** *Prior to 2030, assuming the scenarios of 9 or 10, the applicant shall pay a fair share toward the construction of the six-lane Prime Arterial segment of Rock Mountain Road between La Media and SR 125 with the appropriate intersection geometry, or shall construct the road segment.*

The project would contribute to cumulative traffic impacts at the intersections of Telegraph Canyon Road/I-805 southbound ramps, and at Rock Mountain Road/La Media. Additionally, the project would contribute incrementally to cumulative roadway segment impacts along Telegraph Canyon Road from I-805 to Oleander Avenue, and along Rock Mountain Road from Main Street to SR 125 and from SR 125 to

Eastlake Parkway. Mitigation for cumulative impacts includes the following:

- 4.3-2** *No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.*
- 4.3-3** *Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.*
- 4.3-4** *Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.*
- 4.3-5** *Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway*
- 4.3-6** *Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.*
- 4.3-7** *Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

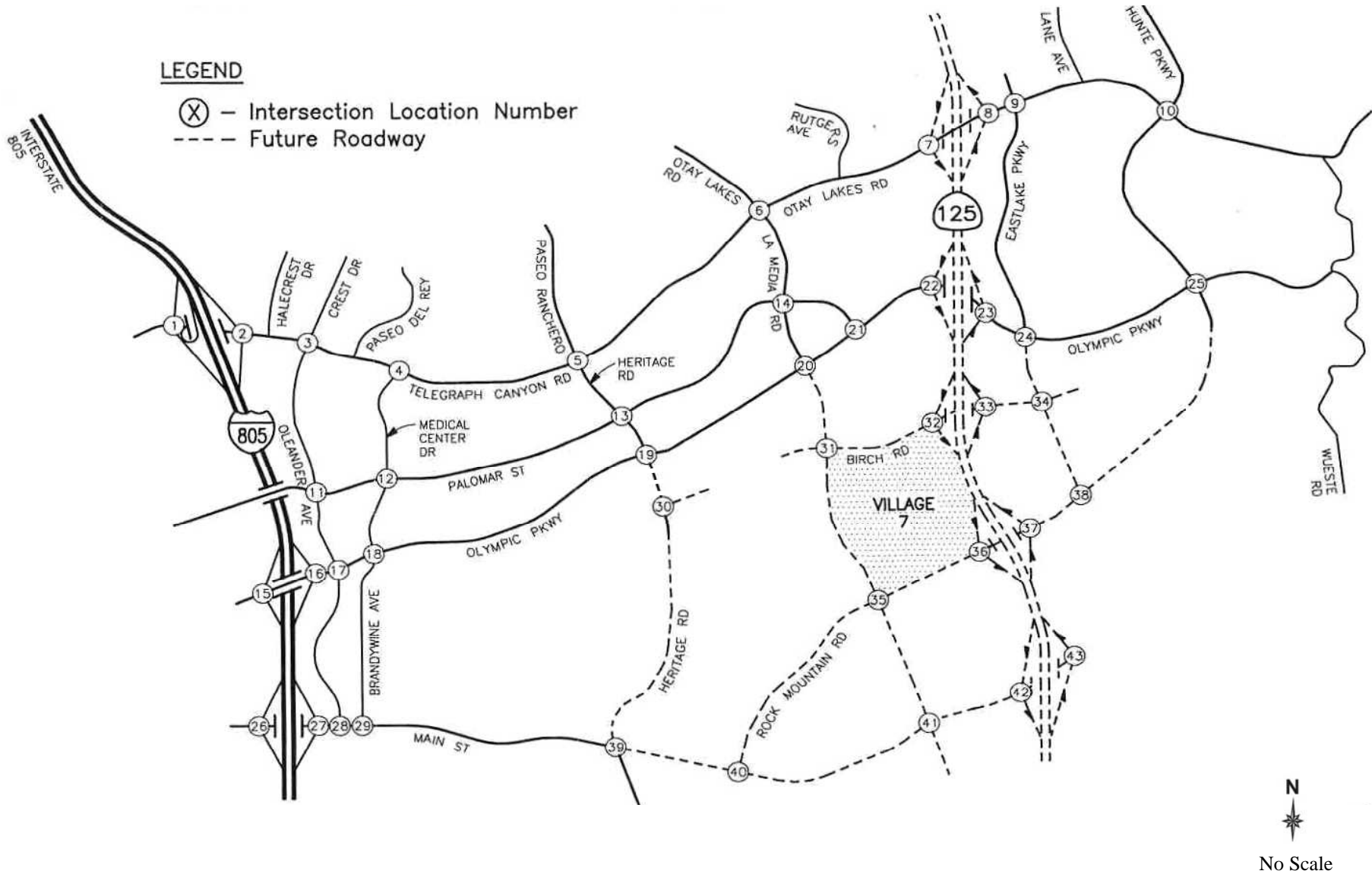
The McMillin Otay Ranch, LLC TM project would not contribute to direct traffic impacts. However, development of the McMillin Otay Ranch, LLC TM would contribute incrementally to cumulatively significant impacts. Implementation of measures 4.3-2 through 4.3-7 would reduce impacts to insignificance.

C. OTAY PROJECT LP TENTATIVE MAP

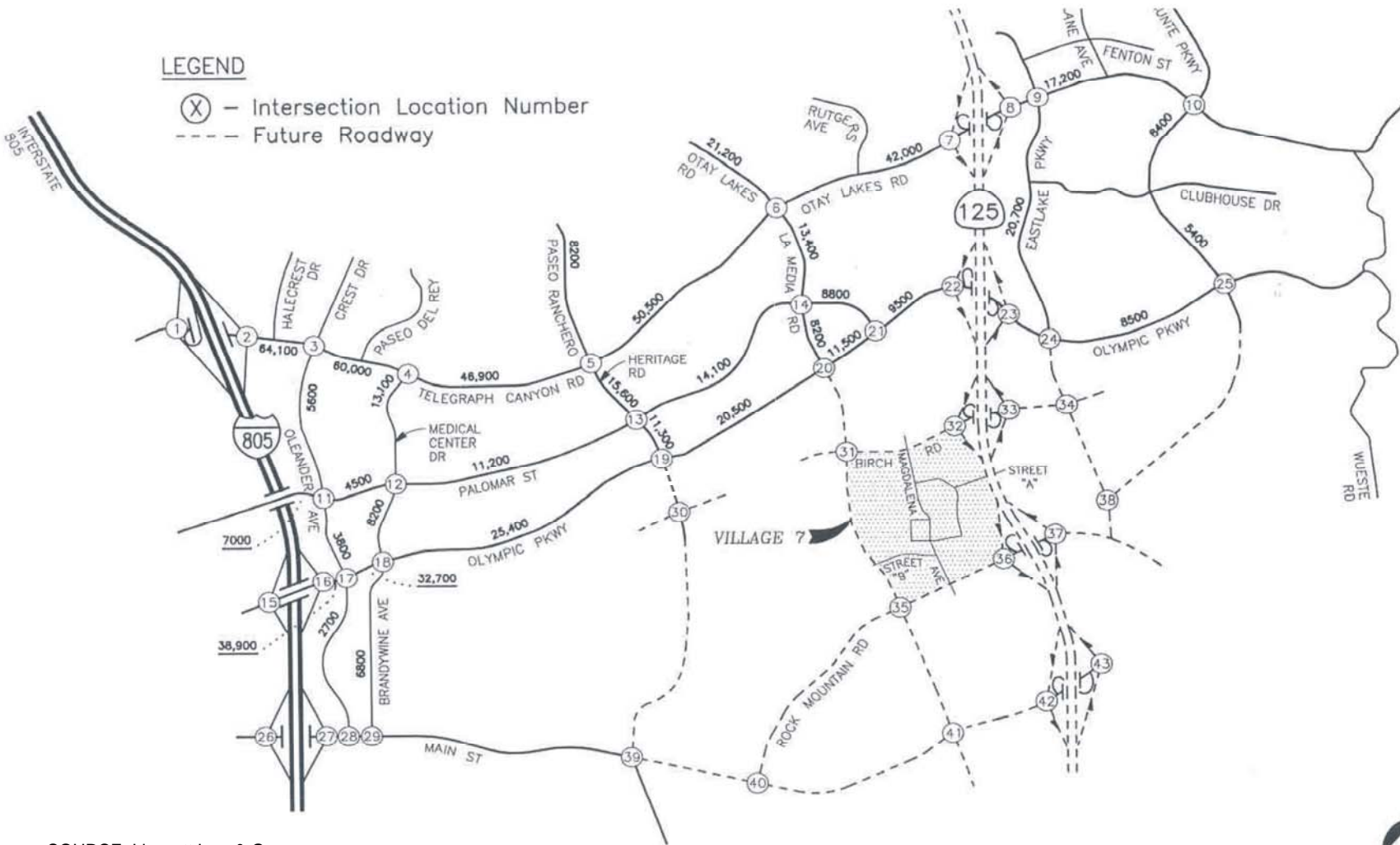
The Otay Project LP TM project would not contribute to direct traffic impacts, but would contribute incrementally to cumulatively significant impacts. Implementation of measures 4.3-2 through 4.3-7 would reduce impacts to insignificance.

4.3.6 Level of Significance After Mitigation**VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

With implementation of mitigation measure 4.3-1 identified above, the intersection of Rock Mountain Road/La Media Road would operate at LOS D during both the AM and PM peak hours. Additionally, the segment of Rock Mountain Road from La Media Road to SR 125 would operate at LOS B. Therefore, with mitigation, direct traffic impacts from the *Village 7 SPA Plan* would be reduced to below a level of significance. Cumulative traffic impacts would also be reduced to insignificance with implementation of mitigation measures 4.3-2 through 4.3-7, identified above.



EXISTING AND FUTURE ROADWAYS IN THE PROJECT VICINITY



SOURCE: Linscott Law & Greenspan



EXISTING TRIP DISTRIBUTION

4.4 NOISE

The existing conditions, potential impacts, and mitigation measures related to noise were evaluated for the entire Otay Ranch project area as part of the Otay Ranch GDP Program EIR (EIR 90-01/SCH# 89010154). Significant noise impacts were identified in the Program EIR from implementation of the Otay Ranch GDP, and mitigation measures were identified to reduce potential noise impacts. The analysis and discussion of noise contained in the Program EIR is hereby incorporated by reference.

The following discussion is based on an Acoustical Impact Analysis dated June 1, 2004, which has been prepared for the *Village 7 SPA Plan* by *Giroux & Associates*. The study evaluates existing noise at the *Village 7 SPA Plan* project site and analyzes the potential noise effects of the proposed project. Additionally, the analysis in this section is based on a Noise Technical Report prepared by *Recon* to evaluate noise impacts from SR 125 on the project site. Noise impacts associated with the implementation of the McMillin Otay Ranch, LLC and Otay Project LP TMs are also evaluated. The conclusions of the studies are summarized in this section of the EIR. Copies of the Acoustical Impact Analysis and the Noise Technical Report are included as Appendix C-1 and C-2, respectively, to this EIR.

4.4.1 Existing Conditions

The following discussion summarizes existing conditions related to noise for the *Village 7 SPA Plan* project area. The following description of existing conditions also applies to the McMillin Otay Ranch, LLC TM area, and the Otay Project LP TM projects.

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Noise is generally defined as unwanted sound. Airborne sound is a small scale fluctuation of instantaneous air pressure above and below the local barometric pressure. Sound levels are usually measured and expressed in decibels (dB). Most of the sounds which we hear in the environment do not consist of a single frequency, but rather a mixture of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate sound. The method commonly used to quantify environmental sounds consists of evaluating all of the frequencies of a sound in accordance with a weighting system that reflects the decreased sensitivity of human hearing at low frequencies and at extremely high frequencies relative to the mid-range frequencies. This is called "A" weighting and the decibel level measured is called the A-weighted sound level (dBA). In practice, the level of a sound source is conveniently measured using a sound level meter that includes a filter corresponding to the dBA curve.

Although the A-weighted sound level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a mixture of noises from distant sources which create a relatively steady background noise in which no particular source is identifiable, often with a variable local signal superimposed upon the background. To describe the time-varying character of environmental noise, the statistical noise descriptors L10, L50 and L90 are commonly used. They are the noise levels equaled or exceeded during 10 percent, 50 percent, and 90 percent of a stated period of time. A single descriptor called the equivalent sound level (LEQ) is also used. LEQ is the energy mean A-weighted sound level during a stated measured time interval.

The State model element contains noise/land use compatibility that uses a noise descriptor that incorporates the varying noise sensitivity of people during a 24-hour period. The descriptor used for such evaluation is called the day-night level (LDN), or the community noise equivalent level (CNEL). LDN is the weighted

average sound level for a 24-hour day. It is calculated by adding a 10 decibel penalty to sound levels at night (10 p.m. to 7 a.m.). CNEL further incorporates a 5 decibel penalty from 7 p.m. to 10 p.m. In practice, LDN and CNEL are almost identical and can usually be used interchangeably.

Regulatory Background

Noise criteria for the City of Chula Vista are identified in the City's Noise Control Ordinance (Chula Vista Municipal Code, Chapter 19.68). According to the ordinance, the City of Chula Vista has adopted the National Goals for Noise Reduction as set forth by the U.S. Environmental Protection Agency (EPA) for their noise regulatory criteria. Table 4.4-1, *Exterior Noise Limits*, identifies the exterior noise limits established by the City's Noise Control Ordinance.

TABLE 4.4-1
EXTERIOR NOISE LIMITS

Receiving Land Use Category	Noise Level [dB(A)]	
	10 p.m. to 7 a.m. (Weekdays)	7 a.m. to 10 p.m. (Weekdays)
	10 p.m. to 8 a.m. (Weekends)	8 a.m. to 10 p.m. (Weekends)
All residential (except multiple dwelling)	45	55
Multiple dwelling residential	50	60
Commercial	60	65

Additionally, the City of Chula Vista has adopted the City of San Diego's exterior noise standards for land use compatibility. These standards are shown in Table 4.4-2, *City of San Diego Noise Land Use Compatibility Chart*.


For interior noise levels, the City has established a maximum anytime noise exposure level of 45 dBA for multi-family and 55 dBA for residential (except multi-family). The City does not identify interior noise limits for commercial land use.


While the City's Noise Control Ordinance does not set forth exterior or interior noise exposure levels for other uses that would be developed at the project site, such as schools and parks, it does address these sensitive uses by prohibiting the following act: "*Creating or causing the creation of any sound within or adjacent to any noise sensitive zone, containing a hospital, nursing homes, school, court, or other designated area, so as to interfere with the functions of such activity or annoy the occupants in the activity; provided, that conspicuous signs are displayed indicating the presence of the zone.*"

According to the Noise Element of the General Plan, construction noise "*has become increasingly responsible for discomfort in the human environment.*" Noise levels associated with the operation of construction equipment typically ranges between 80 to 90 dBA. Construction is limited by the City's noise ordinance to daylight hours. In addition, abatement of construction noise will be achieved in part by federal regulations which govern decibel output of various types of equipment.

**TABLE 4.4-2
CITY OF SAN DIEGO NOISE LAND USE COMPATIBILITY CHART**

Land Use	Annual Community Noise Equivalent Level in Decibels						
	45	50	55	60	65	70	75
1. Outdoor Amphitheaters (may not be suitable for certain types of music)							
2. Schools, Libraries							
3. Nature Preserves, Wildlife Preserves							
4. Residential-Single Family, Multiple Family, Mobile Homes, Transient Housing							
5. Retirement Home, Intermediate Care Facilities, Convalescent Homes							
6. Hospitals							
7. Parks, Playgrounds							
8. Office Buildings, Business and Professional							
9. Auditoriums, Concert Halls, Indoor Arenas, Churches							
10. Riding Stables, Water Recreation Facilities							
11. Outdoor Spectator Sports, Golf Courses							
12. Livestock Farming, Animal Breeding							
13. Commercial-Wholesale, Shopping Centers, Restaurants, Movie Theaters							
14. Commercial-Wholesale, Industrial Manufacturing, Utilities							
15. Agriculture (except Livestock), Extractive Industry, Farming							
16. Cemeteries							

 **Compatible** - The average noise level is such that indoor and outdoor activities associated with the land use may be carried out with essentially no interference from noise.

 **Incompatible** - The average noise level is so severe that construction costs to make the indoor environment acceptable for performance of activities would probably be prohibitive. The outdoor environment would be intolerable for outdoor activities associated with land use.

Source: Progress Guide and General Plan (Transportation Element)

Background Noise

The project site is located in a portion of the City that is currently undeveloped. Baseline noise levels at the project site are currently very low. Noise sources within the project vicinity are off-site machinery associated with construction that is occurring immediately north of the project site, traffic along roadways in the vicinity of the project, and noise from aircraft utilizing Brown Field Municipal Airport. The airport is located approximately five miles from the project site, south of Otay River Valley. The project site is not located in the CNEL contours for the airport. According to the Acoustical Noise Analysis (Giroux & Associates, 2003), daytime noise levels at locations near the *Village 7 SPA Plan* project area are in the low-40 dB range.

Sensitive Receptors

Noise sensitive receptors are those human activities or land uses which may be disrupted due to a significant interference from noise. Residential units, schools, hospitals, parks, and hotels are examples of sensitive noise receptors. Wildlife is also considered a noise sensitive receptor. Currently, the project site is surrounded by undeveloped land and is not developed with residential units, schools, hospitals, parks, or hotels, and therefore does not contain sensitive human noise receptors. No sensitive biological resources are located on the project site, either. The nearest biological resources are located in Wolf Canyon, west of the project site across the proposed alignment for La Media Road.

Currently, there are no existing sensitive receptors on-site or adjacent and off-site. However residential land uses currently under construction north of the project site would be considered a sensitive noise receptor if the units are inhabited prior to construction of the proposed project. Development of villages immediately east and west of the project site would result in sensitive noise receptors including residential land use, if developed and inhabited prior to development of the *Village 7 SPA Plan*. Additionally, as development of the *Village 7 SPA Plan* occurs, sensitive noise receptors such as residents and school children would be located at the project site.

4.4.2 Threshold of Significance

In accordance with noise significance criteria established by Appendix G of the State CEQA Guidelines and the City of Chula Vista, a significant impact could occur if the project would:

- ◆ Result in exterior noise levels that exceed 65 dB CNEL in residential areas and outdoor recreational areas and 70 dB CNEL in office and commercial districts;
- ◆ Result in interior noise levels that exceed 45 dB CNEL for single-family and multi-family residential homes;
- ◆ Result in noise levels that violate the City's Noise Ordinance (Chapter 19.68 of the Municipal Zoning Code); or
- ◆ Create a substantial permanent or temporary increase in ambient noise levels in the project vicinity above levels existing without the project.

4.4.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

Construction Noise Impacts

Noise from construction equipment typically ranges from 70 to 90 dBA at five feet from the source. Grading activities are generally the noisiest sources from construction activities. Mobility of the grading equipment, and the distance of the buffer between such equipment and the nearest sensitive use, affect the duration and intensity of grading activity noise exposure. The City of Chula Vista limits construction activities to daytime hours from 7 AM to 7 PM Monday through Saturday, which are considered times of lesser noise sensitivity. Generally, construction activity is limited to these hours through conditions placed on grading permits. Construction occurring within this timeframe would be considered to mitigate any short-term construction noise impacts to below a level of significance. Additionally, there are no existing sensitive receptors on or adjacent to the site that would be affected by the construction noise.

Finish construction (saws, hammers, etc.) generates lower noise levels than grading activities, but the activity remains stationary and can be persistent for a number of days. As with grading activities, the allowable hours of finish construction are limited by the City to less noise-sensitive hours (7 AM to 7 PM Monday through Saturday) if they involve the operation of power tools or combustion equipment (compressors, generators, pumps, etc.).

According to the Acoustical Impact Analysis prepared for the project, compliance with the designated construction limits is predicted to create a less than significant temporary noise impact during project construction activities.

Traffic Noise Impacts

Exterior Noise Impacts

The *Village 7 SPA Plan* project site is bordered by Birch Road (currently under construction) to the north of the site; future SR 125 to the east; the Otay Land Company, FAA, and Stephen & Mary Birch Foundation ownership and future Rock Mountain Road to the south; and future La Media Road to the west of the site. Future traffic noise levels, representing buildout conditions, at the circulation element roadways surrounding the project site were calculated using the federal highway traffic noise prediction model (FHWA-RD-77-108). Traffic input parameters of these four roadways were based on the Traffic Study prepared for the *Village 7 SPA Plan* (see Appendix B) and are shown in Table 4.4-3, *Noise Analysis Traffic Input Parameters*. These parameters are based on the buildout of the *Village 7 SPA Plan*, as well as buildout of the entire village, representing a worst-case scenario.

**TABLE 4.4-3
NOISE ANALYSIS TRAFFIC INPUT PARAMETERS**

Roadway	ADT	Speed	Percent Autos	Percent Medium Truck	Percent Heavy Truck
SR 125	146,000	65	95	3	2
Rock Mountain Road	50,600	45	95	3	2
Birch Road	27,100	45	97	2	1
La Media	22,700	45	97	2	1

Source: Giroux & Associates, 2004

Project Roadways

Based on the noise study, noise levels at 50 feet from the centerline of perimeter roadways would exceed City standards (see Table 4.4-4, *Reference Noise Level at 50 Feet to Centerline*). Grade separations and perimeter barriers within and around the *Village 7 SPA Plan* area can reduce noise impacts to interior uses. Using an assumption that the setback from the centerline of a roadway to the rear yard of any perimeter homes is 80 feet, and that there would be limited grade separation to enhance any noise barrier benefits, noise walls along perimeter roadways would be required to meet City standards.

**TABLE 4.4-4
REFERENCE NOISE LEVEL AT 50 FEET TO CENTERLINE**

Roadway	Noise Level
Birch Road	72.8 dBA CNEL
La Media	72.1 dBA CNEL

Source: Giroux & Associates, 2004

As shown by Table 4.4-4, significant exterior noise impacts would occur to land uses located on the perimeter of the *Village 7 SPA Plan* due to future traffic volumes on Birch Road and La Media Road.

SR 125

A focused noise study was prepared by Recon to evaluate potential noise effects from future SR 125 on adjacent uses within the *Village 7 SPA Plan*. Table 4.4-5, *Buildout Traffic Parameters for SR 125*, show the expected future buildout traffic volumes for SR 125.

**TABLE 4.4-5
BUILDOUT TRAFFIC PARAMETERS FOR SR 125**

Roadway	ADT	Speed	Percent Autos	Percent Medium Truck	Percent Heavy Truck
SR 125	139,000	65	95	3	2
Southbound Off-Ramp to Rock Mountain Road	9,200	45	95	3	2
Southbound On-Ramp from westbound Rock Mountain Road	11,000	45	97	3	21
Southbound On-Ramp from eastbound Birch Road	300	45	97	3	2

Source: Recon, 2004

Noise generated by future SR 125 traffic was projected using the STAMONA 2.0/OPTIMA computer models. Exterior traffic noise levels at first-, second-, and third-floor receivers were calculated. Receivers were located at five feet above ground level for the first-floor, at 15 feet above ground level for the second-floor, and at 25 feet above ground level for the third-floor. Figure 4.4-1, *Future Projected SR 125 Noise Contours from SR 125 Without Mitigation*, shows noise levels at the project site due to traffic on SR 125. As shown in Figure 4.4-1, ground-level receivers on lots adjacent to SR 125 could experience future traffic noise levels in excess of 65 CNEL, which is the City's exterior noise standard for the proposed uses. Therefore, traffic along SR 125 would result in significant exterior noise impacts to land uses proposed on the eastern perimeter of the *Village 7 SPA Plan*.

Residential Interior Noise Impacts

City standards for anytime interior noise levels are a maximum of 45 dBA CNEL for multi-family residential and 55 dBA CNEL for single-family residential. Building façade noise loading may range from 70 dBA CNEL along arterial roadways to 75 dBA CNEL near SR 125. Significant interior noise impacts would result to residential land uses proposed on the perimeter of the *Village 7 SPA Plan* due to future traffic along Birch Road and La Media Road.

Roadway Network Alternatives

As discussed in Section 4.3, *Traffic and Circulation*, of this EIR, traffic on the four surrounding circulation element roadways were analyzed for both the adopted circulation alternative, as well as for build-out under a worst-case (proposed) roadway network. Table 4.4-6, *CNEL at 100 feet to Centerline dBA*, shows that traffic noise would not vary substantially (defined as a change greater than 3 dBA CNEL) except in a few isolated locations as a function of the selected circulation alternative.

**TABLE 4.4-6
CNEL AT 100 FEET TO CENTERLINE dBA**

	Village 7 Build-out (Scenario 5)	Worst-case Roadway (Scenario 10)	“DELTA”
Telegraph Canyon Road			
I-805 Oleander	71.0	71.5	+0.5
Oleander - Brandywine	70.9	71.5	+0.6
Brandywine - Heritage	70.8	71.2	+0.4
Heritage - La Media	69.3	69.3	±0.0
East Palomar Street			
I-805 - Oleander	66.7	62.7	-4.0
Oleander - Brandywine	65.3	59.6	-5.7
Brandywine - Heritage	66.9	66.0	-0.9
Heritage - La Media	64.2	64.3	+0.1
La Media - Olympic	68.4	68.5	+0.1
Olympic Parkway			
Oleander - Brandywine	69.7	68.0	+0.1
Brandywine - Heritage	69.2	69.6	+0.4
Heritage - La Media	70.0	69.1	-0.9
La Media – East Palomar	68.2	69.4	+1.2
East Palomar – SR 125	70.9	71.0	+0.1
Eastlake – Hunte	69.1	69.2	+0.1
La Media Road			
Otay Lakes – East Palomar	65.1	64.5	-0.6
East Palomar – Olympic	68.2	67.8	-0.4
Olympic – Birch	70.1	69.4	-0.7
Birch – Rock Mountain	67.6	64.9	-2.7
Rock Mountain - Main	68.0	65.9	-2.1
Eastlake Parkway			
N of Olympic	69.7	69.4	-0.3
Olympic – Birch	67.9	68.3	+0.4
Birch - Hunte	67.9	68.2	+0.3
Hunte Parkway			
Otay Lakes - Clubhouse	64.0	64.0	±0.0
Clubhouse – Olympic	67.4	67.3	-0.1
Olympic - Eastlake	67.2	67.5	+0.3

<INSERT Figure 4.4-1, *Future Projected SR 125 Noise Contours from SR 125 Without Mitigation*>

**TABLE 4.4-6
CNEL AT 100 FEET TO CENTERLINE dBA “Continued”**

Otay Lakes Road			
N of Telegraph Canyon	68.2	68.0	-0.2
La Media – SR 125	70.3	73.4	+3.1
Eastlake – Hunte	72.1	73.2	+1.1
Main Street			
I-805 - Oleander	70.7	71.0	+0.3
Oleander - Brandywine	70.5	70.8	+0.3
Brandywine - Heritage	69.7	70.1	+0.4
Oleander Avenue			
Telegraph Canyon - East Palomar	63.9	64.6	+0.7
East Palomar – Olympic	61.4	63.2	+1.8
Olympic – Main	63.4	61.6	-1.8
Brandywine Avenue			
Telegraph Canyon – East Palomar	64.3	65.6	+1.3
East Palomar – Olympic	63.3	63.1	-0.2
Olympic - Main	62.3	62.2	-0.1
Heritage/Ranchero			
N of Telegraph Canyon	67.1	67.4	+0.3
Telegraph Canyon – East Palomar	68.4	68.4	±0.0
East Palomar - Olympic	70.7	70.6	-0.1
S of Olympic	69.3	69.9	+0.6
N of Main	68.8	69.0	+0.2

Source: FHWA-RD-77-108 (all run for 45 mph, 97/2/1 vehicle mix).

As shown by Table 4.4-4, *Reference Noise Level at 50 Feet to Centerline*, the noise level along East Palomar Street between I-805 and Brandywine is significantly reduced under the worst-case roadway alternative (Scenario 10). Under this scenario, the segment of East Palomar Street from I-805 to Oleander would experience a 4.0 dB reduction; and the segment from Oleander to Brandywine would experience a 5.7 dB reduction.

On the other hand, under the worst-case roadway alternative (Scenario 10), the segment of Otay Lakes Road from La Media Road to SR 125 would experience a cumulatively significant noise increase. Although the project by itself would not result in a direct impact, it would contribute to noise along this roadway, which would increase by 3.1 dB. Cumulative impacts are discussed in Section 5.1, *Cumulative Impacts*, of this EIR. All other roadways in the project vicinity would experience less-than-significant traffic noise changes as a function of the circulation alternative selection.

Internal Roadways

The *Village 7 SPA Plan* would develop an internal roadway network to serve the proposed land uses. As discussed in Section 4.3, *Traffic and Circulation*, of this EIR, the project would generate a total of 3,174

internal daily trips. This volume of traffic would not result in significant noise impacts to land uses within the *Village 7 SPA Plan*. Additionally, all buildings would be required to comply with the City's internal noise regulations identified in Title 24 of the Chula Vista Municipal Code.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM would result in residential, park, community purpose facility, elementary and high school uses. Construction activities would be temporary in nature and are not considered a significant impact. All proposed buildings within the *Village 7 SPA Plan* would be required to comply with Title 24 of the Chula Vista Municipal Code. Once developed, the McMillin Otay Ranch, LLC TM would not result in uses that may generate significant noise impacts. Traffic associated with the proposed uses would generate a total of 13,654 ADT, which would result in an incremental noise level, although not a significant impact.

The McMillin Otay Ranch, LLC TM project site comprises the eastern portion of the *Village 7 SPA Plan* area (see Figure 3-1, *Site Utilization Plan*). Residential uses are proposed along the outer perimeter of the *Village 7 SPA Plan* within the McMillin Otay Ranch, LLC property. Single-family uses would be located just south of Birch Road, and may be impacted by traffic noise from that roadway. Similarly, both single-family and multi-family residential uses, as well as the high school use, would be adjacent to future SR 125 and would be impacted from traffic noise along SR 125. Thus, noise impacts would occur from traffic along these roadways.

C. OTAY PROJECT LP TENTATIVE MAP

Development of the Otay Project LP TM would result in single-family residential use and community purpose facilities. Development of the Otay Project LP TM is expected to occur concurrently with development of the McMillin Otay Ranch, LLC TM. There would be no existing sensitive receptors adjacent to the project site. Construction activities would be temporary in nature and are not considered a significant impact. Single-family residential land use would not result in significant noise impacts. Traffic associated with the proposed development of 375 single-family dwelling units and the 1.8-acres of community purpose facility would generate a total of 3,801 ADT, which would result in an incremental noise level, but not a significant impact.

Development of the Otay Project LP TM project would occur in the western portion of the *Village 7 SPA Plan*. Noise impacts at residences would occur from traffic along La Media Road to the west and Birch Road to the north.

4.4.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN/ McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Traffic noise from Birch Road, La Media Road and SR 125 would result in a potentially significant noise impact on proposed residential uses. Noise impacts would be greatest to residential units proposed along SR 125.

4.4.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* would result in noise impacts due to traffic along the perimeter roadways, including Birch Road, La Media Road, and SR 125. The following mitigation measures have been identified for these significant noise impacts.

- 4.4-1** *Noise walls shall be secured to the satisfaction of the City Engineer and Environmental Review Coordinator for residential units located along Birch Road and La Media Road prior to receiving a grading permit, and constructed prior to occupancy of 1st unit. An acoustical study confirming wall geometrics and conformance with the City's noise threshold is required prior to finalization of site and grading plans. Based on preliminary design and assumptions, the following wall heights would be required to meet City standards:*

<i>Birch Road</i>	<i>7 feet</i>
<i>La Media Road</i>	<i>6 feet</i>

- 4.4-2** 1. *Noise barriers, varying between three to 14 feet in height, shall be constructed along the top of the pad slopes or near the edge of SR 125, as shown in Figure 4.4-2, Proposed Noise Barriers along SR 125. The barriers shall be either walls, berms, or a combination thereof, and constructed of solid material with a density of at least four pounds per square foot and without any cracks or gaps.*

The City limits the height of noise walls to eight and a half feet. Therefore, where noise barriers in excess of eight and a half feet are required, the barrier shall be constructed of a combination of noise wall and berm, with the wall portion not exceeding eight and a half feet.

2. *For the multi-family development area adjacent to SR 125, ~~no~~ only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. At the time building plans are available, and prior to the issuance of building permits, a detailed acoustical analysis shall be required. An acoustical study shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and the Environmental Review Coordinator prior to approval of building permits. The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.*

3. For the single-family development area adjacent to SR 125, an acoustical study shall be conducted concurrent with submittal of construction drawings and shall be approved by the Director of Planning and Building and the Environmental Review Coordinator prior to approval of building permits. ~~at the time building plans are available, and prior to issuance of grading permits.~~ The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.
4. For ~~multi-family~~~~those~~ areas where second- and third-floor exterior noise levels are projected to exceed 60 CNEL, the affected units shall include a ventilation or air conditioning system to ensure that interior noise levels meet the interior standard of 45 CNEL. ~~it would be necessary for the windows to remain closed to ensure interior noise levels meet the interior standard of 45 CNEL. Where it is necessary to keep windows closed, the design for the affected units shall include a ventilation or air conditioning system to provide a habitable interior environment when windows are closed.~~

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The project would be required to implement measures 4.4-1, 4.4-2, and identified above, to reduce noise impacts from perimeter roads.

C. OTAY PROJECT LP TENTATIVE MAP

The project would be required to implement measure 4.4-1 and 4.4-2, identified above, to reduce noise impacts from perimeter roads.

4.4.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN/ McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

With implementation of the mitigation measures identified above, traffic noise impacts associated with development of the *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, the Otay Project LP TM are considered to be less than significant.

<INSERT Figure 4.4-2, Proposed Noise Barriers>



FUTURE PROJECTED SR 125 NOISE CONTOURS FROM SR 125 WITHOUT MITIGATION



PROPOSED NOISE BARRIERS ALONG SR 125

4.5 AIR QUALITY

Air quality was evaluated for the entire Otay Ranch project area as part of the Otay Ranch GDP Program EIR (EIR 90-01/SCH# 89010154). Significant impacts to air quality were identified in the Program EIR due to the County of San Diego exceeding ambient air quality standards. Mitigation measures were also identified in the Program EIR to reduce potential impacts associated with air quality impacts. These measures included techniques for reducing construction and project-related emissions. The analysis and discussion of air quality contained in the Program EIR is hereby incorporated by reference.

The following discussion is based on an Air Quality Impact Analysis dated June 1, 2004 that was prepared for the *Village 7 SPA Plan* by *Giroux & Associates*. The study evaluates existing air quality at the project site and analyzes the potential air quality effects of the proposed project. The conclusions of the study are summarized in this section of the EIR. A copy of the Air Quality Impact Analysis is included as Appendix D to this EIR. Additionally, this section evaluates impacts to air quality associated with the implementation of the McMillin Otay Ranch, LLC and Otay Project LP TMs.

4.5.1 Existing Conditions

The following discussion summarizes existing air quality conditions for the *Village 7 SPA Plan* project area. Air quality conditions are discussed in a sub-regional context; therefore, the following description of existing conditions applies to the McMillin Otay Ranch, LLC TM area, and the Otay Project LP TM area, as well as the entire *Village 7 SPA Plan* project area.

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Air quality is based on levels of contaminants, such as ozone, carbon monoxide, nitrogen dioxide and particulate matter, in the air. Air quality is also largely dependent on the climatic conditions (e.g., rainfall, wind speeds, temperature inversions). Air quality issues are rooted with the health problems that arise from exposure to air pollution. As a public health issue, the preservation of good air quality has gained importance in all levels of planning.

Climactic and Meteorological Conditions

Air quality can be affected by the climate and meteorology of an area. The climate of Chula Vista, as with all of Southern California, is largely controlled by the strength and position of the semi-permanent high-pressure center over the Pacific Ocean. Local meteorological conditions in the project vicinity have not been routinely monitored, but they likely conform to the regional pattern of strong onshore winds by day, especially in summer, and weak offshore winds at night, especially in winter. Climatic and meteorological conditions at the project site are summarized below in Table 4.5-1, *Climate and Meteorology*.

**TABLE 4.5-1
CLIMATE AND METEOROLOGY**

<p>Climatic Conditions</p>	<ul style="list-style-type: none"> - High-pressure ridge over the West Coast results in the typical early morning cloudiness, hazy afternoon sunshine, clean daytime onshore breezes and steady temperature. - Limited rainfall occurs in winter, and summers are often completely dry. - Average annual rainfall at Lower Otay Reservoir, the nearest climate station to the project site, is 10.3 inches. The rainfall occurs each year between November and early April. - Onshore winds across the coastline diminish quickly when they reach the foothill communities east of San Diego. - Sinking air within the offshore high-pressure system forms a strong temperature inversion that traps all air pollutants near the ground. - Resultantly, a number of reactive pollutants undergo photochemical reactions and form smog - Occasional high smog levels in coastal communities may occur when polluted air from the South Coast (Los Angeles) Air Basin drifts into San Diego County, causing unhealthy air over the County despite air pollution control efforts within the County.
<p>Meteorological Conditions</p>	<ul style="list-style-type: none"> - Local wind patterns are driven by the temperature difference between the normally cool ocean and the warm interior and steered by any local topography. - In summer, moderate breezes of eight to 12 miles per hour (mph) blow onshore and up-valley from the southwest by day, and may continue all night as a light onshore breeze when the land remains warmer than the ocean. - In winter, the onshore flow is weaker and reverses to blow from the northeast in the evening, as the land becomes cooler than the ocean. - As the marine air layer moves inland, pollution sources (especially automobiles) add pollutants from below without any dilution from above. - When the polluted layer reaches foothill communities east of coastal developments, it exposes residents there to the by-products of coastal area sources. - Additionally, slow drainage or stagnation of cool air at night creates localized cold "pools" while the air above the surface remains warm. Such radiation inversions occur throughout the San Diego area but are strongest within low, channelized river valleys. They may trap vehicular exhaust pollutants such as carbon monoxide (CO) near their source until these inversions are destroyed by surface warming the next morning. Any such CO "hot spots" are highly localized in space and time (if they occur at all), but occasionally stagnant dispersion conditions are certainly an important air quality concern in combination with continued intensive development of the Chula Vista area. - Intensity of development near the project site is extremely low such that non-local background pollution levels during nocturnal stagnation periods are also low.

Air Quality

Air pollutants which pose public health risks include ozone, carbon monoxide, nitrogen oxides, and particulate matter. Ozone (O₃) is a nearly colorless gas which irritates the lungs and damages materials and vegetation. It is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight). Carbon monoxide (CO) is a colorless, odorless toxic gas which interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. Nitrogen dioxide (NO₂) is

a yellowish-brown gas, which at high levels can cause breathing difficulties. NO₂ is formed when nitric oxide (pollutant from burning processes) combines with oxygen. Particulate matter (PM₁₀) comprises particulate matter that is less than 10 microns in diameter. It causes a greater health risk than larger sized particles, since these fine particles can more easily penetrate the defenses of the human respiratory system and cause irritation by themselves and in combination with gases. The concern for even smaller particles (PM_{2.5}) to cause respiratory problems has also been raised.

These pollutants come from a variety of stationary and mobile sources such as vehicle exhaust, power generation, natural gas generation and the operation of certain equipment in construction and industry. Exhaust emissions from vehicles vary according to speed, type of engine (gasoline or diesel), the length of use, and the power available. Emissions from stationary sources occur at off-site power plants and are estimated by the amount of natural gas and electric power consumed. Construction and industrial equipment generate pollutant emissions that are highly variable according to the type and technology of a specific equipment.

Ambient Air Quality Standards (AAQS)

In order to gauge the significance of the air quality impacts associated with implementation of the proposed *Village 7 SPA Plan* project, the project's potential effect on air quality together with existing background air quality levels must be compared to the applicable ambient air quality standards. These standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people whose current health condition makes them most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other diseases or illness and persons engaged in strenuous work or exercise, called "sensitive receptors."

National Ambient Air Quality Standards (AAQS) were established in 1971 for six pollution species. Because California had established state AAQS before the federal action and because of unique air quality problems introduced by the restrictive dispersion meteorology, state and national clean air standards differ. Those standards currently in effect in California are shown in Table 4.5-2, *Ambient Air Quality Standards*.

Baseline Air Quality

The nearest air quality measurements to the project site are made in downtown Chula Vista by the San Diego County Air Pollution Control District (APCD), the agency responsible for air quality planning, monitoring and enforcement in the San Diego Air Basin (SDAB). Table 4.5-3, *Chula Vista Air Quality Monitoring Summary*, summarizes the last seven years of published monitoring data from the Chula Vista (80 East J Street) station.

As shown by Table 4.5-3, *Chula Vista Air Quality Monitoring Summary*, progress towards cleaner air is seen in almost every pollution category. No federal clean air standards were exceeded throughout the six-year monitoring period. The more stringent state standards for ozone and particulate matter (PM₁₀) were exceeded on a limited frequency; but overall air quality in Chula Vista, as representative of the project area, is nevertheless very good in comparison to other areas of the SDAB.

There are no clear-cut trends in the Chula Vista baseline air quality data. However, in the last four years, Chula Vista recorded the following air pollution records in its monitoring history:

- ◆ Fewest violations of the California hourly ozone standard (2000, 2003);
- ◆ Fewest violations of federal ozone standard (none since 1992);
- ◆ Lowest annual 1-hour ozone maximum (2003);

- ◆ Lowest annual 1-hour CO maximum (1998);
- ◆ Lowest annual 8-hour CO maximum (2003);
- ◆ Lowest annual 1-hour NO₂ maximum (2000, 2001);
- ◆ Fewest violations of California PM₁₀ standard (1998, 2003); and
- ◆ Lowest PM_{2.5} maximum (2003).

**TABLE 4.5-2
AMBIENT AIR QUALITY STANDARDS**

Pollutant	Averaging Time	California Standards		Federal Standards		
		Concentration	Method	Primary	Secondary	Method
Ozone (O ₃)	1 Hour	009 ppm (180 µg/m ³)	Ultraviolet Photometry	0 12 ppm (235 µg/m ³)	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	—		008 ppm (157 µg/m ³)		
Respirable Particulate Matter (PM ₁₀)	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		50 µg/m ³		
Fine Particulate Matter (PM _{2.5})	24 Hour	No Separate State Standard		65 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	15 µg/m ³		
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 µg/m ³)	Non-dispersive Infrared Photometry (NDIR)	9 ppbn (10 µg/m ³)	None	Non-dispersive Infrared Photometry (NDIR)
	1 Hour	20 ppm (23 µg/m ³)		35 ppm (40 µg/m ³)		
	8 Hour (Lake Tahoe)	6 ppm (7 µg/m ³)		—		
Nitrogen Dioxide (NO ₂)	Annual Arithmetic Mean	—	Gas Phase Chemiluminescence	0053 ppm (100 µg/m ³)	Same as Primary Standard	Gas Phase Chemiluminescence
	1 Hour	0.25 ppm (470 µg/m ³)		—		
Lead	30 days average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m ³	Same as Primary Standard	
Sulfur Dioxide (SO ₂)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence	0030 ppm (80 µg/m ³)	—	Spectrophotometry (Parosoinline Method)
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (365 µg/m ³)	—	
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	1 Hour	0.25 ppm (655 µg/m ³)		—	—	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer – visibility of ten or more (007—30 miles or more for Lake Tahoe) due to particles when the relative humidity is less than 70 percent Method: ARB Method V (8/18/89).		No Federal Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	003 ppm (42 µg/m ³)	Cadmium Hydroxide STRactan			
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

Source: Giroux & Associates, 2004.

**TABLE 4.5-3
CHULA VISTA AIR QUALITY MONITORING SUMMARY**

Pollutant/Standard	Number of Days Standards Were Exceeded and Maximum Levels During Such Violations					
	1998	1999	2000	2001	2002	2003
Ozone						
1-Hour > 0.09 ppm	2	4	0	0	2	1
1-Hour > 0.12 ppm	0	0	0	0	0	0
8-Hour > 0.08 ppm	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)	0.10	0.10	0.09	0.10	0.12	0.07
Carbon Monoxide						
1-Hour > 20. ppm	0	0	0	0	0	0
8-Hour > 9. ppm	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)	4	5	6	6	-	-
Max. 8-Hour Conc. (ppm)	2.7	3.0	3.1	4.6	2.6	2.4
Nitrogen Dioxide						
1-Hour > 0.25 ppm	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)	0.10	0.10	0.07	0.07	0.09	0.08
Inhalable Particulates (PM₁₀)						
24-Hour > 50 µg/m ³	0/59	2/49	1/54	1/61	1/-	0/-
24-Hour > 150 µg/m ³	0/59	0/49	0/54	0/61	0/-	0/-
Max. 24-Hour Conc. (µg/m ³)	39	59	52	64	52	38
Ultra-Fine Particulates (PM_{2.5})						
24-Hour > 65 µg/m ³	-	0/108	0/101	0/108	0/-	0/-
Max. 24-Hour Conc. (µg/m ³)	-	47	40	41	36	34

Note: Standards for sulfur dioxide, particulate sulfate and particulate lead have been met with a wide margin of safety in 1998-2003 and are therefore not shown.

- = Data not yet available.

-- = Data collection began in 1999; ppm = part-per-million; µg/m³ = microgram per cubic meter

Source: Giroux & Associates, 2004

Extrapolation of the pollution trendline suggests that limited violations of standards could occur into the future, but with decreasing frequency. Since observed San Diego County ozone air quality sometimes derives from the southward drift of pollution from the South Coast Air Basin (which is forecast to continue to exceed ozone standards to the year 2010), some ozone standard violations will likely occur in the County within this decade despite County-wide pollution control efforts. A further improvement in ambient air quality from County-generated emissions reductions will thus occur within the next decade, but complete attainment of all standards may not happen until closer to 2010.

Federal attainment criteria allow for one violation of national clean air standards per year averaged over three years. Inspection of Table 4.5-3, *Chula Vista Air Quality Monitoring Summary*, shows that the federal ozone standard of 0.12 ppm for one hour was not exceeded within the last six years. Although not recognized as such in basin-wide attainment classification, the Chula Vista area technically is an attainment sub-area within the larger San Diego Air Basin non-attainment area. Except in foothill communities most affected by air stagnation at the base of the summer inversion, attainment of the federal ozone standard is close at hand throughout the air basin. The federal ozone standard was met throughout the entire air basin for the first time in basinwide monitoring history in 1999, and there have been no more than three combined violations in the last four years. Redesignation of the basin as an "attainment" airshed for the federal one-hour ozone standard is anticipated within the next few years if the clean air trend persists.

Some air quality concern has been raised about pollutant transport from Mexico with its considerably less stringent pollution control laws. An air quality station was established on Otay Mesa in part to monitor this phenomenon. Some slight differences in ozone distribution on Otay Mesa are seen compared to Chula Vista. However, these differences do not indicate any substantial cross-border pollution transport.

Sources of Pollution

Nitrogen oxides (NO_x) and reactive organic gases (ROG) are the two precursors to photochemical smog formation. Table 4.5-4, *San Diego Air Basin Emissions Inventory*, shows that in San Diego County, 63 percent of the of ROG emitted comes from mobile sources (i.e., cars, ships, planes, heavy equipment, etc.). For NO_x emissions, 91 percent comes from mobile sources. Computer modeling of smog formation has shown that all existing programs to reduce NO_x and ROG would allow the San Diego Air Basin to meet the federal ozone standard by 1999 on days when there is no substantial transport of pollution from the South Coast Air Basin or other airshed. As noted above, there was not a single violation of the federal ozone standard anywhere within the entire SDAB in the years 1999, 2000, and 2002.

Table 4.5-4, *San Diego Air Basin Emissions Inventory*, also shows that emission levels are forecast to decline further for those pollutants where standards are currently met. However, particulate levels are forecast to increase, and the basin is a non-attainment airshed for the State PM₁₀ standard. Accelerated PM₁₀ control must be implemented in order to meet the State PM₁₀ standard in the future.

**TABLE 4.5-4
SAN DIEGO AIR BASIN EMISSIONS INVENTORY**

Year 2000 Inventory:	(tons/day)			
	NO _x	ROG	CO	PM ₁₀
Stationary Sources	17	47	40	9
Area Sources	3	43	67	101
On-Road Mobile				
Gasoline	106	114	1135	4
Diesel	40	3	11	1
Other Mobile	68	33	276	7
TOTAL	234*	239*	1529**	121°
Percent Emitted from Mobile Sources	91%	63%	93%	.099%
2005 Forecast	186	201	1109	134
2010 Forecast	152	188	895	143

Notes:

* = federal one-hour standard is met at this emission level.

** = all federal and State standards are met at this emission level.

° = State PM₁₀ standard is exceeded at this emission level.

Source: California ARB, 2000: The 2001 California Almanac of Emissions & Air Quality.

Air Quality Management Planning

In San Diego County, the attainment planning process is embodied in a regional air quality management plan developed jointly by the Air Pollution Control District (APCD) and SANDAG. A plan to meet the federal standard for ozone was developed in 1994 through an update of the 1991 State Plan. This local plan was combined with those from all other California non-attainment areas with serious (or worse) ozone problems to create the California State Implementation Plan (SIP).

In the current SIP, all progress towards attainment, including offsetting the effects of growth, is expected to derive from existing local, state and federal rules and regulations. Mandatory trip reduction programs or minimum average vehicle occupancy goals are not needed to predict attainment. Any violations of federal ozone standards in the year 2000 or beyond are forecast to occur only on days when transport from the Los Angeles Basin creates substantially elevated baseline levels upon which any local basin impacts would be superimposed.

The proposed *Village 7 SPA Plan* has been anticipated in the current SIP because it is consistent with the adopted GDP. Although the projected net external trip rate of 14,897 ADT for the *Village 7 SPA Plan* area has been anticipated in the SIP and would not delay the ultimate attainment of clean air standards, the project represents a substantial contribution to the air pollution burden in a non-attainment air basin.

4.5.2 Thresholds of Significance

Appendix G of the CEQA guidelines defines a potentially significant air quality impact as one that would:

- ◆ Conflict with or obstruct implementation of the applicable air quality plan;
- ◆ 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;

- ◆ Expose sensitive receptors to substantial pollutant concentrations; or,
- ◆ Create objectionable odors affecting a substantial number of people.

For projects that create primarily automobile traffic, whose emissions require complex photochemical reactions to reach their most harmful stage, there is no way to measure the impact to establish a "measurable contribution." Various air pollution control/management agencies have developed guidelines using total project emissions as a surrogate for determining regional impact potential. The City of Chula Vista has no such threshold levels, but relies on guidance from other agencies. Candidate significance threshold levels for project operations are included in Table 4.5-5, *Threshold Levels for Project Operations*.

**TABLE 4.5-5
THRESHOLD LEVELS FOR PROJECT OPERATIONS**

Agency	Significant Emissions (lb/day)				
	CO	ROC	NO _x	Sox	PM ₁₀
SDAPCD Rule 20.2 (a)	550	---	250	250	100
City of San Diego (b)	550*	100**	---	---	---
South Coast AQMD (c)	550	55	55	150	150

Notes: (a) = requires ambient air quality analysis

(b) = Significance Determination Guidelines (1991)

(c) = SCAQMD CEQA Air Quality Handbook (1993)

* = in areas of congested traffic

** = in areas of free-flow traffic

4.5.3 Impact Analysis

The Otay Ranch GDP Program EIR (90-01) identified the following significant impacts to air quality:

- ◆ The State Implementation Plan (SIP) air quality attainment regulations that were based on SANDAG Series 7 growth projections would be exceeded. Project emissions of NO_x, ROG, CO, and PM₁₀ from vehicular and stationary sources would also add to existing violations of federal and state ozone standards. Mitigation measures were required; however, no feasible mitigation measures were identified to reduce the impacts to below a level of significance.
- ◆ Short-term emissions would occur during project construction. Mitigation measures were identified that would reduce impacts to below a level of significance if implemented at the SPA level.

These impacts were re-examined for purposes of determining the level of impact caused by the proposed *Village 7 SPA Plan* and TMs.

A. VILLAGE 7 SPA PLAN

Air Quality Improvement Plan (AQIP)

The City of Chula Vista Growth Management Ordinance and Growth Management Program requires the preparation of an AQIP for all major projects that involve the development of 50 or more dwelling units or projects with air quality impacts equivalent to that of 50 dwelling units. The AQIP is intended to minimize air quality impacts during and after construction of projects and must demonstrate compliance with the air quality standards and policies of the APCD. To comply with the requirements of the Chula Vista AQIP

Guidelines developers can either participate in the Chula Vista GreenStar Building Efficiency Program or evaluate the project using the Chula Vista CO₂ INDEX model, including any necessary site plan modifications.

A proposed AQIP for the *Village 7 SPA Plan* has been prepared for the proposed project as discussed in Section 3, *Project Description*, of this EIR. The proposed *Village 7 SPA* AQIP covers the portion of land owned by the project applicants (McMillin Otay Ranch, LLC and Otay Project LP). In accordance with the proposed AQIP Guidelines, the project applicants have chosen to participate in the City's GreenStar Building Efficiency Program. The primary goal of the GreenStar Program is to shift residential building practices towards those that conserve energy and resources while improving the environment and strengthening the economy. The greatest energy conservation benefit of the GreenStar Building Efficiency Program is the reduction of NO_x emissions.

Construction Impacts

Construction activities, including soil disturbance; dust emissions; combustion pollutants from on-site construction equipment; and off-site trucks hauling dirt, cement or building materials, create a temporary addition of pollutants to the local airshed. These emissions are variable in time and space and differ considerably among various construction projects; therefore, such emission levels can only be estimated with a corresponding uncertainty in precise ambient air quality impacts. The cumulative impact from all simultaneous construction in the basin is a major contributor to the overall pollution burden.

A number of current APCD strategies focus on dust control and utilizing cleaner off-road equipment in order to reduce the role of construction in the poor air quality of the region. Three types of dust emissions may be associated with construction, where large particulates generated by construction activities rapidly settle proximate to the original pollutant source. The deposition distance for the largest particles is typically less than 100 feet from the source for the majority of the material. Off-site propagation can occur under strong wind conditions, but such events are the exception rather than the rule.

A fraction of the soil material is small enough to remain suspended in the air semi-indefinitely. The size cut-off for these total suspended particulates (TSP) is around 30 microns in diameter. An even lesser fraction of TSP is small enough to enter deep lung tissue. The size cut-off for particulate matter that is deeply respirable is 10 microns or less and is called PM₁₀. The PM₁₀ fraction of TSP is assumed to be around 50 percent. The PM₁₀ emission factor for project-related soil disturbance is around 55 pounds per day per acre disturbed in the absence of any dust control. Minimum dust control that complies with APCD nuisance abatement regulations reduces the PM₁₀ emissions rate to an estimated 26.4 pounds per acre per day. Multiple daily watering and implementation of other aggressive dust control techniques can reduce PM₁₀ emissions to about 10 pounds per graded acre. San Diego is non-attainment for PM₁₀; therefore, best available control methods (BACMs) are recommended and are detailed in the mitigation discussion.

The *Village 7 SPA Plan* project area covers 288.5 acres. Only a limited portion of the *Village 7 SPA Plan* project area would undergo simultaneous grading on any given day. The California Air Resources Board computer model URBEMIS2002 estimates a simultaneous daily disturbance area of 70.8 acres for purposes of daily PM₁₀ calculations for a project of this magnitude. The maximum PM₁₀ emissions for this scenario compared to the 100-pound per day significance threshold are as follows:

Minimum dust control	1,869 lb/day
With use of BACMs	708 lb/day

Significance thresholds for PM_{10} emissions would be exceeded by a very large margin. Aside from utilizing BACMs, the only effective emissions reduction would be to reduce the daily disturbance footprint. Because regulation of the grading area is difficult to control, and because spreading the grading over a longer period increases the timeframe over which off-site residents may be exposed to grading activity impacts, PM_{10} impacts from grading would result in a significant impact to air quality during the construction period, even after the application of all available control measures.

In addition to small dust particles that remain suspended in the air semi-indefinitely, construction also generates many large particles that are easily filtered by human breathing passages, but settle out rapidly on parked cars and other nearby horizontal surfaces. Large particle emissions thus comprise more of a soiling nuisance rather than any potentially unhealthful air quality impact. With prevailing daytime west to east winds, dust-soiling potential is greatest directly east of the project site. Control of fine particulates also results in substantial reduction in nuisance potential from larger particulate matter. While dust deposition can be minimized, it often cannot be completely eliminated. While temporary soiling nuisance is considered adverse, it does not constitute a significant air quality impact because it is mainly confined to the disturbance area itself.

It should be noted that current regulatory philosophy relative to airborne particulates is that PM_{10} is not an adequate predictor of potential health impacts. It has been clearly demonstrated that the health risk lies in much smaller particulate matter with diameters of 2.5 microns or less, identified as $PM_{2.5}$. $PM_{2.5}$ is made from combustion sources or from chemical reactions among chemically active gaseous pollutants. Soil disturbance contributes negligibly to $PM_{2.5}$, and soil disturbance material is normally chemically inert. New national AAQS were adopted on July 17, 1997, and California adopted its own standard on June 20, 2002. Research has shown that mechanical abrasion processes such as clearing or grading of soil contribute little to the area $PM_{2.5}$ burden. Although grading is a potential major PM_{10} contributor, $PM_{2.5}$ impact potential is considered negligible.

Equipment exhaust emission levels vary from day-to-day and from one contractor to another. They also depend upon the project build-out year because equipment exhaust characteristics from off-road equipment would change substantially in response to current standards for new equipment introduction into the vehicle fleet. Because of uncertainty in probable equipment usage factors and fleet characteristics, daily emissions for construction activities have not been quantified. However, because of the non-attainment status of the air basin for ozone, it is presumed that construction activities associated with the *Village 7 SPA Plan* would contribute ozone precursors that would temporarily exacerbate the non-attainment status of the air basin, significantly impacting air quality.

Application of paintings and coatings may create substantial VOC (ROG) emissions that may exceed the adopted 55-pound per day threshold, if one presumes "default" factors of paint volatility and application rates. If construction activities associated with development of the *Village 7 SPA Plan* exceeded the 55-pound per day threshold for ROG emissions, then a significant impact would occur.

Construction activities are most noticeable in the immediate vicinity of the construction site. There is, however, some potential for "spill-over" into the surrounding community. Spillage may be physical, such as dirt tracked onto public streets or dropped from trucks, or it may be through congestion effects where

detours, lane closures, or construction vehicle competition with non-project peak hour traffic slows traffic beyond the immediate construction site to less pollution-efficient travel speeds. Such off-site effects are controllable through good housekeeping and proper construction management/scheduling.

The California Air Resources Board (ARB), in the development of the statewide PM₁₀ emissions inventory, estimates that the average disturbance footprint for a single family home is one-seventh acre. Development associated with the proposed project would occur on 288.5 acres, and it is assumed the rough grading would be done in entirety and would take a few months to complete. As a worse case scenario, the project is presumed to have a nine-acre disturbance "footprint" for dust generation on a daily basis. For a nine-acre "footprint," PM₁₀ emissions generated during construction are estimated to be approximately 238 pounds per day with the use of standard dust control measures, which is in excess of the 150 pound per day threshold. This is considered a significant impact from construction. Enhanced dust control measures would be implemented as part of the project. Enhanced control measures can achieve 80 percent control efficiencies compared to the 50 percent attainable with watering alone as the only standard dust control measure. The ARB assigns a PM₁₀ emissions rate of 10.2 pounds per acre when additional dust control is practiced beyond once daily watering. With adoption of enhanced dust control measures, maximum daily PM₁₀ emissions can thus be maintained at 92 pounds per day. This would be below the PM₁₀ significance threshold of 150 pounds/day. With the use of best available control measures (BACMs) for dust control, temporary PM₁₀ impacts from project construction would be insignificant.

Operational Impacts

Mobile Sources

The proposed *Village 7 SPA Plan* would impact air quality almost exclusively through the vehicular traffic generated by project residents.

Mobile source emissions from project-related traffic were calculated using the URBEMIS2002 computer model. Exact dates of *Village 7 SPA Plan* build out are unknown at this time. Emissions have been calculated for Years 2005, 2010, 2015 and 2020. The emissions are broken out into "area source" emissions (natural gas for space heating and hot water, landscape maintenance, cleaning products, etc.) and "mobile source" emissions (vehicular emissions) and then combined and compared to the recommended significance thresholds as shown in Table 4.5-6, *Project-Related Mobile and Area Source Emissions*.

As shown by Table 4.5-6, *Project-Related Mobile and Area Source Emissions*, thresholds would be exceeded in all of the years analyzed for ROG, CO and PM₁₀. Additionally, NO_x emissions would decrease to sub-threshold levels by 2010, and SO₂ emissions never approach its threshold. The proposed project represents a substantial contribution to emissions in an existing non-attainment area for ozone and PM₁₀. Air quality impacts would be slightly reduced by compliance with City of Chula Vista requirements, but not to below a level of significance. Therefore, traffic generated by the *Village 7 SPA Plan* would contribute to the air pollution in burden in a non-attainment air basin, which is considered as a cumulatively significant impact to air quality.

**TABLE 4.5-6
PROJECT-RELATED MOBILE AND AREA SOURCE EMISSIONS (POUNDS/DAY)**

Year	ROG	NO_x	CO	PM₁₀	SO₂
2005					
Area Sources	61.6	18.0	19.0	0.1	0.3
Mobile Sources	210.4	216.7	2,165.8	184.7	1.9
TOTAL	272.0	234.7	2,184.8	184.8	2.2
Significance Thresholds	55	250	550	100	250
<i>Exceeds Threshold?</i>	Yes	No	Yes	Yes	No
<i>Percent of Threshold</i>	495	94	397	185	1
2010					
Area Sources	61.6	18.0	19.0	0.1	0.3
Mobile Sources	147.1	146.6	1,455.7	184.3	1.1
TOTAL	208.7	164.6	1,474.7	184.4	1.4
Significance Thresholds	55	250	550	100	250
<i>Exceeds Threshold?</i>	Yes	No	Yes	Yes	No
<i>Percent of Threshold</i>	379	66	268	184	1
2015					
Area Sources	61.6	18.0	19.0	0.1	0.3
Mobile Sources	99.3	88.8	903.2	184.0	1.1
TOTAL	160.9	106.8	922.2	184.1	1.4
Significance Thresholds	55	250	550	100	250
<i>Exceeds Threshold?</i>	Yes	No	Yes	No	No
<i>Percent of Threshold</i>	293	43	168	184	1
2020					
Area Sources	61.6	18.0	19.0	0.1	0.3
Mobile Sources	75.2	60.9	658.7	183.9	1.0
TOTAL	136.9	78.8	677.7	184.0	1.3
Significance Thresholds	55	250	550	100	250
<i>Exceeds Threshold?</i>	Yes	No	Yes	Yes	No
<i>Percent of Threshold</i>	249	32	123	184	1

Source: URBEMIS2002 Computer Model; Output in Appendix.

Other Sources

Secondary project-related atmospheric impacts derive from a number of other small, growth-connected emissions sources such as increased fossil-fuel combustion in power plants from project electricity requirements, evaporative emissions at gas stations or from paints, thinners or solvents used in construction and maintenance, increased air travel from area visitors, dust from tire wear and re-suspended roadway dust, etc. All these emission points are either temporary, or they are so small in comparison to project-related automotive sources such that their impact is negligible and in any event, not possible to quantify. However, the *Village 7 SPA Plan*, like all new development projects in the City of Chula Vista, would result in growth that increases air pollution emissions from a wide variety of sources. Such growth would further inhibit the near-term attainment of all clean air standards in the San Diego Air Basin (SDAB). Therefore, operation of the *Village 7 SPA Plan* would result in stationary impacts that contribute to existing non-attainment within the air basin.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Air Quality Improvement Plan (AQIP)

The proposed *Village 7 SPA Plan* AQIP applies to the McMillin Otay Ranch, LLC TM project site. McMillin has chosen to participate in the Chula Vista GreenStar Efficiency Program, which is reflected in the proposed *Village 7 SPA Plan* AQIP. The primary goal of the GreenStar Program is to shift residential building practices toward approaches that conserve energy and resources while improving the environment and strengthening the economy. The greatest benefit to energy conservation is a reduction in NOx emissions.

Construction Impacts

Temporary air emissions associated with construction activities are due to soil disturbance dust emissions and combustion pollutants from on-site construction equipment and from off-site trucks hauling dirt, cement or building materials. These emissions are variable in time and space and differ considerably among various construction projects; therefore, such emission levels can only be estimated with a corresponding uncertainty in precise ambient air quality impacts. However, because of the non-attainment status of the air basin for ozone, it is presumed that construction activities associated with the McMillin Otay Ranch, LLC TM would contribute ozone precursors that would temporarily exacerbate the non-attainment status of the air basin, potentially creating significant air quality impacts.

As discussed above, PM₁₀ emissions are of concern. The PM₁₀ emission factor for project-related soil disturbance is around 55 pounds per day per acre disturbed in the absence of any dust control. Minimum dust control that complies with APCD nuisance abatement regulations reduces the PM₁₀ emissions rate to an estimated 26.4 pounds per acre per day. Multiple daily watering and implementation of other aggressive dust control techniques can reduce PM₁₀ emissions to about 10 pounds per graded acre. Because San Diego is a non-attainment area for PM₁₀, construction activities would result in a significant air quality impact. Best available control methods (BACMs) are recommended and are detailed in the mitigation discussion.

Operational Impacts

Mobile Sources

Once completely developed the McMillin Otay Ranch, LLC TM would generate approximately 3,100 daily trips from the single-family residences, 3,584 daily trips from the multi-family units, 38 daily trips from the neighborhood park, 33 daily trips from the community purpose facility, 5,900 trips from the high school, and 999 trips from the elementary school. A total of 13,654 daily trips would be generated. Any vehicular trips would contribute air emissions to a non-attainment air basin, contributing to cumulatively significant air impacts.

Other sources

As with the entire *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM project would result in secondary project-related atmospheric impacts derived from increased fossil-fuel combustion in power plants from project electricity requirements, evaporative emissions at gas stations or from paints, thinners or solvents used in construction and maintenance, increased air travel from area visitors, dust from tire wear and re-suspended roadway dust, and other operational sources associated with new development. Such development would further inhibit the near-term attainment of all clean air standards in the SDAB.

C. OTAY PROJECT LP TENTATIVE MAP

Air Quality Improvement Plan (AQIP)

The Otay Project LP has chosen to participate in the Chula Vista GreenStar Efficiency Program, which is reflected in the proposed *Village 7 SPA Plan AQIP*. The primary goal of the GreenStar Program is to shift residential building practices toward approaches that conserve energy and resources while improving the environment and strengthening the economy. The greatest benefit to energy conservation is a reduction in NO_x emissions.

Construction Impacts

Construction impacts are temporary in nature; however, they generate emissions that may affect air quality. Such emissions are due to soil disturbance dust emissions and combustion pollutants from on-site construction equipment and from off-site trucks hauling dirt, cement or building materials. These emissions are variable in time and space and differ considerably among various construction projects; therefore, such emission levels can only be estimated with a corresponding uncertainty in precise ambient air quality impacts. However, because of the non-attainment status of the air basin for ozone, it is presumed that construction activities associated with the Otay Project LP TM would contribute ozone precursors that would temporarily exacerbate the non-attainment status of the air basin, potentially creating significant air quality impacts.

As discussed above, PM₁₀ emissions are of concern. The PM₁₀ emission factor for project-related soil disturbance is around 55 pounds per day per acre disturbed in the absence of any dust control. Minimum dust control that complies with APCD nuisance abatement regulations reduces the PM₁₀ emissions rate to an estimated 26.4 pounds per acre per day. Multiple daily watering and implementation of other aggressive

dust control techniques can reduce PM₁₀ emissions to about 10 pounds per graded acre. Because San Diego is a non-attainment area for PM₁₀, construction activities would result in a significant air quality impact.

Operational Impacts

Mobile Sources

Development of 375 single-family dwelling units would generate a total of approximately 3,750 daily trips and the 1.8-acres of community purpose facility use would generate a total of approximately 51 daily trips. A total of 3,801 daily trips would be generated. Any vehicular trips would contribute air emissions to a non-attainment air basin, contributing to cumulatively significant air impacts. There are no other uses proposed for the Otay Project LP TM which may generate air emissions.

Other Sources

As with the entire *Village 7 SPA Plan*, the Otay Project LP project would result in secondary project-related atmospheric impacts derived from increased fossil-fuel combustion in power plants from project electricity requirements, evaporative emissions at gas stations or from paints, thinners or solvents used in construction and maintenance, increased air travel from area visitors, dust from tire wear and re-suspended roadway dust, and other operational sources associated with new development. Such development would further inhibit the near-term attainment of all clean air standards in the SDAB.

4.5.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Implementation of the *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM and Otay Project LP TM would result in temporary and long-term air quality impacts. Construction activities associated with development of the SPA plan and TMs would result in short-term significant impacts to air quality, as they would contribute emissions to a non-attainment air basin. Operation of the project would result in vehicular trips and area sources that would contribute emissions to a non-attainment basin. The area sources emissions would cause significant thresholds to be exceeded for this project, and the project would result in significant, unmitigable air quality impacts. Once the *Village 7 SPA Plan* project area is built out, the major source of air pollution would be from project-related traffic emissions. As shown by Table 4.5-6, *Project Related Mobile and Area Source Emissions*, these emissions would exceed the thresholds for ROG, Nox, CO, and PM₁₀ in Year 2005, resulting in cumulatively significant air quality impacts.

4.5.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

Air quality impact mitigation is a standard requirement for all new major development in Chula Vista. A menu of mitigation measures has been developed and recommended for inclusion in development projects. The following mitigation measure has been identified for the *Village 7 SPA Plan*.

4.5-1 *The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:*

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

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM requires mitigation to reduce significant air quality impacts associated with construction activities. Implementation of mitigation measure 4.5-1 listed above, would reduce air quality impacts related to construction to below a level of significance.

Operation of the project would generate vehicular trips that would contribute air emissions to a non-attainment air basin. This is considered a significant impact, and no mitigation exists to reduce this impact to below a level of significance.

C. OTAY PROJECT LP TENTATIVE MAP

Development of the Otay Project LP TM requires mitigation to reduce significant air quality impacts associated with construction activities. Implementation of mitigation measures 4.5-1 listed above, would reduce air quality impacts related to construction to below a level of significance.

Operation of the project would generate vehicular trips that would contribute air emissions to a non-attainment air basin. This is considered a significant impact, and no mitigation exists to reduce this impact to below a level of significance.

4.5.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Compliance with City of Chula Vista requirements and implementation of the mitigation measure identified in Section 4.5.5 would reduce air quality impacts associated with construction activities of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM. While construction related impacts would be reduced to below significance, mobile source emissions would not be reduced to less than significant levels; therefore, operation related impacts to air quality would remain significant and unmitigated. Adoption of a Statement of Overriding Considerations would be required should the decision-makers choose to approve this project.

4.6 LANDFORM ALTERATION/AESTHETICS

The Otay Ranch GDP Program EIR (EIR 90-01/SCH#89010154) analyzed the existing conditions and potential impacts related to landforms and aesthetics for the entire Otay Ranch project area and presented mitigation measures when pertinent. The Program EIR identified significant impacts to landform alteration and aesthetics due to change of land use from undeveloped to urban, and due to the alteration of significant or sensitive landforms. Relative to aesthetics, nighttime lighting impacts were found to be less than significant. Mitigation identified included the incorporation of specific landform alteration standards into the GDP Plan and specific measures at the SPA level to reduce grading and visual resource impacts. The landforms and aesthetics section from the Program EIR is applicable to the proposed *Village 7 SPA Plan* project because the project would convert undeveloped land to urban uses and would involve landform alteration to achieve the overall plan. Additionally, new sources of lighting would be introduced. The analysis and discussion of landform and visual elements of the project site from the Program EIR is hereby incorporated by reference.

As stated in the Program EIR, effects on future views within the project site and from future adjacent developments shall be evaluated at the SPA level. The following discussion specifically addresses landform alteration and aesthetic impacts associated with the *Village 7 SPA Plan*, as well as the associated development of the McMillin Otay Ranch, LLC and Otay Project LP TMs.

4.6.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

Landforms

In general, topography within the City of Chula Vista varies from flat, coastal areas on the City's west side to higher elevation Peninsular Range mountain areas on the City's east side. The *Village 7 SPA Plan* project site is situated within the western foothills of the Peninsular Range, which is a region of parallel northwest-southeast trending mountain blocks and faults. Offsite landforms in the greater vicinity of the project site include Lower Otay Lake to the east, the San Ysidro foothills and mountains to the southeast, and Otay Mesa to the south. Offsite landforms proximate to the project site but outside its boundaries include Otay River Valley to the south; Salt Creek Canyon to the east; Johnson Canyon to the southeast; O'Neal Canyon to the southeast; Telegraph Canyon to the north; and Rock Mountain to the southwest. Onsite landforms include portions of Wolf Canyon and Poggi Canyon, as shown by Figure 4.6-1, *Landforms*.

The 288.5-acre project site and off-site connector road area is predominantly characterized by gently rolling hills and eroded terraces. It has been smoothed by years of dry farming and is currently undeveloped. Wolf Canyon, the primary substantial landform on the project site, is a tributary canyon that feeds into the Otay River Valley at a location southwest of the project site. Wolf Canyon contains steep slopes along its periphery, and more gentle slopes along its narrow bottom. The upper reaches of Wolf Canyon extend easterly into the northern portion of the project site in an east-west direction. The southern reaches of Poggi Canyon are located on the northern portion of the project site.

Site elevations range from approximately 580 feet AMSL on the hilltops to approximately 410 feet AMSL in the canyon fingers (see Figure 2-5, *Existing Topography*). Hilltops on the northeastern corner of the project site are the highest elevations on site (approximately 580 feet AMSL). The lowest portion of the site, approximately 410 feet AMSL, occurs along the western edge of the site, in an upper reach of Wolf Canyon.

Drainage of the site is generally from east to west, into Wolf Canyon, although part of the northern portion of the site drains into Poggi Canyon.

According to the Program EIR, slopes greater than 25 percent have been identified as significant visual resources within the Otay Ranch GDP area. The Otay Ranch GDP requires the preservation of 83 percent of existing steep slopes with gradients of 25 percent or greater. Within the *Village 7 SPA Plan* project site, slopes greater than 25 percent occur along Wolf Canyon, which is the only significant landform feature occurring within the project site. Approximately [21.423.9](#) acres of slopes greater than or equal to 25 percent occur within the [Village 7 SPA Plan](#) project area (see Figure 4.6-2, *Steep Slopes within the Village 7 SPA Plan*), [with an additional 1.8 acres of steep slopes affected by the off-site borrow area for the Otay Project LP TM](#).

As stated previously, the project site is currently undeveloped. It has been historically used for grazing and dry agriculture. No improved roads run through the site, although a dirt access road traverses the northern portion of the site. As part of the current development of Otay Ranch GDP Village 6 immediately north of the project site, Birch Road is being constructed along the northern boundary of the project site.

Village 6 is currently under development to the north of the project site, and the FAA VORTAC facility is located to the south and west of the project site. All other areas surrounding the project site are undeveloped. The undeveloped areas surrounding the project site are planned for future development as other part of the Otay Ranch GDP. These include Villages 2 and 4 to the west, the Eastern Urban Center to the east, and the Otay Land Company, FAA, and Stephen & Mary Birch Foundation ownerships within Village 7 to the south (see Figure 2-3, *Otay Ranch GDP Villages Map*). These areas would be developed with a mix of land uses.

Parallel to the processing of the *Village 7 SPA Plan*, SUHSD is processing the development of Sweetwater Union High School #13 within Village 7 of the Otay Ranch GDP. The high school would be developed on the Stephen & Mary Birch Foundation ownership within Village 7, as well as on the southern portion of the McMillin Otay Ranch, LLC property. An EIR has been prepared by SUHSD for the proposed Sweetwater Union High School #13 project.

Compatibility with the Otay Ranch GDP and Phase 2 RMP

The Otay Ranch General Development Plan (GDP) and Resource Management Plan (RMP) established a ranch-wide standard that required preservation of at least 83 percent of the steep slopes (slopes with gradients of 25 percent or greater) throughout the Otay Ranch. As an implementing action of the GDP/RMP, a steep slope allocation table (Exhibit 29) was provided as part of the Phase 2 RMP. This original steep slope tabulation assumed that approximately 1,301 steep slopes acres would be impacted, and specifically allocated 16.1 acres of steep slope impact to Village 7.

In November 1998, the SPA One Plan revised the original steep slope allocations to Villages One, Five, Thirteen and Fifteen. Based on this reallocation, the total number of estimated steep slopes impacts in Otay Ranch was reduced to 1,281.5 acres. Overall, the SPA One revisions resulted in a net “surplus” of 18.8 acres of steep slope encroachment as compared to the originally forecasted GDP impact of 1,301 acres. In addition, based on a current tabulation for completed SPA plans (Villages One, Five, Six, Eleven, and the Freeway Commercial), it has been estimated that an additional 8.8 acres of steep slopes were not impacted as a part

Figure 4.6-1, Landforms

Figure 4.6-2, Steep Slopes within the Village 7 SPA Plan

of the grading for these projects. The combination of both of these totals results in a total surplus of 27.6 (18.8 + 8.8) acres of steep slopes that can be disturbed, while still maintaining the 83 percent slope preservation standard.

The Phase 2 RMP requires that the application of the preservation standard must be reviewed and monitored as additional Otay Ranch villages are processed to ensure that the ranch-wide goal of steep slope preservation is maintained. While maintaining consistency with the GDP standard for steep slopes, the Phase 2 RMP further allows some flexibility on steep slope encroachment outside of the acreage allocated for each village if a justification is provided explaining why the excess encroachment would not jeopardize the ability to achieve the 83 percent slope preservation standard.

Views

To illustrate the existing conditions of the project site, a series of photographs have been taken from various locations (see Figure 4.6-3, *Site Photographs*). These photographs provide a visual inventory of the site's existing visual quality, as described below.

Views of the Project Site

The project area is visible from agricultural use areas surrounding the project site and from the construction operations presently occurring at Village 6. Rolling hills, grassy vegetation, and Wolf Canyon are the prominent visual features of the project site. There are no structures seen on the project site.

As shown by Site Photo #1, the upper reach of Wolf Canyon located on the project site is a shallow canyon, with average slopes rising to the north and south. A few bushes are seen within the canyon, but there are no significant resources present. The unnamed canyon located further south in the project site is also a shallow canyon, with less steep slopes than Wolf Canyon (see Site Photo #6). No significant resources are present in this canyon.

The 51.9-acre FAA VORTAC site is located at the top of a hill, south and west of the *Village 7 SPA Plan* project area. It is surrounded by a chain-link fence and has a white, antenna structure located in its center (see Site Photo #5). Dry, low-lying shrubbery is found throughout this area.

Views from the Project Site

From the project site and connector road area, prominent views are comprised of Wolf Canyon to the west, Rock Mountain to the south, and more distant views of the Jamul Mountains toward the east and northeast (see Figure 4.6-4, *Views from the Project Site*). Nearby developed and/or developing areas, including the Eastlake community and Village 6, are visible on the north side of the project site (see Site Photos #5 and 6). To the east of the project site and connector road, agricultural lands scattered with large bales of hay dominate the landscape (see Site Photos #2 and 4).

Nighttime Light

Mount Palomar and Mount Laguna are two major observatories that are located approximately 50 miles north and 35 miles northeast, respectively, from the project site. Both of these observatories use large telescopes and conduct astronomical and other related research. Light pollution within a 30 to 40 mile

radius of the observatories must be controlled.

The project site is not currently lighted at night. However, the areas surrounding the site are either currently being developed with urban uses or have been approved for future urban development. Therefore, the project site is part of an urban lighted area, especially when viewed from a distance of 35 to 50 miles.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM proposes development on approximately 180.2 acres in the eastern portion of the *Village 7 SPA Plan*. This land has been previously disturbed by past farming activities. The northernmost area recently served as a borrow site for construction associated with Village 6 to the north and was evaluated as part of the certified Village 6 SPA Final EIR. An existing dirt road runs through the site in an east-west direction, south of the staging area. In general, the northern portion of the McMillin Otay Ranch, LLC TM site slopes southerly towards Wolf Canyon, the central portion of the site slopes northerly towards Wolf Canyon, and the southern portion of the site slopes southerly to the unnamed canyon. [Approximately 2.5 acres of steep slopes occur within the McMillin Otay Ranch, LLC TM area.](#)

The McMillin Otay Ranch, LLC TM project site is bordered by Birch Road to the north (under construction), future SR 125 to the east, the Stephen & Mary Birch Foundation property to the south, and the proposed Otay Project LP TM and the FAA VORTAC aviation facility to the west. North of Birch Road, a church and private high school are being constructed as part of Village 6.

The McMillin Otay Ranch, LLC TM site, including the off-site connector road, is characterized by hilly terrain and canyons. The dominant landform within this site is Wolf Canyon; however, an unnamed canyon also runs east-west through the southern portion of the site.

SUHSD is conducting the parallel evaluation of a potential high school site within Village 7, which would be located on a portion of the site being considered for the proposed SUHSD High School #13 (approximately 23.4 acres) would be located within the McMillin Otay Ranch, LLC ownership. The remainder of the proposed high school site would be off-site on the Stephen & Mary Birch Foundation ownership.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM covers 108.3 acres in the western portion of the *Village 7 SPA Plan*. This land has been historically farmed and is currently undeveloped. It is surrounded by Birch Road to the north (under construction), the proposed McMillin Otay Ranch, LLC TM area to the east, the FAA VORTAC facility to the south, and a dirt access road lined with telephone poles to the west. Across Birch Road to the north, residential units are under construction as part of Village 6. No other existing development occurs in the project vicinity; however, multi-family residential, commercial, and community purpose facility uses are proposed across La Media Road as part of the Village 2 SPA Plan currently being processed through the City.

The major land feature within the Otay Project LP TM site is Wolf Canyon, which forms the southern boundary of the site. The Otay Project LP TM area slopes in a generally southerly direction to Wolf Canyon, with the northernmost portion sloping northerly to Poggi Canyon. [Approximately 23.2 acres of steep slopes occur within the Otay Project LP TM area, which includes 21.4 acres within Village 7 and 1.8 acres at the off-site borrow area.](#)

Figure 4.6-3, Site Photographs – page 1

Figure 4.6-4, Views from the Project Site – page 1

Figure 4.6-4, Views from the Project Site – page 2

The Otay Project LP TM proposes fill from an off-site borrow site. Fill material would come from the portion of Village 4 proposed as a community park site. This off-site area is located southwest of the Otay Project LP TM site, south of Wolf Canyon. The proposed borrow site is 44.4 acres in size and characterized by undeveloped land, previously used for agricultural purposes.

4.6.2 Thresholds of Significance

According to Appendix G the CEQA Guidelines, the proposed project would have a significant impact on landform and visual quality if it would:

- ◆ Have a substantial adverse effect on a scenic vista, or obstruct or substantially alter the visual character of a designated public view;
- ◆ Substantially damage scenic resources such as trees, rock outcroppings, and historic buildings within a state scenic highway;
- ◆ Result in architecture, urban design, landscaping, and/or landforms that negatively detract from the prevailing aesthetic character of the site or surrounding area; or
- ◆ Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Program EIR concludes that the Otay Ranch GDP would result in significant unmitigable impacts to landform/visual resources. This EIR tiers off the Otay Ranch GDP Program EIR; therefore, in addition to the thresholds presented above, the following thresholds associated with landform alterations and aesthetics will serve as the basis for determining impacts related to the proposed *Village 7 SPA Plan* project:

- ◆ An unavoidable adverse change in the existing visual character of the project site;
- ◆ Alteration in areas of sensitive landforms;
- ◆ Grading of steep slopes that may be visible from future development and roadways.

4.6.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

Aesthetics and Visual Character

Aesthetic impacts are evaluated through an examination of the proposed project's effects on the visual character of a site (or area) and related viewsheds. Visual character is comprised of a combination of elements, including land use, architecture, design, and building height and/or mass. The visual character of a project is evaluated in relation to the surrounding land uses and within the context of its neighborhood.

The proposed *Village 7 SPA Plan* would lead to the development of 756 single-family residential units, 448 multi-family residential units, an elementary school, a high school, a trail and open space system, three community purpose facilities, a transit stop, and a neighborhood park. In addition, roadways would be developed and a pedestrian bridge may be constructed over La Media to provide a connection between the regional trail planned for Village 7 and the regional trail planned for Village 4. Construction activities associated with the development of the *Village 7 SPA Plan* would introduce large machinery to the site for a short duration. The presence of large trucks, bulldozers, and other equipment associated with construction and staging activities would be short-term and temporary in nature and is not considered a significant

visual impact.

It is anticipated that both the McMillin Otay Ranch, LLC and the Otay Project LP TMs would develop at approximately the same time as part of the *Village 7 SPA Plan*. Once developed, the *Village 7 SPA Plan* would be the start of an urban village within Otay Ranch that would establish the community design theme of “California Heritage.” Landscaping based on the plant list contained in the Design Plan would be used around the boundary of site, at entries into the village, along streets, and throughout the village to enhance the community theme. The project would also include walls and fencing, signage, and lighting.

According to the *Village 7 SPA Plan*, the single-family residential units within the proposed project site would include a variety of sizes, shapes, colors and materials, which would promote a visual interest in the built environment. The proposed single-family residential structures would be a mix of one- and two-stories and would promote a high quality suburban appearance. The building façades would include building characteristics such as a variation in architectural style, visually reduced garages, and detailed entry features such as doors, windows, porches, patios, and other features that are oriented toward the street. The proposed multi-family residential structures would also utilize visually interesting architecture. The structures would be articulated with elements such as wall offsets, balconies, and windows. Street facing façades would be provided such as trellises, patios and doorways. Non-residential structures proposed within the *Village 7 SPA Plan* would be developed in a large range of building sizes and uses. Non-residential structures would include accents in color, texture and pattern changes to provide visual interest to those buildings. Buildings within the complexes would appear as an assemblage of integrated smaller forms.

The pedestrian bridge crossing over La Media Road would introduce a visual element along the roadway, if the bridge were to be developed. The bridge is intended to provide a safe pedestrian crossing for users of the regional trail. The bridge would be constructed high enough to allow the passage of large vehicles, such as fire truck and buses. Pedestrian bridges are found in other places within the City (see Figure 4.6-5, *Example of a Pedestrian Bridge*) and are not considered to result in significant visual impacts.

Landform Alteration

To accommodate the proposed development of the *Village 7 SPA Plan* project, grading of the entire 288.5-acre project site would occur. According to the conceptual grading plan for the *Village 7 SPA Plan* (see Figure 3-5, *Conceptual Grading Plan*), development of the proposed project would result in the grading of approximately 7,500,000 cubic yards (cy) of cut and fill.

As shown by Figure 4.6-6, *Proposed Topography*, grading of the *Village 7 SPA Plan* would generally follow existing topographical patterns. The northeast portion of the project site would remain as the highest area and would gradually slope down towards the lowest elevations found within Wolf Canyon. Some grading along the southern edge of the FAA VORTAC facility would occur in association with the connector road; however, the majority of grading is proposed around this site. As proposed, SR 125 would be located below the southern portion of the project site and at a higher elevation in the northern portion.

Along the western boundary of the *Village 7 SPA Plan* project site, grading to accommodate the crossing of future La Media Road would result in a significant landform change. As shown by Figure 4.6-6, *Proposed Topography*, to accommodate future La Media Road, Wolf Canyon would be filled to a height of 400 feet AMSL, approximately 30 feet above the existing canyon bottom. A 20-foot high slope would Figure 4.6-5,

Example of a Pedestrian Bridge

Figure 4.6-6, *Proposed Topography*

be created along the eastern side of La Media within Wolf Canyon, and a 40-foot high slope would result on the western side of La Media within Wolf Canyon. The filling of Wolf Canyon and creation of tall slopes is considered a significant landform alteration impact. Slopes associated with the off-site connector road are not considered a significant impact.

As depicted on Figure 4.6-2, *Steep Slopes within the Village 7 SPA Plan*, the *Village 7 SPA Plan* area includes approximately [21.3923.9](#) acres of impacted steep slopes. This estimated impact to steep slopes within Village 7 would exceed the RMP steep slope allocation by approximately [5.37.8](#) acres. Although the Village 7 project is anticipated to exceed the allotted steep slope allocation for the village, the ranch-wide steep slope preservation standard would still be met given the additional surplus of 27.6 acres of steep slope allocation that has been generated from the SPA One revisions and the currently completed SPA plans.

Views

Other than the undeveloped rolling hillsides, the project site, including the off-site connector road, does not contain any significant scenic resources. No trees or rock outcrops are located within the project area. The upper reaches of Wolf Canyon that extend onto the project site do not contain sensitive species and are not considered a significant scenic resource. The project would include implementation of the Village Greenway, identified by the City as an open space corridor, which would preserve the views of Wolf Canyon. Additionally, the project would develop three landscaped water quality and detention basins within Wolf Canyon east of proposed Magdalena Avenue, which would change current views of this area from an agricultural area to an area that has been modified by humans (see Figure 4.6-7, *Wolf Canyon and Park Concept Sketch*). While the introduction of detention basins within Wolf Canyon would change views of this area, it is not considered an adverse visual impact. The landscaped detention basins proposed would provide trees and greenery, which would provide a visual enhancement to the otherwise dry and denuded canyon bottom.

As shown by Figure 4.6-6, *Proposed Topography*, development of the *Village 7 SPA Plan* would result in residential, park, school, community purpose facilities, and open space land uses that would surround the FAA VORTAC site. It is expected that the FAA VORTAC facility would eventually relocate off-site and urban uses would be constructed at this site, in accordance with the Otay Ranch GDP. However, until that occurs, development of the *Village 7 SPA Plan* project would result in a visual impact associated with views of the FAA site.

Development of the proposed project would change the view of the site from an undeveloped area used for agricultural activities to an urban area consisting of single-family residential, multi-family residential, public and community purpose facilities, school, open space, and park uses. Development of this site has been identified by both the City's General Plan and the Otay Ranch GDP. However, as discussed in the Program EIR, the conversion of undeveloped land to urban uses is significant and unmitigable. The proposed project would also result in a similar significant visual impact due to the development of undeveloped land, and the resulting manufactured pads and slopes.

The altered views of the site would include changes in the streetscape as viewed by motorists along existing La Media Road to the northwest. Such altered views would include graded lands incorporating residential uses as well as community facilities. La Media Road is the nearest existing roadway to the project site; there are no other public roadways proximate to the east, west, or south of the site. La Media Road is not identified as a

scenic corridor, and no impacts would occur as a result of the change in visual appearance for Village 7.

Figure 4.6-7, *Wolf Canyon and Park Concept Sketch*

According to the Chula Vista General Plan, the nearest scenic corridor to the project site is Olympic Parkway. Olympic Parkway is located approximately one mile north of the project site and does not contain direct views of the *Village 7 SPA Plan* project area. Distant views of the site from Olympic Parkway would change as the vacant site is developed with single-family residential units along the northern perimeter of the site. The proposed development would be similar to the development that is currently being constructed along the southern perimeter of Village 6, which includes single-family uses directly adjacent to the proposed site. In this manner, the project would continue the on-going urban transition along this corridor. In addition, the development would be buffered by the 75-foot landscaped parkways. Therefore, no significant impacts to the views from Olympic Parkway would result.

According to the *Village 7 SPA Plan Design Plan*, perimeter walls or fencing would separate the project site from adjacent areas and circulation element roadways surrounding the site. These walls would serve as noise and visual barriers, as well as for security purposes. As discussed in Section 4.4, *Noise*, of this EIR, noise walls would be required to reduce traffic noise from Birch Road, La Media Road, and SR 125 to below significant levels. As discussed in Section 4.4, additional noise studies would be required to determine the exact heights of the noise walls. However, it is anticipated that the walls would be a maximum of seven feet along Birch Road, and six feet along La Media Road. Additionally, noise walls up to 14 feet in height would be required along the eastern edge of the project site, adjacent to SR 125. Wall heights are limited to a maximum height of eight and one-half feet by the City of Chula Vista. Therefore, any noise wall exceeding this height would be constructed as a combination berm/wall, with the wall portion not exceeding eight and one-half feet.

The *Village 7 SPA Plan* identifies the following guidelines for walls and fencing. Compliance with these guidelines would ensure any noise walls required by the project would be compatible with the community theme, and no visual impacts would occur.

1. Walls should be made of a textured surface materials that is compatible with the design of the neighborhood area.
2. The monotony of a long wall should be broken by visual relief through periodically recessing the wall or constructing pilasters.
3. Landscaping, such as trees, shrubs or vines, should be used to soften the appearance of the wall.
4. Walls which serve as a subdivision exterior boundary should be up to six feet in height from the highest finished grade, unless required to be higher for noise attenuation purposes.
5. Walls used as rear or side yard walls should be constructed up to six feet in height depending upon the conditions that exist, unless required to be higher for noise attenuation purposes.
6. Combined solid fencing, walls, and open fencing may be used to create interest. Masonry walls are required only where necessary for noise attenuation.
7. Fencing design should avoid long continuous runs. Jogging the fence line to avoid monotony is encouraged where feasible.
8. Sound wall fencing, where required, should be used to mitigate adverse impacts on residential units.
9. Landscape planting should be used to supplement and soften fencing, and obscuring long lengths of fence with vines and shrubs is encouraged.
10. Open fencing should be used in the rear or side yard between homes when privacy is not a

- consideration and the fence is visible from the street (i.e., rear slope fencing).
11. Where side or rear yard fencing abuts a promenade street, changes in plane and/or elevation are encouraged where feasible.

Landscaping would be provided along perimeter walls and on the parkways around the site, in accordance with the *Village 7 SPA Plan* Design Plan. According to the Design Plan, landscaping of La Media Road would incorporate evergreen canopy trees, consistent with the existing Ranch Theme for Otay Ranch. Birch Road would also be lined with a canopy of evergreen trees. Landscaping along SR 125 would include flowering, evergreen shrubs, as well as evergreen trees to help screen the view of the freeway and attenuate traffic noise. Entryway landscaping would be provided at entrance to the site along Birch Road. This would include entryway monumentation and landscaping. Use of landscaping would enhance the visual quality of the project site.

Approximately 49.7 acres within the *Village 7 SPA Plan* would be designated for open space, the majority of which would be in Wolf Canyon. A trail would be constructed along Wolf Canyon, allowing the public to enjoy this open space. Preservation of the Wolf Canyon open space on-site would provide visual relief within the *Village 7 SPA Plan* project area and would provide a visual resource, especially for regional trail users. Other open space areas, such as landscaped buffers, would contribute to the enhancement of the proposed development. The proposed open space areas would contribute to overall visual quality of the project.

Immediately to the south and west of the project site is the FAA VORTAC facility. The FAA VORTAC facility is characterized by a chain-link fence surrounding a white antenna, which is considered incompatible with the proposed residential, commercial, school, park and open space uses. Views of the site would result in a temporary visual impact until the VORTAC's expected redevelopment occurs as part of Village 7, as identified by the Otay Ranch GDP. Because it is unknown how long it would be before the FAA VORTAC facility is removed and the FAA site is redeveloped, views of this facility are considered a significant visual impact.

From the project site, views are of the upper reaches of Wolf Canyon to the west, Rock Mountain to the south, and more distant views of the Jamul Mountains toward the east and northeast. Views into Wolf Canyon would remain at the project site due to the project's location of trails along the canyon. However, these views of Wolf Canyon would be altered from their previous existing condition due to the development of four detention basins and the introduction of landscaping within Wolf Canyon. Distant views of the mountains to the east and northeast would remain visible from the project site due to development of the site on a south-facing slope, use of open space corridors and the low density development of schools proposed on-site, which would include large fields without structures. Development of the project would not result in significant impacts to off-site views from the project.

Development of the *Village 7 SPA Plan* would appear as an extension of the developments proposed to its east and west. The Eastern Urban Center, located immediately east of the project site has been approved for development with commercial uses. Currently, an application has been submitted for development of Village 2, located adjacent to the west side of the *Village 7 SPA Plan* project site, for development of that site with a mix of uses, including residential, commercial, business park, community purpose facility, park, school, and open space. Additionally, Village 6, which is located immediately north of the *Village 7 SPA Plan* project site, is under construction with residential and private school uses. Therefore, development of the *Village 7 SPA Plan* would appear as a logical extension of urban development that surrounds the project site to its east, west, and north. Furthermore, the *Village 7 SPA Plan* project site is envisioned by the Otay Ranch GDP as Village 7,

an Urban Village, not as undeveloped land.

There is no existing development to the east or the west for over 1.5 miles, whose views may be blocked by development of the proposed *Village 7 SPA Plan*. Currently, development of residential uses is occurring to the north of the project site. However, this area is located at a higher elevation than the *Village 7 SPA Plan* project site, and no impacts are expected. The project does not proposed to construct any high-rise buildings which may affect future views from surrounding areas. Therefore, the project would not result in significant impacts to off-site views.

Nighttime Lighting

The proposed *Village 7 SPA Plan* would introduce new sources of light to the area. These would include street lighting, building and landscape accent lighting, lighting at parks and schools, and sign illumination. The *Village 7 SPA Plan* has identified the following three principles for lighting within the project site:

- ◆ Street lights should provide a safe and desirable level of illumination for both motorists and pedestrians without intruding in to residential areas;
- ◆ Lighting fixtures should relate to the human scale especially in pedestrian areas; and
- ◆ Lighting and lighting fixtures should complement the design and character of the environment in which they are placed.

Additionally, all lighting would comply with City standards or an approved lighting program, as approved by the City Engineer. However, the proposed project would result in light or glare impacts if City standards were not complied with. [Relative to the Mount Palomar and Mount Laguna observatories, compliance with the City's standards would ensure no significant impact on the observatories would occur.](#)

Headlights from vehicles driving to and from the *Village 7 SPA Plan* may result in glare to future adjacent residents. The primary entry for the proposed *Village 7 SPA Plan* project is located along Birch Road. The primary entry would be located directly adjacent to residential uses; however, the landscaped parkways and entry monumentation would obstruct glare from the vehicles. No impacts would occur.

Neighborhood Compatibility

Development of the *Village 7 SPA Plan* would permanently alter the visual character of the site from an undeveloped agricultural area to one containing manufactured slopes, structures, roadways and park and open space areas. Currently, Village 6 is under construction to the north, the Eastern Urban Center is slated for future development to the east, and Village 2 is in the process of gaining entitlements for its development to the west. Additionally, Village 4, located west of the *Village 7 SPA Plan* project site, has been identified for future development as an Urban Village by the Otay Ranch GDP. Similarly, the other ownerships within Village 7 are expected to develop in accordance with the Otay Ranch GDP in the future. At buildout of Otay Ranch, the proposed project site would be surrounded by developed areas on all four sides in a manner envisioned by the Otay Ranch GDP. The proposed development of the *Village 7 SPA Plan* would appear as an extension of the surrounding developments. No significant impacts on neighborhood compatibility would occur.

Design Standards

The Otay Ranch GDP requires that a Village Design Plan be prepared for each village at the SPA Plan level of planning. The *Village 7 SPA Plan* Design Plan was developed as a guide for the design of the site plans, architecture, and landscape architecture within the proposed project area. The Design Plan and Planned Community District Regulations have been developed to be consistent with the Otay Ranch Overall Design Plan. Thus, no impacts relative to the village design consistency with the Otay Ranch GDP would occur.

B. MCMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM proposes the development of 310 single-family residential units, 448 multi-family dwelling units, and a 1.1-acre common useable open space/park area, as well as provide for future development of a 7.6-acre neighborhood park, an 11.1-acre elementary school, and a 23.4-acre high school, as well as open space uses, on a total of 180.2 acres. Roadways to serve the project site would also be constructed. Additionally, the project would construct the off-site connector road between La Media Road and Magdalena Avenue. Construction activities associated with the development of these uses would introduce large machinery to the site for a short duration. The presence of large trucks, bulldozers, and other equipment associated with construction and staging activities would be short-term and temporary in nature and is not considered a significant visual impact.

Once developed, the McMillin Otay Ranch, LLC TM would result in a residential community with a park and school uses. As with all of the *Village 7 SPA Plan*, residential development would adhere to the theme of "California Heritage." Landscaping would be based on the plant list contained in the *Village 7 SPA Plan* Design Plan. The project would also include walls and fencing, signage, and lighting.

The residential development would be regulated by the Design Plan for the *Village 7 SPA Plan*. As proposed by the McMillin Otay Ranch, LLC TM, residential units would include a variety of sizes, shapes, colors and materials, which would promote a visual interest in the built environment. The proposed single-family residential structures would be a mix of one- and two-stories and would promote a high quality suburban appearance. The building façades would include building characteristics such as a variation in architectural style, visually reduced garages, and detailed entry features such as doors, windows, porches, patios, and other features that are oriented toward the street. The proposed multi-family residential structures would also utilize visually interesting design and architecture. The structures would be articulated with elements such as wall offsets, balconies, and windows. Street facing façades would be provided such as trellises, patios and doorways.

The neighborhood park and school sites, located in the southern portion of the McMillin Otay Ranch, LLC TM, would contribute to the community feel of this area. The 7.6-acre neighborhood park would be located south of Wolf Canyon and would include elements derived from the typical neighborhood park program described in the City's Parks and Recreation Master Plan, such as a restroom/maintenance building, soccer field/multi purpose turf play area, sport courts (two basketball and one tennis court, which may be lighted), play areas with play equipment, picnic facilities (shelters with BBQ's and picnic tables), skate facility (skateboard and/or roller skate which also may be lighted), walkways (with security lighting), pathways, lighted parking lots and other park support fixtures and furnishings. The Village Greenway open space corridor, which includes the regional trail, would run along the north side of the park. Views of Wolf Canyon would be available from the neighborhood park. Similarly, views of the park would be available

from Magdalena Avenue to the west, which is located three feet downslope of the park, and Street “D” to the east, which would look down onto the park, as well as from the regional trail along Wolf Canyon. The park may be lighted, and any sport field and court lighting would be in operation from 6:30am to 10:30pm seven days a week. Additionally, any sport field and court lighting in parking areas, walkways and on exterior building walls or under roof eaves would be in operation from dusk to dawn. Potential lighting impacts would occur if City regulations were not complied with.

The elementary school would be located directly south of the park site. Grading of this site would result in a flat, vacant pad, which would result in a visual impact to users of the park and motorists along the surrounding roadways – Magdalena Avenue, Street “D,” and Street “E” – until its development. It is unknown when the elementary school would be developed.

The high school would be located south of the elementary school site, south of Street “E.” Grading of this site would result in a flat, vacant pad until its development. As proposed, the high school would be developed as the first phase of development within the *Village 7 SPA Plan*, followed by residential units and other land uses expected after April 2006; therefore, no visual impacts associated with grading of the high school site would occur.

Landform Alteration

To accommodate development of the proposed McMillin Otay Ranch, LLC TM, grading activities would occur. Development of the McMillin Otay Ranch, LLC TM would result in the grading of approximately 3,500,000 cubic yards (cy) of cut and fill. Grading of the site would provide for large, flat, developable areas. As compared to existing conditions, grading of the site would result in a flatter site (see Figure 4.6-8, *Wolf Canyon to Birch Road Cross-Section*). Filling along the sides of Wolf Canyon would occur in order to increase the developable area within the McMillin Otay Ranch, LLC project site. As shown by Figure 4.6-7, *Wolf Canyon and Park Concept Sketch*, the bottom of Wolf Canyon would be raised approximately 50 feet from existing conditions. Landform alteration impacts associated with grading for the McMillin Otay Ranch, LLC TM and the filling of Wolf Canyon are considered significant impacts to landform.

Views

The project site does not contain any significant scenic resources. No trees or rock outcrops are located within the project area or off-site connector road. The upper reaches of Wolf Canyon that extend onto the project site do not contain sensitive species and are not considered a significant scenic resource. Traversing the project is Wolf Canyon. As proposed, the canyon bottom would contain three landscaped water quality and detention basins and a re-created ephemeral stream element, which would change current views of this area from natural open space to open space that has been modified by humans. These basins would be created within the portion of Wolf Canyon on the McMillin Otay Ranch, LLC property, and would accommodate flows from development of the McMillin Otay Ranch, LLC TM as well as from a portion of the Eastern Urban Center to the east. As shown by Figure 4.6-9, *Wolf Canyon Drainage Corridor*, a vegetated low-flow channel would be placed at the bottom of Wolf Canyon, and land would slope gently upwards approximately 20 feet. A vegetated bio-barrier would be planted within Wolf Canyon. Because the portion of Wolf Canyon within the *Village 7 SPA Plan* does not contain any significant resources, and the introduction of landscaping within Wolf Canyon would provide visual enhancement, the construction of detention basins is not considered a significant impact. Rather, the altered open space would provide a visual enhancement to the canyon by introducing greenery and plants of visual interest.

Figure 4.6-8, *Wolf Canyon to Birch Road Cross-Section*

Figure 4.6-9, *Wolf Canyon Drainage Corridor*

Development of the proposed project would change the view of the site from an undeveloped area used for agricultural activities to an urban area consisting of single-family residential, multi-family residential, school, open space, and park uses. The altered views would include changes in the streetscape as viewed by motorists along existing La Media Road to the northwest. Such altered views would include graded land incorporating residential uses as well as community facilities. La Media Road is not identified as a scenic corridor, and no impacts would occur as a result of the change in visual appearance for the McMillin Otay Ranch, LLC TM project site.

As discussed in Section 4.4, *Noise*, of this EIR, noise walls up to seven feet in height would be adjacent to Birch Road to the north, and noise barriers up to 14 feet in height (with maximum 8.5-foot wall) adjacent to SR 125 to the east would be required to reduce noise impacts from traffic along those roadways. These walls would be constructed in accordance with the fencing guidelines contained in the *Village 7 SPA Plan* Design Plan, as identified above. Landscaping would be provided along these perimeter walls and on the parkways around the site. Use of landscaping and construction of perimeter walls would enhance visual quality of the project site from surrounding areas. No visual impacts would occur.

Within the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM site would be bordered by Magdalena Avenue to the west and the Stephen & Mary Birch Foundation property (the proposed high school site) to the south. As discussed in Section 4.3, *Traffic, Circulation and Access*, of this EIR, Magdalena Avenue would have two travel lanes and a six-foot bicycle lane in both directions and up to a 12-foot median. A five-foot sidewalk aligns the east side of the street, separated from the street by an eight-foot landscaped parkway. The west side of Magdalena Avenue would have a 10-foot Village Pathway adjacent to a five-foot sidewalk. The use of parkway and slope landscaping along Magdalena Avenue would contribute to the visual quality along the west side of the project site. At the southern end of the McMillin Otay Ranch, LLC TM, Street "E" would separate the elementary school use from the high school use. Street "E," which is identified as the Village Core Promenade, would have two travel lanes and an eight-foot parking lane on one side of the street. Sidewalks would align either side of the street, separated by eight-foot parkways. The elementary and high school land uses are similar in nature and no visual impact would occur.

From the McMillin Otay Ranch, LLC TM project site, existing views are of undeveloped agricultural land to the west, south and east. North of the site, construction activities associated with the development of Village 6 and construction of Birch Road are seen. Distant views of Rock Mountain to the south, and more distant views of the Jamul Mountains toward the east and northeast are also available from the project site. Views of adjacent areas are anticipated to change due to development planned for those areas. Distant views of the mountains to the east and northeast would remain visible from some portions of the project site due to Wolf Canyon open space and the development of parks and schools proposed on-site. Development of schools and parks include large fields without structures which allow for views through these areas. No significant impacts to off-site views would occur due to development of the McMillin Otay Ranch, LLC TM.

Nighttime Lighting

Similar to development in other areas of the *Village 7 SPA Plan* project site, implementation of the McMillin Otay Ranch, LLC TM and development of residential, school and park uses would introduce new sources of light to the area. These would include street lighting, building and landscape accent lighting, and sign illumination. All lighting would comply with City standards and is not expected to result in substantial

light or glare. Development of the McMillin Otay Ranch, LLC TM would not result in significant impacts to day or nighttime lighting levels in the area.

Headlights from vehicles driving to and from the various uses proposed by the McMillin Otay Ranch, LLC TM may result in glare to future adjacent residents. However, the use of walls, landscaped parkways and entry monumentation would obstruct glare from the vehicles. No impacts would occur.

Neighborhood Compatibility

Development of the McMillin Otay Ranch, LLC TM would implement the *Village 7 SPA Plan* project and the Otay Ranch GDP. Currently, Village 6 is under construction to the north, and the Eastern Urban Center is approved for development to the east. The land owned by Otay Project LP is also anticipated to be developed in accordance with the Otay Project LP TM, which is evaluated in this EIR under the following discussion. At buildout of the *Village 7 SPA Plan*, the proposed McMillin Otay Ranch, LLC TM project site would be surrounded by residential uses to the west, Birch Road to the north, SR 125 to the east, and a high school to the south. Development of the McMillin Otay Ranch, LLC TM would blend with development planned in these areas and would be consistent with the usual change anticipated by the Otay Ranch GDP. Additionally, the McMillin Otay Ranch, LLC TM would construct a portion of the regional trail and roadways, which would provide connectivity and linkages to adjacent sites. No significant impacts on neighborhood compatibility would occur.

Design Standards

The McMillin Otay Ranch, LLC TM would conform to the proposed *Village 7 SPA Plan* Design Plan, which was developed as a guide for the design of the site plans, architecture, and landscape architecture within the *Village 7 SPA Plan* project site. The Design Plan and Planned Community District Regulations have been developed to be consistent with the Otay Ranch Overall Design Plan. Thus, no impacts relative to the village design consistency with the *Village 7 SPA Plan* or the Otay Ranch GDP would occur.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM proposes the development of 375 single-family residential units. Grading of the Otay Project LP TM would require fill from an off-site borrow area. This site is identified as the proposed community park site within Village 4 and is approximately 44.4 acres in size. Construction activities associated with the development of these uses would introduce large machinery to the site for a short duration. The presence of large trucks, bulldozers, and other equipment associated with construction and staging activities would be short-term and temporary in nature and is not considered a significant visual impact.

Once developed, the Otay Project LP TM would result in a residential community. As with all of the *Village 7 SPA Plan*, development would adhere to the theme of "California Heritage." Landscaping would be based on the plant list contained in the *Village 7 SPA Plan* Design Plan. The project would also include walls and fencing, signage, and lighting.

The residential units within the proposed by the Otay Project LP TM would include a variety of sizes, shapes, colors and materials, which would promote a visual interest in the built environment. The proposed

single-family residential structures would be a mix of one- and two-stories and would promote a high quality suburban appearance. The building façades would include building characteristics such as a variation in architectural style, visually reduced garages, and detailed entry features such as doors, windows, porches, patios, and other features that are oriented toward the street. The proposed multi-family residential structures would also utilize visually interesting design and architecture. The structures would be articulated with elements such as wall offsets, balconies, and windows. Street facing façades would be provided such as trellises, patios and doorways.

Landform Alteration

To accommodate development of the proposed Otay Project LP TM, grading activities would occur. Development of the Otay Project LP TM would result in earthwork involving approximately 4,000,000 cubic yards (cy) of cut and fill. Manufacturing the natural rolling terrain into graded development pads would be regarded as a significant impact to landform. As proposed, the project would receive fill from an off-site area, identified as the proposed community park within the proposed Village 2, 3 and a portion of 4 SPA Plan. Grading at the off-site area would not result in significant impacts.

Grading of the site would result in significant landform alteration to Wolf Canyon, where the crossing of La Media is proposed. As discussed for the *Village 7 SPA Plan* project, Wolf Canyon would be filled and elevated to approximately 400 feet AMSL to accommodate the La Media Road crossing. This would alter the continuation of Wolf Canyon from east of La Media Road to west of La Media Road and is considered a significant impact.

Landscaping would occur on the slopes along either side of La Media Road, as shown by Figure 4.6-10, *Wolf Canyon/La Media Cross-Section*. Slopes along the west side of La Media Road would be revegetated with natural vegetation. On the east side of La Media Road, within Village 7, transitional natural vegetation would be introduced.

Grading for the crossing of La Media Road would create steep slopes along the northern side of Wolf Canyon. As shown by Figure 4.6-11, *Wolf Canyon Cross-Section A* and Figure 4.6-12, *Wolf Canyon Cross-Section B*, these slopes would be planted and landscaped with evergreen native trees and native groundcovers and shrubs. A ten-foot wide decomposed granite trail would be located at the bottom of these slopes, on the north side of the Wolf Canyon drainage channel. Deciduous and riparian trees and vegetation would occur in this portion of Wolf Canyon. The proposed vegetation would enhance the visual quality of Wolf Canyon for trail users along the proposed trail.

Grading at the off-site borrow area would result in a graded, but vacant site. However, a SPA Plan to develop that site as a Community Park is currently being processed at the City, and it is anticipated that the site would be approved for development of a community park in the near-term. However, until the off-site area is developed, a temporary visual impact would occur.

Views

The project site does not contain any significant scenic resources. No trees or rock outcrops are located within the project area. The upper reaches of Wolf Canyon that extend onto the project site do not contain sensitive species and are not considered a significant scenic resource. The project includes implementation of the Village Greenway, an open space corridor, which would preserve the views of Wolf Canyon.

Figure 4.6-10, *Wolf Canyon/La Media Cross-Section*

Figure 4.6-11, *Wolf Canyon Cross-Section A*

Figure 4.6-12, *Wolf Canyon Cross Section B*

The off-site borrow area, which comprises a portion of the proposed Community Park located within Village 4 southwest of the project site, has historically been used for agricultural purposes. The 44.4-acre borrow site is currently undeveloped and is bordered to the north by Wolf Canyon. It looks similar to the undeveloped project site.

As discussed in Section 4.4, *Noise*, of this EIR, noise walls would be required along Birch Road and La Media Road. The walls along Birch Road would be up to seven feet in height, and the walls along La Media Road would be up to six feet in height. These would serve as noise and visual barriers, as well as for security purposes. Landscaping would be provided along these perimeter walls and on the parkways around the site. Use of landscaping and construction of perimeter walls would enhance visual quality of the project site from surrounding areas. Walls would comply with the guidelines contained in the *Village 7 SPA Plan Design Plan*, and no significant visual impacts would occur.

Within the *Village 7 SPA Plan*, the Otay Project LP TM site would be bordered by Magdalena Avenue to the east and the FAA VORTAC site to the south. As discussed in Section 4.3, *Traffic, Circulation and Access*, of this EIR, Magdalena Avenue would have two travel lanes and a six-foot bicycle lane in both directions and up to a 12-foot median. A five-foot sidewalk separated from the street by an eight-foot buffer would be located on the east side. The west side would have a five-foot sidewalk adjacent to a 10-foot Village Pathway. The use of landscaping along Magdalena Avenue would contribute to the visual quality along the west side of the project site. Views of the FAA VORTAC site are of a chainlink fence surrounding a white antenna at the top of a hill. This view is visually unattractive and incompatible with the proposed residential uses. As identified for the *Village 7 SPA Plan*, a significant visual impact would result, and mitigation would be required.

From the project site, existing views are of undeveloped agricultural land to the west and east. North of the site, construction activities associated with the development of Village 6 and construction of Birch Road are seen. Distant views of Rock Mountain are to the south of the site. To the east, distant views of the Jamul Mountains are also available from the project site. Views of adjacent areas are anticipated to change due to planned development of those areas. Distant views of the mountains to the east and northeast would remain visible from some portions of the project site due to the sloping topography of the site. No significant impacts to views from the site would occur.

Nighttime Lighting

Implementation of the Otay Project LP TM would introduce new sources of light to the area. These would include street lighting, building and landscape accent lighting, and sign illumination. All lighting would comply with City standards and is not expected to result in substantial light or glare. Development of the McMillin Otay Ranch, LLC TM would not result in significant impacts to day or nighttime lighting levels in the area.

Headlights from vehicles driving to and from the residential uses proposed by the Otay Project LP TM may result in glare to future adjacent residents. However, the use of walls, landscaped parkways and entry monumentation would obstruct glare from the vehicles. No impacts would occur.

Neighborhood Compatibility

Development of the Otay Project LP TM would implement the *Village 7 SPA Plan* and the Otay Ranch GDP. Currently, Village 6 is under construction to the north. The land owned by McMillin Otay Ranch, LLC, located west of the project site, is proposed for development in accordance with the McMillin Otay Ranch, LLC TM, as addressed above under *McMillin Otay Ranch, LLC Tentative Map*. At buildout of the *Village 7 SPA Plan*, the proposed Otay Project LP TM project site would be surrounded by residential uses to the east; Birch Road to the north; the FAA VORTAC facility to the south; and residential, commercial, community purpose facilities to the west, across La Media Road. Development of the Otay Project LP TM would provide connectivity and linkages to proposed development to the east and west. The proposed Otay Project LP TM is consistent with the *Village 7 SPA Plan*, and no significant impacts on neighborhood compatibility would occur.

Design Standards

The Otay Project LP TM would conform to the proposed *Village 7 SPA Plan Design Plan*, which was developed as a guide for the design of the site plans, architecture, and landscape architecture within the *Village 7 SPA Plan* project site. The Design Plan and Planned Community District Regulations have been developed to be consistent with the Otay Ranch Overall Design Plan. Thus, no impacts relative to the village design consistency with the *Village 7 SPA Plan* or the Otay Ranch GDP would occur.

4.6.4 Level of Significance Before Mitigation

A. VILLAGE 7 SPA PLAN

No scenic vistas or scenic resources would be impacted by the anticipated development of the proposed project. Development of the *Village 7 SPA Plan* would change the visual quality of the site from undeveloped to urban uses, which was identified as a significant, unmitigable impact in the Program EIR. While this change in land use would be in accordance with the GDP and consistent with adjacent existing, proposed, and/or planned development of Villages 2, 4, 6, 8, and 12, it remains a significant impact to visual character of the project site. Furthermore, views of the FAA VORTAC facility would result in a significant visual impact to proposed development within the *Village 7 SPA Plan*.

Grading of the site would involve the cut and fill of approximately 7,500,000 cy. Grading would permanently alter the natural landform of the site. Use of contour grading would be included in the project; however, the grading impacts would remain significant. The project would result in significant alteration to the slopes of Wolf Canyon. Additionally, the project would fill a portion of Wolf Canyon to allow for the crossings of La Media and Magdalena Roads and would fill the unnamed drainage in the southern portion of the project site. The proposed alteration to Wolf Canyon and the unnamed drainage is considered a significant impact.

The introduction of light and glare sources to the project site would result in changing the character of the site from undeveloped to developed. Lighting associated with buildings and landscaping would be designed in accordance with City requirements which allow sport field and court lighting from 6:30 a.m. to 10:30 p.m. seven days a week, and park security lighting from dusk to dawn. Lighting associated with the proposed community facilities, neighborhood park, and school uses is not known at this time, and nighttime lighting could spill over onto adjacent residential uses. Therefore, the project would result in potentially

significant impacts associated with lighting.

B. MCMILLIN OTAY RANCH, LLC TENTATIVE MAP

No scenic vistas or scenic resources would be impacted by the anticipated development of the proposed project. Development of the McMillin Otay Ranch, LLC TM site would be consistent with the General Plan, Otay Ranch GDP, and *Village 7 SPA Plan* project. However, implementation of the McMillin Otay Ranch, LLC TM would change the visual quality of the site from undeveloped to urban uses, which is considered a significant impact to visual character, as described above for the *Village 7 SPA Plan* project.

Grading of the site would involve the cut and fill of approximately 3,500,000 cy. Grading of the site would result in flattening the site from its current rolling hill topography and filling a portion of Wolf Canyon. Grading would permanently alter the natural landform of the site and is considered a significant impact.

The McMillin Otay Ranch LLC, TM would also introduce three water quality and detention basins and a re-created ephemeral stream feature to the bottom of Wolf Canyon. These basins and stream feature would accommodate drainage from the McMillin Otay Ranch, LLC TM project, as well as from a portion of the Eastern Urban Center located to the east. While the introduction of drainage basins is a significant change from existing conditions, they would be landscaped and would be a visual enhancement to the area. Therefore, the drainage basins would not result in a significant visual impact.

The introduction of light and glare sources to the project site would result in changing the character of the site from undeveloped to developed. Lighting would be designed in accordance with City requirements, and is not considered to result in significant impacts. Any nighttime lighting that would occur at the 7.6-acre neighborhood park would have the potential to spillover into the residential areas, and a potential nighttime lighting impact would occur.

C. OTAY PROJECT LP TENTATIVE MAP

No scenic vistas or scenic resources would be impacted by the anticipated development of the proposed project. Development of the Otay Ranch LP TM site would change the visual quality of the site from undeveloped to urban uses. As with all development within the *Village 7 SPA Plan*, although the proposed project would be consistent with the *Village 7 SPA Plan*, a significant impact to visual character of the site would occur.

Grading of the site would involve the cut and fill of approximately 4,000,000 cy. The Otay Project LP TM would result in the filling of Wolf Canyon to allow for the crossing of La Media Road. This would result in blocking the continuation of Wolf Canyon from west of La Media Road to east of La Media Road, and is considered a significant impact. Grading would permanently alter the natural landform of the site and is also considered a significant impact, as discussed above for the *Village 7 SPA Plan*.

The introduction of light and glare sources to the project site would result in changing the character of the site from undeveloped to developed. Lighting would be designed in accordance with City requirements, and is not considered to result in significant impacts.

4.6.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* would be required to conform with standard conditions of development. The proposed project would develop 288.5 acres of undeveloped land, which would result in a significant impact to the site's visual character. As identified in the Program EIR, no mitigation exists to reduce this impact to below a level of significance, and impacts would remain significant and unmitigable. The proposed project would result in significant landform alteration impacts related to grading; however, there is no mitigation that would reduce this impact to below a level of significance, therefore, impacts to landform alteration would remain significant and unmitigable.

The proposed project would also result in aesthetic impacts related to the Vortac site, until that site is redeveloped as proposed by the *Village 7 SPA Plan* and potential impacts associated with nighttime lighting. Mitigation identified below would reduce these impacts to below a level of significance.

4.6-1 *Perimeter landscaping, in accordance with the Landscape Master Plan, within the McMillin Otay Ranch, LLC and Otay Project LP ownerships shall occur with each phase of development adjacent to the FAA property to minimize views of the FAA VORTAC facility.*

4.6-2 *Lighting for community facilities, recreation areas, and sports fields shall be approved by the Director of General Services and Environmental Review Coordinator prior to approval of a final site plan for the park. Shielded, uni-directional lighting shall be used. Additionally, lighting at these facilities to be shut off between 11 pm and 7 am.*

C. MCMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would be required to conform with the mitigation measures identified for the *Village 7 SPA Plan*, listed above. The proposed project would also result in significant landform alteration impacts related to grading and the filling of a portion of Wolf Canyon. However, no mitigation exists that would reduce these impacts to below a level of significance, therefore, impacts to landform alteration would remain significant and unmitigable. Additionally, the project would result in a temporary significant visual impact associated with the grading of the elementary school site. In addition to the mitigation measure identified above, the following measure would be required.

4.6-3 *The perimeter slopes and street parkways surrounding the elementary school site shall be landscaped as an interim measure until the future development of the elementary school occurs.*

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would be required to conform with the mitigation measures identified for the *Village 7 SPA Plan* project, listed above. The proposed project would also result in significant landform alteration impacts related to grading. However, no mitigation exists that would reduce this impact to below a level of significance; therefore, impacts to landform alteration would remain significant and

unmitigable. In addition, the project would result in potential visual impacts at the off-site borrow area. Implementation of the mitigation measure identified below would reduce this impact to below a level of significance.

4.6-4 *The perimeter of the off-site borrow area shall be landscaped as an interim measure until the future development of the borrow area occurs.*

4.6.6 Level of Significance After Mitigation

A. VILLAGE 7 SPA PLAN

As anticipated by the GDP Program EIR, development of the *Village 7 SPA Plan* would result in significant, unmitigable impacts to visual character and landform alteration impacts. Adoption of a Statement of Overriding Considerations for visual character and landform alteration impacts would be required, should the decision-makers choose to approve this project.

Implementation of the mitigation measures would reduce impacts associated with views of the FAA VORTAC facility and lighting to below a level of significance.

B. MCMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM would result in significant, unmitigable impacts to visual character and landform alteration impacts. Adoption of a Statement of Overriding Considerations for visual character and landform alteration impacts would be required, should the decision-makers choose to approve this project.

Visual impacts associated with the graded, but undeveloped elementary school pad would be reduced to below a level of significance with implementation of Mitigation Measure 4.6-3 identified in Section 4.6.5 above.

C. OTAY PROJECT LP TENTATIVE MAP

Development of the *Village 7 SPA Plan* would result in significant, unmitigable impacts to visual character and landform alteration impacts. Adoption of a Statement of Overriding Considerations for visual character and landform alteration impacts would be required, should the decision-makers choose to approve this project.

Visual impacts associated with the grading of the off-site borrow area would be reduced to below a level of significance with implementation of Mitigation Measure 4.6-4 identified in Section 4.6.5 above.



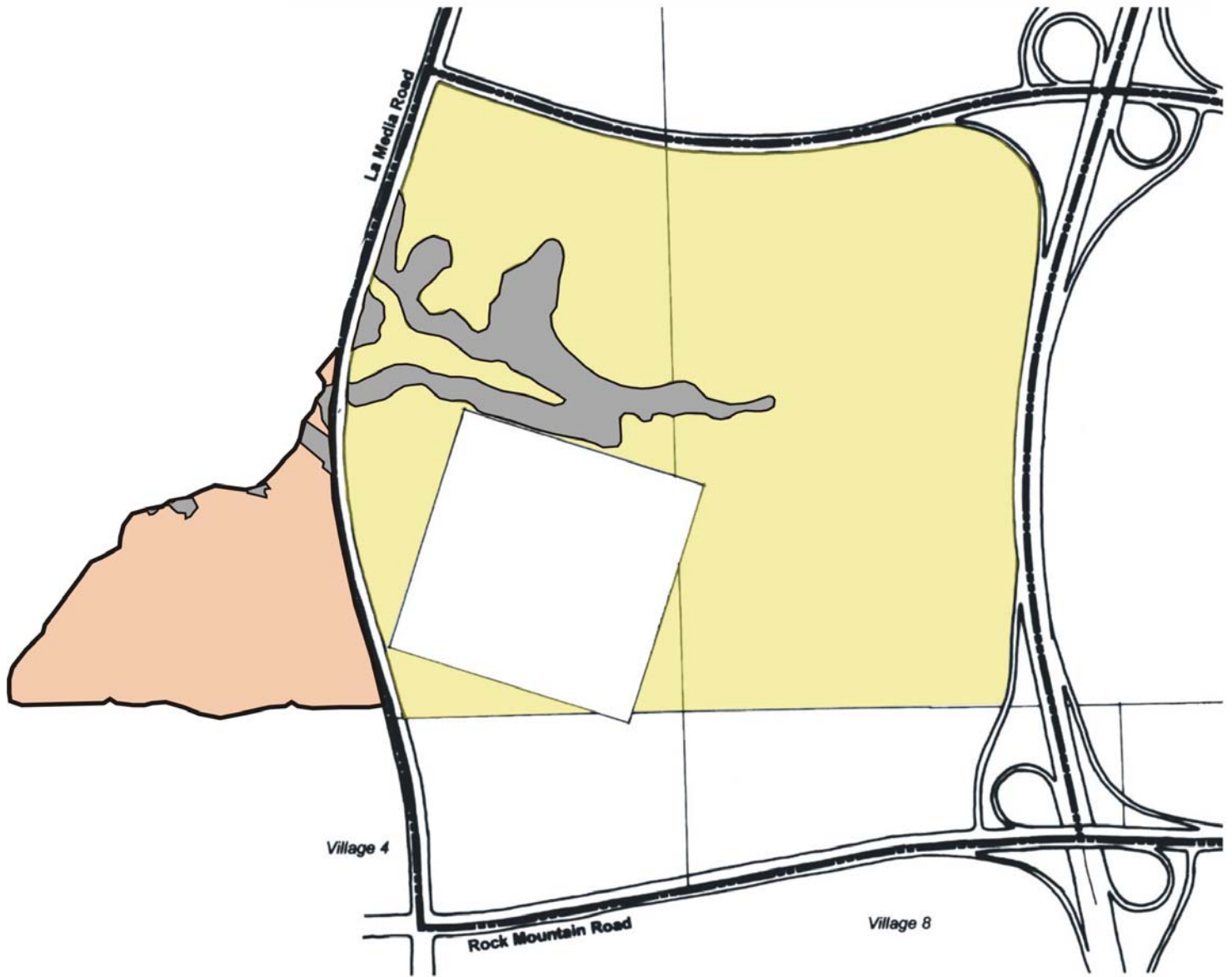
Source: David Evans and Associates, Inc.

 Village 7 SPA Plan Project Site



No Scale

LANDFORMS



No Scale

STEEP SLOPES WITHIN THE VILLAGE 7 SPA PLAN



1. Looking east at Wolf Canyon



2. Looking north at northwestern portion of project site.



3. Looking south from Vortac site.



4. Looking northwest at northern portion of Village 7.

SITE PHOTOGRAPHS



1. Looking east from southeastern portion of project site



2. Looking east from project site from east-central portion.



3. Looking south from eastern boundary.



4. Looking southeast from project site.

VIEWS FROM THE PROJECT SITE



5. Looking northeast from project site.



6. Looking northwest from project site.



7. Looking southwest from project site.

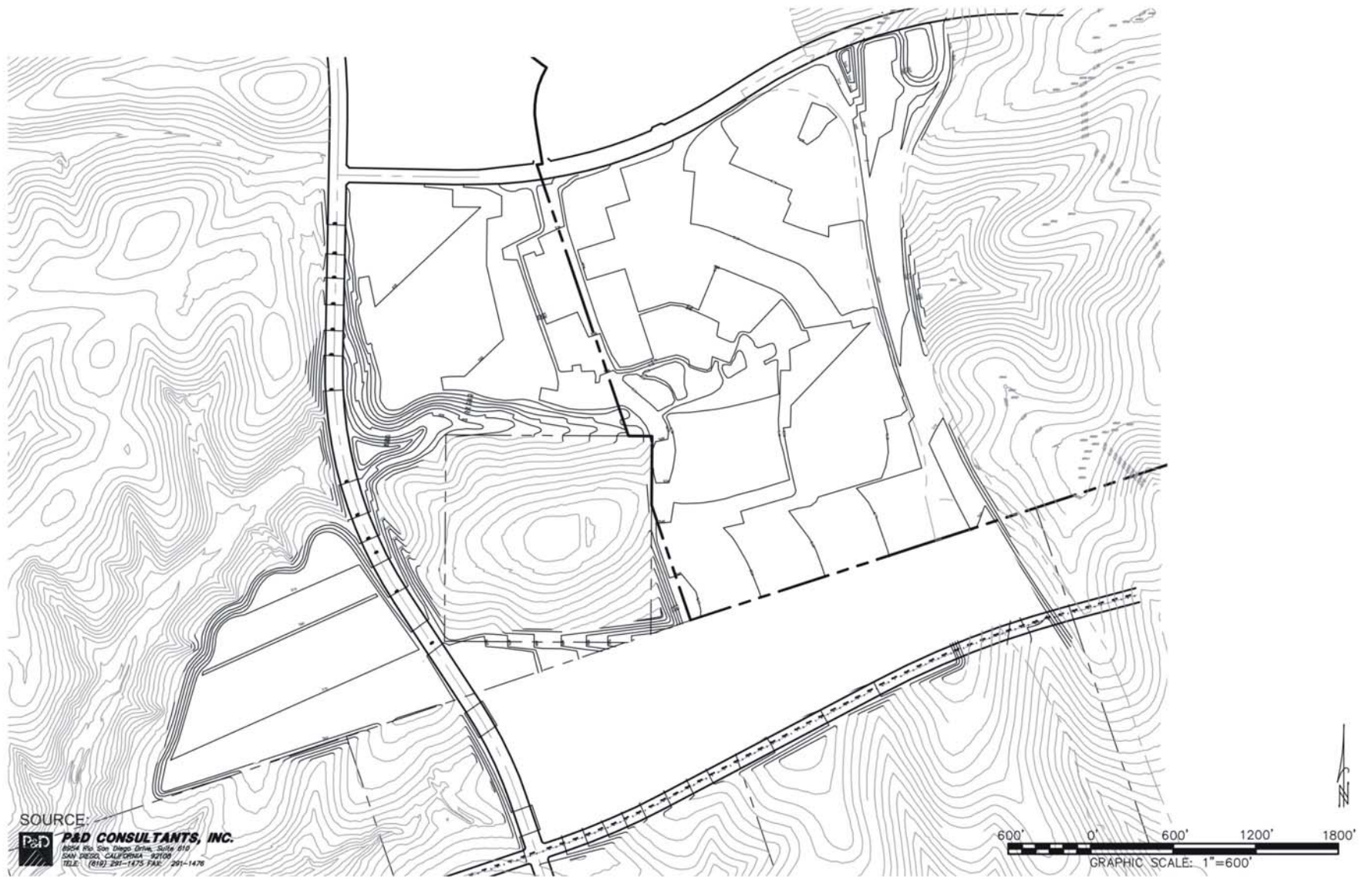


8. Looking south.

VIEWS FROM THE PROJECT SITE



EXAMPLE OF A PEDESTRIAN BRIDGE



PROPOSED TOPOGRAPHY

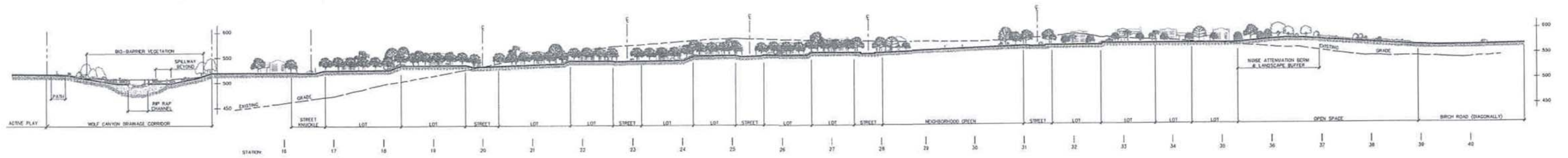


Note: This design is conceptual and is subject to change

WOLF CANYON AND PARK CONCEPT SKETCH

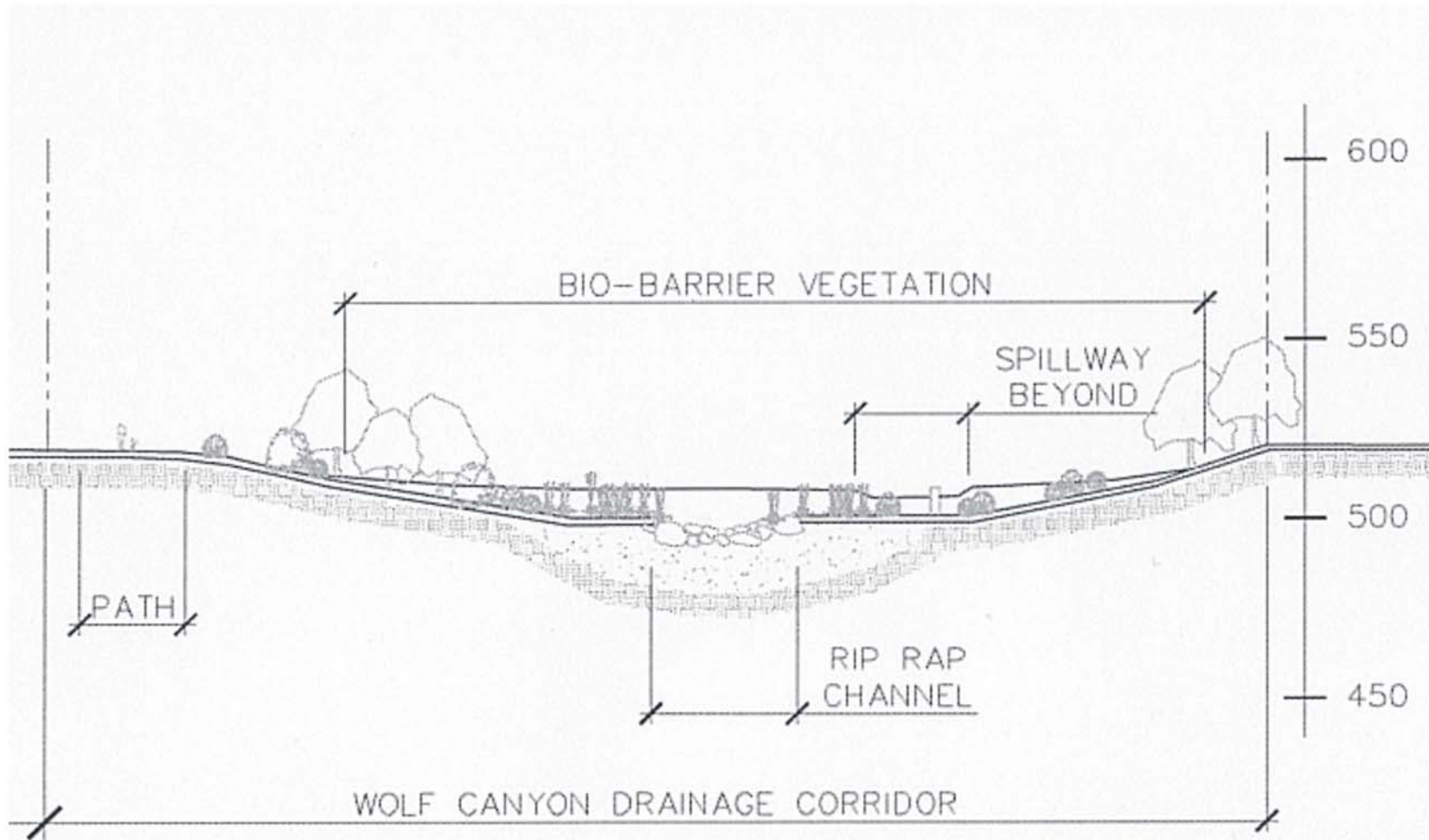


Section Line

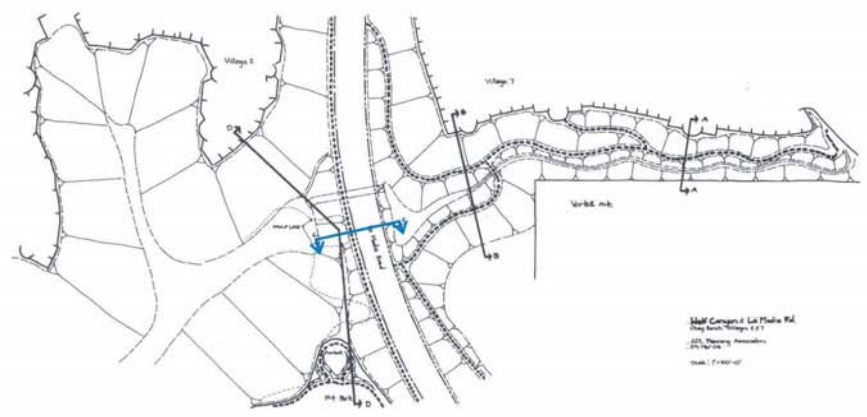
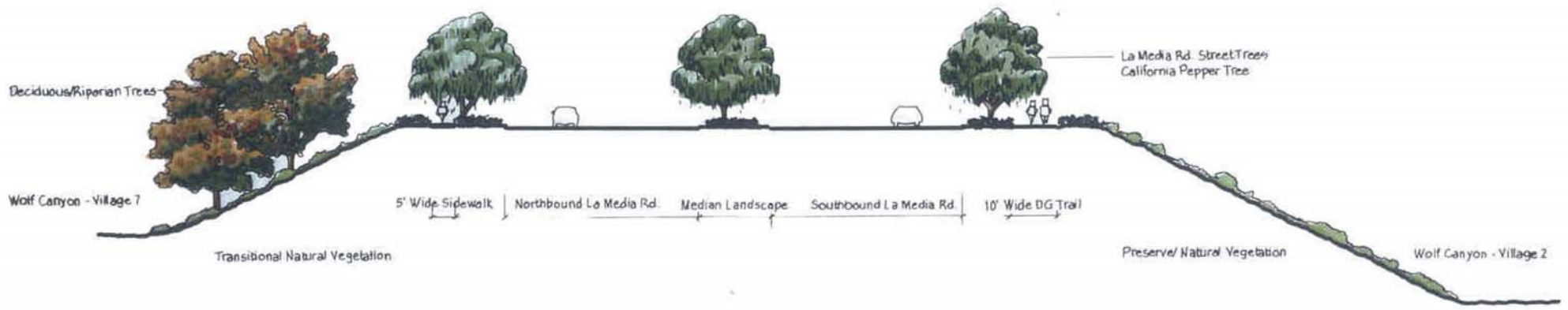


SOURCE: P&D Consultants

WOLF CANYON TO BIRCH ROAD CROSS-SECTION

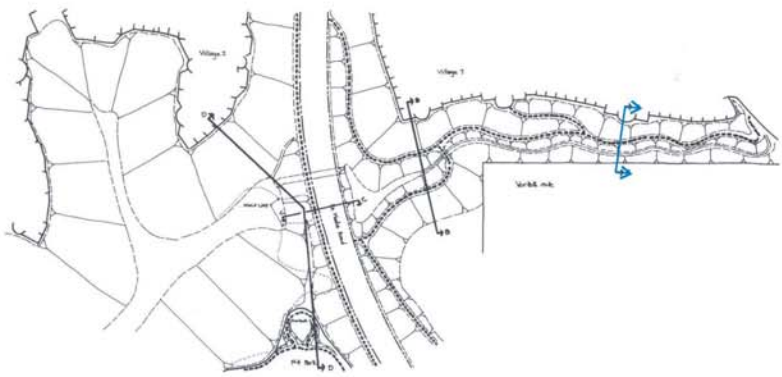
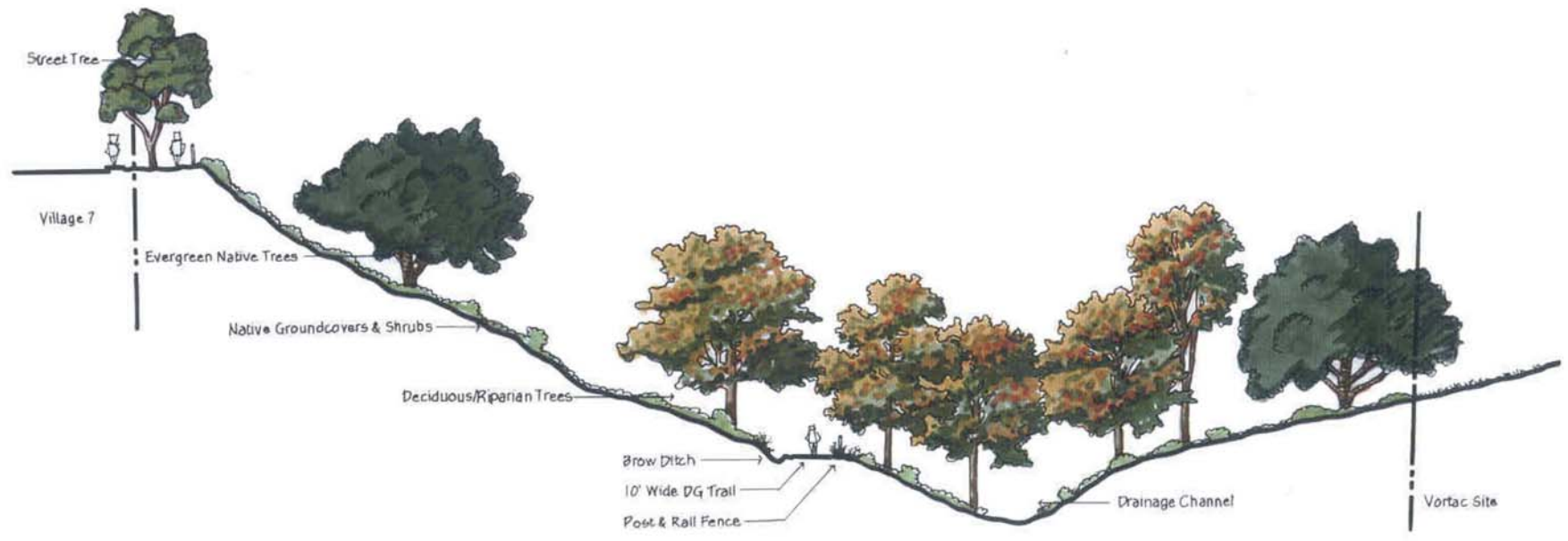


WOLF CANYON DRAINAGE CORRIDOR



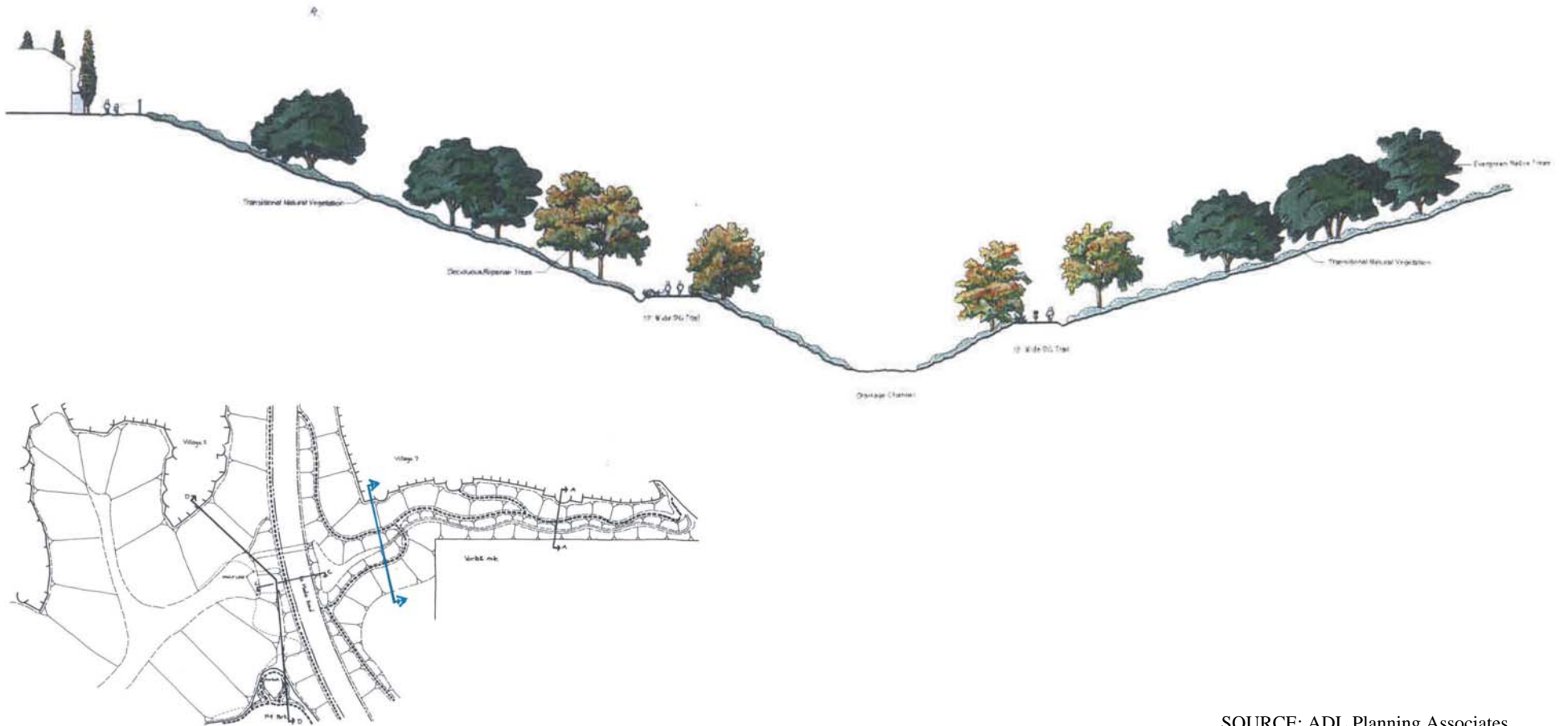
SOURCE: ADL Planning Associates

WOLF CANYON/LA MEDIA ROAD CROSS-SECTION



SOURCE: ADL Planning Associates

WOLF CANYON CROSS-SECTION A



SOURCE: ADL Planning Associates

WOLF CANYON CROSS-SECTION B

4.7 HYDROLOGY/DRAINAGE/WATER QUALITY (SURFACE AND GROUNDWATER)

Water resources and water quality were evaluated for the entire Otay Ranch project area as part of the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154). Significant impacts to water resources and water quality were identified in the Program EIR due to the introduction of urban pollutants associated with an increase of permeable surfaces, surface water discharge, and flow rates. Mitigation measures were also identified in the Program EIR to reduce potential impacts associated with impacts to water resources and water quality to below a level of significance. These measures included preparation of a drainage master plan for each SPA, preparation of a hydraulic study, implementation of the urban runoff/reservoir study, compliance with National Pollutant Discharge Elimination System (NPDES) permit requirements, preparation of and compliance with a storm water pollution prevention plan, implementation of best management practices, preparation of an urban runoff master plan, and implementation of a Water Impact and Protection Report. The analysis and discussion of hydrology, drainage, and water quality contained in the water resources and water quality section of the Program EIR is hereby incorporated by reference.

A *Preliminary Drainage Study* dated April 9, 2004, was prepared for the *Village 7 SPA Plan* by *P&D Consultants, Inc.* The purpose of the study was to evaluate the approximate drainage patterns and flows as a result of the development of the *Village 7 SPA Plan* and the runoff from the Eastern Urban Center, which is located immediately east of the project site. A copy of the *Preliminary Drainage Study* is included in Appendix E-1 to this EIR.

In addition, a *Water Quality Technical Report* dated May 24, 2004, was prepared for the *Village 7 SPA Plan* by *Rick Engineering Company*. That report summarizes storm water protection requirements for a portion of the *Village 7 SPA Plan* project site, as well as best management practices that would reduce runoff from the site. The *Water Quality Technical Report* is included in Appendix E-2 to this EIR.

A *Master Drainage Study* dated February 24, 2004, was prepared by *Hunsaker & Associates* to address drainage at the Otay Project LP project site. A copy of the *Master Drainage Study* is included in Appendix E-3 to this EIR.

A *Preliminary Water Quality Technical Report* dated February 16, 2004, was prepared for the Otay Project LP portion of the *Village 7 SPA Plan* project site (as well as the Village 4 park site, outside of the *Village 7 SPA Plan* project boundaries) by *Hunsaker & Associates*. The report summarizes existing conditions on the project site, identifies and describes potential pollutants from the project site, and describes best management practices that would reduce runoff from the site. A copy of the *Preliminary Water Quality Technical Report* is included as Appendix E-4 to this EIR.

A *Water and Recycled Water Study* dated March 10, 2004, which provides an overview of the existing and planned potable water and recycled water services for the *Village 7 SPA Plan*, was prepared by *PBS&J*. A copy of the *Water and Recycled Water Study* is included in Appendix E-5 to this EIR.

Information contained in the *Preliminary Drainage Study*, *Water and Recycled Water Study*, *Master Drainage Study*, *Preliminary Water Quality Technical Report*, and the *Water Quality Technical Report* prepared for the *Village 7 SPA Plan* project have been used to prepare the discussion of potential hydrology, drainage, and water quality conditions presented in this section.

4.7.1 Existing Conditions

The following discussion summarizes existing hydrology, drainage, and water quality conditions for the *Village 7 SPA Plan* project area. These conditions are discussed in a sub-regional context; therefore, the following description of existing conditions applies to the McMillin Otay Ranch, LLC TM area and the Otay Project LP TM area, as well as the entire the *Village 7 SPA Plan* project site.

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Hydrology and Drainage

Surface Water

The terrain of the *Village 7 SPA Plan* project area consists of rolling hills. Water draining off the hills is channeled via arroyos into larger canyons (Poggi Canyon and Wolf Canyon) and the Otay River, flowing to the south and west, away from the Otay Reservoir Basin that is located east of the project site. The project site is located within the Otay Hydrographic Subunit of the Otay Hydrographic Unit. Three of the major drainages for surface water within the Otay Hydrographic Subunit are located on or adjacent to the project site. These are Wolf Canyon, Poggi Canyon, and the Otay River. Wolf Canyon is the main natural drainage basin of the *Village 7 SPA Plan* project site. It is 2.24 square miles in area and 3.03 miles in length. The Poggi Canyon Drainage Basin is 3.45 square miles in area, and 3.98 miles in length. Wolf Canyon and Poggi Canyon ultimately discharge into the Otay River, located approximately 1.6 miles southwest of the project site. The Lower Otay River South Drainage Basin is 11.91 square miles in area and 4.92 miles in length. The Otay River flows from east to west and discharges into San Diego Bay.

Figure 4.7-1, *Existing Drainage*, shows several subbasins and portions of subbasins drain the *Village 7 SPA Plan* project site. The largest subbasin on the project site, which is approximately 384 acres in size, accepts discharge from the central portion of the project area, as well as part of the Eastern Urban Center which is east of the project area, outside of the project boundaries. The subbasin discharges outfall on the west side of the *Village 7 SPA Plan* project area into Wolf Canyon. Another subbasin located directly south of the one referenced above drains a 218-acre area that constitutes the southern portion of the project site. This subbasin drains westerly into Wolf Canyon. Additionally, a 50-acre northern portion of the project area drains north into Poggi Canyon.

Groundwater

Regionally, groundwater flow occurs in an east-west direction, toward the Pacific Ocean. Locally, however, the direction of groundwater flow is controlled by topography and the orientation of the drainage basins. The direction of groundwater flow on the project site flows primarily in the direction of Wolf Canyon but also into Poggi Canyon and the Otay River. Depth to groundwater in Poggi Canyon is approximately 32 feet. Depth to groundwater in the Otay River Valley has been measured at approximately six to eight feet. Groundwater recharge occurs in the upland areas of the project site.

Figure 4.7-1, Existing Drainage

Water Quality

Surface Water

Surface water in the Otay Hydrographic Subunit has beneficial uses for agriculture, recreational sports, wildlife, rare and endangered species, and industry. Measurements of total dissolved solids (TDS) concentrations in the subunit have been high due to agricultural land practices in the area; however, Hydrologic Basin No. 910.20 is not listed as an impaired waterbody on the Clean Water Act Section 303(d) List. Relative to the *Village 7 SPA Plan* project area, no surface water on the project site is used for agriculture, recreational sports, wildlife, rare and endangered species, or industry, as surface water in the *Village 7 SPA Plan* project area originates from precipitation and is short-lived; no permanent lakes or ponds exist on the *Village 7 SPA Plan* project site.

Groundwater

The groundwater under the western portion of Otay Ranch, where the *Village 7 SPA Plan* is located, is generally poor to very poor due to high levels of TDS. Connate water (meaning water trapped in sediment or rock at the time of deposition), dissolved salts contained within sedimentary units at the site, and imported water (with higher salt concentrations) used for irrigation are believed to be partially responsible for poor groundwater quality. Groundwater water obtained from two wells in Poggi Canyon during the Program EIR analysis for the Otay Ranch GDP ranged in TDS from 3,900 to 5,860 milligrams per liter (mg/l). According to the San Diego RWQCB Water Quality Control Plan (Basin Plan), the water quality objective for the Otay Hydrologic Unit is 1,000 mg/l. Acceptable levels for drinking water range from 500 mg/l to 1,000 mg/l. Values of TDS, chloride, and nitrates exceeded Federal Secondary Drinking Water Standards in both wells. Nitrate values, which ranged from 40.7 to 54.2 mg/l, were also elevated (the primary drinking water standard is 45 mg/l). Water quality objectives in the Otay Hydrologic Unit for chloride are 400 mg/l.

Regulatory Requirements

Development of the *Village 7 SPA Plan* project site is subject to a variety of guidelines and requirements that pertain to water quality, as discussed below.

SWRCB General Construction Permit

The State Water Resources Control Board (SWRCB) adopted SWRCB Order No. 99-08-DWQ National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, henceforth called the SWRCB General Construction Permit, on August 19, 1999. The SWRCB General Construction Permit is a statewide permit that requires permittees to implement specific sampling and analytical procedures to determine whether Best Management Practices (BMPs) implemented on a construction site are: (1) preventing further impairment by sediment storm waters discharged directly into waters listed as impaired for sediment or silt; and (2) preventing other pollutants, that are known or should be known by permittees to occur on construction sites and that are not visually detectable in storm water discharges, from causing or contributing to an exceedance of water quality objectives.

The *Village 7 SPA Plan* would be required to follow the *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity*, as indicated by the SWRCB General

Construction Permit. In accordance with these requirements, development associated with the *Village 7 SPA Plan* must provide permanent storm water BMPs, in the form of a Storm Water Pollution Prevention Plan (SWPPP), to ensure that water quality treatment is provided prior to discharge from the *Village 7 SPA Plan* project site. The SWPPP must describe BMPs to be used during and after construction, and include a Storm Water Sampling and Analysis Strategy (SWSAS).

City of Chula Vista Storm Water Standards Manual

The City's *Development and Redevelopment Projects Storm Water Management Standards Requirements Manual: Manual for Permanent Storm Water Management BMPs and Construction Standards Requirements*, henceforth called the Storm Water Standards Manual, dated November 26, 2002, applies to all projects seeking permit approval by the City of Chula Vista since December 9, 2002. The Storm Water Standards Manual is the City's implementation guide for new development and redevelopment projects. It complies with and implements NPDES Municipal Permit No. 2001-01 and the Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP). The Storm Water Standards Manual is intended to provide information on how to comply with the City's permanent and construction BMP requirements for private and public developments in the City of Chula Vista. It is also intended to effectively prohibit non-storm discharges and reduce the discharge of pollutants from storm water conveyance systems to the maximum extent practicable both during construction and throughout the use of a developed site.

4.7.2 Thresholds of Significance

Based on the criteria identified in Appendix G of the CEQA Guidelines, a project could have a significant effect on hydrology and water quality if it would:

- ◆ Violate any applicable water quality standards or waste discharge requirements;
- ◆ 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;
- ◆ 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;
- ◆ Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- ◆ Otherwise substantially degrade water quality.

4.7.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

Hydrology and Drainage

The *Village 7 SPA Plan* would develop the project site with a mix of uses, including residential, community purpose facilities, parks, open space, school uses, and roadways. The existing site, which is characterized by gently rolling hills that convey surface water on the north edge of the site toward Poggi Canyon, on the

central portion of the site toward Wolf Canyon, and on the southern edge toward Otay River, would be graded to allow construction of these facilities.

Existing topography at the site ranges from approximately 580 feet AMSL on the hilltops to approximately 410 feet AMSL in the canyon fingers, as shown by Figure 2-5, *Existing Topography*, and discussed in Section 4.6, *Landform Alteration/Aesthetics*. As shown by Figure 4.6-6, *Proposed Topography*, grading of the site would result in site elevations ranging from 580 feet AMSL to 380 feet AMSL. The proposed grading would create terraces, allowing development to occur in various flattened areas across the site. But the overall range of elevations of the site would remain approximately the same.

Storm water runoff from all but the northernmost portion of the *Village 7 SPA Plan* project site would be directed into storm drains proposed beneath the roadways of the *Village 7 SPA Plan* project site. The network of storm drains in the center of the project site would connect to a major storm drain channel in Wolf Canyon. Water would be directed into three water quality and detention basins and a re-created ephemeral stream along the alignment of the canyon. Storm water runoff would be collected in the basins, resulting in slower water flow and an opportunity for pollutants to be filtered out (water quality is discussed below in more detail). Ultimately, the water would be released at the west side of Magdalena Avenue at or below the pre-development velocity and flow rate. Stormwater at the northern edge of the *Village 7 SPA Plan* project site would be directed into Poggi Canyon via a storm drain line in Birch Road.

Under the proposed *Village 7 SPA Plan*, surface water from the northernmost edge of the project site would drain into Poggi Canyon; however, the proposed grading would reduce the area draining into Poggi Canyon. Additionally, under the *Village 7 SPA Plan*, drainage from the southern portion of the project site would be altered to drain into the storm drain line beneath Rock Mountain Road instead of south toward the Otay River. The project would direct the water flow in the Rock Mountain Road storm drain line westerly into Wolf Canyon. Through redirecting portions of surface water flow from the north and south ends of the *Village 7 SPA Plan* project site into Wolf Canyon, the proposed *Village 7 SPA Plan* project would alter existing drainage at the site. This impact would be less than significant, however, as the majority of runoff from the site would continue to ultimately drain into Wolf Canyon.

As discussed above, grading that would take place with development of the project site in accordance with the *Village 7 SPA Plan* would alter the topography of the site. However, the range of elevations at the site, which would be modified from the existing range of approximately 580 feet AMSL to 410 feet AMSL to the proposed elevations ranging of 580 feet AMSL to 380 feet AMSL, would remain approximately the same. The existing direction of groundwater flow on the project site flows primarily in the direction of Wolf Canyon, and also into Poggi Canyon and the Otay River at the site's north and south edges, respectively. Depth to groundwater in Poggi Canyon is approximately 32 feet, and depth to groundwater in the Otay River valley has been measured at approximately six to eight feet. Due to the comparable characteristics of the Poggi and Wolf Canyon watersheds (Poggi Canyon drains 3.45 square miles and Wolf Canyon drains 2.24 square miles, as opposed to the larger Otay River which drains 11.91 square miles), depth to groundwater across the project site would be comparable to the depth to water at Poggi Canyon. ~~Depth to groundwater across the project site, then, is estimated at approximately 32 feet. Based on the geotechnical studies prepared for the project, groundwater at the project site is estimated at greater than 90 feet deep below surface.~~

While grading at the site would result in shifts in the direction of groundwater flow on the micro-scale, the overall flow of groundwater would not change as a result of the project. Groundwater would still flow in an

east to west direction, toward Wolf Canyon. Furthermore, groundwater recharge, which occurs in areas upland from the project site, would not be affected by the project. The *Village 7 SPA Plan* would have a less than significant affect on the hydrology and drainage of groundwater.

Water Quality

The proposed *Village 7 SPA Plan* would result in urbanization of an existing undeveloped area by developing the project site with residential, community purpose facilities, parks, open space, and school uses, as well as construction of roadways. While some areas would remain permeable with the development of parks, landscaped setbacks and parkways, and the use of landscaping, the majority of the *Village 7 SPA Plan* project site would be paved over for roads and parking areas or developed with structures. Because of this, the project would result in a permanent decrease in the amount of permeable surfaces at the project site.

Through the introduction of buildings and paved surfaces, such as structures, roadways, parking areas, and walkways, the project would decrease permeability of the project site and has the potential to increase the amount and rate of runoff from the project site. As discussed above, this runoff would be directed toward the municipal storm drain system. Since the project would be developed in conformance with the Chula Vista Subdivision Manual, which requires the maximum allowable release rate after development to not exceed existing flow rates, the discharge from the *Village 7 SPA Plan* project site would be equal to or less than the existing conditions and would not adversely impact downstream conditions. This no-net increase of runoff would be accomplished by the use of detention basins, as addressed in the *Village 7 SPA Plan*. Detention basins of varying capacities would be placed within the reach of Wolf Canyon that traverses the *Village 7 SPA Plan* project site. Storm water runoff would be directed into these basins, where the water would collect, and pollutants would be settled out of the water. Later, the water would be released into the downstream reaches of Wolf Canyon west of La Media.

Urban pollutants would be introduced into storm water runoff from the *Village 7 SPA Plan* project site during construction and implementation of the project. During construction, pollutants such as oil, grease, and cleaning solvents from equipment used to develop the site could potentially be dropped or leaked onto the ground and carried off-site by storm water into Wolf Canyon, Poggi Canyon, or the Otay River. Grading and other construction activities would also exacerbate erosion, potentially causing increased sedimentation at the project site. Post-construction, the *Village 7 SPA Plan* project site would potentially introduce pollutant sources such as automotive fluids, cleaning solvents, toxic or hazardous chemicals, detergents, sediment, metals, oil and grease, and food wastes. From the *Village 7 SPA Plan* project site, these pollutants have the potential to be transported into the City's storm drain system and ultimately into creeks, rivers, beaches, and bays. Since development in accordance with the *Village 7 SPA Plan* could introduce urban pollutants to the site both during and after construction, contributing to surface water quality impacts elsewhere in the watershed, the project would result in a potentially significant impact. Implementation of BMPs would reduce potential impacts to below a level of significance.

Previous agricultural activities on the *Village 7 SPA Plan* project site (i.e., non-irrigated barley production and cattle grazing, as discussed in Section 4.2, *Agricultural Resources*) have utilized herbicides and pesticides, and runoff from the site may contain these pollutants. These activities may also affect sediment transport at the project site. Since runoff from the site is not currently treated, water treatments that would occur as mitigation for the proposed development of the site in accordance with the *Village 7 SPA Plan* may offer improvements over existing water quality conditions.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Hydrology and Drainage

The McMillin Otay Ranch, LLC TM would result in the development of multiple uses on the project site, including residential, community public facilities, park, open space, and school uses. Development of the McMillin Otay Ranch, LLC TM would involve grading of the site, modifying its topography. The proposed grading would flatten the site in terraces, but the overall range of elevations of the site would remain approximately the same (approximately 580 feet AMSL to 510 feet AMSL).

As a result of the changes to topography, most of the McMillin Otay Ranch, LLC TM site (as well as a portion of the future Eastern Urban Center project to the east) would drain into Wolf Canyon through a network of storm drains located within the alignment of planned roadways. The storm drains would connect to a major storm drain channel in Wolf Canyon, be directed into detention basins along the alignment of the canyon, and ultimately be released into Wolf Canyon downstream of Magdalena Avenue. Water flow from a portion of the McMillin Otay Ranch, LLC TM project site would be redirected from Poggi Canyon into the storm drains that feed into Wolf Canyon. The McMillin Otay Ranch, LLC TM project would therefore divert a small amount of surface water flow from the Poggi Canyon watershed into the Wolf Canyon watershed. While most of the other portions of the McMillin Otay Ranch, LLC TM site would drain into Wolf Canyon, as they do under existing conditions, a small portion of the site (at its northernmost point) would continue to drain into Poggi Canyon via a storm drain line within Birch Road. The redirection of flow associated with the project would be less than significant because the planned drainage facilities serving Wolf Canyon and Poggi Canyon are designed to accommodate surface water runoff from the McMillin Otay Ranch, LLC TM site in the way described above.

The Wolf Canyon Water Quality and Detention Basin is just upstream of the proposed Magdalena Road in the central portion of the project. The basin consists of a receiving forebay that will be followed by two basins. The forebay and basins shall be equipped to handle, treat, and detain the post-project flow from a large portion EUC and the majority of the residential portion of McMillin Village 7. In addition, the project is recreating a receiving water (that will convey a portion of Village 7 treated post-project flows) and will be located adjacent to the series of basins proposed for Wolf Canyon. The basins are designed to treat the required water quality volume of 11.3 acre-feet and detain the 2-, 10-, and 100-year storm events. The 2- and 10-year storm events are to mitigate for downstream erosion (per City of Chula Vista SUSMP) and the 100-year storm event is to attenuate flows to pre-project levels (per City of Chula Vista Subdivision Manual). The project proposes regional benefits with respect to water quality, while maximizing conservation of more significant biological resources offsite in areas with much higher long-term conservation value.

Water Quality

The proposed McMillin Otay Ranch, LLC TM would develop the eastern portion of the *Village 7 SPA Plan* with multiple land uses, including residential, community public facilities, park, open space, and school uses. Conversion of the site from its existing undeveloped condition to urban land uses would introduce urban pollutants to the project site, as well as increase the amount of impermeable surfaces, surface water discharge, and flow rates. Pollutants capable of affecting water quality would be introduced to the site both

during construction and operation stages. Construction activities could introduce pollutants such as oil, grease, and cleaning solvents from equipment used to develop the site, which would potentially be dropped or leaked onto the ground and carried off-site by storm water into Wolf Canyon or Poggi Canyon. Additionally, construction of the project could result in erosion, causing increased sediment transport from the McMillin Otay Ranch, LLC TM project site. After construction of the McMillin Otay Ranch, LLC TM, the project would have the potential to introduce pollutant sources such as automotive fluids, cleaning solvents, toxic or hazardous chemicals, detergents, sediment, metals, oil and grease, and food wastes. These pollutants have the potential to be transported from the site into the City's storm water conveyance system and ultimately into downstream waterways. Therefore, the McMillin Otay Ranch, LLC TM project has the potential to contribute urban pollutants, which can significantly impact water quality.

As planned by the proposed project, runoff from a large portion of the McMillin Otay Ranch, LLC TM site and the Eastern Urban Center (planned immediately east and upstream of the project site) would be collected within an on-site storm drain system and then discharged into on-site forebays and detention basins located on the McMillin Otay Ranch, LLC TM site and then into Wolf Canyon. For the remaining portion of the McMillin Otay Ranch, LLC TM project site, runoff would be collected in a storm drain system, which would have inlet filter inserts installed at all catch basin/inlet locations, and discharged northerly into Poggi Canyon. A small portion of the project site would also treat runoff with inlet filters and discharge the treated water into a re-created ephemeral stream located just north of the detention and water quality basins. Project components such as the use of forebays, detention basins, and filter inserts on the McMillin Otay Ranch, LLC TM project site would lessen the negative impact of the project to water quality; however, use of these components alone would not remove all pollutants, and the project would still have the potential to significantly impact water quality. Implementation of BMPs would reduce potential impacts to below a level of significance.

The Chula Vista Subdivision Manual requires that the maximum allowable release rate after development shall not exceed existing flow rates. In compliance with this requirement, the maximum allowable 100-year, six-hour peak discharge from the McMillin Otay Ranch, LLC TM site would be 254.4 cfs into the detention basin. By discharging at these rates, which the McMillin Otay Ranch, LLC project is designed to do, the discharge from the McMillin Otay Ranch, LLC TM site would be equal to or less than the existing conditions and would not significantly impact downstream conditions.

C. OTAY PROJECT LP TENTATIVE MAP

Hydrology and Drainage

The Otay Project LP TM would result in the development of residential uses on the project site, and grading of the 44.4-acre off-site borrow area. Development of these uses would involve grading, resulting in modification of the site's existing topography. The proposed grading would flatten the site in terraces, but the overall range of elevations of the site would remain approximately the same (approximately 530 feet AMSL to 380 feet AMSL).

The existing surface and groundwater flow on the Otay Project LP TM project site flows primarily in the direction of Wolf Canyon, but a 16-acre portion of the approximately 108.3-acre Otay Project LP TM site currently drains into Poggi Canyon. The Otay Project LP TM project would result in the entire Otay Project LP TM site draining in the direction of Wolf Canyon, via a network of storm drains located within the

alignment of planned roadways. The storm drains would connect to a major storm drain channel in Wolf Canyon, be directed into detention basins along the alignment of the canyon, and ultimately be released into Wolf Canyon. Water flow from a 16-acre portion of the Otay Project LP TM project site would be redirected from Poggi Canyon into the storm drains that feed into Wolf Canyon. The Otay Project LP TM project would therefore divert surface water flow from 16 acres of the Poggi Canyon watershed into the Wolf Canyon watershed. All other portions of the Otay Project LP TM site with Village 7 would drain into Wolf Canyon, as they do under existing conditions. Drainage of the off-site borrow area would be collected at a centrally located sump. The sump would allow collected waters to evaporate off the site. Hydrology and drainage impacts would be less than significant, because the planned drainage facilities, both in Wolf Canyon and Poggi Canyon, are for the surface water runoff from the Otay Project LP TM site to be accommodated by the Wolf Canyon drainage system.

Water Quality

Development of the Otay Project LP TM would convert land from its existing undeveloped condition to urban land use associated with its development with single-family homes and associated streets, sidewalks, landscaping, and utilities. By developing the Otay Project LP TM portion of the *Village 7 SPA Plan* site with single-family residences, the proposed Otay Project LP TM project would introduce urban pollutants to the project site and increase the amount of permeable surfaces, surface water discharge, and flow rates. The Otay Project LP TM project would introduce pollutants to the site during both construction and operation stages. Pollutants such as oil, grease, and cleaning solvents from equipment used to construct the Otay Project LP TM project could be introduced to the site through inadvertent drops or leaks onto the ground and carried off-site by storm water into Wolf Canyon. During construction, the project has the potential to cause erosion through increased sediment transport from the project site. After construction of the Otay Project LP TM, permanent use of the Otay Project LP TM project is expected to introduce pollutants consisting of sediments, nutrients, trash and debris, oxygen demanding substances, oil and grease, bacteria and viruses, and pesticides. The pollutants have the potential to be transported from the site into the City's storm water conveyance system and ultimately into downstream waterways. Therefore, the Otay Project LP TM project has the potential to contribute urban pollutants which can significantly impact water quality. Implementation of BMPs would reduce potential impacts to below a level of significance.

Runoff from the Otay Project LP TM project site would be collected via an on-site storm drain system and then discharged into a 3.39 acre-foot detention basin located on the Otay Project LP TM site just upstream of La Media Road. Ultimately, water collected on the site would be conveyed from the detention basin into Wolf Canyon. The detention basin constructed as part of the Otay Project LP TM project would positively affect the quality of storm water runoff because storm water would be held in the basin for 24 to 48 hours, allowing pollutants to settle out of the water. The detention basin would treat the 85th percentile runoff from the Otay Project LP TM site.

The Chula Vista Subdivision Manual requires the maximum allowable release rate after development to not exceed existing flow rates. In compliance with this requirement, the detention basin at the Otay Project LP TM site would have a 256 cfs flow rate. By having a 254 cfs flow rate, the flow from the Otay Project LP TM site would be less than the existing conditions and would not significantly impact downstream conditions.

4.7.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The *Village 7 SPA Plan*, McMillin Otay Ranch, LLC, Otay Project LP TM would convert an existing undeveloped site to an urban landscape with multiple land uses. In doing so, impermeable surfaces would be introduced to the project site, as well as new pollutant sources, such as automobiles and household products. Impermeable surfaces would decrease the amount of infiltration occurring at the project site and would lead to increased runoff rates and the potential for pollutants to be introduced to water sources. The McMillin Otay Ranch, LLC TM, the Otay Project LP TM, as well as the entire the *Village 7 SPA Plan* project, therefore has the potential to contribute to significant water quality impacts. Drainage at the site would be altered to direct stormwater runoff into the municipal storm drain system.

4.7.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The proposed *Village 7 SPA Plan* would result in potential impacts to water quality resources as a result of construction and operation activities associated with the development of the *Village 7 SPA Plan*. During and after project construction, measures shall be implemented to control erosion, sedimentation, and pollution that could impact water resources on- and off-site. The following measures would reduce potentially significant impacts to a below level of significance.

- 4.7-1** *Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.*
- 4.7-2** *Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the Village 7 SPA Plan project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.*
- 4.7-3** *Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7 (Rick Engineering Company, May 24, 2004) and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).*
- 4.7-4** *Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure*

that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.

- 4.7-5** *After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultants shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM could result in impacts to water quality resources as a result of construction and operation activities. During and after project construction, measures shall be implemented to control runoff, erosion, sedimentation, and pollution that could impact water resources on- and off-site. Mitigation identified for the McMillin Otay Ranch, LLC TM to reduce water impacts to below a level of significance is the same as that identified for the *Village 7 SPA Plan* (see mitigation measures 4.7-1 through 4.7-5).

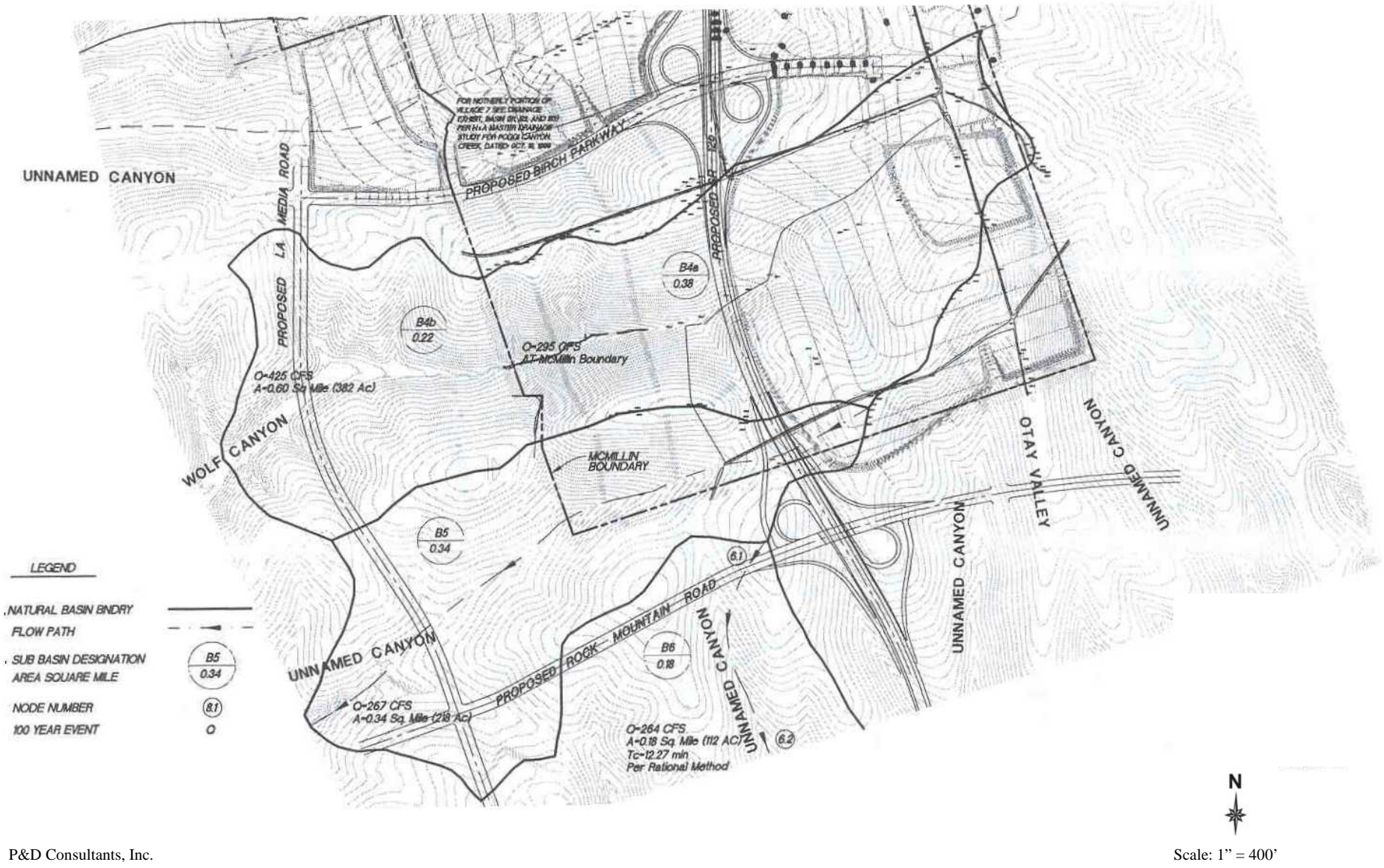
C. OTAY PROJECT LP TENTATIVE MAP

The proposed Otay Project LP TM could potentially result in impacts to water quality resources as a result of construction and operation activities. During and after project construction, measures shall be implemented to control runoff, erosion, sedimentation, and pollution that could impact water resources on- and off-site. Mitigation identified for the Otay Project LP property to reduce water impacts to below a level of significance is the same as that identified for the *Village 7 SPA Plan* (see mitigation measures 4.7-1 through 4.7-5).

4.7.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The proposed *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, and Otay Project LP TM would result in impacts to water quality associated with the introduction of permeable surfaces to the site, landform alteration affecting natural drainage of the site, and introduction of new urban pollutant sources to the site in the form of oil, grease, cleaning solvents, automotive fluids, toxic or hazardous chemicals, detergents, sediment, metals, and food wastes. Implementation of the mitigation measures identified above would reduce potentially significant impacts to below a level of significance. No impacts to groundwater quality or quantity are anticipated.



Source: P&D Consultants, Inc.

Scale: 1" = 400'

EXISTING DRAINAGE

4.8 GEOLOGY AND SOILS

Impacts associated with geology and soils were evaluated by the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154) for the entire Otay Ranch project area, including the *Village 7 SPA Plan* project site. The Program EIR analyzed existing conditions, potential impacts, and mitigation measures associated with geology and soils. Impacts were identified due to slope instability, excavation, expansive soils and susceptibility to erosion. Mitigation regarding topography and geomorphology; lithology; seismically related hazards such as ground rupture, ground shaking, liquefaction, landslides, and tsunamis and seiches; and soils, such as erosion and expansive soils, was presented in the Program EIR. Implementation of these mitigation measures would reduce potential geology and soils impacts to below a level of significance. Relevant to the *Village 7 SPA Plan* are the requirements for site specific geotechnical and soils studies. The analysis and discussion of geology and soils from the Program EIR is hereby incorporated by reference.

The analysis presented in this section focuses on project-specific impacts related to geology and soils that would result from development of the *Village 7 SPA Plan*. Impacts to geology and soils associated with the implementation of the McMillin Otay Ranch, LLC and Otay Project LP TMs are also evaluated in this section. This analysis is based on the *Geotechnical Investigation Otay Ranch, Village 7* (January 23, 2004) prepared by *GEOCON Consultants, Inc.* and the *Geotechnical Investigation Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California* (May 5, 2004) prepared by *GEOCON Consultants, Inc.* Copies of these reports have been included as Appendix E to this EIR.

4.8.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

Geologic Formations

The proposed *Village 7 SPA Plan* project site is located within the coastal plain of the Peninsular Range Geomorphic Province. This province, which stretches from the Los Angeles basin to the tip of Baja California, is characterized as a series of northwest trending mountain ranges separated by subparallel fault zones, and a coastal plain of subdued landforms. The mountain ranges are underlain primarily by Mesozoic metamorphic rocks that were intruded by plutonic rocks of the southern California batholith, while the coastal plain is underlain by subsequently deposited marine and non-marine sedimentary formations.

The site is situated in the coastal plain portion of the Peninsular Ranges geomorphic province. Based on field and literature research, it is anticipated that the geologic units at the site include surficial deposits of alluvium and colluvium, underlain by the Oligocene-age sedimentary Otay Formation. The approximate distribution of the materials is depicted in Figure 4.8-1, *Geologic Map*. The geologic conditions at the site are described below.

Otay Formation

The Otay Formation is believed to underlie to entire *Village 7 SPA Plan* project site. Outcrops of the formation have been observed on the *Village 7 SPA Plan* project site, as well as in road cuts for Birch Road, which forms the northern boundary of the *Village 7 SPA Plan*. The Otay Formation is a fluvial sedimentary rock unit from the late Oligocene age (approximately 29 million years ago). This formation

generally consists of silty, fine-grained sandstone with frequent sandy siltstone interbeds. Fine to medium-grained sandstone is also quite common. The sandstone and siltstone is typically light gray to brown, nonplastic, massive, and weakly to moderately cemented with some beds of strongly cemented material. Thin interbeds of claystone and elastic siltstone are also observed in the formation. These moderately plastic claystones and siltstones are typically dusky brown to red-brown, moderately indurated, and often sandy. Bentonite claystone may exist within the Otay Formation. Bentonites are an absorbent aluminum silicate clay formed from volcanic ash; they are typically light red to white to pinkish gray in color with a waxy appearance, and may be several inches to several feet in thickness. Bentonite has a very low shear strength, and buttressing may be required under certain conditions. Bentonite claystone is also very highly expansive.

Alluvium and Colluvium

Alluvial deposits fill the drainage course bottoms in the two canyons on site (Wolf Canyon and the unnamed canyon). As observed in the canyon bottoms, the alluvium generally consists of sandy clay to fat clay and ranges in color from dark brown to brown. The clay exhibits medium to high plasticity. This material is firm-to-hard and dry on the surface with a blocky, crumbly structure. The alluvium may exceed ten feet in thickness, as observed in several areas in the canyon bottom. The alluvium is considered compressible and moderately to highly expansive.

Colluvium is an accumulation of soil and weathered formation materials formed on slopes as a result of slow downhill creep due to gravity. As observed at the site, this material generally consists of a fine to medium grained sandy clay. The colluvium is typically dark brown, containing nodules and clasts of caliche, and is general firm to stiff. The colluvium may exceed three to four feet in thickness.

Soils

According to the *Soil Survey for the San Diego Area* issued by the United States Department of Agriculture, dated December 1973, the project site is underlain by the Diablo-Altamont Association. The Diablo-Altamont Association is comprised of soils that developed in material weathered from relatively hard meta-sedimentary rock and is found in foothills throughout San Diego County. This association occupies approximately one percent of the San Diego area. Diablo soils make up 45 percent of the association, and Altamont soils 45 percent. More specifically, the soils found on the project site include Diablo clay, two to nine percent slopes (DaC); Diablo clay, nine to 15 percent slopes (DaD); and Linne clay loam, nine to 30 percent slopes (LsE). These soils are shown in Figure 4.8-2, *Surface Soils*, and their characteristics are discussed below. Table 4.8-1, *Soil Properties*, summarizes the properties of the on-site soils.

TABLE 4.8-1
SOIL PROPERTIES

Soil Name	Shrink/ Swell Activity	Erosion Hazard	Runoff	Sand/Gravel	Topsoil/Roadfill
Diablo clay, two to nine percent slopes (DaC)	High	Slight	Slow to Medium	Unsuitable	Poor/Poor
Diablo clay, nine to 15 percent slopes (DaD)	High	Slight to Moderate	Slow to Medium	Unsuitable	Poor/Poor
Linne clay loam, nine to 30 percent slopes (LsE)	Moderate	Moderate	Medium to Rapid	Unsuitable	Fair/Poor

Source: USDA Soil Survey of San Diego County, 1973.
Figure 4.8-1, *Geologic Map*

Figure 4.8-2, *Surface Soils*

Diablo clay, two to nine percent slopes (DaC), is found throughout the project site. This soil is gently sloping to moderately sloping and is 34 to 40 inches deep over rock. DaC soil has a medium to high fertility level, and slow permeability. The available water holding capacity is five to six inches. Runoff is slow to medium, and the erosion hazard is slight to moderate.

Diablo clay, nine to 15 percent slopes (DaD), is also found throughout the project site. Slopes range from two percent but are dominantly nine to 15 percent and is 20 to 60 inches deep over decomposed rock or hard rock. DaD soil has a medium to high fertility level, and slow permeability. The available water holding capacity is 3.5 to nine inches. Runoff is slow to medium, and the erosion hazard is slight.

Linne clay loam, nine to 30 percent slopes (LsE), is found in the northwestern portion of the project site. Slopes are dominantly nine to 15 percent but range to 30 percent. LsE soil has a medium fertility level, and moderately slow to moderately rapid permeability. The available water holding capacity is 3.5 to 10.5 inches. Runoff is medium to rapid, and the erosion hazard is slight.

The on-site soils have been found to have a variety of runoff hazard levels, slight to moderate erosion hazard levels, and slight to moderate shrink/swell activity. These soils have also been found to be unsuitable for sand and gravel use.

Soils developed from the Otay Formation are expansive clays that are dark brown to black and two to three feet in thickness. According to the *Geotechnical Feasibility Update*, the highest expansion category is attributed to the matrix of the Otay Formation found in the northwestern portion of the site, and also in some of the topsoil materials. Soils with low expansion characteristics are the sandstones found within the Otay Formation on-site.

Faults and Seismicity

The San Diego County area is characterized by Quaternary age fault zones which consist of multiple faults that generally strike in a northerly to northwesterly direction. Some of these fault zones are active, while others are inactive. Active faults are defined as those which have shown evidence of faulting during the Holocene, or within the last 11,000 years.

Seismic hazards at the *Village 7 SPA Plan* project site are anticipated to be caused by ground shaking during seismic events caused by the distant active faults. The proposed project site is not located within an area previously known for significant geological hazards. Faults known to exist within 100 kilometers of the site are shown in Figure 4.8-3, *Fault Location Map*.

The nearest fault zone to the project site is the La Nacion fault zone, which is located off-site, west of the project site. The La Nacion fault zone consists of several north-south trending normal faults. While it is considered to be potentially active, the fault has not offset geologic formations younger than 11,000 years old. The nearest fault that exhibits seismic action is the Rose Canyon fault, which is located approximately 11 miles northwest of the site. No faults have been encountered on the *Village 7 SPA Plan* project site.

Table 4.8-2, *Regional Seismicity*, represents the estimated maximum ground accelerations for the site from regionally active faults based on the distance between the site and the active fault, and published attenuation curves.

Figure 4.8-3, *Fault Location Map*

**TABLE 4.8-2
REGIONAL SEISMICITY**

Fault Name	Distance to the project Site (Miles)	Maximum Credible Magnitude	Maximum Credible Site Accelerations (g)
Coronado Bank	19	7.4	0.20
Earthquake Valley	44	6.5	0.02
Elsinore-Coyote Mountain	43	6.8	0.04
Elsinore-Julian	41	7.1	0.05
La Nacion ¹	2.5	6.8	0.44
Newport-Inglewood (Offshore)	45	7.1	0.05
Rose Canyon	11.0	7.2	0.28
San Clemente	4.5	7.3	0.03

¹ Potentially Active.

Ground Rupture

Evidence of active faulting such as lineaments, scarpos, springs, and offset drainages do not exist at the proposed *Village 7 SPA Plan* project site.

Liquefaction

Liquefiable solid typically consists of cohesionless sands and silts that are loose to medium dense and saturated. To liquefy, these soils must be subjected to a ground shaking of sufficient magnitude and duration. Potentially liquefiable soils may occur in the colluvium and alluvium soils that exist in canyon bottoms and canyon sides at the *Village 7 SPA Plan* project site.

Landslides and Lateral Spreads

Evidence of a small ancient landslide exists near the east central portion of the *Village 7 SPA Plan*. Other landslides may be present on the *Village 7 SPA Plan* project site.

Tsunamis, Seiches, Earthquake Induced Flooding

The distance between the proposed project site and the coast, as well as the site's elevation above sea level, preclude damage due to seismically induced waves (tsunamis) or seiches. Due to the elevation of the project site and lack of river tributaries or lakes, the existing probability for earthquake induced flooding is minimal.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Geologic Formations

Located in the eastern portion of the *Village 7 SPA Plan*, the McMILLIN Otay Ranch, LLC TM project site is underlain by the Otay Formation. Similarly, the off-site connector road is underlain by the Otay Formation.

Characteristics of the Otay Formation are discussed above.

Soils

Two soil types are present at the McMillin Otay Ranch, LLC TM project site. These include diablo clay, two to nine percent slopes (DaC) and diablo clay, nine 15 percent slopes (DaD). As discussed above, DaC soil is characterized as gently sloping to moderately sloping, occurring 34 to 40 inches deep over rock. DaC soil has a medium to high fertility level, and slow permeability. The available water holding capacity is five to six inches, and runoff is slow to medium. The erosion hazard for DaC soils is slight to moderate.

DaD soils have slopes that are predominantly nine to 15 percent and are 20 to 60 inches thick, occurring over decomposed or hard rock. DaD soil has a medium to high fertility level, and slow permeability. The available water holding capacity is 3.5 to nine inches. Runoff is slow to medium, and the erosion hazard is slight.

Faults and Seismicity

The McMillin Otay Ranch, LLC TM project site is not located within an area previously known for significant geological hazards. The only potential seismic hazards at the site would be caused by ground shaking during seismic events caused by distant active faults. Faults known to exist within 100 kilometers of the site are shown in Figure 4.8-3, *Fault Location Map*.

The nearest fault zone to the project site is the La Nacion fault zone, which is located approximately 3.5 km (2.2 miles) west of the project site. The La Nacion fault zone consists of several north-south trending normal faults, and it is considered to be potentially active. The nearest active fault is the Rose Canyon fault, which is located approximately 12 miles northwest of the site. No faults occur on the McMillin Otay Ranch, LLC TM project site.

Ground Rupture

Evidence of active faulting such as lineaments, scarpos, springs, and offset drainages do not exist at the proposed McMillin Otay Ranch, LLC TM project site.

Liquefaction

Liquefaction could occur when soils are subjected to a ground shaking of sufficient magnitude and duration. Potentially liquefiable soils may occur in the colluvium and alluvium soils that exist in the bottom of Wolf Canyon and on canyon sides at the McMillin Otay Ranch, LLC TM project site.

Landslides and Lateral Spreads

There is evidence of a small ancient landslide within the McMillin Otay Ranch, LLC TM project area. No other landslides or landslide deposits may be present on the Otay Project LP TM project site; however, none have been identified.

Tsunamis, Seiches, Earthquake Induced Flooding

The McMillin Otay Ranch, LLC TM project is not subject to tsunamis or seiches. Due to the elevation of the project site and lack of river tributaries or lakes, the existing probability for earthquake induced

flooding is minimal.

C. OTAY PROJECT LP TENTATIVE MAP

Geologic Formations

The Otay Project LP TM project site is located in the western portion of the *Village 7 SPA Plan* and is underlain by the Otay Formation. The 44.4-acre off-site borrow area is also underlain by the Otay Formation. Characteristics of the Otay Formation are discussed above.

Soils

Two soil types are present at the Otay Project LP TM project site. These include diablo clay, two to nine percent slopes (DaC) and diablo clay, nine 15 percent slopes (DaD). As discussed above, DaC soil is characterized as gently sloping to moderately sloping, occurring 34 to 40 inches deep over rock. DaC soil has a medium to high fertility level, and slow permeability. The available water holding capacity is five to six inches, and runoff is slow to medium. The erosion hazard for DaC soils is slight to moderate.

DaD soils have slopes that are predominantly nine to 15 percent and are 20 to 60 inches thick, occurring over decomposed or hard rock. DaD soil has a medium to high fertility level, and slow permeability. The available water holding capacity is 3.5 to nine inches. Runoff is slow to medium, and the erosion hazard is slight.

Faults and Seismicity

The Otay Project LP TM project site is not located within an area previously known for significant geological hazards. The only potential seismic hazards at the site would be caused by ground shaking during seismic events caused by distant active faults. Faults known to exist within 100 kilometers of the site are shown in Figure 4.8-3, *Fault Location Map*.

The nearest fault zone to the project site is the La Nacion fault zone, which is located northwest of the project site. The La Nacion fault zone consists of several north-south trending normal faults, and it is considered to be potentially active. The nearest active fault is the Rose Canyon fault, which is located approximately 12 miles northwest of the site. No faults occur on the Otay Project LP TM project site.

Ground Rupture

Evidence of active faulting such as lineaments, scarpos, springs, and offset drainages do not exist at the proposed Otay Project LP TM project site.

Liquefaction

Liquefaction could occur when soils are subjected to a ground shaking of sufficient magnitude and duration. Potentially liquefiable soils may occur in the colluvium and alluvium soils that exist in the bottom of Wolf Canyon and on canyon sides at the Otay Project LP TM project site.

Landslides and Lateral Spreads

No landslides have been identified on the Otay Project LP TM project site.

Tsunamis, Seiches, Earthquake Induced Flooding

The project is not subject to tsunamis or seiches. Due to the elevation of the project site and lack of river tributaries or lakes, the existing probability for earthquake induced flooding is minimal.

4.8.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant effect on geology and soils if it would:

- ◆ Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides;
- ◆ Result in substantial soil erosion or the loss of topsoil; or
- ◆ Be located on expansive soils or on a geologic unit or soil that is unstable, or that would become unstable as a result of the project.
- ◆ 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

4.8.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

As identified by the geological reports prepared for the properties comprising the *Village 7 SPA Plan* project site, the *Village 7 SPA Plan* has the potential to result in geological and soil impacts during the construction period. Geologic and soil characteristics at the project site, such as rippability, the presence of loose and compressible soils such as alluvium and colluvium, the presence of highly expansive soils that could result in heave, and unstable slope conditions, may result in the need for unconventional grading equipment during excavation of the site, significant adverse impacts to structural slabs, foundations, and roadways, fill depth differentials greater than 20 feet, or unstable conditions at the project site. These geologic and soil characteristics at the project site could result in potentially significant environmental impacts during the construction period.

Geologic Formations

The project site is underlain by the Otay Formation. Excavation in the Otay Formation may generate large, strongly cemented material that would require extra effort to break down to a size suitable for incorporation into compacted fill.

Soils

Compressible Soils

Loose, compressible soils, which include alluvium and colluvium, occur throughout the project site. These soils have the potential to settle under increased loads or, due to an increase in moisture content, form site irrigation or changes in drainage conditions. The presence of soils at the project site would result in potentially significant impacts to development of the site during the construction period.

Expansive Soils

Most of the earth materials at the project site are not highly expansive and would be suitable for use in compacted fills. Excavations within the Otay Formation are expected to generate predominantly granular soils with low to medium expansion potentials.

The highly expansive material found at the project site includes alluvium, colluvium, and claystone. Expansive soils may result in significant adverse impacts to structural slabs, foundations, and roadways due to their swelling. Expansive soils are a common occurrence throughout San Diego County and special design features can be used to mitigate any detrimental effects. The presence of expansive soils near finish grade would result in potentially significant impacts associated with heave occurring during the construction period.

Settlement

Deep fills are likely to undergo some settlement over time. The amount of settlement is related to the fill depth and the amount of surface irrigation and subsequent groundwater infiltration. Potentially significant impacts could occur during the construction period at lots that contain a differential of more the 20 feet between minimum and maximum fill depths.

Faulting and Seismicity

There are no active or potential active faults located within the project site. The nearest active fault to the site is Rose Canyon fault, which is located approximately 11 miles northwest of the site. The project site, as with all of southern California, could be subject to severe ground-shaking as a result of a major earthquake occurring along this fault or other regionally significant faults. Buildings within the *Village 7 SPA Plan* project area would be constructed in accordance with the requirements of the governing jurisdictions, building codes, and standard practices of the Associated of Structural Engineers of California. Exposure to seismic impacts within the *Village 7 SPA Plan* would be no greater than other parts of southern California, and impacts are not considered significant.

Landslides

No landslides are expected to occur on-site. However, if potentially unstable slope conditions are observed during construction activities, they would require mitigation. Unstable slope conditions are considered a potentially significant impact during the construction period.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

As identified by the *Geotechnical Investigation McMillin Otay Ranch, Village 7* dated January 23, 2004 prepared by *Geotechnics Incorporated*, the *Village 7 SPA Plan* has the potential to result in geological and soil impacts during the construction period, which is considered significant. Geologic and soil characteristics at the project site, such as rippability, the presence of loose and compressible soils such as alluvium and colluvium, the presence of highly expansive soils that could result in heave, and unstable slope conditions, may result in the need for unconventional grading equipment during excavation of the site, significant adverse impacts to structural slabs, foundations, and roadways, fill depth differentials greater than 20 feet, or unstable conditions at the project site.

Geologic Formations

The project site is underlain by the Otay Formation. Excavation in the Otay Formation may generate large, strongly cemented material that would require extra effort to break down to a size suitable for incorporation into compacted fill.

Soils

Compressible Soils

Loose, compressible soils, which include alluvium and colluvium, occur throughout the project site. These soils have the potential to settle under increased loads or due to an increase in moisture content from site irrigation or changes in drainage conditions. The presence of soils at the project site would result in potentially significant impacts to development of the site during the construction period.

Expansive Soils

Most of the earth materials at the project site are not highly expansive and would be suitable for use in compacted fills. Excavations within the Otay Formation are expected to generate predominantly granular soils with low to medium expansion potentials.

The highly expansive material found at the project site includes alluvium, colluvium, and claystone. Expansive soils may result in significant adverse impacts to structural slabs and foundations and roadways due to their swelling. Expansive soils are a common occurrence throughout San Diego County and special design features can be used to mitigate any detrimental effects. The presence of expansive soils near finish grade would result in potentially significant impacts associated with heave occurring during the construction period.

Settlement

Deep fills are likely to undergo some settlement over time. The amount of settlement is related to the fill depth and the amount of surface irrigation and subsequent groundwater infiltration. Potentially significant impacts could occur during the construction period at lots that contain a differential of more the 20 feet between minimum and maximum fill depths.

Faulting and Seismicity

There are no active or potential active faults located within the project site. The nearest active fault to the site is Rose Canyon fault, which is located approximately 12 miles northwest of the site. The project site, as with all of southern California, could be subject to severe ground-shaking as a result of a major earthquake occurring along this fault or other regionally significant faults. Buildings within the *Village 7 SPA Plan* would be constructed in accordance with the requirements of the governing jurisdictions, building codes, and standard practices of the Associated of Structural Engineers of California. Exposure to seismic impacts at the McMillin Otay Ranch, LLC TM project site would be no greater than other parts of southern California, and impacts are not considered significant.

Landslides

No landslides are expected to occur on-site. However, if potentially unstable slope conditions are observed during construction activities, they would required mitigation. Unstable slope conditions are considered a potentially significant impact during the construction period.

C. OTAY PROJECT LP TENTATIVE MAP

As identified by the *Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California* dated May 5, 2004 prepared by *Geocon Incorporated*, development of the Otay Project LP TM has the potential to result in geological and soil impacts during the construction period, which is considered significant. Geologic and soil characteristics at the project site, such as rippability, the presence of loose and compressible soils such as alluvium and colluvium, the presence of highly expansive soils that could result in heave, and unstable slope conditions, may result in the need for unconventional grading equipment during excavation of the site, significant adverse impacts to structural slabs, foundations, and roadways, fill depth differentials greater than 20 feet, or unstable conditions at the project site.

Geologic Formations

The project site is underlain by the Otay Formation. Excavation in the Otay Formation may generate large, strongly cemented material that would require extra effort to break down to a size suitable for incorporation into compacted fill.

Soils

Compressible Soils

Loose, compressible soils, which include alluvium and colluvium, occur throughout the project site. These soils have the potential to settle under increased loads or due to an increase in moisture content from site irrigation or changes in drainage conditions. The presence of soils at the project site would result in potentially significant impacts to development of the site during the construction period.

Expansive Soils

Most of the earth materials at the project site are not highly expansive and would be suitable for use in

compacted fills. Excavations within the Otay Formation are expected to generate predominantly granular soils with low to medium expansion potentials.

The highly expansive material found at the project site includes alluvium, colluvium, and claystone. Expansive soils may result in significant adverse impacts to structural slabs and foundations and roadways due to their swelling. Expansive soils are a common occurrence throughout San Diego County and special design features can be used to mitigate any detrimental effects. The presence of expansive soils near finish grade would result in potentially significant impacts associated with heave occurring during the construction period.

Settlement

Deep fills are likely to undergo some settlement over time. The amount of settlement is related to the fill depth and the amount of surface irrigation and subsequent groundwater infiltration. Potentially significant impacts could occur during the construction period at lots that contain a differential of more the 20 feet between minimum and maximum fill depths.

Faulting and Seismicity

There are no active or potential active faults located within the project site. The nearest active fault to the site is Rose Canyon fault, which is located approximately 12 miles northwest of the site. The project site, as with all of southern California, could be subject to severe ground-shaking as a result of a major earthquake occurring along this fault or other regionally significant faults. Buildings within the *Village 7 SPA Plan* would be constructed in accordance with the requirements of the governing jurisdictions, building codes, and standard practices of the Associated of Structural Engineers of California. Exposure to seismic impacts within the Otay Project LP TM project area would be no greater than other parts of southern California, and impacts are not considered significant.

Landslides

No landslides are expected to occur on-site. However, if potentially unstable slope conditions are observed during construction activities, they would required mitigation. Unstable slope conditions are considered a potentially significant impact during the construction period.

4.8.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, and Otay Project LP TM would result in grading and excavation activities and construction of structures at the project site. Potential construction-related geology and soils impacts at the site would result from the presence of compressible and expansive soils and the potential for settlement and landslides to occur. Mitigation would be required to reduce impacts to below a level of significance.

4.8.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The following mitigation measures have been identified to reduce construction-related impacts associated with compressible and expansive soils, settlement, and landslides at the project site.

4.8-1 *Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Geotechnical Investigation McMillin Otay Ranch, Village 7, prepared by Geotechnics Incorporated, dated January 23, 2004, for the eastern portion of the Village 7 SPA Plan project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.*

4.8-2 *Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California dated May 5, 2004 prepared by Geocon Incorporated, for the western portion of the Village 7 SPA Plan project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation the McMillin Otay Ranch, LLC TM would result in potential geology and soils impacts due to the presence of compressible and expansive soils and the potential for settlement and landslides to occur. Implementation of mitigation measure 4.8-1 identified for the *Village 7 SPA Plan* above would reduce potential impacts to below a level of significance.

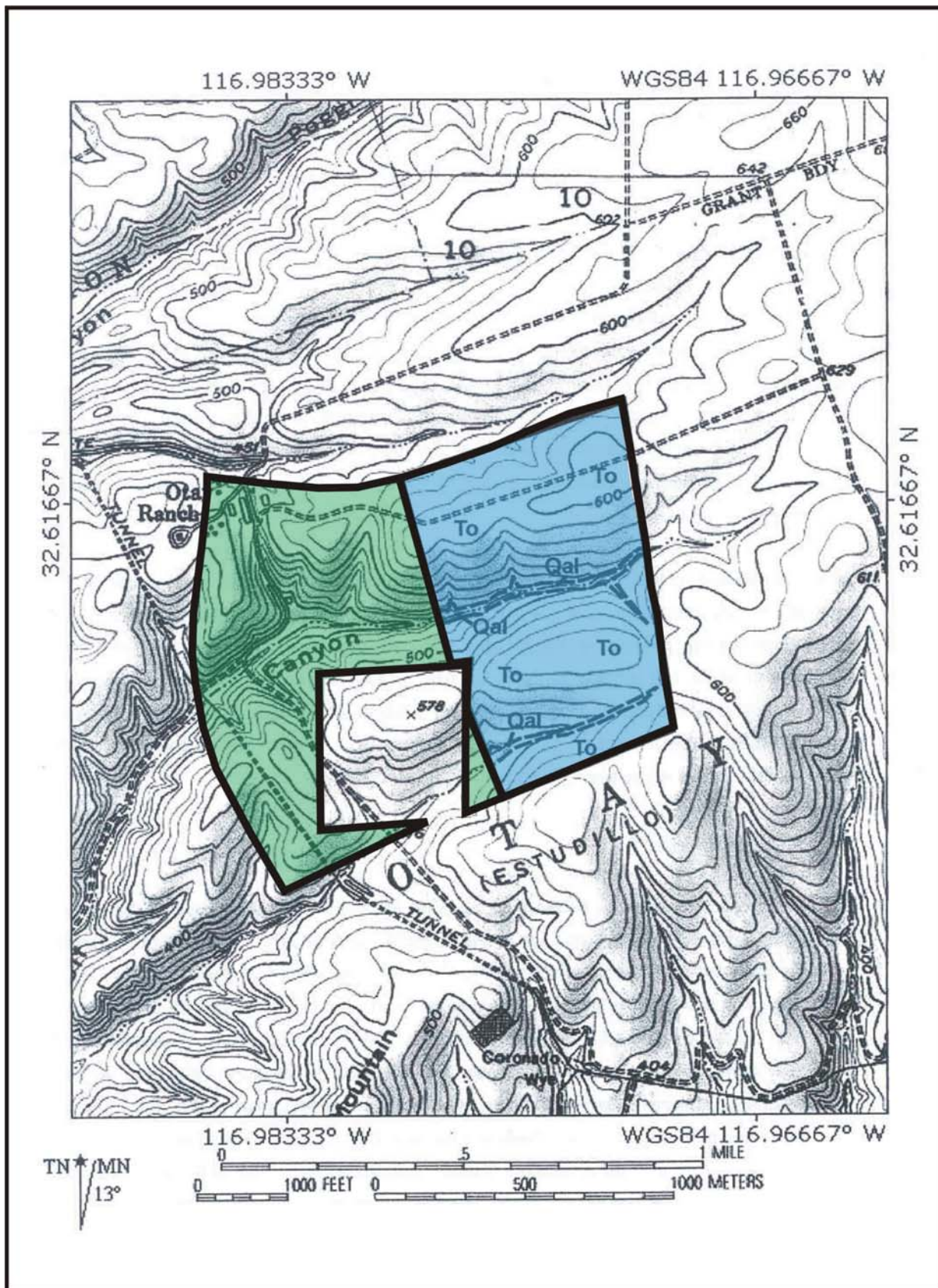
C. OTAY PROJECT LP TENTATIVE MAP

Implementation the Otay Project LP TM would result in potential geology and soils impacts due to the presence of compressible and expansive soils and the potential for settlement and landslides to occur. Implementation of mitigation measure 4.8-2 identified for the *Village 7 SPA Plan* above would reduce potential impacts to below a level of significance.

4.8.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

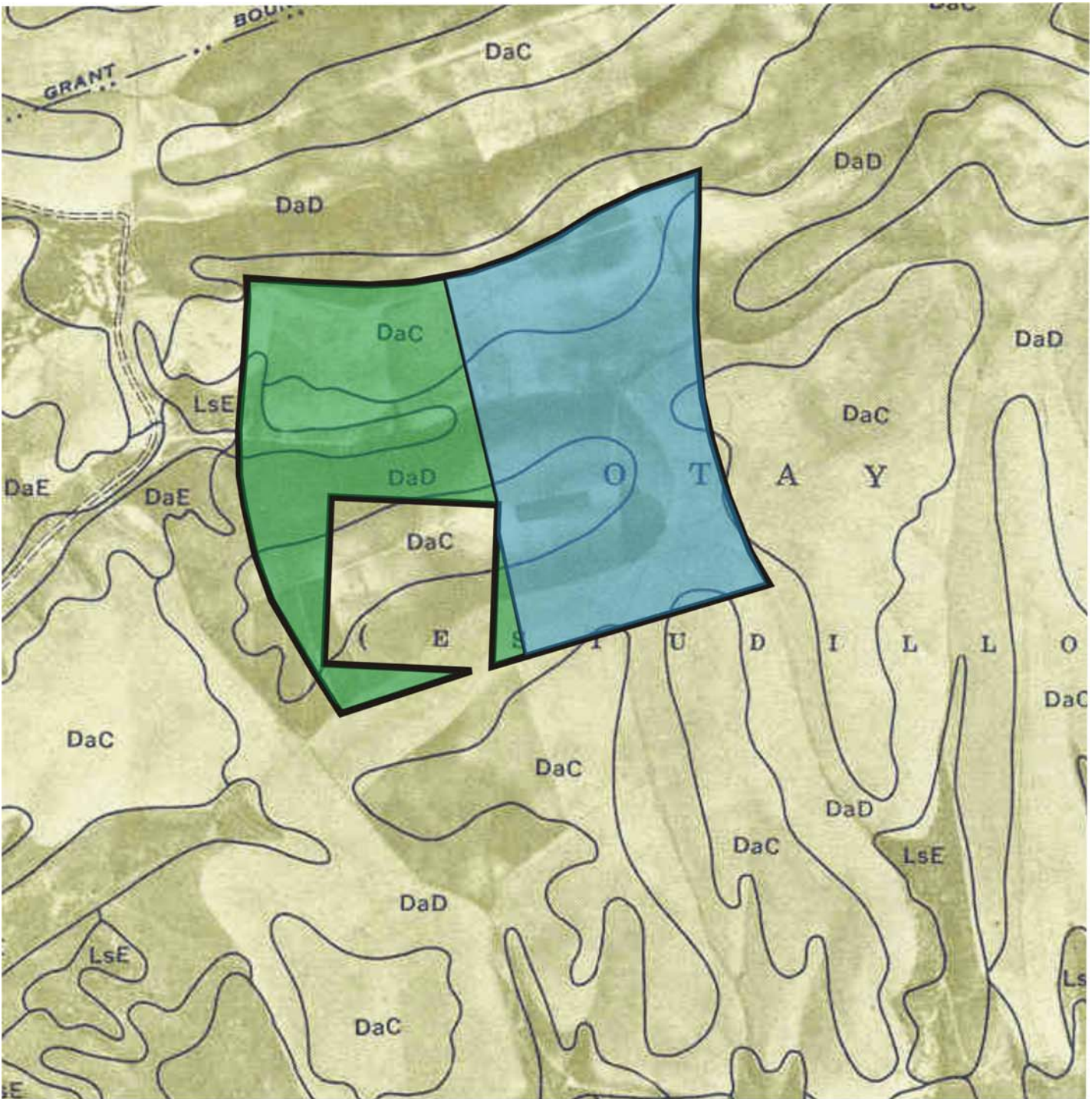
Potential geology and soils impacts associated with the proposed *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, and Otay Project LP TM would result from the presence of compressible and expansive soils at the project site, the potential for settlements to occur, and the potential for landslides to occur. With implementation of the mitigation measures identified above, geology and soils impacts associated with proposed development would be reduced to below a level of significance.



- Otay Project LP Tentative Map
- McMillin Otay Ranch, LLC Tentative Map

Source: Geotechnics Incorporated

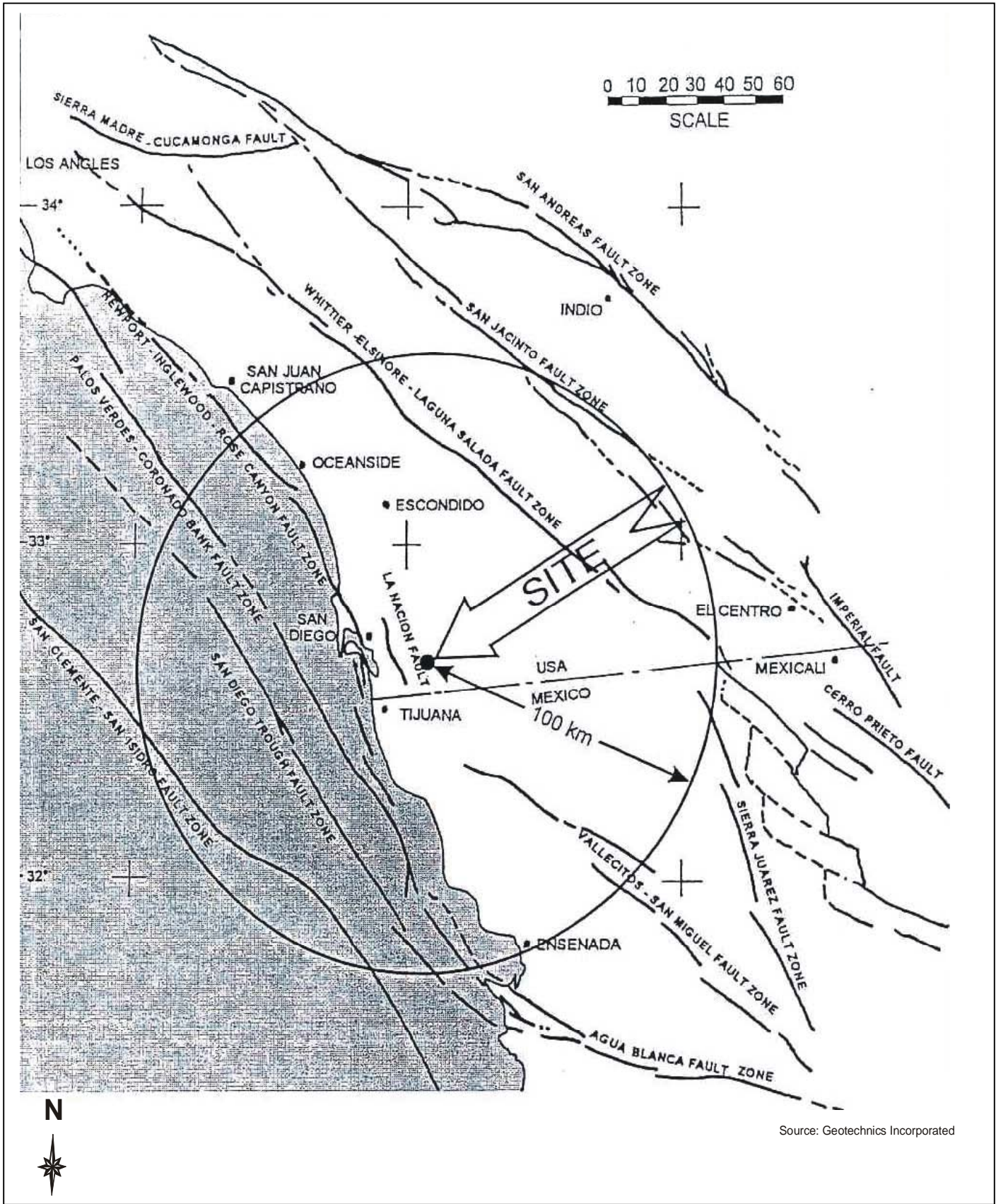
GEOLOGIC MAP



Source: Soil Survey by USDA, Soil Conservation Service



SURFACE SOILS



FAULT LOCATION MAP

4.9 CULTURAL RESOURCES

The analysis presented in this section is based in part on that provided in the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154), which analyzed the existing conditions, potential impacts, and mitigation measures related to cultural resources for the entire Otay Ranch. The analysis was derived from records and literature searches and from several confidential reports of cultural studies conducted within the Village 7 area, which includes the *Village 7 SPA Plan* project site. Among these studies was an archaeological overview (1987), an initial planning survey (1990), and survey and a spot check study of approximately 6,000 acres (1991 and 1992). The Program EIR concluded that implementation of the GDP would result in a significant impact on cultural resources. The analysis and discussion of cultural resources is hereby incorporated by reference.

The following discussion focuses on project-specific impacts associated with the development of the *Village 7 SPA Plan*. For the project, *ASM Affiliates* summarized the conclusions of all known prior cultural resources research within the project site and the entire Village 7 area in a letter report dated September 30, 2003, which is included as Appendix G-1 to this document. Additionally, *ASM Affiliates* tested the untested site SDI-12,279. The results of the testing for SDI-12,279 are summarized in a report titled *Cultural Resources Evaluation for CA-SDI-12,279 and CA-SDI-12,565, Chula Vista Village 7 Project* (March 2004). Testing and evaluation of four sites occurring on the Otay Project LP project site, [including the off-site borrow area](#), was also performed, and the results are summarized in a cultural report titled *A Report of an Archaeological Survey and Evaluation of Cultural Resources within the Otay Ranch Company Ownership at the Otay Ranch Village Seven Project* (revised February 3, 2004), prepared by *Brian F. Smith and Associates (BFSA)*. Copies of the cultural reports completed for the *Village 7 SPA Plan* are also included as Appendices G-2 and G-3 of this EIR. The results of the archaeological research and testing are discussed in the analysis below.

4.9.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

History of the San Diego Area

The results of archaeological research performed in the San Diego region has contributed to the knowledge of the prehistory of San Diego County. Many archaeological sites have been used to help define the culture sequence of the San Diego region. It is generally accepted that the San Dieguito complex, dating to approximately 10,000 years ago, represents the first archaeological sign of Native Americans in the San Diego area, followed by the La Jolla complex 7,000 years ago, and then the Native American groups from the Late Prehistoric Period.

The Late Prehistoric period is defined by archaeological manifestations for the inland San Luis Rey and Cuyamaca groups and the coastal [Luiseño-Luiseño](#) and Kumeyaay groups. The Cuyamaca complex is found in the southern portion of the county, where the *Village 7 SPA Plan* project site is located, and has been defined on the basis of village sites in the foothills and mountains. Elements of mortars and pestles, ceramics, and pictographs are also associated with Cuyamaca sites.

History of the Project Area

Both archaeological and historical sites have been identified within the City of Chula Vista. Areas with exploitable resources, including water and lithic sources, are most likely to have archaeological remains

present. These sites are expected to occur along ridge tops and terraces above river valleys. The types of sites that have been identified in the Chula Vista area range from isolated artifacts, such as ceramic sherds and stone tools, to multi-component campsites. The most common type of prehistoric sites in the Otay Ranch area is that of sparse lithic scatter. The distribution of the site types suggests that prehistorically this area of Otay Ranch was utilized primarily for short-term resources procurement.

Although the downtown portion of the City of Chula Vista is already built-out, the undeveloped eastern portion of the City has numerous archaeological sites. These sites are located in or near the Otay River Valley, as well as the upper Otay area and Proctor Valley. Other areas which contain known cultural resources, or are considered to be archaeologically sensitive, include: the Poggi, Wolf, and Telegraph Canyon areas; the lower Otay area; the south Sweetwater area (Janal Ranch area); and other areas where fauna and floral resources would have been available in prehistoric times to support a foraging subsistence pattern. In addition, many historic sites within the Chula Vista area consist of early homesteads and features associated with farming activities in the late 1800s and early 1900s.

The *Village 7 SPA Plan* project site was part of the historic 6,657-acre Otay Rancho that was granted to Dona Magdalena Estudillo in 1829. The ranch was named after a nearby Kumeyaay Indian village complex, called Otay. In 1872, Dona Estudillo received a patent to the ranch. The ranch was used for cattle and sheep grazing by subsequent owners. Stephen Birch purchased Otay Ranch in 1936. Most of the property remained as ranch land until the past few decades.

Cultural Resources within the Village 7 SPA Plan Project Area

Cultural resources within and around the *Village 7 SPA Plan* project site have been evaluated as part of proposed developed in the vicinity of the *Village 7 SPA Plan* project site. The following historic and prehistoric cultural resources were identified within or next to the project area. Their exact locations are omitted in order to preserve their confidentiality.

- ◆ SDI-11,384. The historic Otay Ranch Complex, consisting of approximately 20 buildings and structures. It is likely that historic refuse deposits and privy pits are located within Site SDI-11,384. It was mapped near the northwest edge of the *Village 7 SPA Plan* project area. Site SDI-11,384 and its structures and features do not extend into the project site.
- ◆ SDI-12,279. A prehistoric temporary camp consisting of a scatter of artifacts, including ground stone, one flake, a core tool, and a core fragment. Site SDI-12,279 is approximately 35 meters by 60 meters in size. It is located in the north central portion of the *Village 7 SPA Plan* project site. One piece of shell, the flake, and the core tool at this site have been collected. Site SDI-12,279 has been evaluated and is not considered significant under CEQA or the National Historic Preservation Act (NHPA).
- ◆ SDI-12,288. A prehistoric scatter of lithic artifacts measuring 80 meters by 120 meters in the central portion of the *Village 7 SPA Plan* project site. Lithic artifacts observed on Site SDI-12,288 included five flakes and three cores. One retouched flake and one core tool have been collected Site SDI-12,288. Site SDI-12,288 has been evaluated and is not considered significant under CEQA.
- ◆ SDI-12,565. A low density scatter of flaked stone artifacts measuring 200 by 150 meters located to the south and west of the *Village 7 SPA Plan* project site. One possible mano fragment was also identified. Site SDI-12,565 has been evaluated for importance or significance under CEQA and determined to not be significant.
- ◆ SDI-16,680. A scatter of lithic artifacts with a shallow midden deposit located in the northwestern portion of the *Village 7 SPA Plan* project site. Shovel tests and an evaluation of site significance were conducted at Site SDI-16,680. No further work was recommended by the evaluation.

- ◆ SDI-16,681. A scatter of lithic artifacts with a limited subsurface component located in the northwestern portion of the *Village 7 SPA Plan* project site. An evaluation of site significance was conducted at Site SDI-16,681. No further work was recommended by the evaluation.
- ◆ P37-14533. An isolated flake located south of the project area.

In addition to the sites listed above, various other isolated artifacts have been noted on the *Village 7 SPA Plan* project site.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM project site is located in the eastern portion of the *Village 7 SPA Plan* project area, and the connector road proposed by the McMillin Otay Ranch, LLC TM is located in the western portion of Village 7. Sites SDI-12,279 and SDI-12,565 are the only cultural resources identified within the area proposed for development by the McMillin Otay Ranch, LLC TM. As described above, Site SDI-12,279 is a prehistoric temporary camp, approximately 35 meters by 60 meters in size, consisting of a scatter of artifacts, including ground stone, one flake, a core tool, and a core fragment. Site SDI-12,565 is a low density scatter of flaked stone artifacts. Neither Site 12,279 or Site 12,565 is not considered significant under CEQA.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM project site is located in the western portion of the *Village 7 SPA Plan* project area. Additionally, the Otay Project LP TM would receive fill from the Community Park site within Village 4. This off-site borrow area comprises 44.4 acres and is located southwest of the Otay Project LP TM site, across future La Media Road.

Four prehistoric archaeological sites occur within the Otay Project LP TM project area, which includes the borrow site. These include SDI-16,679, SDI-16,680, SDI-16,681, and SDI-12,288. Sites SDI-16,680, SDI-16,681 and SDI-12,288 are scatters of lithic artifacts, as described above. Site 16,679, which is located within the off-site borrow area is a small prehistoric camp. Artifacts collected at this site include five flakes, one ground stone tool, a metate, two percussive tools, three core tools, and one multi-use tool. Additional marine mollusk shell was found. Site 16,679 was found to contain sparse cultural deposits, with little research potential for the prehistory of the region. Site ~~12,279~~16,679 is not considered significant under CEQA.

4.9.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant effect on cultural resources if the project would:

- ◆ Cause a substantial adverse change in the significance of a historical resource defined in §15064.5;
- ◆ Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or,
- ◆ Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- ◆ Disturb any human remains, including those interred outside of formal cemeteries.

4.9.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

Based on the analysis presented in Program EIR, as well as the *ASM Affiliates* letter report (September 30, 2003), the *Cultural Resources Evaluation for CA-SDI-12,279 and CA-SDI-12,565, Chula Vista Village 7 Project* report (March 2004), and *A Report of an Archaeological Survey and Evaluation of Cultural Resources within the Otay Ranch Company Ownership* (BFSA, revised February 3, 2004), a total of four prehistoric or historic sites have been identified on the *Village 7 SPA Plan* project site. These include SDI-12,279, SDI-12,288, SDI-16,680, and SDI-16,681.

All of the sites are within areas proposed for development, and each would be lost due to site development. Each site has been tested for significance under CEQA. Testing of SDI-12,279 was done by *ASM Affiliates* and included surface survey, surface artifact/ecofact collection, excavation of shovel test pits, and laboratory analysis of recovered artifacts/ecofacts. Sites SDI-12,288, SDI 16,680, and SDI 16,681 were tested by *BFSA* and included collection of artifacts, a series of shovel tests, and analysis of site components. Results of the testing performed by *ASM Affiliates* and *BFSA* found none of the sites to be significant. Therefore, none of the resource sites found within the *Village 7 SPA Plan* project area is considered significant, and the project would not result in direct impacts to any identified significant cultural resources.

Past grading activities occurring on adjacent properties within Otay Ranch have encountered buried cultural sites. Therefore, grading associated with the project has the potential to uncover buried prehistoric and historic deposits that have not been previously detected. Implementation of the *Village 7 SPA Plan* could potentially result in an impact to cultural resources, if significant historic deposits or features, or prehistoric sites were encountered during grading activities.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Of the cultural resources listed above as being located on the *Village 7 SPA Plan* project site, only Site SDI-12,279 and Site SDI-12,565 occur within the McMillin Otay Ranch, LLC TM area. Testing of Site SDI-12,279 and Site SDI-12,565 determined that the sites are not considered significant under CEQA or the National Historic Preservation Act (NHPA).

In addition to Sites SDI-12,279 and SDI-12,565, three isolated artifacts exist on the portion of the site owned by McMillin Otay Ranch, LLC. These sites include Isolate 426 and Isolate 427, both of which are considered flakes, and the loss of these resources would not be considered significant.

As discussed above for the *Village 7 SPA Plan*, grading activities associated with surrounding developments have encountered buried historic and prehistoric resources. Therefore, grading activities required for development of the McMillin Otay Ranch, LLC TM have the potential to result in impacts to potentially significant, unidentified historic and prehistoric resources. Mitigation would be required to reduce potential impacts to significant subsurface cultural resources that could be encountered through grading to below a level of significance.

C. OTAY PROJECT LP TENTATIVE MAP

Three cultural sites (SDI-12,288, SDI-16,680, and SDI-16,681) occur within the Otay Project LP TM area within the *Village 7 SPA Plan* area, and one cultural site (SDI-16,679) is found within the off-site disposal borrow area associated with this TM. As discussed above, each of these sites has been tested for importance or significance under CEQA and determined not to be significant. Implementation of the Otay Project LP TM would not result in significant impacts to cultural resources found within the project area.

There is potential for unidentified, buried historic and prehistoric sites to occur within the Otay Project LP TM affected area. Grading associated with implementation of the Otay Project LP TM could potentially impact buried historic or prehistoric sites. Mitigation would be required to reduce potential impacts to significant buried cultural resources to below a level of significance.

4.9.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The proposed *Village 7 SPA Plan* would adversely impact the four archaeological sites known to exist within the proposed project site. These sites have been tested and determined to be not significant under CEQA; therefore, the project would not result in impacts to identified significant archaeological resources. However, the proposed project could result in significant impacts to unknown subsurface archaeological materials that may be encountered during grading and excavation activities for the proposed project.

Two archaeological sites have been identified within the proposed McMillin Otay Ranch, LLC TM site. The McMillin Otay Ranch, LLC TM project would adversely impact Site SDI-12,279, a prehistoric temporary camp consisting of a scatter of artifacts, including ground stone, one flake, a core tool, and a core fragment, and Site SDI-12565, a low density scatter of flaked stone artifacts. Both sites have been evaluated and are not considered significant under CEQA; therefore, development of the McMillin Otay Ranch, LLC TM would not result in impacts to identified significant archaeological resources. Grading and excavation activities associated with the McMillin Otay Ranch, LLC TM could, however, result significant impacts to unknown subsurface archaeological materials.

A total of four archaeological sites has been identified within the proposed Otay Project LP TM site and would be adversely impacted by development of the Otay Project LP TM. These include Sites SDI-16,680, SDI-16,681, and SDI-12,288. Additionally, Site SDI-16,679 is located within the off-site borrow site for the Otay Project LP TM and would also be impacted by the project. Each of these sites has been evaluated and is not considered significant under CEQA. Therefore, development of the Otay Project LP TM would not result in impacts to identified significant archaeological resources. Grading and excavation activities associated with the Otay Project LP TM could, however, result in significant impacts to unknown subsurface archaeological materials.

4.9.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

While no significant cultural resources have been identified on the *Village 7 SPA Plan* project site, the proposed project could result in impacts to unidentified, subsurface cultural resources as a result of grading activities. The following mitigation measure would be implemented to reduce potential impacts to unknown significant cultural resources to below a level of significance. This measure is required for all areas within the *Village 7 SPA Plan* project area in which grading activities are proposed.

- 4.9-1** *A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of Measure 4.9-1 identified above would reduce potentially significant impacts to important cultural resources to below a level of significance. No further mitigation is required.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of Measure 4.9-1 identified above would reduce potentially significant impacts to important cultural resources to below a level of significance. No further mitigation is required.

4.9.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Implementation of the proposed *Village 7 SPA Plan*, the *McMillin Otay Ranch, LLC TM*, and the *Otay Project LP TM* could result in potentially significant impacts to unknown, subsurface cultural resources. Implementation of the mitigation measure identified above would reduce potential impacts to below a level of significance.

4.10 PALEONTOLOGICAL RESOURCES

Paleontological resources were evaluated for the entire Otay Ranch project area as part of the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154). Significant impacts to paleontological resources were identified in the Program EIR, due to the potential for disturbance of significant paleontological resources, and mitigation was identified. Mitigation involves paleontological monitoring during excavation of geologic formations with paleontological sensitivity to prevent disturbance to significant resources. The analysis and discussion of paleontological resources from the Program EIR is hereby incorporated by reference.

The analysis presented in this section focuses on project-specific impacts to paleontological resources that would result from development of the *Village 7 SPA Plan*. Impacts to paleontological resources associated with the development of the implementation of the McMillin Otay Ranch, LLC TM and Otay Project LP TMs are also evaluated in this section.

4.10.1 Existing Conditions

The following discussion summarizes existing conditions for the *Village 7 SPA Plan* project site related to paleontological resources. Because the potential for paleontological resources is directly related to underlying geologic formations, and the entire *Village 7 SPA Plan* project site is underlain by one formation, the following description of existing conditions applies to the McMillin Otay Ranch, LLC TM and the Otay Project LP TM project areas, as well as the entire *Village 7 SPA Plan* project area.

VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Paleontological resources are the fossil remains of prehistoric plant and animal life. The potential for the presence of fossil remains is directly associated with the types of geological formations underlying a particular site. Geologic formations are ranked as having zero, low, moderate, or high sensitivity relative to the potential for presence of fossil remains. As described in Section 4.8, *Geology and Soils*, of this EIR, the project area is underlain by the Otay Formation, with alluvial and colluvial deposits (see Figure 4.8-1, *Geologic Map*).

Numerous fossil localities have been discovered in the upper sandstone-mudstone member and the middle gritstone member of the Otay Formation. Prior to residential and commercial development in the eastern Chula Vista area, the Otay Formation was not known to be fossiliferous. Fossils from the formation discovered during development of the Eastern Territories include well-preserved remains of a diverse assemblage of terrestrial vertebrates such as tortoise, lizards, snake, birds, shrews, rodents, rabbit, dog, fox, rhinoceros, camels, mouse and deer. Based on those fossil discoveries, the Otay Formation is now considered to be the richest source of late Oligocene terrestrial vertebrates in California.

The Otay Formation is exposed throughout the southwestern portion of the Coastal Plain Region, from State Route 94 (SR 94) south to the International Border, and from I-805 east to the base of the San Ysidro Mountains and San Miguel Mountain. Extensive exposure of the lower fanglomerate portion of the formation occurs in the area around Lower Otay Lake. The Otay Formation is also found in patches along the north side of the San Ysidro Mountains as far east as Sycamore Canyon.

The upper sandstone portion of the Otay Formation has produced extremely important vertebrate fossil remains. Therefore, the upper sandstone unit is considered to have a high paleontological resource sensitivity. The lower gritstone and fanglomerate portion of the formation has produced vertebrate fossils from only a few localities. These units are considered to have a moderate resource sensitivity.

Paleontological resources found within alluvium deposition generally consist of peat deposits, which are found throughout San Diego County in the Pine Valley, Cottonwood Valley, Cameron Valley, Campo Valley, Potrero Valley, Viejas Valley, Descanso Valley, and Green Valley areas. Other mountain valleys in San Diego County such as the Otay River Valley are assigned a low paleontological resource sensitivity because of the generally coarse-grained nature of the valley-filling deposits. In addition, colluvial deposits or surficial soils have a low paleontological resource sensitivity because these deposits generally occur on or near the earth's surface. Paleontological resources are typically found in deeper bedrock layers of sandstone, mudstone, or shale.

4.10.2 Threshold of Significance

According to Appendix G of the CEQA Guidelines, the proposed project could have a significant effect on paleontological resources, if it would:

- ◆ Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

4.10.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

As mentioned above, the upper sandstone portion of the Otay Formation is considered to have a high paleontological resource sensitivity, and the lower gritstone and fanglomerate portion of the formation has a moderate resource sensitivity. The proposed *Village 7 SPA Plan* would involve approximately 7,500,000 cubic yards of grading and fill activities within the Otay Formation which could result in potentially significant impacts to paleontological resources. Therefore, mitigation consistent with the Otay Ranch Program EIR would be required.

No adverse impacts are expected to occur from grading and excavation activities within alluvial and colluvial deposits, due to their low resource potential. Once grading and site excavation work has occurred, the project would not result in additional impacts to paleontological resources.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM site is underlain by the Otay Formation with alluvial and colluvial deposits (see Figure 4.10-1, *Areas Potentially Containing Paleontological Resources*). The Otay Formation is characterized by an upper portion with high paleontological resource sensitivity and a lower portion with moderate resource sensitivity. Development of 310 single-family homes and 448 multi-family dwelling units, and preparation of a 7.6-acre park site, an 11.1-acre elementary school site, and a 23.4-acre high school site, as proposed by the McMillin Otay Ranch, LLC TM, would involve a large amount of earthwork including grading and excavation. The McMillin Otay Ranch, LLC TM site would involve approximately 3,500,000 cubic yards of grading and fill activities. Due to their low resource potential, no paleontological impacts are anticipated from grading and excavation activities within alluvial and colluvial deposits.

Figure 4.10-1, *Areas Potentially Containing Paleontological Resources*

However, the grading and excavation activities required for the implementation of the McMillin Otay Ranch, LLC TM could affect potentially significant, unidentified paleontological resources within the Otay Formation. Once the McMillin Otay Ranch, LLC TM project is constructed, additional impacts to paleontological resources would not occur.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Formation underlies the Otay Project LP TM site and the off-site borrow site. Alluvial and colluvial deposits are also found within Wolf Canyon on the project site. The Otay Formation is characterized by an upper portion with high paleontological resource sensitivity and a lower portion with moderate resource sensitivity. The Otay Project LP TM project would involve approximately 4,000,000 cubic yards of grading and fill activities. Due to the large amount of excavation, fill, and grading involved in developing the Otay Project LP TM, which proposes 375 single-family units, potentially significant impacts could result to unknown paleontological resource in the Otay Formation. Due to their low resource potential, no impacts to paleontological resources are expected to occur from grading and excavation activities within alluvial and colluvial deposits. Once development of the Otay Project LP TM project is complete, no additional impacts to paleontological resources would occur.

4.10.4 Level of Significance Before Mitigation

Grading activities associated with the development of the *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, and the Otay Project LP TM would affect portions of the upper sandstone, the lower gritstone, and the fanglomerate portions of the Otay formation. A potentially significant impact to paleontological resources would occur, if unknown paleontological resources are encountered during construction activities.

4.10.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The proposed project could result in impacts to paleontological resources as a result of construction activities in areas underlain by the Otay Formation. The following mitigation would be implemented to reduce potential impacts to paleontological resources to below a level of significance. These measures are required for all areas within the *Village 7 SPA Plan* in which grading activities are proposed, except for those areas characterized by alluvial or colluvial deposits in which grading activities are proposed.

4.10-1 *Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)*

4.10-2 *A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations(Otay Formation) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified*

paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).

4.10-3 *If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.*

4.10-4 *Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

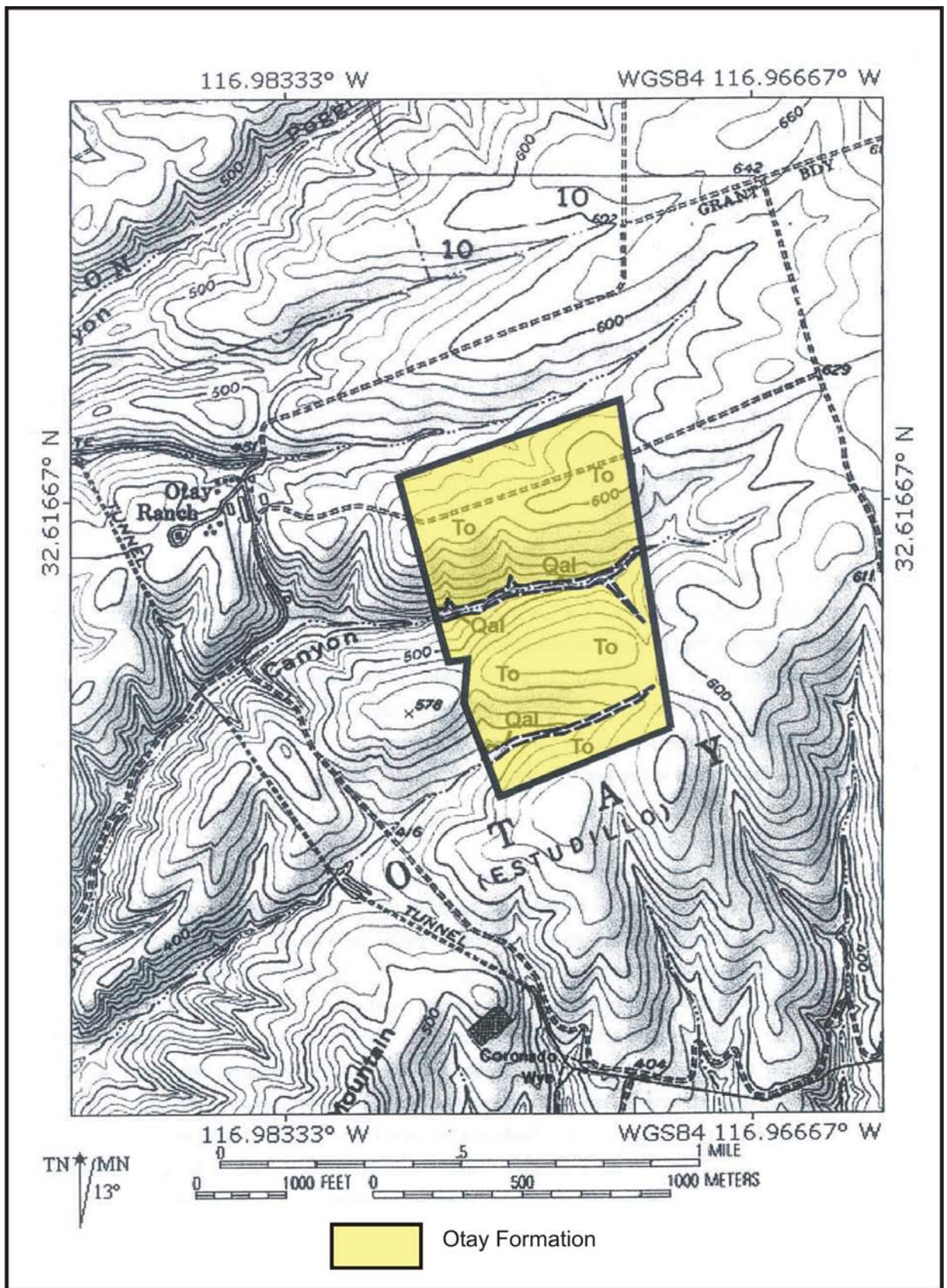
Implementation of the McMillin Otay Ranch, LLC TM would result in grading activities that could impact unidentified paleontological resources found within the Otay Formation. Implementation of mitigation measures 4.10-1 through 4.10-4, listed above, would be required to reduce potential impacts to paleontological resources to below a level of significance. No additional mitigation is required.

C. OTAY PROJECT LP TENTATIVE MAP

Grading activities required for development of the Otay Project LP TM would result in potential impacts to unidentified paleontological resources within the Otay Formation. Implementation of mitigation measures 4.10-1 through 4.10-4, listed above, would be required to reduce potential impacts to paleontological resources to below a level of significance. No additional mitigation is required.

4.10.6 Level of Significance After Mitigation

The proposed *Village 7 SPA Plan* project, McMillin Otay Ranch, LLC TM, and Otay Project LP TM area could potentially impact significant, unidentified paleontological resources associated with the Otay Formation. Implementation of the mitigation measures provided in Section 4.10.5 above, would reduce any impacts to below a level of significance.



Source: Geotechnics Incorporated

AREAS POTENTIALLY CONTAINING PALEONTOLOGICAL RESOURCES

4.11 BIOLOGICAL RESOURCES

The Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154) analyzed the existing conditions related to biological resources for the entire Otay Ranch area. As identified in the Otay Ranch GDP Program EIR, several biological studies were used in the analysis for biological resources, which addressed existing conditions, potential biological impacts, and mitigation. The Program EIR concluded that the Otay Ranch GDP would result in significant unmitigable impacts to sensitive upland habitats, vernal pools, and to several sensitive plant and animal species, including regional raptor populations. Furthermore, the Program EIR concluded that the project would significantly fragment open space and would interrupt presumptive wildlife movement corridors, retaining too little open space to compensate for and mitigate lost resource values. To reduce impacts to biological resources, the Otay Ranch Resource Management Plan (RMP) was created, which provides for the long-term protection, enhancement, and management of sensitive natural and cultural resources on Otay Ranch and creates a manageable and permanent open space system. The analysis and discussion of biological resources contained in the Program EIR is hereby incorporated by reference.

Methods

The analysis contained in this section is based upon information from the Otay Ranch GDP Program EIR, the RMP, the *Otay Ranch Village 7 Biological Technical Report* (May 13, 2003), prepared by Helix Environmental Planning, Inc. for the McMillin Otay Ranch, LLC property, the *Biology Resources Report for Otay Ranch Village 7*, and the *Spring 2004 Rare Plant Surveys*, prepared by Dudek & Associates (March 2004), and the *Biological Constraints Analysis for Otay Ranch Village 7 Connector Road Letter Report*, prepared by BonTerra Consultants (June 2004). A copy of the biology reports is included in Appendix H of this EIR. Additionally, spring plant surveys were conducted for the Otay Project LP property, and the results are summarized in a letter dated May 14, 2004 by Dudek & Associates. A copy of the letter is included as Appendix H-3 to this EIR.

Biological surveys were conducted at the project site and off-site areas by qualified biologists. The first surveys at the project site were completed by RECON in 1989 and 1990 as part of the Otay Ranch GDP Program EIR. Recent biological surveys were completed by Helix Environmental Planning, Inc. at the McMillin Otay Ranch, LLC ownership within Village 7 in September 2003. Subsequently, Helix conducted a focused rare plant survey in April 2004. A survey was also conducted by BonTerra Consulting in June 2004 for the proposed off-site connector road. For the Otay Project LP ownership within Village 7, Dudek & Associates conducted biological surveys in July 2003. Spring plant surveys for the Otay Project LP ownership were conducted in May 2004. Surveys conducted by Dudek & Associates also covered portions of Village 2 and 3, due to all surveyed area being under the same ownership.

4.11.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

The project site consists of gently rolling slopes, the upper reaches of Wolf Canyon, and an unnamed canyon. Wolf Canyon runs in an east-west direction, north of the center of the site. The unnamed canyon also runs in an east-west direction, in the southern portion of the project site. The project site has been historically used for agricultural activities. There is no existing development on the project site.

Vegetation

According to the Otay Ranch GDP Program EIR, the only vegetation community on the *Village 7 SPA Plan* site is agriculture (see Figure 4.11-1, *Vegetation Communities*). The vegetation, natural habitats and wildlife species have not substantially changed since the Program EIR for the Otay Ranch GDP was certified. The project site is identified as agriculture, for which the natural vegetation has been cleared and the soil tilled for crop production. Recent biological studies prepared for the project site have identified small amounts of non-native grassland and disturbed coastal sage scrub which are considered sensitive habitats. This habitat type does not support native habitat and the area is still used for agricultural purposes.

Recent vegetation mapping, a jurisdictional wetland delineation, and general botany and zoology surveys have been conducted within the McMillin Otay Ranch, LLC and Otay Project LP ownerships of the project site. Figures 4.11-2, *Vegetation Map for the McMillin Property*, and 4.11-3, *Vegetation Map for the Otay Project LP Property*, depict the vegetation types found within the McMillin Otay Ranch, LLC and Otay Project LP ownerships, respectively. Figure 4.11-3 also shows vegetation for the off-site borrow area. Figure 4.11-4, *Vegetation Map for the Off-Site Connector Road*, shows the vegetation types found at the off-site connector road area, including off-site areas.

Non-native Grassland

Non-native grassland is characterized as a sparse to dense coverage of non-native grasses, which are sometime associated with species of native annual forbs. This association often occurs on gradual slope areas with deep, fine-textured, clayey soils. The following species are characteristic of the non-native grassland found on-site: oats (*Avena* sp.), ryegrass (*Lolium multiflorum*), ripgut grass (*Bromus dieandrus*), yellow star-thistle (*Centaruea melitensis*), mustard (*Brassica* sp.), and fennel (*Foeniculum vulgare*).

Extensive Agriculture

Agricultural lands include those areas that have been under cultivation, as well as pastures that are actively grazed by livestock and contain fewer than 20 percent native plant cover. The majority of the project site is agricultural lands.

Disturbed Habitat

Disturbed habitat consists primarily of non-native goosefoot (*Chenopodium murale*), and tree tobacco (*Nicotiana glauca*), as well as some species characteristic of non-native grassland (i.e., ryegrass). In general, disturbed habitat are areas that have been subject to disturbances that have greatly limited the growth of any vegetation. Disturbed habitat occurring on-site is due to dirt access roads and previous grading activities associated with road construction.

Disturbed Coastal Sage Scrub

Disturbed coastal sage scrub is defined as 20 to 50 percent native shrub cover with typical coastal sage scrub species (i.e., California buckwheat, California sagebrush, and lemonadeberry), although it is dominated by non- native grasses (*Avena* spp., *Bromus* spp.) and forbs (*Erodium* spp., *Brassica* and *Sisymbrium* spp.).

Figure 4.11-1, Village 7 Vegetation Communities

Figure 4.11-2, *Vegetation Map* For the McMillin Property

Figure 4.11-3, *Vegetation Map for Otay Project LP Property*

Figure 4.11-4, *Vegetation Map for the Off-Site Connector Road*

Developed

Developed areas are those areas that lack vegetation and support permanent or temporary structures and roads. The developed area occurs immediately south of Birch Road in the eastern portion of the project site. This developed area was used as a staging area for the construction of Birch Road.

Plant Species

The Otay Ranch GDP Program EIR identified a total of 42 sensitive plant species occurring within the Otay Ranch GDP area. According to the Program EIR, the large number of identified plant species were due in part to the large project area, as well the diversity of habitats, the presence of near-coastal mountain peaks, and the northern extension of Baja flora into southwestern San Diego County. However, no sensitive plant species were identified within the *Village 7 SPA Plan* project site.

Based on recent surveys conducted in September 2003 and May 2004, a total of 13 plant species were identified within the eastern portion of the *Village 7 SPA Plan* area within the McMillin Otay Project, LLC and Otay Project LP ownerships. These included: fennel, star thistle, wild lettuce, common sow thistle, mustard, nettle-leaf goosefoot, Russian thistle, wheat, jimson weed, tree tobacco, oats, common riprut grass, and Italian ryegrass. Additionally, the San Diego sunflower (*viguiera laciniata*) was determined to have a high likelihood of occurring within the Otay Project LP ownership.

Wildlife

According the Otay Ranch GDP Program EIR, birds utilizing agricultural fields and ruderal plant communities include kilideer, mourning dove, spotted dove, northern mockingbird, house finch, and house sparrow. Raptors such as American kestrel, red-tailed hawk, black-shouldered kite, and northern harrier also use such habitats for foraging. California ground squirrel is found on the edges of agricultural fields and in other ruderal plant communities. Other mammals expected include the Botta's pocket gopher, desert cottontail, house mouse, and black rat, as well as predators such as striped skunk, coyote, and domestic cats and dogs.

During the September 2003 biological surveys completed for the eastern half of the *Village 7 SPA Plan*, one animal species, the California horned lark, was observed on-site. The California horned lark is a California Species of Special Concern.

Jurisdictional Areas

Three drainage channels occur within the *Village 7 SPA Plan* project site. The channels range from one to four feet in width on the McMillin Otay Ranch, LLC site and qualify as non-wetland Waters of the United States under the federal Clean Water Act. As such, they are subject to the jurisdiction of the United States Army Corps of Engineers (USACOE). The channels also qualify as streambeds and are therefore, CDFG jurisdiction under Section 1602 of the California Fish and Game Code. No jurisdictional waters occur in off-site portions of the proposed project.

Sensitive Species

According to the project biology reports, sensitive biological species are defined as: 1.) Habitat areas or vegetation communities that are unique, of relatively limited distribution, or of particular value to wildlife; or 2.) Species given special recognition by federal, state, or local government agencies and organizations due to limited, declining, or threatened populations. According to the *Otay Ranch Village 7 Biological Technical Report*, one sensitive vegetation community and two sensitive animal species occur on the western portion of the *Village 7 SPA Plan* project site. The only sensitive plant species identified within the western survey area was the San Diego sunflower.

Sensitive Plant/Vegetation Communities

According to the biology reports prepared for the project, sensitive vegetation communities are defined as those habitats that are rare within the region, support sensitive plant and/or wildlife species, or provide important connections for wildlife movement. Sensitive vegetation communities occurring within the *Village 7 SPA Plan* project area include non-native grassland, disturbed coastal sage scrub and MSS. Additionally, Otay Tarplant habitat occurs south of the project site, as part of the revegetation efforts occurring in Wolf Canyon.

Non-native grassland provides foraging habitat for raptors and may be succeeded naturally by native habitats over time. Because of these qualities, it is considered a sensitive vegetation community. Directly and indirectly, non-native grasslands are influential in the conservation of plant and animal species. They provide foraging habitat for raptors and may be succeeded naturally by coastal sage scrub or other native habitats over time. As shown by Figures 4.11-2, *Vegetation Map for the McMillin Property*, and 4.11-3, *Vegetation Map for Otay Project LP Property*, non-native grassland occurs in the southeastern portion and within Wolf Canyon within the *Village 7 SPA Plan* project area.

Disturbed coastal sage scrub is limited on-site due to the past agricultural activities characteristic of the project site. However, as shown by Figure 4.11-3, *Vegetation Map for Otay Project LP Property*, a small area of disturbed coastal sage scrub is located in the western portion of the project site.

Revegetated MSS is found on 1.2 acres of the project site along the western boundary (see Figure 4.11-3, *Vegetation Map for Otay Project LP Property*). The presence of this vegetation community is due to revegetation occurring along slopes of Wolf Canyon.

No sensitive plant species were observed on the site during surveys conducted for the entire Otay Ranch GDP area (RECON 1990) or those conducted for the McMillin Otay Ranch, LLC site (Helix 2004) and the Otay Project LP site (Dudek 2004). Although the surveys did not detect any sensitive plant species, the San Diego sunflower (*Viguiera laciniata*) has a high potential to occur in the revegetated MSS.

Sensitive Animal Species

Surveys were conducted in September 2003 by Helix Environmental Planning, Inc. on the McMillin Otay Ranch, LLC ownership. During these surveys, the California horned lark (*Eremophila alpestris actia*), a sensitive bird species was identified. Additionally, the *Otay Ranch Village 7 Biological Technical Report* stated that the sharp-shinned hawk (*Accipiter striatus*) had been previously identified on-site in 1998/1999 in Wolf Canyon.

The California horned lark was observed during surveys conducted on September 26, 2003 by Helix Environmental Planning, Inc. The sharp-shinned hawk was observed in 1998/1999 in Wolf Canyon during the survey completed by RECON. Neither of these species has federal protection; however, both are California Species of Special Concern. Species of Special Concern is a designation given by the California Department of Fish and Game (CDFG) to animals not listed under the federal Endangered Species Act or the California Endangered Species Act, but which are nonetheless either declining, or have historically occurred in low numbers and known threats to their persistence currently exist.

The California horned lark is found on coastal slopes and lowlands from Sonoma County to northern Baja California, Mexico. Habitats for the horned lark are comprised of sandy beaches, agricultural fields, grasslands, and open areas. A flock of approximately 15 horned larks was observed in the northern portion of the McMillin Otay Ranch, LLC site on September 26, 2003 in an area subject to extensive agriculture.

The sharp-shinned hawk is distributed in northern North America and breeds in the northern portion of California. It is an uncommon visitor to San Diego County in the winter and a casual visitor in the summer. The habitat of the sharp-shinned hawk typically consists of edges of deciduous or coniferous woodlands and thickets. It may migrate during winter months to other areas that provide adequate cover. In 1998 and 1999, a sharp-shinned hawk was observed chasing small birds in Wolf Canyon.

Regulatory Context

Otay Ranch Resource Management Plan

The Otay Ranch RMP identifies a plan for the ultimate preservation of approximately 11,375 acres within Otay Ranch for resource protection. While the Otay Ranch GDP does not identify any permanent natural open space within the *Village 7 SPA Plan* project site, the *Village 7 SPA Plan* is subject to the Preserve Conveyance Plan, as described in the RMP 2. In accordance with the RMP, the conveyance ratio for all development is 1.188 acres for each acre of project area. The exact amount of conveyance acreage required is based on the 1.188 ratio.

The Otay Ranch RMP requires the restoration of approximately 56 acres of MSS and 1,300 acres of coastal sage scrub (CSS) within the Otay Ranch project. As discussed in the RMP, the obligation to restore MSS and CSS was calculated based on an estimated number of acres anticipated to be impacted on a village-by-village basis (page 74-76 RMP2). The RMP further requires that impacts to MSS and CSS would require a compensating amount of restoration elsewhere in the Otay Ranch to ensure that restoration requirements for MSS and CSS would be attained.

MSCP/City of Chula Vista MSCP Subarea Plan

The *Village 7 SPA Plan* project site is located within the boundaries of the Chula Vista MSCP Subarea Plan; however, none of the land within the *Village 7 SPA Plan* project area is identified as a Conserved Area. The entire *Village 7 SPA Plan* project site is identified as a Covered Project/Development Area; therefore, no on-site conservation is required. The nearest Conserved Area to the project site is located in the steeper parts of Wolf Canyon, west of the *Village 7 SPA Plan* project area.

California Department of Fish and Game

Section 1602 of the California Fish and Game Code regulates streambeds. Impacts to streambeds require a Lake or Streambed Alteration Agreement from CDFG under Section 1602.

Army Corps of Engineers

The ACOE regulates the discharge of fill into Waters of the United States under Section 404 of the federal Clean Water Act. Impacts to non-wetland Waters of the U.S. require a Section 404 permit from ACOE.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Vegetation mapping, jurisdictional delineation, general botany and zoology surveys, and focused rare plant surveys were conducted on McMillin Otay Ranch, LLC TM project site, including off-site areas. According to these surveys the following vegetation and sensitive resources occur on-site: non-native grassland, extensive agriculture, disturbed habitat, developed lands, and waters of the United States (see Figure 4.11-2, *Vegetation Map for the McMillin Property*). Each of these is described in greater detail below.

Vegetation

There are three vegetation communities, as well as developed land, occurring on the McMillin Otay Ranch, LLC TM project site. Additionally, two vegetation community types are found on the area proposed for the off-site connector road. Table 4.11-1, *Existing Vegetation Communities on McMillin Otay Ranch, LLC Project Site*, identifies the acreage of each community on the McMillin Otay Ranch, LLC project site, and Table 4.11-2, *Existing Vegetation Communities at Off-Site Connector Road*, identifies the acreage of each community at the off-site area.

**TABLE 4.11-1
EXISTING VEGETATION COMMUNITIES ON McMILLIN OTAY RANCH, LLC PROJECT SITE**

Vegetation Community	Acreage
Non-native grassland	0.2
Extensive agriculture	137.0
Disturbed habitat	10.1
Developed	15.2
TOTAL	162.5

Source: Helix, 2004

**TABLE 4.11-2
EXISTING VEGETATION COMMUNITIES AT OFF-SITE CONNECTOR ROAD**

Vegetation Community	Acreage
Non-native grassland	6.7
Agriculture	9.8
Developed	.01
TOTAL	16.51

Source: BonTerra Consulting, 2004

Non-native Grassland

Non-native grassland is characterized as a sparse to dense coverage of non-native grasses, which are sometime associated with species of native annual forbs. This association often occurs on gradual slope areas with deep, fine-textured, clayey soils. The following species are characteristic of the non-native grassland found on-site: oats, ryegrass, ripgut grass, yellow star-thistle, mustard, and fennel. A total of 6.9 acres of non-native grassland is found on the McMillin Otay Ranch, LLC TM project site, including the off-site area.

Extensive Agriculture

The majority (146.8 acres) of vegetation found on the McMillin Otay Ranch, LLC TM project site, including the off-site area, is extensive agriculture. The extensive agriculture occurring on-site consists of wheat (*Triticum* sp.) fields.

Disturbed Habitat

As shown by Figure 4.11-2, *Vegetation Map for the McMillin Property*, disturbed habitat occurs between developed and extensive agriculture lands in the northern portion of the McMillin Otay Ranch, LLC property. A total of 10.1 acres of disturbed habitat is found on the McMillin Otay Ranch, LLC TM project site. The vegetation community consists primarily of non-native goosefoot, and tree tobacco, as well as some species characteristic of non-native grassland (i.e., ryegrass).

Developed

The 15.2 acres of developed area on-site occurs immediately south of Birch Road, which forms the northern boundary of the McMillin Otay Ranch, LLC TM and *Village 7 SPA Plan*. The developed area was used as a staging area for the construction of Birch Road, and no structures are found there.

Plant Species

On September 26, 2003, a total of 13 plant species were identified on the McMillin Otay Ranch, LLC property within the *Village 7 SPA Plan* project area. These included: fennel, star thistle, wild lettuce, common sow thistle, mustard, nettle-leaf goosefoot, Russian thistle, wheat, jimson weed, tree tobacco, oats, common riprut grass, and Italian ryegrass. The survey conducted at the off-site area on June 1, 2004 identified tocolote (*Centaurea melitensis*), sweet fennel (*Foeniculum vulgare*), dove weed (*Eremocarpus setigerus*), as well as non-native grasses dominated by brome grasses (*Bromus* spp.) and oats (*Avena* sp.)

Wildlife

During the September 26, 2003 biological survey, only one animal species, the California horned lark was observed on the McMillin Otay Ranch, LLC site. Additional common animal species are expected to occur on site. The June 1, 2004 survey of the off-site area identified two bird species: a bushtit (*Psaltriparus minimus*) and American crow (*Corvus brachyrhynchos*).

Jurisdictional Areas

Three drainage channels, one of which is in Wolf Canyon, occur within the McMillin Otay Ranch, LLC portion of the *Village 7 SPA Plan* project site. The channels range from one to four feet and comprise 0.14 acres on the McMillin Otay Ranch, LLC site and qualify as non-wetland Waters of the United States under the federal Clean Water Act. As such, they are subject to the jurisdiction of the United States Army Corps of Engineers (USACOE). The channels also qualify as streambeds and are therefore CDFG jurisdiction under Section 1602 of the California Fish and Game Code. There are no jurisdictional areas occurring within the off-site connector road.

Sensitive Species

Sensitive biological species are defined as: 1.) Habitat areas or vegetation communities that are unique, of relatively limited distribution, or of particular value to wildlife; or 2.) Species given special recognition by federal, state, or local government agencies and organizations due to limited, declining, or threatened populations. According to the Program EIR for the Otay Ranch GDP, there was a historical sighting of grasshopper sparrow within the project area. According to the *Otay Ranch Village 7 Biological Technical Report*, one sensitive vegetation community and two sensitive animal species occur on the McMillin Otay Ranch, LLC portion of the *Village 7 SPA Plan* project site. No sensitive plant species were identified within the McMillin Otay Ranch, LLC portion of the *Village 7 SPA Plan* project site or off-site areas.

Sensitive Vegetation Communities

Non-native grassland is the only sensitive vegetation community occurring on-site. This vegetation community provides foraging habitat for raptors and may be succeeded naturally by native habitats over time. As shown by Figure 4.11-2, *Vegetation Map for the McMillin Property*, approximately 0.2 acres of non-native grassland occurs in the southern portion of the *Village 7 SPA Plan* project site. Figure 4.11-4, *Vegetation Map for the Off-Site Connector Road*, shows approximately 6.7 acres occurring in the northern portion of the off-site borrow area. Directly and indirectly, non-native grasslands are influential in the conservation of plant and animal species. They provide foraging habitat for raptors and may be succeeded naturally by coastal sage scrub or other native habitats over time.

Sensitive Plant Species

Due to the historical agriculture use of the McMillin Otay Ranch, LLC site, there is very low potential for sensitive plant species to be present. No sensitive plant species have been observed on the site during surveys conducted for Otay Ranch (RECON 1990) or those conducted for the McMillin Otay Ranch, LLC site and off-site areas (Helix 2004, BonTerra 2004). In addition, none have a high potential to occur.

Sensitive Animal Species

Two sensitive animal species have been observed on the McMillin Otay Ranch, LLC site. The California horned lark was observed during surveys conducted on September 26, 2003. The sharp-shinned hawk was observed in 1998/1999 in Wolf Canyon. Neither of these species has federal protection; however, both are California Species of Special Concern. Species of Special Concern is a designation given by the CDFG to animals not listed under the federal Endangered Species Act or the California Endangered Species Act, but

which are nonetheless either declining, or have historically occurred in low numbers and known threats to their persistence currently exist.

The California horned lark is found on coastal slopes and lowlands from Sonoma County to northern Baja California, Mexico. Habitats for the horned lark are comprised of sandy beaches, agricultural fields, grasslands, and open areas. A flock of approximately 15 horned larks was observed in the northern portion of the McMillin Otay Ranch, LLC site on September 26, 2003 in an area subject to extensive agriculture.

The sharp-shinned hawk is distributed in northern North America and breeds in the northern portion of California. It is an uncommon visitor to San Diego County in the winter and a casual visitor in the summer. The habitat of the sharp-shinned hawk typically consists of edges of deciduous or coniferous woodlands and thickets. It may migrate during winter months to other areas that provide adequate cover. In 1998 and 1999, a sharp-shinned hawk was observed chasing small birds in Wolf Canyon.

Based on the project site's long history of agricultural use, there is limited potential for other sensitive animal species to be present. The McMillin Otay Ranch, LLC biological report included in Appendix H-1 to this EIR contains lists of listed or sensitive plant and animal species with potential to occur in the project site and off-site areas. However, no species beyond the two listed above were observed during biological surveys conducted for Otay Ranch and the *Village 7 SPA Plan*.

Regulatory Context

Otay Ranch Resource Management Plan

As discussed above, the RMP identifies a Conveyance Plan for Otay Ranch that will ultimately result in the conservation of approximately 11,375 acres throughout Otay Ranch. The Conveyance Plan defines a ratio of 1.188 acres of mitigation for each acre of project area, less common use areas such as parks, schools, and arterial roadways.

MSCP/City of Chula Vista MSCP Subarea Plan

The McMillin Otay Ranch, LLC TM project site is located within the boundaries of the Chula Vista MSCP Subarea Plan; however, none of the land within the McMillin Otay Ranch, LLC TM project area is identified as a MSCP Preserve Area. The entire McMillin Otay Ranch, LLC TM project site is identified as a Covered Project/Development Area and contained within a covered project area. A Covered Project/Development Area is an area where the take of covered species is authorized by the Subarea Plan.

California Department of Fish and Game

The project would affect drainages within Wolf Canyon which have been identified as CDFG jurisdiction. Section 1602 of the California Fish and Game Code regulates streambeds. Impacts to streambeds require a Lake or Streambed Alteration Agreement from CDFG under Section 1602.

Army Corps of Engineers

The water would affect non-wetland Waters of the U.S. under jurisdiction of the ACOE. The ACOE regulates the discharge of fill into Waters of the United States under Section 404 of the federal Clean Water Act. Impacts to non-wetland Waters of the U.S. require a Section 404 permit from ACOE.

C. OTAY PROJECT LP TENTATIVE MAP

This section is based on the *Biology Resources Report for Otay Ranch Village 7*, prepared by Dudek & Associates (March 2004), and the spring survey conducted on the project site by Dudek & Associates in May 2004. The biology report evaluates the Otay Project LP ownership within the *Village 7 SPA Plan*, as well as the 44.4-acre off-site borrow area located in Village 4. The survey was conducted at the Otay Project LP ownership within the Village 7 SPA Plan, as well as portions of Village 4 and Village 2.

Vegetation

Biological resources present on the project site were identified through a literature review that included previous surveys by various consultants, as well as field reconnaissance conducted by Dudek & Associates. According to the research and field surveys the following vegetation and sensitive resources occur on-site and at the off-site borrow area, as shown by Figure 4.11-3, *Vegetation Map for Otay Project LP Property*: revegetated MSS, coastal sage scrub, disturbed coastal sage scrub, non-native grassland, agriculture, disturbed habitat, developed lands, and waters of the United States. Table 4.11-3, *Existing Vegetation Communities on Otay Project LP Project Site*, identifies the acreage of each community on site, as well as the off-site borrow area.

**TABLE 4.11-3
EXISTING VEGETATION COMMUNITIES ON OTAY PROJECT LP PROJECT SITE**

Vegetation Community	Acreage
Revegetated Maritime Succulent Scrub	1.2
Coastal Sage Scrub	0.1
Disturbed Coastal Sage Scrub	0.3
Non-native Grassland	26.6
Agriculture	140.2
Disturbed habitat	3.0
Developed	1.7
TOTAL	173.1

Source: Dudek, 2004

Revegetated Maritime Succulent Scrub

Revegetated MSS occurs along portions of the southeast facing slopes of Wolf Canyon, which are currently under restoration. This vegetation community is intermixed with portions of the degraded slope that are being revegetated with Valley needlegrass grassland and Otay tarplant habitat to the south of the project site. A total of 1.2 acres of MSS restoration is occurring within the project boundaries of the Otay Project LP TM.

Coastal Sage Scrub

Coastal sage scrub is a native plant community comprised of a variety of predominantly drought-deciduous shrub species including: California sagebrush, California buckwheat, and sages (*Salvia* spp.), with scattered evergreen shrubs that include lemonadeberry, laurel sumac (*Malosma laurina*), and toyon (*Heteromeles arbutifolia*). A total of 0.1 acre of coastal sage scrub is found in the off-site borrow area, and is comprised primarily of lemonadeberry, California buckwheat, and California sagebrush.

Disturbed Coastal Sage Scrub

Disturbed coastal sage scrub is defined as 20 to 50 percent native shrub cover with typical coastal sage scrub species, although it is dominated by non-native grasses and forbs. A total of 0.3 acre of disturbed coastal sage scrub is found within the Otay Project LP TM project site and off-site borrow area.

Non-native Grassland

Non-native grassland is characterized as a sparse to dense coverage of non-native grasses, which are sometime associated with species of native annual forbs. It occurs where native vegetation has been frequently disturbed so that the native community is incapable of recovering. The following species are characteristic of the non-native grassland found on-site: wild oat (*Avena barbata*), bromes, mustards, broad-lobed filaree (*Erodium botrys*), and Russian-thistle (*Salsola tragus*).

Non-native grassland often occurs on gradual slope areas with deep, fine-textured, clayey soils. Within the Otay Project LP TM project site and off-site borrow area, annual grasslands generally occur on lower slopes where regular agricultural activities are precluded. A total of 26.6 acres of non-native grassland occur on the project site.

Agriculture

Agricultural lands are defined as areas which have been under cultivation or are pastures actively grazed by livestock and contain less than 20 percent native plant coverage. These areas contain very few native shrubs. Pastures are dominated by non-native grasses, doveweed (*Eremocarpus setigerus*), and black mustard. Agricultural lands comprise the majority of the Otay Project LP TM project site and off-site borrow area (see Figure 4.11-3), totaling 140.2 acres.

Disturbed Habitat

Disturbed habitat occurs along the dirt access road, graded areas, and other places that lack vegetation. In general, these areas have been subject to mechanical perturbations, which have resulted in greatly limiting the growth of any vegetation. A total of 3.0 acres of disturbed habitat occurs within the Otay Project LP TM project site.

Developed

Developed land refers to those areas that lack vegetation and that support permanent or temporary structures or roads. Less than 1.7 acres of developed land occurs in the northwester portion of the Otay Project LP TM project site.

Wildlife

Wildlife is expected to occur on-site and within the off-site borrow area. Based on a literature review and recent surveys of the project site conducted by Dudek & Associate in 2003, the following species are expected to occur on the Otay Project LP TM project site.

Birds

Bird species within the Otay Project LP TM project site and off-site area are limited to those that are not dependent on native plant communities or roosting site. Such birds include the house finch, American crow (*Corvus brachyrhynchos*), western meadowlark (*Stunella neglecta*), and northern mockingbird.

Reptiles and Amphibians

Reptile and amphibian species are expected to be isolated within the native habitat areas and annual grassland in Wolf Canyon. Potential species on-site include side-blotched lizard (*Uta stansburiana*), western rattlesnake (*Crotalus viridis*), western fence lizard (*Sceloporus occidentalis*), and western toad (*Bufo boreas*).

Mammals

According to the biological surveys conducted for Village 2, 3, 4 and 7 by Dudek & Associates, seven species of mammals have been detected within the combined Village 2, 3, 4 and 7 area, including the off-site borrow area, by direct observation or sign. These species include the black-tailed jackrabbit (*Lepus californicus*), brush rabbit (*Sylvilagus bachmani*), wood rat (*Neotoma* spp.), Botta's pocket gopher, California ground squirrel, striped skunk (*Mephitis mephitis*), and coyote. Other mammal species that may also be found on the site include Dulzura kangaroo rat (*Dipodomys simulans*), common raccoon (*Proctyon lotor*), and bobcat (*Lynx rufus*).

Invertebrates

The only invertebrates to be observed on-site and within the off-site borrow area are butterflies. A total of eight species have been identified within the combined Village 2, 3, 4 and 7 area by direct observation. These include Behr's metalmark (*Apodemia mormo virgulti*), California ringlet (*Coenonympha tullia*), and common white (*Pontia protodice*).

Jurisdictional Areas

Several unvegetated stream channels are located within the project site, including Wolf Canyon. Tributaries to Wolf Canyon are ephemeral and do not contain a predominance of hydrophytic vegetation or hydric soils. Drainage may be intermittent. The unvegetated stream channels comprise a total of 0.2 acre and are considered waters of the United States under the jurisdiction of ACOE and a streambed under the jurisdiction of CDFG. There are no off-site jurisdictional areas within the off-site borrow area.

Sensitive Species

According to *Biology Resources Report for Otay Ranch Village 7*, prepared by Dudek & Associates (March 2004), sensitive biological species are defined as: 1.) Habitat areas or vegetation communities that are unique, of relatively limited distribution, or of particular value to wildlife; or 2.) Species given special recognition by federal, state, or local government agencies and organizations due to limited, declining, or threatened populations. According to the *Biological Resources Report for Otay Ranch Village 7*, no listed plant or wildlife species were detected within the Otay Project LP TM project area, including the off-site borrow area.

Sensitive Vegetation Communities

Sensitive habitats are those that are considered rare within the region, support sensitive plant and/or wildlife species, or provide important connections for wildlife movement. Habitat types found within the Otay Project LP TM project area and off-site borrow area that are considered sensitive include coastal sage scrub, disturbed coastal sage scrub, revegetated MSS, and annual non-native grassland.

Sensitive Plant Species

Focused plant surveys were conducted for the 2004 blooming season. There are several sensitive plant species that may potentially occur within the project site. According to the survey, only one species has a high potential for occurring, which is the San Diego sunflower – a covered species under the MSCP.

Sensitive Animal Species

No sensitive wildlife species have been historically or recently recorded on the project site or within the off-site borrow area. However, there are several species that may potentially occur. Those species that have a high potential for occurring include the burrowing owl (*Athene cunicularia*), California horned lark, loggerhead shrike (*Lanius ludovicianus*), grasshopper sparrow, northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), Dulzura California pocket mouse (*Chaetodipus californicus femoralis*), San Diego desert woodrat (*Neotoma lepida intermedia*), and San Diego black-tailed jackrabbit.

Wildlife Corridors and Habitat Linkages

Wildlife corridors are linear features that connect large patches of natural open space and allow for the immigration and emigration of animals. Habitat linkages are patches of native habitat that function to join two substantially larger patches of habitat, providing connections between distinct habitat patches. According to the wildlife corridor study prepared by Ogden (1992), there are no wildlife corridors that run through Village 7, which includes the Otay Project, LP TM project site; however, Wolf Canyon to the west of the project site functions as a local wildlife corridor and may provide a corridor for target mammal species such as mountain lions, bobcats and deer species. This local corridor does not extend onto the Otay Project LP TM project site or off-site borrow area; therefore, Otay Project LP TM project site does not provide habitat linkage or wildlife corridor functions.

Regulatory Context

Otay Ranch Resource Management Plan

As previously discussed, the Otay Ranch RMP sets forth a Conveyance Plan for the ultimate conservation of 11,375 acres throughout Otay Ranch. A ratio of 1.188 acres of mitigation for each acre of project area, less common use areas such as parks, schools, and arterial roadways, is defined by the Conveyance Plan.

MSCP/City of Chula Vista MSCP Subarea Plan

The Otay Project LP TM project site and off-site borrow area are located within the boundaries of the Chula Vista MSCP Subarea Plan; however, none of the land within the Otay Project LP TM project area is identified as a MSCP Preserve Area. The proposed borrow site is located adjacent to the MSCP Preserve. The

entire Otay Project LP TM project site is identified as a Covered Project/Development Area. A Covered Project/Development Area is an area where the take of covered species is authorized by the Subarea Plan and no on-site conservation is required.

California Department of Fish and Game

The project would affect drainages within Wolf Canyon which have been identified as CDFG jurisdiction. Section 1602 of the California Fish and Game Code regulates streambeds. Impacts to streambeds require a Lake or Streambed Alteration Agreement from CDFG under Section 1602.

Army Corps of Engineers

The water would affect non-wetland Waters of the U.S. under jurisdiction of the ACOE. The ACOE regulates the discharge of fill into Waters of the United States under Section 404 of the federal Clean Water Act. Impacts to non-wetland Waters of the U.S. require a Section 404 permit from ACOE.

Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant effect on biological resources if it 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. Fish and 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.

4.11.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

Otay Ranch Resource Management Plan

According to the RMP II, Village 7 is anticipated to convey approximately 377 acres of land to the Otay Ranch Open Space Preserve. In accordance with the requirements of the Otay Ranch Conveyance Plan, development of the *Village 7 SPA Plan* would be required to convey 1.188 acres of open space per acre

of development, less the acreage of common use lands. Common use lands include parks, schools, arterial roads, and other land designated as public use areas.

The *Village 7 SPA Plan* project is anticipated to impact approximately 1.2 acres of revegetated MSS within upper Wolf Canyon. However, it should be noted that the revegetated MSS that is anticipated to be impacted by the proposed project was originally established as potential mitigation for impacts resulting from the Village One project that is already developed. The anticipated area of *Village 7 SPA Plan* impact would encroach in a revegetation area that is an excess of what was necessary for mitigation for Village One and was therefore, never permanently conserved or committed as mitigation.

While the revegetated MSS vegetation type is considered sensitive and impacts are considered significant, the small MSS area that would be impacted with the development of the *Village 7 SPA Plan* was created after the adoption of the RMP2 and was not intended to be conserved under the requirements of the RMP. Therefore, the restoration requirement would not apply, and project-related impacts to disturbance of MSS would be fully mitigated by the dedication of conveyance land at a ratio of 1.188 acres for each acre of development consistent with the requirements of the RMP, as presented in Section 4.11.5 below.

The *Village 7 SPA Plan* project is also anticipated to impact 0.10 acres of coastal sage scrub habitat within the Otay Project LP ownership. The project applicant would be required to conform to the RMP policies that require restoration of CSS or alternatively, avoid impacts to CSS entirely. The implementation of either of these two measures would reduce impacts to CSS to a level below significance (see Section 4.11.5 for discussion of proposed mitigation measures).

Plant and Animal Species

Implementation of the *Village 7 SPA Plan* would result in the conversion of the 288.5-acre project site and 11.6-acres related to the off-site connector road from its existing condition as primarily undeveloped and consisting of agricultural or non-native grassland into an urban village with a mix of residential, commercial, school, and park land uses. Non-native grassland occurring on the *Village 7 SPA Plan* project site is considered a sensitive vegetation community because it provides foraging areas for the California horned lark and sharp-skinned hawk, two CDFG Species of Special Concern, which have been observed on-site. By permanently removing non-native grassland, the *Village 7 SPA Plan* would result in a potentially significant impact. Additionally, disturbed coastal sage scrub and 1.2 acres of revegetated MSS occur on the project site.

Jurisdictional Areas

Implementation of the *Village 7 SPA Plan* would result in grading activities that would impact the 0.34 acres of non-wetland Waters of the U.S. that occur on the project site. These non-wetland drainage areas are under the jurisdiction of USACOE and CDFG. Impacts to the non-wetland Waters of the U.S. would require permitting under Section 404 of the Clean Water Act, Section 401 Certification (also under the Clean Water Act), and a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Otay Ranch Resource Management Plan

In accordance with the requirements of the Otay Ranch Conveyance Plan, as discussed above, development within the *Village 7 SPA Plan* is required to convey 1.188 acres of open space per acre of development, less the acreage of common use lands. Common use lands include parks, schools, arterial roads, and other land designated as public use areas. When common use lands (consisting of a public park, an elementary school, a high school, and arterial roads) are removed, the McMillin Otay Ranch, LLC TM has a proposed developable area of non-common use lands of 59.7 net acres. Table 4.11-4, *Conveyance Requirement Acreage Tabulation for McMillin Otay Ranch, LLC*, displays the total acreage of each of these common land uses within the *Village 7 SPA Plan*. Applying the 1.188 acres conveyance requirement to the net developable area, the McMillin Otay Ranch, LLC TM area would be required to convey a total of approximately 143.2 acres of open space to the Otay Ranch preserve. The conveyance is required as part of biological resource mitigation set forth for the entire Otay Ranch development area under the Otay Ranch GDP Program EIR.

**TABLE 4.11-4
CONVEYANCE REQUIREMENT ACREAGE TABULATION
FOR McMILLIN OTAY RANCH, LLC**

	Acres
Gross Acres	180.2
Total Deductions:	(59.7)
Park Lands	(7.6)
Schools	(34.5)
Arterial Roads	(17.6)
Net Acres	120.5
Conveyance Ratio	1.188 per net acre
TOTAL CONVEYANCE REQUIREMENT	143.2**

** Note: Estimated conveyance requirement. Final calculation to be determined at Final Map stage.

Vegetation Communities

Development of the McMillin Otay Ranch, LLC TM portion of the *Village 7 SPA Plan* would directly affect 137 acres of extensive agriculture, 10.1 acres of disturbed habitat, 15.2 acres of developed land, and 0.2 acres of non-native grassland would be affected by the McMillin Otay Ranch, LLC TM project, as shown by Table 4.11-5, *Impacts to Vegetation Communities*. Additionally, 9.8 acres of agricultural land and 6.7 acres of non-native grassland would be impacted due to the off-site connector road. Impacts to extensive agriculture, disturbed habitat, and developed area are less than significant; however, impacts to non-native grassland are considered significant

Plant and Animal Species

No sensitive plants have been observed on the McMillin Otay Ranch, LLC TM site or the off-site connector road; therefore, no significant impacts to sensitive plant species would occur as a result of the McMillin Otay Ranch, LLC TM project. However, impacts due to the loss of foraging habitat to the two animal species observed on McMillin’s property – the California horned lark and the sharp-shinned hawk – would be adverse due to the lower level of sensitivity of these species. Impacts to foraging habitat are considered

significant and unmitigable.

**TABLE 4.11-5
IMPACTS TO VEGETATION COMMUNITIES**

Vegetation Community	Impacts	
	On-site Development	Total Impacts
<i>Sensitive Vegetation Communities</i>		
Non-native Grassland	0.2	0.2
<i>Non-Sensitive Vegetation Communities</i>		
Extensive agriculture	137.0	137.0
Disturbed habitat	10.1	10.1
Developed	15.2	15.2
TOTAL	162.5	162.5

Source: Dudek, 2004

Jurisdictional Areas

The McMillin Otay Ranch, LLC TM project would affect 0.14 acre (approximately 2,800 linear feet) of the total 0.34 acres of drainage channels that qualify as both non-wetland Waters of the United States (ACOE jurisdiction) and streambeds under Section 1602 of the California Fish and Game Code (CDFG jurisdiction) occurring on the *Village 7 SPA Plan* project site. This would require permitting under Section 404 of the Clean Water Act, Section 401 Certification (also under the Clean Water Act), and a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code. Impacts to jurisdictional areas are significant. According to a wetland delineation conducted by URS on the off-site area associated with the connector road proposed by the McMillin Otay Ranch, LLC TM, there is no wetlands or jurisdictional waters at that site.

Indirect Impacts

As discussed in Section 4.7, *Hydrology/Drainage/Water Quality*, development of the McMillin Otay Ranch, LLC TM project could result in erosion, sedimentation, and/or pollution. Development of the TM project could lead to a decreased water quality, fugitive dust, colonization of non-native plant species, and edge effects, which could lead to indirect impacts on biological resources.

C. OTAY PROJECT LP TENTATIVE MAP

Vegetation Communities

Implementation of the Otay Project LP TM project would result in the direct and complete loss of both sensitive and non-sensitive vegetation communities due to development and grading activities. Table 4.11-6, *Impacts to Vegetation Communities/Land Cover Types*, identifies impacts to vegetation communities from the proposed project. As shown by Table 4.11-6, grading of the project would result in significant impacts to four sensitive vegetation communities: revegetated MSS (1.2 acre), coastal sage scrub (0.1 acre), disturbed coastal sage scrub (0.3 acre), and non-native grassland (26.6 acres). These impacts to sensitive vegetation communities are considered significant.

**TABLE 4.11-6
IMPACTS TO VEGETATION COMMUNITIES/LAND COVER TYPES**

Vegetation Community	Impacts		
	On-site Development	Off-site Grading	Total Impacts
<i>Sensitive Vegetation Communities</i>			
Revegetated Maritime Succulent Scrub	1.2	--	1.2
Coastal Sage Scrub	0.1	--	0.1
Disturbed Coastal Sage Scrub	0.3	--	0.3
Non-native Grassland	25.7	0.6	26.6
<i>Non-Sensitive Vegetation Communities</i>			
Agriculture	135.1	5.1	140.2
Disturbed habitat	2.7	0.2	2.9
Developed	1.7	--	1.7
TOTAL	166.8	6.0	172.8

Source: Dudek, 2004

Development of the Otay Project LP TM would also result in indirect impacts to the preserve located adjacent to the proposed borrow site and listed in Table 4.11-6 above. During construction activities, adverse edge effects may occur from dust, which could disrupt plant vitality in the short-term, or from construction-related soil erosion and runoff. Long-term indirect impacts to vegetation communities would likely occur as a result of unauthorized access, invasion by exotic species, alteration of the natural fire regimes, exposure to urban pollutants, and temporary noise from construction. Indirect impacts to sensitive vegetation communities are considered significant.

Otay Ranch Resource Management Plan

In accordance with the requirements of the Otay Ranch Conveyance Plan, as discussed above, development within the *Village 7 SPA Plan* is required to convey 1.188 acres of open space per acre of development, less the acreage of common use lands, which include parks, schools, arterial roads, and other land designated as public use areas. When common use lands (consisting of arterial roads) are removed from the site, the Otay Project LP TM area has a proposed developable area of non-common use lands of 8.0 acres. Table 4.11-7, *Conveyance Requirement Acreage Tabulation for Otay Project LP* displays the total acreage of each of these common land uses within the Otay Project LP TM project site. Applying the 1.188 acres conveyance requirement to the net developable area, the Otay Project LP TM area would be required to convey a total of approximately 119.2 acres of open space to the Otay Ranch preserve. The conveyance is required as part of biological resource mitigation set forth for the entire Otay Ranch development area under the Otay Ranch GDP Program EIR.

**TABLE 4.11-7
CONVEYANCE REQUIREMENT ACREAGE TABULATION
FOR OTAY PROJECT LP**

	Acres
Gross Acres	108.3
Total Deductions:	(8.0)
Arterial Roads	(8.0)
Net Acres	100.3
Conveyance Ratio	1.188 per net acre
TOTAL CONVEYANCE REQUIREMENT	119.2**

** Note: Estimated conveyance requirement. Final calculation to be determined at Final Map stage.

Plant and Animal Species

A focused survey was conducted on the site in May 2004 to determine the extent of impacts to sensitive plant species. According to the survey, no sensitive plant species were identified on-site or in the off-site borrow area; however, the San Diego sunflower (*Viguiera laciniata*) has a likelihood of occurring on-site.

Indirect impacts may also affect sensitive plants. The population of Otay tarplant in Wolf Canyon south of the project site is particularly sensitive. Construction of the project would result in dust, soil erosion, and runoff, which may indirectly affect sensitive plant species. Long-term impacts may occur due to the introduction of humans at the project site and exposure to urban pollutants. Indirect impacts to sensitive plants are considered significant.

No California gnatcatchers were noted, however suitable habitat exists within the Otay Project LP TM project area. Indirect impacts to wildlife species would also occur with implementation of the Otay Project LP TM project. Short-term construction impacts would result due to construction noise. Species potentially affected by construction activities include the California gnatcatcher, cactus wren (*Camphlorhynchus brunneicapillus*), and nesting raptors, especially if construction occurred during the breeding seasons for sensitive species. Long-term indirect impacts would occur due to lighting, human activity in the reserve, noise, and domestic animal predation. Indirect impacts are considered significant.

Jurisdictional Areas

Implementation of the Otay Project LP TM project would result in direct and indirect impacts to 0.2 acre of the total 0.34 acre of jurisdictional waters occurring within the *Village 7 SPA Plan*. These waters include ephemeral, which do not support hydrophytic vegetation, and intermittent waters within Wolf Canyon. Impacts to jurisdictional waters are considered significant.

Indirect Impacts

As discussed in Section 4.7, *Hydrology/Drainage/Water Quality*, development of the Otay Project LP TM project could result in erosion, sedimentation, and/or pollution. Development of the TM project could lead to a decreased water quality, fugitive dust, colonization of non-native plant species, and edge effects, which could lead to indirect impacts on biological resources.

The off-site borrow area required for development of the Otay Project LP TM is adjacent to an MSCP

Preserve Area. The City's adopted MSCP requires the creation of a 100-foot edge between development and the Otay Ranch Preserve.

4.11.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Implementation of the *Village 7 SPA Plan* would ultimately result in urbanization of the entire the *Village 7 SPA Plan* project site, permanently developing approximately 288.5 acres of currently undeveloped land. While no sensitive plant species are known to occur on the project site, sensitive bird species (California horned lark and sharp-skinned hawk, both of which are CDFG Species of Special Concern) have been observed on-site. Removing 288.5 acres of existing agricultural land and non-native grassland would decrease the amount of foraging land that is available for use by these birds. Therefore, the *Village 7 SPA Plan* has the potential to significantly impact biological resources.

The McMillin Otay Ranch, LLC TM portion of the *Village 7 SPA Plan* would develop the site with residential, park, and school land uses, directly impacting 140.4 acres of extensive agriculture land, 17.3 acres of disturbed habitat, and 15.7 acres of developed land. Sensitive animal species known to occur on the project site consist of two sensitive bird species (California horned lark and sharp-skinned hawk, both of which are CDFG Species of Special Concern), which are known to use the site for foraging purposes. These species would be adversely affected by the McMillin Otay Ranch, LLC TM project through loss of foraging habitat. Additionally, development of the McMillin Otay Ranch, LLC TM has the potential to adversely impact 0.14 acres of on-site drainage channels which are considered jurisdictional waters, resulting in indirect impacts to biological resources. Therefore, the McMillin Otay Ranch, LLC TM has the potential to significantly impact biological resources.

Implementation of the Otay Project LP TM would impact sensitive vegetation communities and has the potential to impact sensitive plant and wildlife species. Direct impacts to 1.2 acres of revegetated MSS, 0.1 acre of coastal sage scrub, 0.3 acre of disturbed coastal sage scrub, and 25.7 acres of non-native grassland would occur. The Otay Project LP TM would also result in significant impacts to 0.2 acre of jurisdictional waters. Additionally, indirect impacts to sensitive plant and wildlife species would occur from construction activities and project implementation. Therefore, the Otay Project LP TM has the potential to significantly impact biological resources.

4.11.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

As outlined by the RMP, a Conveyance Plan was developed for the ultimate conservation of 11,375 acres throughout the Otay Ranch area. The Conveyance Plan defines a ratio of 1.188 acres of mitigation for each acre of development area. The amount of open space conveyed by each village takes into consideration that a portion of the development area may contain common use areas such as parks, schools, and arterial roadways, all of which occur within the *Village 7 SPA Plan*.

The mitigation measure listed below would reduce potential direct and indirect impacts to biological

resources to below a level of significance.

- 4.11-1** *Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.188 acres for each acre of development area, or pay a fee in lieu.*

Even though the project is not considered to result in significant impacts to burrowing owls, the following measure is included in response to agency comments:

- 4.11-2** *Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.*

There are no measures for the loss of foraging habitat. Therefore, impacts to foraging habitat would remain significant and unmitigable.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM would be required to comply with measures 4.11-1 and 4.11-2, identified above. Additionally, the following mitigation would be required to reduce potentially significant impacts to 0.14 acres of jurisdictional waters to below significance. There is no mitigation for the loss of foraging habitat, and this impact would remain significant and unmitigable.

- 4.11-24.11-3** *Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.14 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.*

C. OTAY PROJECT LP TENTATIVE MAP

Development of the Otay Project LP TM would result in the loss of 26.6 acres of non-native grassland, as well as 1.2-acres of revegetated MSS, 0.1-acre of coastal sage scrub, and 0.3-acre of disturbed coastal sage scrub. Additionally, the project would result in indirect impacts to sensitive plant and wildlife species, and would impact 0.2-acre of jurisdictional waters.

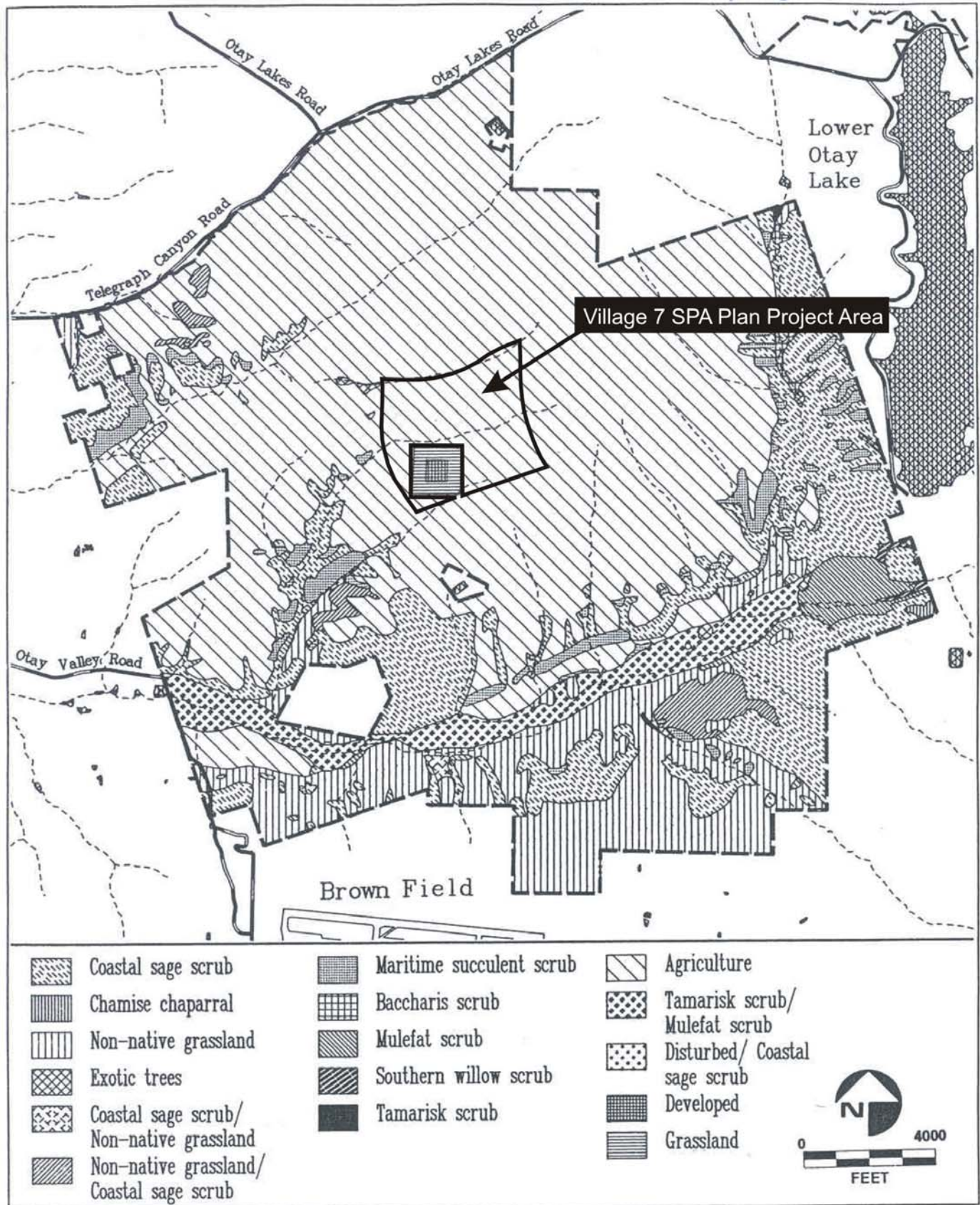
Implementation of mitigation measure 4.11-1 would reduce impacts to biological resources. Mitigation measures 4.11-3 through 4.11-6 have also been identified to reduce biological impacts associated with the Otay Project LP TM to below significance. The Otay Project LP TM would also be required to comply with measure 4.11-2. Additionally, as discussed in Section 4.7, *Hydrology/Drainage/Water Quality*, implementation of mitigation measures 4.7-1 through 4.7-4 would reduce potential impacts to below a level of significance. There is no mitigation to reduce significant impacts to the loss of foraging habitat to insignificance.

- 4.11-34.11-4** *Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.2 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.*
- 4.11-44.11-5** *The developer shall prepare a restoration plan to restore 0.40 acres of Coastal sage scrub habitat (CSS) pursuant to the Otay Ranch RMP restoration requirements. The CSS restoration plan shall be approved by the Department of Planning and Building prior to issuance of the grading permit and shall include an implementation plan, maintenance and monitoring program, estimated completion time and any relevant contingency measures. Alternatively, no restoration will be required if impacts to CSS are entirely avoided.*
- 4.11-54.11-6** *Prior to issuance of grading permit, the developer shall prepare a plan to the satisfaction of the Director of Planning and Building to reduce indirect impacts to the Preserve adjacent to the borrow site. The plan shall address adjacency provisions of the MSCP and RMP, including but not limited to, buffering techniques, control of invasives, access restrictions, water quality and noise reduction.*

4.11.6 Level of Significance After Mitigation

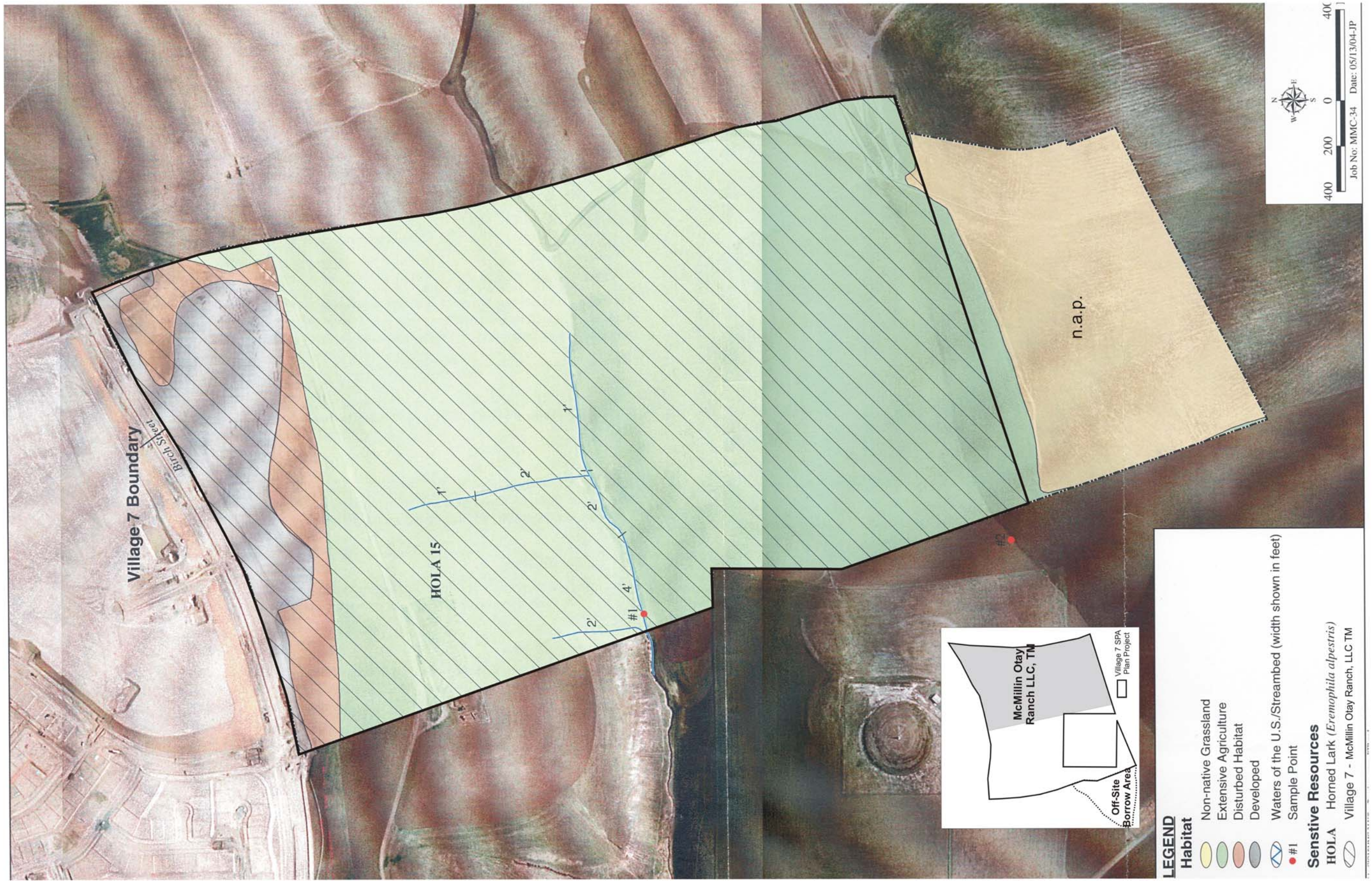
VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Implementation of the *Village 7 SPA Plan*, the *McMillin Otay Ranch, LLC TM*, and the *Otay Project LP TM* area would result in impacts to biological resources associated with potential indirect impacts to biological resources. Implementation of the mitigation measures identified above, would reduce potentially significant impacts to below a level of significance. The impact to foraging habitat would remain significant and unmitigated consistent with the impacts identified in the Program EIR, and adoption of a Statement of Overriding Considerations would be required.



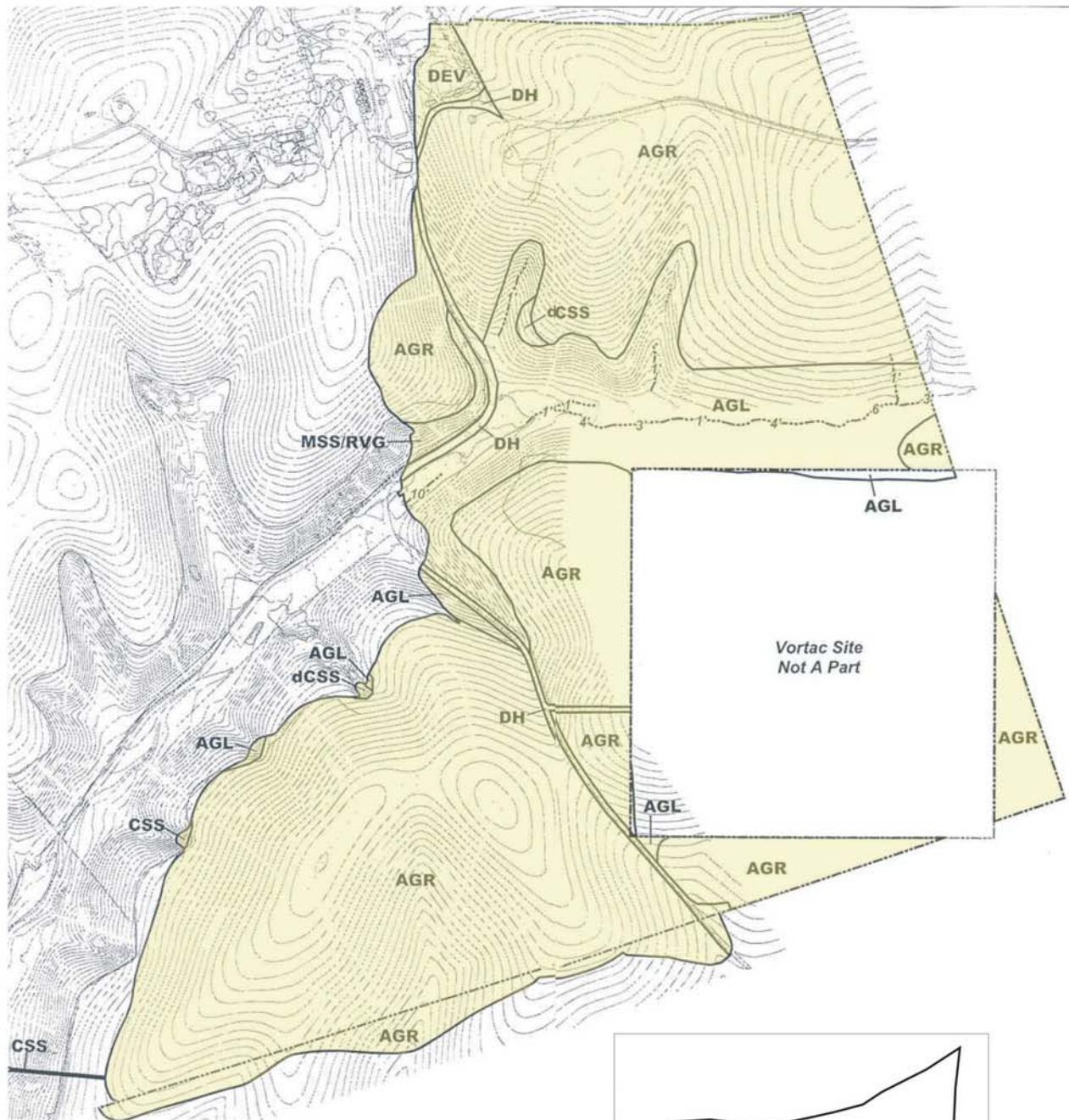
Source: Ogden

VEGETATION COMMUNITIES



Source: Helix Environmental

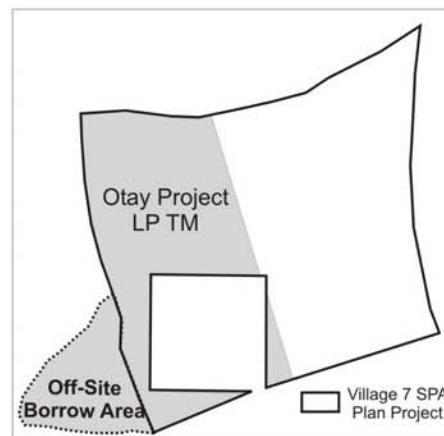
VEGETATION MAP FOR THE MCMILLIN PROPERTY



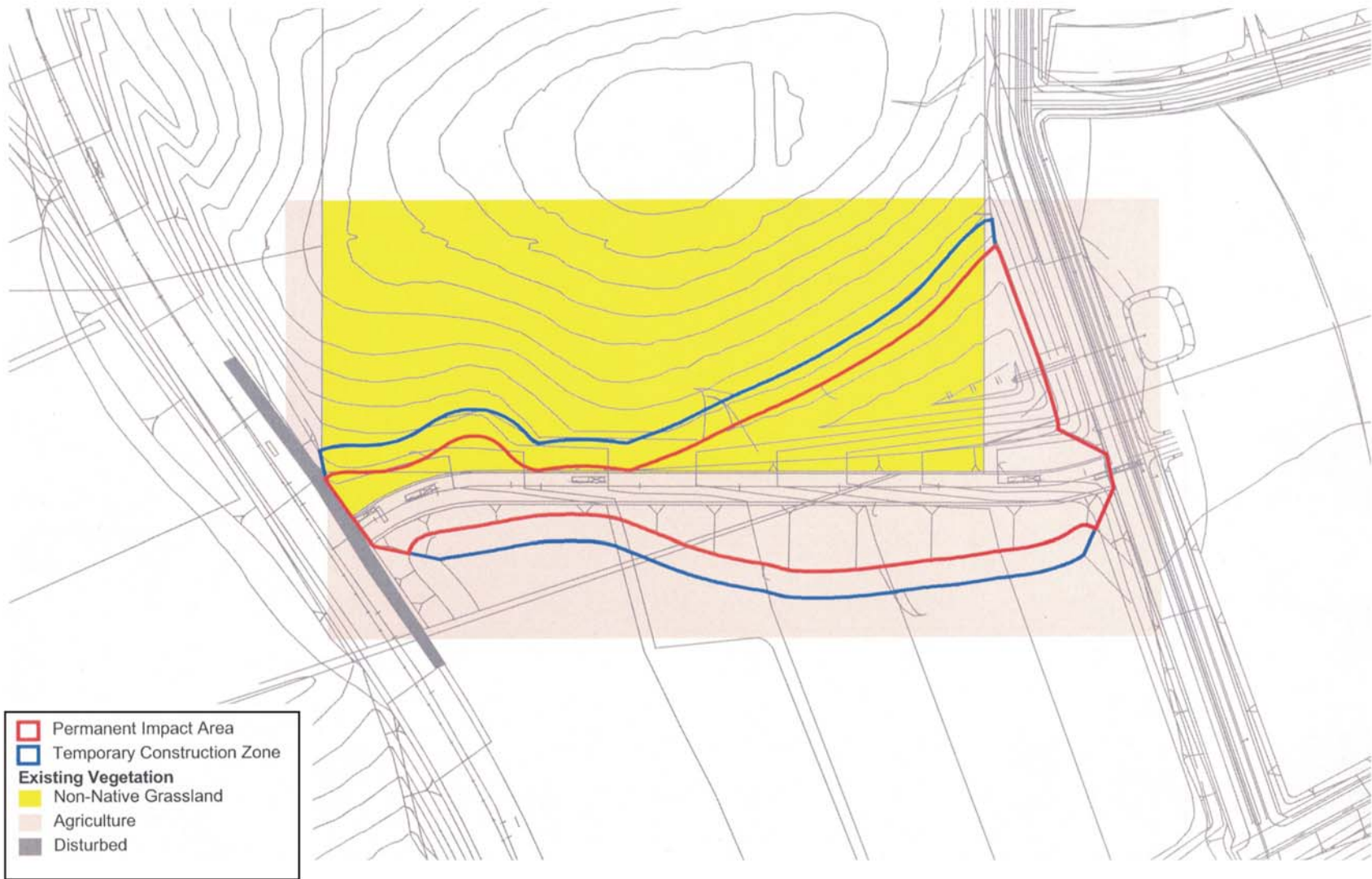
- Otay Project LP Property
- Jurisdictional Waters (with channel width measurements)
- Vegetation Types/Landcovers:
- AGL = Annual Grassland
- AGR = Agriculture
- CSS = Coastal Sage Scrub
- DEV = Developed
- DH = Disturbed Habitat
- MSS/RVG = Maritime Succulent Scrub (Revegetated Area)
- dCSS = Disturbed Coastal Sage Scrub



SOURCE: Dudek and Associates



VEGETATION MAP FOR OTAY PROJECT LP PROPERTY



SOURCE: Bonterra



300 0 300 Feet

VEGETATION MAP FOR THE OFF-SITE CONNECTOR ROAD

4.12 UTILITIES AND PUBLIC SERVICES

Utilities and public services are those functions which serve residents on a community-wide basis. These functions include sewer and water services, police, fire and emergency response services, parks and recreation, schools, libraries, solid waste disposal, and gas and electricity service. In the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154), the availability of utilities and public services was evaluated for the entire Otay Ranch area. The analysis and discussion of utilities and public services issues contained in the Program EIR is hereby incorporated by reference.

This section discusses the availability of utilities and public services to serve the *Village 7 SPA Plan*. Future residents of and visitors to the proposed project would require use of these facilities and services.

Provision of utilities and public services are guided by the City of Chula Vista's Threshold Standards Policy, which was adopted by City Council in November 1987. This policy establishes quality of life standards, which must be considered and evaluated when any new development project is proposed. The purpose of the policy is to ensure that the project will comply with each standard, thereby allowing the City of Chula Vista to maintain its excellent quality of life. Standards were developed by the Threshold Standards Policy for the following facilities:

- ◆ Police;
- ◆ Fire and Emergency Medical;
- ◆ Schools;
- ◆ Libraries;
- ◆ Parks and Recreation Areas;
- ◆ Water;
- ◆ Sewer;
- ◆ Drainage;
- ◆ Traffic;
- ◆ Air Quality; and
- ◆ Fiscal.

In 1990, the City adopted a Growth Management Element as part of its General Plan. The Growth Management Element further refined the Threshold Standards Policy and established additional policies that address open space and natural resources, regional growth issues, and economic development issues. In 1991, the City of Chula Vista Growth Management Program policy and ordinance was adopted. This combined all related Growth Management policies into a single policy document and further refined the implementation process as it relates to the review and approval of individual development projects.

Included as part of the original Threshold Standards Policy, the Growth Management Program requires the cumulative impacts of growth to be evaluated on an annual basis by a Growth Management Oversight Committee (GMOC). The GMOC is comprised of nine citizens, including a representative from the Planning Commission and representatives from various interest groups and geographic areas of the City. The GMOC is responsible for annually reviewing the Growth Management Program, preparing an annual report that includes the committee's findings and recommendations, and submitting the report to the Planning Commission and City Council.

The following discussion addresses the potential impacts that the proposed *Village 7 SPA Plan* would have upon utilities and public services with the exception of parks and recreation, which is discussed in Section 4.15, *Parks and Recreation*, of this EIR. Information presented in this section is derived in part from the Otay Ranch GDP Program EIR, which analyzed the existing conditions regarding water and sewer service, waste management, police and fire protection, emergency medical services, schools, library service, parks and recreation, and gas and electricity. However, because the Program EIR was prepared in October 1993, much of the information from the document has been updated. Updated information presented in this section has been provided by utility companies and public service providers and is addressed through letter responses and phone conversations, copies of which are located in Appendix I.

4.12a SEWER SERVICES

Information regarding sewer service for the *Village 7 SPA Plan* was provided by public service providers (see Appendix I) and the *Conceptual Sewer Study*, prepared by PBS&J, dated April 14, 2004 (Appendix J).

4.12a.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* project site is undeveloped and is not currently served by sewer facilities. However, sewer service to the project site would be provided by the City of Chula Vista. Chula Vista operates and maintains its own sanitary sewer collection system that connects to the City of San Diego's Metropolitan Sewerage System. As discussed in Section 4.7, *Hydrology/Drainage/Water Quality*, of this EIR, the project site drains naturally to two sewer basins. The northern portion of the site drains to the Poggi Canyon Sewer Basin, and the southern portion of the site is located in the Wolf Canyon Sewer Basin. Drainage at the site naturally flows in an east to west direction.

Poggi Canyon Sewer Basin

Wastewater generated within Poggi Canyon would be conveyed to existing and planned sewer mains in Birch and La Media Roads that discharge to the existing Poggi Canyon Interceptor in Olympic Parkway. The Poggi Canyon Interceptor conveys wastewater to the City of San Diego Metropolitan Wastewater Department (Metro) sewerage system and generally follows Olympic Parkway to Brandywine Avenue, then extends southwesterly through existing development to a temporary connection to the Date-Faivre Trunk Sewer south of Main Street. Following completion of the western portion of the planned Salt Creek Interceptor in Otay Valley Road, the Poggi Canyon Interceptor will be connected to the Salt Creek Interceptor near the intersection of Palm Avenue and Main Street and the temporary connection to the Date-Faivre Trunk Sewer will be removed.

Wolf Canyon Sewer Basin

Wastewater generated within the southerly portion of the Wolf Canyon Sewer Basin would drain to the planned Rock Mountain Road Trunk Sewer to be located along the future alignment of Rock Mountain Road. The trunk sewer will connect to the existing Salt Creek Interceptor at a location approximately 3,000 feet east of Heritage Road in the Otay River Valley. From the connection point, flows will be conveyed in the Salt Creek Interceptor to Metro facilities located west of Interstate 5 (I-5). Preliminary design and environmental review of the Rock Mountain Road Trunk Sewer is currently underway by the City.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM project site covers the eastern portion of the *Village 7 SPA Plan*, east of proposed Magdalena Avenue. This area is currently undeveloped. The northernmost portion of the McMillin Otay Ranch, LLC TM area is within the Poggi Canyon Sewer Basin, and the remainder is within the Wolf Canyon Sewer Basin. As discussed above, wastewater generated within Poggi Canyon would be conveyed to existing and planned sewer mains in Birch and La Media Roads that discharge to the existing Poggi Canyon Interceptor in Olympic Parkway. Ultimately, the Poggi Canyon Interceptor will be connected to the Salt Creek Interceptor near the intersection of Palm Avenue and Main Street. Flows within the southerly portion of Wolf Canyon Sewer Basin would drain to the planned Rock Mountain Road Trunk Sewer to be located along the future alignment of Rock Mountain Road.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM project site is located in the western portion of the *Village 7 SPA Plan*. It is currently undeveloped. Similar to the McMillin Otay Ranch, LLC TM, the northernmost portion of this project site is within the Poggi Canyon Sewer Basin, and the remainder of the site is within the Wolf Canyon Sewer Basin. The wastewater generated within Poggi Canyon would be conveyed to existing and planned sewer mains in Birch and La Media Roads, discharging to the Poggi Canyon Interceptor in Olympic Parkway. Flows within the Wolf Canyon Sewer Basin would drain to the planned Rock Mountain Road Trunk Sewer to be located along the future alignment of Rock Mountain Road.

4.12a.2 Thresholds of Significance

Based on Appendix G of the CEQA Guidelines, a project could have a significant adverse impact on sewer services if it would:

- ◆ Exceed wastewater treatment requirements of the San Diego Regional Water Quality Control Board;
- ◆ Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- ◆ Require sewer service where additional sewage treatment capacity is not presently available; or
- ◆ Result in the deterioration of the quality of service provided to the area.

Additionally, the City's Threshold Standards Policy requires the following:

1. Sewage flows and volumes shall not exceed City Engineering Standards as set forth in the Subdivision Manual adopted by City Council Resolution Number 11175 on February 12, 1983, as may be amended from time to time.
2. The City shall annually provide the San Diego Metropolitan Sewer Authority with a 12 to 18 month development forecast and request confirmation that the projection is within the City's purchased capacity rights and an evaluation of their ability to accommodate the forecast and continuing growth, or the City Engineering Department staff shall gather the necessary data.

4.12a-3 Impact Analysis

The Otay Ranch GDP Program EIR analyzed the existing conditions and potential impacts of implementation of the Otay Ranch GDP, identifying mitigation measures to reduce the potentially significant impact to public services and utilities. The following impact to sewer services was identified in the Otay Ranch GDP Program EIR.

- ◆ Facilities to accommodate additional sewage flow and wastewater treatment would be required. Mitigation involves submitting a Sewer Master Plan, subject to approval by the relevant jurisdiction(s). The applicant shall also provide adequate facilities for wastewater collection, transmission, and treatment facilities as required by the local sewer agencies. This mitigation reduced sewer impacts to below a level of significance.

This EIR is a second tier EIR, tiering from the Otay Ranch GDP; therefore, this impact will serve as a determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

The proposed *Village 7 SPA Plan* would develop a mix of residential, commercial, public, and civic uses. Two public schools are proposed as part of the project, including an elementary school and a high school. A total of 756 single-family units and 448 multi-family housing units are proposed. Additionally, the project proposes development of a 7.6-acre park, 2.8 acres of common useable open space, and 47.8 acres of open space, as well as a roadway system through the site.

The City of Chula Vista Subdivision Manual (July 2001) provides criteria to estimate sewer flows from

different land uses. Single-family homes are estimated to produce an average of 265 gallons per day (gpd). Multi-family homes are estimated to produce 75 percent of the single-family generation, or 199 gpd. Elementary schools are assumed to produce 15 gallons per capita per day (gpcd). High schools are estimated to produce 20 gpcd. It is assumed that the elementary school would have approximately 800 students, and the high school would have approximately 2,950 students. Community purpose facilities are assumed to generate 2,500 gpd per acre. Table 4.12-1, *Village 7 SPA Plan Total Wastewater Flow Projection*, shows the projected sewage generation for the proposed *Village 7 SPA Plan* uses. As shown, development of the *Village 7 SPA Plan* would generate 371,292 gpd of wastewater.

**TABLE 4.12-1
VILLAGE 7 SPA PLAN TOTAL WASTEWATER FLOW PROJECTION**

Land Use	Number and Units	Generation Rate (gpd/unit)	Average Flow (gpd)
SF Residential	756 Dwelling Units	265	200,340
MF Residential	448 Dwelling Units	199	89,152
Elementary School	800 Students	15	12,000
High School	2,950 Students	20	59,000
CPF	2.8 Acres	2,500	7,000
Park	7.6 Acres	500	3,800
Total			371,292

The average projected flow rates for the Poggi Canyon and Wolf Canyon Sewer Basins are 227,623 gpd and 134,394 gpd, respectively.

The proposed *Village 7 SPA Plan* would require sewer facility improvements which include on-site gravity sewer mains and contributions for the construction of the Poggi Canyon and Salt Creek Interceptors, and the Wolf Canyon Trunk Sewer Facilities. Figure 4.12-1, *Proposed Sewer System*, illustrates the conceptual on-site sewer collection system for the project. Flows generated in the Poggi Canyon Basin would flow to existing 12-inch sewer mains in Birch and La Media Roads that connect to the Poggi Canyon Interceptor in Olympic Parkway. Flows generated within the Wolf Canyon Basin would flow to several connections to the planned Rock Mountain Road Trunk Sewer within the project boundary. Flows generated in the Salt Creek Sewer Basin would also flow to connections to the planned sewer main in the future Rock Mountain Road that would connect to the Salt Creek Interceptor in Main Street.

The sizing of on-site sewer lines would be determined during the improvement plan preparation process when slopes and alignments for sewer lines have been established. Sizes of the on-site facilities would be determined based on final site grading and design criteria specified in the City’s Subdivision Manual. All gravity sewers would be designed to convey peak wet weather flow. For pipes with diameter of 12 inches and smaller, the sewers will be designed to convey this flow when flowing half full. For pipes of diameter larger than 12 inches, the sewers would be designed to convey peak wet weather flow when flowing at three-fourths of the pipe depth. All new sewers would be designed to maintain a minimum velocity of two feet per second (fps) at design capacity to prevent the deposition of solids. The on-site improvements would also be designed to provide enough capacity to accommodate sewer flows from the proposed project site.

4.12-1, *Proposed Sewer System Alternative 1*

The City has established Development Impact Fees (DIF) to fund construction of regional sewer facilities, including the Poggi Canyon and Salt Creek Interceptors and the Wolf Canyon Trunk Sewer. The *Village 7 SPA Plan* development within the Poggi Canyon Sewer Basin will be required to pay the Poggi Canyon DIF, and development within the Wolf Canyon and Salt Creek Sewer Basins will be required to pay the Salt Creek DIF in effect at the time building permits are issued.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM would result in the need to provide sewer service to the proposed residential land use. The McMillin Otay Ranch, LLC TM proposes a maximum of 310 single-family dwelling units and 448 multi-family dwelling units. As shown in Table 4.12-1, *Village 7 SPA Plan Total Wastewater Flow Projection*, single-family residential land use is estimated to generate 265 gpd per unit. Multi-family housing generates 199 gpd per unit. Therefore, the residential uses proposed by the McMillin Otay Ranch, LLC TM would generate approximately 82,150 gpd from single-family units and 89,152 gpd from multi-family units for a total of 171,302 gpd.

Additionally, the McMillin Otay Ranch, LLC TM would require sewer service for the proposed 7.6-acre park, a 1.1-acre community purpose facility, and the elementary and high school land uses. Table 4.12-1, *Village 7 SPA Plan Total Wastewater Flow Projection*, shows that the park use would generate 3,800 gpd of wastewater, the elementary school would generate a total of 12,000 gpd of wastewater, and the high school would generate a total of 59,000 gpd of wastewater. Additionally, the community purpose facility would generate a total of 2,750 gpd of wastewater. Combined with wastewater generation from the residential use, development of the McMillin Otay Ranch, LLC TM would result in a total of 248,852 gpd of wastewater.

C. OTAY PROJECT LP TENTATIVE MAP

Development of the Otay Project LP TM would result in the need to provide sewer service to the proposed residential units and the community purpose facilities. The Otay Project LP TM proposes a maximum of 375 single-family dwelling units and 1.7 acres of community purpose facilities. Therefore, the residential uses proposed by the Otay Project LP TM would generate approximately 99,375 gpd from single-family units and approximately 4,250 gpd from community purpose facilities for a total generation of 103,625 gpd of wastewater.

4.12a.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Development of the *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, and Otay Project LP TM would result in the generation of 248,852 gpd, 103,625 gpd and 371,292 gpd respectively. The project would create a demand for sewer service in an area where sewer service is currently planned, but not developed. The existing sewage disposal system does not currently serve the project site or have sufficient capacity to accommodate flow from the proposed project site. Therefore, implementation of the proposed project

would result in significant impacts to the sewer system if mitigation was not implemented. As a standard condition the City requires development projects to pay development fees, which would contribute to funding for these new facilities and resources. Construction of these facilities would ensure that the project would not result in a significant impact.

4.12a.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

Development of the *Village 7 SPA Plan* would generate a total of 371,292 gpd of wastewater, which would result in significant impacts to the existing sewer system. Additionally, because the site is not currently served by sewer facilities, their construction would be required. The following mitigation measure has been identified for the proposed project:

- 4.12a-1** Prior to the recordation of any final map, the City Engineer shall be satisfied that the connections to the Salt Creek Interceptor via the Rock Mountain Road Trunk Sewer have been constructed or that the Poggi Canyon Trunk Sewer has adequate capacity in the interim until construction of said connection. The calculations of existing and anticipated sewage flows have determined thresholds at which two capital improvement projects must be completed: 1) the increase of the size of the Poggi Canyon Trunk Sewer within Reach 205 when Poggi Basin EDU's exceed 1,635 and 2) the construction of the Rock Mountain Trunk Sewer connection to the Salt Creek Interceptor when Poggi Basin EDU's exceed 5,000. These thresholds represent additional cumulative flows to the Poggi Canyon Trunk Sewer in excess of currently entitled and reserved EDU's within the Poggi Basin.
- 4.12a-2** Sewer facility improvements shall be financed or installed on-and off-site in accordance with the fees and phasing in the approved Public Facilities Financing Plan.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would require construction of sewer facilities to serve the site. Development of the proposed residential, park, and elementary and high school uses would require implementation of the mitigation measure identified above. No additional mitigation measures are necessary.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would require construction of sewer facilities to serve the site. Development of the proposed residential uses would require implementation of the mitigation measure identified above. No additional mitigation measures are necessary.

4.12a.6 Level of Significance After Mitigation**VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP**

Implementation of the mitigation measure identified above would reduce any impacts to below a level of significance. Construction of facilities, payment of development fees, and compliance with the City Policy for Pumped Sewer Flows would ensure no significant impacts would result from project implementation.

4.12b Water Services

Information contained in this section came from public service providers (Appendix I), the *Water and Recycled Water Study*, prepared by PBS&J and dated March 10, 2004 (Appendix E-5). Additionally, the *Water Supply and Assessment Report* from the Otay Water District was used for preparation of the following discussion. A copy of the *Water Supply and Assessment Report* is included as Appendix K to this EIR.

4.12b.1 Existing Conditions**VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

The following discussion summarizes existing conditions for water services to the *Village 7 SPA Plan* project area. Because water service to the *Village 7 SPA Plan* project site would serve all planned development identified in the *Village 7 SPA Plan*, the following description of existing conditions also applies to the McMillin Otay Ranch, LLC TM area and the Otay Project LP TM area.

Senate Bill 221/610

Senate Bill (SB) 221 and SB 610 went into effect October 2001. It is the intention of SB221 and SB610 to link the water supply availability to the land use decisions made by the respective jurisdictional agencies. SB 221 requires water suppliers to prepare written verification that sufficient water supplies are planned to be available prior to approval of residential development projects of more than 500 residential units. SB 610 requires water suppliers to prepare a Water Supply Assessment report for inclusion by land use agencies within the CEQA process. The *Village 7 SPA Plan* requires that the Otay Water District (OWD) Board of Directors approve the Water Supply Assessment and Verification Report (WSA&V) for the project.

Potable Water

Most potable water used in San Diego County is imported from the Colorado River and the Sacramento-San Joaquin Rivers Delta. A small portion is from local surface water storage reservoirs and groundwater.

The project site is entirely within the Otay Lakes drainage basin and within the service area of the Otay Water District (OWD). OWD relies on the San Diego County Water Authority (CWA), which purchases the imported water from the Metropolitan Water District of Southern California (MWD) for its potable

water supply. MWD is the primary importer of domestic water in Southern California; CWA is the largest of 27 member agencies comprising MWD.

The *Village 7 SPA Plan* project site is located within OWD's Central Service Area. The project would receive its water supply from OWD's Central Area System. Potable water is provided to the Central Service Area via the Second San Diego Aqueduct. Water is delivered at aqueduct connections No. 10 and No. 12 and is conveyed by gravity to the Central Service Area emergency/operating reservoirs at a grade of 624 feet. Water is then pumped to the existing 711 and 980 service zones.

Recycled Water

OWD currently provides recycled water to the project area through its Ralph W. Chapman Water Recycling Facility located near the intersection of Singer Lane and Highway 94. This plant has a stated capacity of 1.3 million gallons of recycled water per day (mgd) for non-potable water uses such as irrigation of golf courses, school playing fields, public parks, and public landscaping. An additional recycled water supply would be available from the City of San Diego's 15.0 mgd capacity South Bay Water Reclamation Plant, which is located in the Tijuana River Valley at Monument and Dairy Mart Roads near the Mexican border. The initial phase of this plant was recently completed.

Recycled water requirements for the project would be coordinated by the OWD and the City of Chula Vista. According to the proposed Water Conservation Plan contained in the *Village 7 SPA Plan*, the phased construction of potable and recycled water facilities, based on the District-approved master plans, would be incorporated into the Village Seven SPA Public Facilities Financing Plan for the project to assure timely provision of required facilities.

Water Conservation Plan

The subject of water conservation has been given increased attention in recent years due to local and regional water purveyors concerned about meeting the future water demands of their customers, especially in time of drought. Water conservation provides an alternative approach to meeting the water demand for a proposed community by managing water demand so that customers receive adequate service but use less water.

There is a practical limit to the percentage reduction of water use in established communities due to the types of plumbing fixtures installed in existing homes, as well as the difficulty in altering consumers' established patterns of water use. However, new developments can address water conservation issues during project planning and development. The State, along with many local governments, has mandated a number of water conservation devices including: showerheads (2.5 gpm), lavatory faucets (2.2 gpm), sink faucets (2.2 gpm), tub spout diverter (0.1 gpm), residential water closets (1.6 gpf), and flushometer valves (1.6 gpf). By incorporating low water use plumbing fixtures, promoting drought tolerant landscaping, and providing educational materials to homeowners within the development project, private developments can promote water conservation and establish new patterns of water use.

The City of Chula Vista Growth Management Ordinance and Growth Management Program requires that all major development projects of 50 or more dwelling units prepare a Water Conservation Plan. Furthermore, all water conservation plans shall be in conformance with the Chula Vista Water Conservation Plan Guidelines. As discussed in Section 3.0, *Project Description* of this EIR, the proposed

Water Conservation Plan contained in the *Village 7 SPA Plan* covers those parcels owned by the project applicants (McMillin Otay Ranch, LLC and Otay Project LP) (see Figure 2-6, *Ownership*). The proposed Water Conservation Plan for the *Village 7 SPA Plan* identifies non-mandated water conservation measures for both indoor and outdoor activities, which may include, but are not limited to, hot water pipe insulation, pressure reducing valves, water efficient dishwashers, water efficient landscaping, and educational programs. Consistent with the Chula Vista Water Conservation Plan Guidelines, these measures and others would be incorporated into the planning and design of *Village 7 SPA Plan*.

4.12b.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant adverse impact on water services if the project:

- ◆ Cannot be served from existing entitlements and resources and would require the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or
- ◆ Disrupts water service or causes water purveyors to provide inadequate levels of service.

In accordance with the City's Thresholds Standards Policy:

1. Developer will request and deliver to the City a service availability letter from the Water District for each project.
2. The City shall annually provide the San Diego County Water Authority, the Sweetwater Authority, and the Otay Municipal Water district with a 12 to 18 month development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth. The Districts' replies should address the following:
 - a. Water availability to the City and Planning Area, considering both short and long term perspectives.
 - b. Amount of current capacity, including storage capacity, now used or committed.
 - c. Ability of affected facilities to absorb forecast growth.
 - d. Evaluation of funding and site availability for projected new facilities.
 - e. Other relevant information the District(s) desire(s) to communicate the City and GMOC.

4.12b.3 Impact Analysis

The following summarizes impacts and mitigation identified in the Otay Ranch GDP Program EIR for water services.

- ◆ Projected water requirements would result in significant impacts related to the capability of local jurisdictions to provide adequate water due to drought conditions. Mitigation involved submitting a Water Master Plan, subject to approval by the relevant jurisdiction(s). The applicant shall also obtain a commitment from the local water agency for the provision of adequate water to serve Otay Ranch. The applicant shall also implement water conservation measures, including but not limited to a water reclamation plan. The PEIR concluded that implementation of the identified mitigation would reduce water service impacts to below a level of significance.

This EIR is a second tier from the Otay Ranch GDP; therefore, this summary will serve as a determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

Senate Bill 221/610

According to the San Diego County Water Authority (SDCWA), the region's water supply portfolio comprises numerous water sources, including purchases from Metropolitan Water District (85 percent), conservation (six percent), local surface water (four percent), groundwater (three percent), and recycled water (two percent). In comparison, the region's projected water portfolio incorporates purchases from Metropolitan Water District (24-33 percent), Imperial Irrigation District transfers (21 percent), seawater desalination (six-15 percent), conservation (10 percent), local surface water (nine percent), canal lining transfers (nine percent), recycled water (six percent), and groundwater (six percent).

Based on the legislative requirements of SB 221 and SB 610, the applicant submitted an application to OWD requesting a WSA&V for the *Village 7 SPA Plan*. Subsequently, a WSA&V report was prepared by OWD in conjunction with the SDCWA stating that adequate water resources are available for the next 20 years. The WSA&V report (see Appendix [LK](#)) provides written verification that sufficient water supplies are planned to be available to the *Village 7 SPA Plan* over the next 20 years, [and was approved by the Otay Water District Board on March 4, 2004](#). The project would, therefore, not result in water supply impacts.

Potable Water

The design criteria implemented to evaluate the potable water system for the proposed project are established in accordance with the Otay Water District Water Resources Master Plan (2002). The design criteria are utilized for analysis of the existing water system as well as for design and sizing of proposed improvements and expansions to the existing system to accommodate demands in the study area.

The proposed *Village 7 SPA Plan* development would require water service from the OWD. OWD has established criteria to determine pressure zone boundaries within new and existing developments. The criteria, as defined in the District Master Plan, establishes the minimum and maximum allowable pressures within the water distribution piping system under specified system operating parameters. Minimum pressure criteria are based on maximum day and fire flow requirements while maximum pressure limitations are imposed to protect internal residential and commercial building water piping from failure under static and transient operating conditions. Maintaining water pressures within the limitations summarized in Table 4.12-2, *Distribution System Pressure Limitations*, would protect the water distribution system piping, valves, pumps, and other appurtenances from premature failure or increased maintenance requirements.

**TABLE 4.12-2
DISTRIBUTION SYSTEM PRESSURE LIMITATIONS**

Operating Condition	Criteria	Pressure
Static	Minimum Pressure	65 psi
Static	Maximum Pressure	200 psi
Peak Hour	Minimum Pressure	40 psi
Max Day plus Fire Flow	Minimum Pressure	20 psi

Generally, the potable water distribution system is designed to maintain static pressures between 65 pounds per square inch (psi) and 200 psi. The potable water distribution system has been designed to yield a minimum of 40 psi residual pressure at any location under peak hour demand flows, and a minimum residual pressure of 20 psi during maximum day demand plus fire flow conditions. Potable water mains are sized to maintain a maximum velocity of 10 fps under a maximum day plus fire flow scenario and a maximum velocity of six fps under peak hour flow conditions.

Based on unit demand factors specified in the OWD Water Resources Master Plan, average potable water demands for the project were estimated and are presented in Table 4.12-3, *Potable Water Demands*. As shown in Table 4.12-3, full occupancy of the *Village 7 SPA Plan* would use approximately 576,983 gallons of water per day (gpd). Currently, water facilities are not adequate to serve the project site; therefore, a significant impact would occur if water facilities were not available to serve the project.

**TABLE 4.12-3
POTABLE WATER DEMANDS**

Land Use	Net Area (acres)	Dwelling Units	Unit Demand	Average Daily Demand (gpd)
SF Residential	109.6	756	500 gpd/du	378,500
MF Residential	37.9	448	300 gpd/du	134,400
Elementary School	11.1	-	1,785 gpd/acre	19,814
High School	23.4	-	1,785 gpd/acre	41,769
CPF	2.8	-	893 gpd/acre	2,500
Total				576,983

Recycled Water

Landscape systems generally require a minimum of 65 psi at the meter to obtain adequate coverage of the irrigated area. It is expected that this minimum pressure can be achieved at all locations within the *Village 7 SPA Plan*. The primary criteria for sizing recycled water lines is the ability to meet peak hour recycled water demands while maintaining the maximum pipeline velocity between five to eight fps. The projected recycled water demand for various land uses within the proposed project is 49,494. Additionally, the project’s open space areas would utilize recycled water. According to the OWD, the revised total recycled water demand for Village 7 is lower than that originally identified for Village 7 within the OWD’s Water Resources Master Plan (See Appendix E-6, *Water Supply and Assessment Report*).

Based on the *Water and Recycled Water Study*, the proposed project would be required to expand the existing potable and recycled water systems. The extensions of these systems would be constructed either as part of adjacent subdivision development or concurrent with development of the project. Per the OWD policy, construction of regional water mains in La Media Road, Hunte Parkway, and Birch Road would be

funded by OWD as Capital Improvement Program projects. Based on OWD's planning criteria, redundant sources of potable water supply to the proposed project area would be required prior to occupancy of the development.

Figures 4.12-2, *Proposed Potable Water System*, and 4.12-3, *Proposed Recycled Water System*, illustrate the conceptual on-site potable and recycled water distribution systems for the proposed *Village 7 SPA Plan*. Sizes of the on-site facilities would be determined based on final site layout and design criteria specified in the District Master Plan. As previously discussed, a Sub-Area Master Plan would be prepared concurrent with development of the proposed project tentative map that would address the sizing and phasing of onsite and off-site water facilities for the project based on hydraulic analysis of the proposed water system.

The proposed *Village 7 SPA Plan* is required to comply with state and federal water conservation measures such as low flush toilets, low-flow showerheads and faucets, aerators, washing machines and other appliances and fixtures, and other requirements of Titles 20 of the California Code of Regulations.

In addition, to state and federal conservation requirements, the City of Chula Vista and the OWD have also adopted water conservation requirements. According to the City of Chula Vista Growth Management Ordinance, Municipal Code Section 19.09.050C, all SPA Plans are required to submit a Water Conservation Plan, which identifies additional water conservation measures. The proposed Water Conservation Plan for the *Village 7 SPA Plan* shall be in conformance with the City's Water Conservation Plan Guidelines and may include but is not limited to such water conservation measures as:

- ◆ Hot water pipe insulation;
- ◆ Pressure reducing valves;
- ◆ Water efficient dishwashers;
- ◆ Water-efficient landscaping for all developer installed landscaping; and
- ◆ Education program including education materials and guidance to new homeowners.

These measures, along with the use of recycled water would conserve water and prevent inefficient use of water resources.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM would result in the need to provide potable water service to the proposed single-family and multi-family residential units and the elementary and high school. The proposed park use would not result in a potable water demand. McMillin proposes a maximum of 310 single-family dwelling units and 448 multi-family dwelling units. Since the estimated potable water demand is 500 gpd per single-family dwelling unit and 300 gpd per multi-family dwelling unit, as shown by Table 4.12-3, *Potable Water Demands*, the total demand for potable water to serve the residential uses at the McMillin site would be approximately 289,400 gpd. According to Table 4.12-3, the demand for potable water service to the elementary school is 19,814 gpd, and is 41,769 gpd to the high school site. Additionally, the demand for potable water service to the community purpose facility is 982 gpd. Therefore, the total potable water demand for the McMillin Otay Ranch, LLC TM would be 351,965 gpd.

A demand for recycled water would occur from the multi-family residences, the park, the elementary and

high schools, and irrigation of the common slopes, open spaces, and parkway and roadway medians. The 310 single-family residential units would not result in a demand for recycled water. At the generation rate of 2,152 gpd per irrigated acre of multi-family land use, the 5.7 acres of irrigated multi-family land use for the project would result in a recycled water demand of 12,266 gpd. Implementation of the McMillin Otay Ranch, LLC TM would also result in a recycled water demand of 4,777 gpd from the elementary school, 10,071 gpd for the high school, 16,355 gpd from the park use, and 6,025 gpd for the Community Purpose Facilities. In addition, recycled water would be used for the irrigation for the common slopes, open spaces, and parkway and roadway medians at the project site.

Development of the McMillin Otay Ranch, LLC TM would require expansion of existing potable and recycled water systems. In accordance with OWD's planning criteria, redundant sources of potable water supply to the project area would be required prior to occupancy of the development.

C. OTAY PROJECT LP TENTATIVE MAP

Development of the Otay Project LP TM would result in the need to provide potable water service to the 375 proposed single-family residential units and the 1.7 acres of community purpose facilities. The total demand for potable water to serve the Otay Project site would be approximately 189,018 gpd. Redundant sources of potable water supply to the project area would be required prior to occupancy of the development. Single-family land uses do not utilize recycled water; however, a demand for recycled water would occur from irrigation of the community purposed facilities as well as the common slopes, open spaces, and parkway and roadway medians in the area. Therefore, implementation of the Otay Project LP TM would require a supply of approximately 3,658 gpd of recycled water.

4.12b.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

The proposed project would result in an incremental increase in potable and recycled water consumption and place additional demands on water storage and pumping facilities. The increase in demand for water would not have a significant impact on the ability of OWD to provide service to site. However, the impact to water storage and pumping facilities would be significant, if construction of facilities does not coincide with the development phasing of the proposed *Village 7 SPA Plan*.

FIGURE 4.12-2, PROPOSED POTABLE WATER SYSTEM

FIGURE 4.12-3, PROPOSED RECYCLED WATER SYSTEM

4.12b.5 Mitigation Measures**A. VILLAGE 7 SPA PLAN**

The *Village 7 SPA Plan* would result in less than significant impacts to potable and recycled water services. However, the following measures are recommended for the proposed project:

- 4.12b-1:** *Prior to approval of the first final map, a final Subarea Water Master Plan (SAMP) shall be required for the project. The Master Plan shall include the design of water system infrastructure including timing and cost of development and must be in compliance with the OWD Master Plan. Water facilities improvements shall be financed or installed on-and off-site in accordance with the SAMP.*
- 4.12b-2:** *Prior to the approval of the first final map for the project, the Developer shall secure and agree with the Otay Water District to construct all potable water facilities (on and off-site) required to serve the project.*
- 4.12b-3:** *Prior to approval of the first final map for the project, the applicant shall provide the City with a letter from the OWD stating that adequate storage capacity exists or would be available to serve the project.*
- 4.12b-4:** *Water facility improvements shall be financed or installed on-and off-site in accordance with the fees and phasing in the approved PFFP for the Village 7 SPA Plan.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would require an incremental increase in potable and recycled water consumption, placing additional demands on water storage and pumping facilities. However, the increased demand for water would not have a significant impact on the ability of OWD to provide service to the site. Measures 4.12b-1 through 4.12b-4, identified above, are recommended and would reduce impacts to below a level of significance.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would require an incremental increase in potable and recycled water consumption, placing additional demands on water storage and pumping facilities. However, the increased demand for water would not have a significant impact on the ability of OWD to provide service to the site. Measures 4.12b-1 through 4.12b-4 identified above, are recommended, and would reduce impacts to below a level of significance.

4.12b.6 Level of Significance After Mitigation**VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

Implementation of the proposed project could result in significant impacts to water services if facilities were not available to serve the site. Implementation of the mitigation measures identified above would reduce impacts to potable and recycled water supply and facilities to a below level of significance.

4.12c Law Enforcement and Police Protection**4.12c.1 Existing Conditions****VILLAGE 7 SPA PLAN/ MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

The following discussion summarizes existing police protection services related to the *Village 7 SPA Plan*. These services would serve all proposed development within the *Village 7 SPA Plan*; therefore, the following description of existing conditions also applies to the McMillin Otay Ranch, LLC TM area as well as the Otay Project LP TM area.

The City of Chula Vista Police Department (CVPD) provides police protection to the project area. The main station would serve the project site, which is located at 276 Fourth Avenue, approximately seven miles west of the project site. This station is equipped with approximately 164 patrol cars and other similar vehicles, 12 motorcycles, and one mobile command post. The CVPD currently has approximately 221 sworn officers and 103 civilian staff. The average response time to emergencies is five minutes and 30 seconds. Response times to non-emergencies is seven minutes 30 seconds (telephone conversation with Richard Pruess of CVPD and Amy Slater of David Evans and Associates, Inc., dated September 30, 2003. See Appendix I for the phone conversation record). The existing level of police protection is adequate to the serve the project site.

The CVPD participates in the law enforcement mutual aid agreement, which is activated through the San Diego County Sheriff in the event of major critical incidents or natural disasters. A mutual aid agreement is an arrangement made between the City and the County to assist one another in emergency response and police protection.

4.12c.2 Thresholds of Significance

According to the City of Chula Vista's Quality of Life Threshold Standards, the proposed project would have direct adverse impacts on police protection if the proposed project would result in the CVPD's inability to implement the following regulations:

1. Properly equipped staff and police units shall respond to 84 percent of "Priority One" emergency calls within seven minutes and maintain an average response time to all "Priority One" emergency calls of 4.5 minutes or less.

2. Response to 62 percent of “Priority Two Urgent” calls within seven minutes and maintain an average response time to all “Priority Two” calls of seven minutes or less.

4.12c.3 Impact Analysis

The following summary discusses the impacts and mitigation that relates to police services, as identified in the Otay Ranch GDP Program EIR.

- ◆ The Otay Ranch population would result in the need for additional staff and facilities to provide these services. Mitigation involves the submittal of a master plan, which shall address the provision and funding of facilities and services, and siting criteria. Impacts were reduced to a below level of significance.

This EIR is a second tier EIR from the Otay Ranch GDP; therefore, this impact will serve as the determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

According to the CVPD, the existing average response time to emergencies is five minutes and 30 seconds. Response time to non-emergencies is seven minutes 30 seconds. According to Richard Pruess of CVPD, the existing level of police protection is adequate to serve the project site. However, the average response time to emergencies is one minute more than the City of Chula Vista’s Quality of Life Threshold Standards of 4.5 minutes or less. The current response time for Priority Two calls is considered adequate.

The proposed project would result in new vehicle trips on the surrounding streets. These vehicle trips may lead to increased traffic accidents requiring police services. The roadways, access points, traffic signals and signs, and sight distances have been designed to promote driving safety and to comply with the City’s requirements. Thus, the project is not expected to result in a substantial increase in traffic accidents in the area, which may place additional demand on police services.

The CVPD has indicated that there may be an adverse impact on existing services due to rapid population growth and development that has been occurring in the eastern portion of the City. However, the City requires the payment of development fees by the developer, and these fees would help fund additional patrol officers in the area. Provided that increased revenues are available, the CVPD would be able to provide acceptable response times to the area. In addition, the City would monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis. This would insure that adequate service and requirements of the GMOC thresholds standards are met. Thus, no significant impacts on police protection services are expected with project implementation.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM would result in residential, park, and elementary and high school land uses, including new vehicle trips on the surrounding streets. These vehicle trips may lead to increased traffic accidents requiring police services. The roadways, access points, traffic signals and signs, and sight distances have been designed to promote driving safety and comply with the City’s requirements.

Therefore, the McMillin Otay Ranch, LLC TM is not expected to result in an unusual increase in traffic accidents in the area. However, the McMillin Otay Ranch, LLC TM would add residents that would require police protection. Additional police force would be needed in the City as a result of the McMillin Otay Ranch, LLC TM; however, this is not regarded as a significant impact.

C. OTAY PROJECT LP TENTATIVE MAP

Similar to the McMillin Otay Ranch, LLC TM, development of the Otay Project LP TM would result in new vehicle trips on surrounding streets as well as residential units and residents requiring police protection. Additional police force would be needed in the City as a result of the implementation of the Otay Project LP TM; however, this is not regarded as a significant impact.

4.12c.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Development of the proposed project would result in need for additional patrol officers to service the proposed land uses, which is considered an impact to law enforcement services. Development fees, which would be paid by the developer, would fund the additional patrol officers needed to serve the site. Therefore, no significant impacts to police protection services are expected with project implementation.

4.12c.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

No significant impacts on police protection services are expected with project implementation; therefore, no mitigation is required. However, the City of Chula Vista requires the payment of development fees to cover the costs of providing services to the project site and the reporting of emergency responses, as identified in the following measures.

4.12c-1 *Prior to the approval of each building permit ~~the first final map for the project~~, the developer shall pay Public Facilities Development Impact Fees (PFDIF).*

4.12c-2 *The City will monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

No significant impacts on police protection services are expected with project implementation; therefore, no mitigation is required. Implementation of measures 4.12c-1 and 4.12c-2, identified above, would ensure the project complies with City requirements.

C. OTAY PROJECT LP TENTATIVE MAP

No significant impacts on police protection services are expected with project implementation; therefore, no mitigation is required. Implementation of measures 4.12c-1 and 4.12c-2, identified above, would ensure the project complies with City requirements.

4.12c.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Mitigation measures are not required for police protection services because no significant impacts to police protection would occur. Measures 4.12c-1 and 4.12c-2 ensure that the project would comply with City requirements.

4.12d Fire and Emergency Medical Services

4.12d.1 Existing Conditions

VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Fire and emergency medical services are addressed in the following discussion. Because these services would serve all proposed development within the *Village 7 SPA Plan*, the following description of existing conditions applies to the the McMillin Otay Ranch, LLC TM area, as well as the Otay Project LP TM area.

Fire protection services are provided by the Chula Vista Fire Department (CVFD). According to the Fire Department, the fire station that would service the proposed project site is Station 7, located at 1640 Santa Venetia Street. Station 7 has seven firefighters, one engine, and will soon have one truck. The estimated response time to the project site is five to six minutes, which is considered adequate. (Phone conversation with Justin Gibson of the CVFD and Amy Slater with David Evans and Associates, Inc., dated September 25, 2003. See Appendix I for the phone conversation record.)

The CVFD participates in a county-wide mutual aid agreement. This program is an agreement between cities and the County to assist each other in emergency responses and fire protection.

Emergency medical service for the City of Chula Vista, including the proposed project site, is provided by America Medical Response (AMR). AMR is the nation's largest provider of medical transportation. It currently operates in 35 states and has over 19,000 employees and 4,000 vehicles. AMR responds to more than four million patients per year. Emergency response transports patients to two local hospitals: the Sharp Chula Vista Medical Center, located at 751 Medical Center Court (approximately 2.5 miles west of project site); and the Scripps Memorial Hospital, located at 435 H Street (approximately 6.5 miles west of the project site). According to William Miksner with AMR, the average response time to the City is 10 minutes for emergencies, which is considered adequate to serve the City of Chula Vista.

4.12d.2 Threshold of Significance

According to the City of Chula Vista's Quality of Life Threshold Standards, the proposed project would have direct adverse impacts on fire and emergency medical services if the proposed project would not implement regulations set forth from the following criteria:

1. Properly equipped and staffed fire and medical units shall respond to calls throughout the City within seven minutes in 85 percent of calls.

4.12d.3 Impact Analysis

The following summarizes the impacts and mitigation for fire and emergency medical services that was identified in the Otay Ranch GDP Program EIR.

- ◆ The Otay Ranch population would result in the need for additional staff and facilities to provide these services. Mitigation involves the submittal of a master plan, which shall address the provision and funding of facilities and services, and siting criteria. Impacts were reduced to a below level of significance with the mitigation identified.

This EIR is a second tier EIR from the Otay Ranch GDP; therefore, this impact will serve as a determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

The proposed project would develop an existing undeveloped area used for agricultural purposes with urban uses, including residential, community purpose facilities, parks, school, and open space uses. As a result, the *Village 7 SPA Plan* would result in an increase in the demand for fire and emergency response services at the project site. The City of Chula Vista requires the payment of development fees to cover the increase in fire protection and emergency response services required by a project. Payment of these fees insure the project would not result in significant impacts to fire and emergency response services.

The estimated response time for the project site is five to six minutes, which is considered adequate. According to the CVFD, the proposed project would not present a direct significant impact to fire protection services. However, the project would incorporate standard requirements to support a potential need for additional staffing associated with the project's incremental effect to fire and emergency response services due to increased population in the project area. Prior to approval of the first final map for the project, the developer would pay impact fees for fire protection services to help finance the needed facilities and services. In addition, the City would monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis. This would insure that adequate service and requirements of the GMOC thresholds standards are met.

The proposed project is not expected to result in significant impacts associated with medical services. The existing level of emergency response provided by AMR is adequate to serve the project site and the City of Chula Vista. The estimated response time for the proposed project site is seven minutes. According to the AMR, the proposed project would not present a significant impact to emergency response services. No new facilities or additional staffing would be required as a result of the proposed project.

B. MCMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM project would result in the introduction of residential dwelling units and persons that demand fire protection and emergency response services. While the existing levels of fire protection and emergency services at the project site are adequate, the project would be required to pay impact fees to support expansion of the those services to the site.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM project would result in the introduction of residential dwelling units and persons that demand fire protection and emergency response services. While the existing levels of fire protection and emergency services at the project site are adequate, the project would be required to pay impact fees to support expansion of the those services to the site.

4.12d.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The proposed project would result in an incremental increase in the demand for fire and emergency medical services. This increase is not considered a significant impact; nonetheless, measures have been incorporated to ensure the project's compliance with City regulations.

4.12d.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

Although the project would not result in significant impacts to fire protection and emergency response services, the following measures are required by the City of Chula Vista.

4.12d-1 *Prior to approval of each building permit~~the first final map for the project~~, the developer shall pay PFDIF.*

4.12d-2 *The City will monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis.*

4.12d-3 *A Fire Protection Plan (FPP) is required for this SPA as allowed by the California Fire Code 2001ed Article 86 – Fire Protection Plan Urban-Wildland Interface Area. The FPP will include a Brush Management Plan, this plan will be provided from an approved list of consultants. Ultimately, fuel modification requirements will be decided by the Chula Vista Fire Department upon the review of Brush Management Plan. This plan will include all slopes within the village.*

B. MCMILLIN OTAY RANCH, LLC TENTATIVE MAP

Development of the McMillin Otay Ranch, LLC TM would not significantly impact fire and emergency medical services. Furthermore, compliance with mitigation measures 4.12d-1, 4.12d-2 and 4.12-3 would reduce any impacts. No other mitigation is required.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would not significantly impact fire and emergency medical services. Furthermore, compliance with mitigation measures 4.12d-1, 12d-2 and 4.12-3 would reduce any impacts. No other mitigation is required.

4.12d.6 Level of Significance After Mitigation**VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

Mitigation measures were not required for fire protection and emergency response services because no significant impacts would occur. However, as required by the City of Chula Vista, mitigation was identified to reduce the increase in demand for fire and emergency response services that would result from implementation of the McMillin Otay Ranch, LLC TM. Impacts remain less than significant.

4.12e Schools**4.12e.1 Existing Conditions****VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

The following discussion on school services is applicable to the entire *Village 7 SPA Plan* area. Residential uses, which have the potential to generate school-age children, are proposed within the *Village 7 SPA Plan* by the McMillin Otay Ranch, LLC and by the Otay Ranch TMs. Therefore, the following discussion is applicable to the *Village 7 SPA Plan*, as well as the McMillin Otay Ranch, LLC TM and the Otay Project LP TM.

Elementary Schools

Elementary school facilities within the City of Chula Vista are provided by the Chula Vista Elementary School District (District). There are 40 elementary schools in the district. In addition, the District is proposing to construct an additional four elementary schools. The Liberty Elementary School (#41) is proposed in San Miguel Ranch and is scheduled to open August 2004. The other three proposed elementary schools are dependent on funding for their construction. The proposed schools include an elementary school in the Eastlake Woods Community (#42), an elementary school located in Village 6 Sectional Planning Area (#43), and an elementary school located in Village 11 Sectional Planning Area

(#44). The #44 elementary school would not be constructed until after proposed schools #42 and #43 are constructed.

The District has implemented a class size capacity of a maximum of 20 children for each Kindergarten through third grade classroom and a maximum of 31 children for each fourth through sixth grade classroom. The student generation rate for the District is 0.35 student for every single-family and multi-family residence. To accommodate overcrowding, schools in Chula Vista use classrooms that are capable of being relocated.

An elementary school is proposed within the *Village 7 SPA Plan*. If the school is constructed prior to the proposed residences, this school would serve the project site. If the proposed residential uses are constructed prior to the school, then children from the neighborhoods within the *Village 7 SPA Plan* would attend the closest school with the most available space. Currently, the closest existing school to the project site is Arroyo Vista Elementary School, located at 2591 School House Road, approximately two miles northeast of the project site.

Secondary School

Secondary school facilities within the City of Chula Vista are provided by the Sweetwater Union High School District. The Sweetwater Union High School District operates senior high schools, junior/middle high schools, adult education schools, and continuing schools. The student generation rate for the Sweetwater Union High School District for middle schools is 0.0526 for multi-family residences and 0.1019 for single-family residences. The student generation rate for high schools is 0.0853 for multi-family residential and 0.1838 for single-family residential.

A high school site is proposed within the *Village 7 SPA Plan*. If the proposed high school is constructed prior to the proposed residences, that school would serve the project site. If the proposed residential uses are constructed prior to the proposed high school, then the children from the *Village 7 SPA Plan* would attend the Otay Ranch High School, located at 1250 Olympic Parkway. Middle school students from the *Village 7 SPA Plan* would attend the Rancho Del Rey Middle School, located at 1174 East J Street. The 2003 enrollment for Rancho Del Rey Middle School is 1,582 students. However, the current eighth grade enrollment at Rancho Del Rey Middle School is higher than would be expected next year because Eastlake Middle School would begin accommodating eighth graders. Currently, only seventh graders attend Eastlake Middle School. The current enrollment for Otay Ranch High School is 1,113 students, which is below its capacity of 2,400 students. This school currently serves only ninth and tenth graders. Next year, the Otay Ranch High School would also accommodate eleventh and twelfth graders. To accommodate overcrowding, Rancho Del Rey Middle School has relocatable classrooms, and Otay Ranch High School has relocatable locker rooms.

4.12e.2 Threshold of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant adverse impact on the provision of public services and facilities, such as school services, if it would:

- ◆ Result in a need for new or physically altered governmental facilities, the construction of which may cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

4.12e.3 Impact Analysis

The following summarizes the impact and mitigation related to school impacts and identified by the Otay Ranch GDP Program EIR.

- ◆ The Otay Ranch population would generate the need for additional schools. Mitigation involves the submittal of a master plan for the provision of school facilities, subject to approval by the relevant school districts. Impacts were reduced to a below level of significance with mitigation.

This EIR is a second tier from the Otay Ranch GDP; therefore, this discussion will serve as a determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

Elementary School

The *Village 7 SPA Plan* proposes development of 756 single-family and 448 multi-family homes. According to the Chula Vista Elementary School District, approximately 0.35 elementary school students are generated from every single-family and multi-family dwelling unit that is constructed. Based on the student generation rate (0.35 students per home), the development of the proposed project would generate approximately 421 elementary school-aged children. The generation of 421 elementary school-aged would result in the need for additional facilities and services within the Chula Vista Elementary School District, which is considered a significant impact.

The *Village 7 SPA Plan* includes an 11.1-acre site for the development of an elementary school. If the proposed *Village 7 SPA Plan* elementary school is constructed prior to the proposed residences, this school would be able to accommodate the 421 elementary school age children. If the proposed residential uses are constructed prior to development of the elementary school, then the 421 children would attend the Arroyo Vista Elementary School. Arroyo Vista Elementary School has a current enrollment of 841 children, which is nine students below capacity. The increase in students from the proposed project would lead to the increased use of portable classrooms, larger class sizes, or the construction of new facilities to serve student population growth. Increased use of other educational facilities and the need for additional teachers and staff would also occur. If the residential uses are constructed prior to development of the elementary school proposed by the *Village 7 SPA Plan*, temporary impacts to the existing facilities and staffing at Arroyo Vista Elementary School would result until the proposed *Village 7 SPA Plan* elementary school is constructed. Because these impacts would be temporary, they are considered less than significant.

As permitted by State law, school districts assess school impact fees to help finance the needed facilities and services. The project would be required to pay school fees or participate in an alternative financing mechanism, such as a Community Facilities District, to the satisfaction of the Chula Vista Elementary School District prior to issuance of building permits. Financing by the project would help fund school facilities and services needed by project residents.

Secondary School

According to the Sweetwater Union High School District, the student generation rate for middle schools is 0.1019 for single-family residences and 0.0526 for multi-family residences. The student generation rate for high schools is 0.1838 for single-family residential and 0.0853 for multi-family residential uses. The construction of 756 single-family residential units and 448 multi-family units would generate approximately 101 middle school-aged children and 177 high school-aged children. The school-aged children generated by the proposed project would increase the demand for school facilities and services within the Sweetwater Union High School District, which is considered a significant impact.

The *Village 7 SPA Plan* proposes a 23.4-acre high school site. If the proposed high school is constructed prior to the proposed residences, this school would be able to accommodate the 177 high school-aged children generated by the project. If the proposed residential uses are constructed prior to the school, then the 177 high school-aged children would attend the Otay Ranch High School. The current enrollment for Otay Ranch High School is 1,113 students, which is below its capacity by 1,287 students. It is anticipated that the Otay Ranch High School would have a substantial increase in enrollment next school year because this school would also accommodate eleventh and twelfth graders.

The Otay Ranch GDP identifies a future middle school to be developed within Village 7; however the proposed *Village 7 SPA Plan* does not include development of a middle school. The 101 middle school age children generated from the proposed project would attend the Rancho Del Rey Middle School until the future middle school within Village 7 is developed [expected when the other ownerships within Village 7 (i.e., Otay Land Company, FAA, and Stephen & Mary Birch Foundation) develop]. The Rancho Del Rey Middle School has a current enrollment of 1,582 children, which is currently operating at approximately 70 students below capacity. However, the enrollment for next school year is expected to be less because the Eastlake Middle School would accommodate the eight graders, as discussed above.

The high school age students generated from the proposed project would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth at Otay Ranch High School until the high school within the *Village 7 SPA Plan* is built. Similarly, the middle school age students generated from the proposed project would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth at Rancho Del Rey Middle School until the future middle school within Village 7 is built. Increased use of other educational facilities and the need for additional teachers and staff would also occur. Therefore, the *Village 7 SPA Plan* would result in temporary impacts to the existing facilities and staffing at the Rancho Del Rey Middle School and the Otay Ranch High School. Due to their temporary nature, these impacts are considered less than significant.

As permitted by State law, the project would be required to pay school fees or participate in an alternative financing mechanism, such as a Community Facilities District, to the satisfaction of Sweetwater Union High School District prior to issuance of building permits. Financing by the project would help fund school facilities and services needed by project residents.

B. MCMILLIN OTAY RANCH, LLC TENTATIVE MAPElementary School

The McMillin Otay Ranch, LLC TM would develop 310 single-family residential units and 448 multi-family residential units, park, community purpose facility, and elementary and high school uses. The park and school uses would not result in development that may generate school children. Development of the residential units at the McMillin Otay Ranch, LLC site would introduce residents requiring school services at both the elementary and secondary school levels. As estimated by the Chula Vista Elementary School District, 0.35 elementary school students are generated from each single and multi-family dwelling unit. Therefore, implementation of the McMillin Otay Ranch, LLC TM would generate approximately 265 elementary school students. The generation of 265 elementary school-aged children would place additional demands for school facilities and services on the Chula Vista Unified Elementary School District, which is considered a significant impact.

The McMillin Otay Ranch, LLC TM includes an 11.1-acre site for the development of an elementary school. If the elementary school were developed prior to the residential uses, then elementary school-aged children generated by the residential uses proposed by McMillin Otay Ranch, LLC TM would attend the *Village 7 SPA Plan* elementary school. If residential uses were developed prior to the elementary school, then elementary school-aged children would attend Arroyo Vista Elementary School. Arroyo Vista Elementary School has a current enrollment of 841 children, which is nine students below capacity. The increase in students from the proposed project would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth. Increased use of other educational facilities and the need for additional teachers and staff would also occur. If the residential uses are constructed prior to development of the elementary school proposed by the *Village 7 SPA Plan*, temporary impacts to the existing facilities and staffing at Arroyo Vista Elementary School would result until the *Village 7 SPA Plan* elementary school is constructed. Because these impacts would be temporary, they are considered less than significant.

Secondary School

According to the Sweetwater Union High School District, each multi-family dwelling unit generates 0.0526 middle school students and 0.0853 high school students, while each single-family dwelling unit generates 0.1019 middle school students and 0.1838 high school students. Applying these student generation rates to the residential units proposed by the McMillin Otay Ranch, LLC TM, the project would generate approximately 56 middle school students and 95 high school students. The generation of middle school-aged and high- school-aged children would place additional demands for school facilities and services on the Sweetwater Union High School District.

High school students generated by the McMillin Otay Ranch, LLC TM would ultimately be served by the high school proposed within the *Village 7 SPA Plan*, and the middle school students generated by the project would ultimately be served by the middle school identified in the Otay Ranch GDP for Village 7. If the high school was developed prior to the proposed residential units, then high school-aged children generated by the project would be served by that school and no impacts to high school demand would occur. Since development of the middle school is not currently proposed by the *Village 7 SPA Plan*, middle school-aged children generated by the project are expected to result in a temporary impact to middle school services.

If the residential units were occupied prior to construction of the middle and/or high schools, then students would attend Rancho Del Rey Middle School and Otay Ranch High School, respectively, until the *Village 7 SPA Plan* high school and the Otay Ranch GDP middle school are built. The attendance of students generated from the McMillin Otay Ranch, LLC TM development at Rancho Del Rey Middle School and/or Otay Ranch High School would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth at Rancho Del Rey Middle School and Otay Ranch High School. Increased use of other educational facilities and the need for additional teachers and staff would also occur. Therefore, the McMillin Otay Ranch, LLC TM would result in temporary impacts to the existing facilities and staffing at the Rancho Del Rey Middle School and the Otay Ranch High School. Due to their temporary nature, these impacts are considered less than significant.

C. OTAY PROJECT LP TENTATIVE MAP

Elementary School

The Otay Project LP TM proposes the development of a maximum of 375 single-family residences in the northwest portion of the *Village 7 SPA Plan*. Development of residential uses would introduce residents requiring school services at both the elementary and secondary school levels. Applying the Chula Vista Elementary School District generation rates listed above, the Otay Project LP TM would generate a maximum of 131 elementary students. The generation of elementary school-aged children would place additional demands for school facilities and services on the Chula Vista Unified Elementary School District, which is a less than significant impact.

An 11.1-acre site has been identified for the development of an elementary school within the *Village 7 SPA Plan*. If the elementary school were developed prior to the Otay Project LP TM, then elementary school-aged children generated by the residential uses proposed by Otay Project LP TM would attend the *Village 7 SPA Plan* elementary school. If residential uses were developed prior to the elementary school, then elementary school-aged children would attend Arroyo Vista Elementary School until the *Village 7 SPA Plan* elementary school developed. Arroyo Vista Elementary School has a current enrollment of 841 children, which is nine students below capacity. The increase in students from the proposed project would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth. Increased use of other educational facilities and the need for additional teachers and staff would also occur. If the Otay Project LP TM residential uses are constructed prior to development of the elementary school proposed by the *Village 7 SPA Plan*, temporary impacts to the existing facilities and staffing at Arroyo Vista Elementary School would result until the *Village 7 SPA Plan* elementary school is constructed. Because these impacts would be temporary, they are considered less than significant.

Secondary School

According to the Sweetwater Union High School District, each single-family dwelling unit generates 0.1019 middle school students and 0.1838 high school students. Applying these student generation rates to the residential units proposed by the Otay Project LP TM, the project would generate approximately 38 middle school students and 69 high school students. The generation of middle school-aged and high-school-aged children would place additional demands for school facilities and services on the Sweetwater Union High School District, which is considered a less than significant impact.

High school students generated by the Otay Project LP TM would ultimately be served by the high school proposed within the *Village 7 SPA Plan*. If the high school was developed prior to the proposed residential units, then children generated by the project would only be served by that high school and no impacts would occur. If the residential units were occupied prior to construction of the high schools, then students would attend Otay Ranch High School, until the *Village 7 SPA Plan* high school is built. The attendance of students generated from the Otay Project LP TM development at Otay Ranch High School would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth at Otay Ranch High School. Increased use of other educational facilities and the need for additional teachers and staff would also occur. Therefore, the Otay Ranch LP TM would result in temporary impacts to the existing facilities and staffing at Otay Ranch High School. Due to their temporary nature, these impacts are considered less than significant.

The middle school students generated by the project would ultimately be served by the middle school identified in the Otay Ranch GDP for Village 7; however, no middle school is currently proposed by the *Village 7 SPA Plan*. Middle school-aged students generated by the Otay Project LP TM would attend Rancho Del Rey Middle School, until the *Village 7 SPA Plan* is amended and the Otay Ranch GDP middle school is built. The attendance of students generated from the Otay Project LP TM development at Rancho Del Rey Middle School would lead to the increased use of portable classrooms, larger class sizes or the construction of new facilities to serve student population growth at Rancho Del Rey Middle School and Otay Ranch High School. Increased use of other educational facilities and the need for additional teachers and staff would also occur. Therefore, the Otay Project LP TM would result in temporary impacts to the existing facilities and staffing at the Rancho Del Rey Middle School. Due to their temporary nature, these impacts are considered less than significant.

4.12e.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The proposed project would develop single-family and multi-family uses, which would generate elementary, middle, and high school-aged children. As a result, the project would result in an incremental increase in the demand for school services. The project would also develop an elementary and high school, which would ultimately serve all elementary and high school-aged students generated by the proposed project and is considered a benefit of the project.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The proposed project would develop single-family and multi-family uses, which would generate elementary, middle, and high school-aged children. As a result, the project would result in an incremental increase in the demand for school services. The project would also develop an elementary school and a high school, which would ultimately serve all elementary and high school-aged children generated by the proposed project and is considered a benefit of the project.

C. OTAY PROJECT LP TENTATIVE MAP

The proposed project would develop single-family uses, which would generate elementary, middle, and high school-aged children. As a result, the project would result in an incremental increase in the demand for school services. However, this incremental increase is considered less than significant.

4.12e.5 Mitigation Measures**A. VILLAGE 7 SPA PLAN**

The project would not result in significant impacts to school services. However, in accordance with State law, the project would be required to pay school fees, as identified in the measures below.

4.12e-1: *Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Chula Vista Elementary Unified School District to the satisfaction of the School District.*

4.12e-2: *Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Sweetwater Union High School District to the satisfaction of the School District.*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The project would not result in significant impacts to school services; however, the project would be required to comply with measures 4.12e-1 and 4.12e-2 identified above.

C. OTAY PROJECT LP TENTATIVE MAP

The project would not result in significant impacts to school services; however, the project would be required to comply with measures 4.12e-1 and 4.12e-2 identified above.

4.12e.6 Level of Significance After Mitigation**VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP**

Implementation of the mitigation measures identified above would help finance school facilities and services needed by project residents. Mitigation would reduce impacts to elementary, middle, and high school services to below a level of significance.

4.12f Library

4.12f.1 Existing Conditions

Libraries are a population-based public service. The *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM, and the Otay Ranch TM propose to develop residential uses. Therefore, the following discussion on library services is applicable to the entire the *Village 7 SPA Plan*, as well as the McMillin Otay Ranch, LLC and Otay Project LP TMs.

VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The City of Chula Vista currently operates the Civic Center Branch Library on F Street in Central Chula Vista, and two neighborhood libraries: the South Chula Vista Branch, located at 389 Orange Avenue, and the Eastlake Branch Library, located at 1120 East Lake Parkway. Additionally, the Eastlake High School Library is a shared library and is open to the public for after school hours. The South Chula Vista Library would serve the proposed project. According to the Chula Vista General Plan, libraries should have a ratio of 0.5 to 0.7 gross square feet for every resident (500 to 700 square feet of library space per 1,000 residents). The South Chula Vista Branch Library has a current volume of approximately 180,913 books and has an approximate square footage of 30,000 square feet with an additional 7,000 square feet of the Literacy component.

4.12f.2 Threshold of Significance

According to the City of Chula Vista's Quality of Life Threshold Standards, the proposed project would have direct adverse impacts on library services if the proposed project would result in less than the recommended ratio of 500 square feet of adequately equipped and staffed library facility per 1,000 population.

4.12f.3 Impact Analysis

The following summary identifies library impacts and mitigation contained in the Otay Ranch GDP Program EIR.

- ◆ Additional library facilities would be required to serve the Otay Ranch population. Mitigation involves the preparation of a Library Master Plan in accordance with the requirements of the applicable jurisdiction(s). The plan shall address siting criteria, funding and phasing. Impacts were reduced to a below level of significance.

This EIR is a second tier from the Otay Ranch GDP; therefore, this discussion will serve as a determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

The proposed project would generate a build out population of approximately 3,624 new residents to Chula Vista. These residents would likely use the South Chula Vista Branch Library and its resources. There are also

other libraries in the area which may serve residents of the site.

Based on City standards, the estimated 3,624 residents of the proposed *Village 7 SPA Plan* would result in the need for 2,537 square feet of library space (at 0.7 square foot per resident). The project's residents would also generate additional demand for library services. However, the project would not result in less than the recommended ratio of 500 square feet of adequately equipped and staffed library facility per 1,000 population; therefore, the project would not result in significant impacts to library services. Nonetheless, the project would be required to mitigate for its additional demand placed on library services, as required by the City of Chula Vista.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM project would allow for the development of single-family and multi-family residential land uses, which would introduce permanent residents requiring library services. The proposed park and elementary school uses would not result in demands for library services. The McMillin Otay Ranch, LLC TM would result in a maximum of 310 single-family dwelling units and 448 multi-family dwelling units. Based on an average household size of 3.01 persons per household, as discussed in Section 4.14, *Population and Housing*, the McMillin Otay Ranch, LLC TM would introduce a maximum of 2,282 persons to the project site.

According to the Chula Vista General Plan, libraries should have a ratio of 0.5 to 0.7 gross square feet for every resident. Therefore, implementation of the McMillin Otay Ranch, LLC TM would result in the need for approximately 1,597 square feet of library space. This demand is not considered a significant impact. However, the project would generate additional demand for library services.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM would develop a maximum of 375 single-family residential units that would introduce permanent residents to the area who would require library services. Based on an average household size of 3.01 persons per household, implementation of the Otay Project LP TM would result in the introduction of 1,129 persons. Since libraries should have a ratio of 0.5 to 0.7 gross square feet for every resident, the Otay Project LP TM would result in the need for 790 square feet of additional library space, which is not considered a significant impact. However, the project would generate additional demand for library services.

4.12f.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

The proposed project would result in an incremental increase in the demand for library services. This is considered a less than significant impact to library services.

4.12.f.5 Mitigation Measures**A. VILLAGE 7 SPA PLAN**

While the *Village 7 SPA Plan* would not result in significant impacts to library services, the project would be required to comply with the following measure, as required by the City of Chula Vista.

4.12f-1 *Prior to approval of each building permit, ~~the developer project applicant~~ shall pay Public Facilities Development Impact Fees (PFDIF).*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would not result in significant impacts to library services. However, the McMillin Otay Ranch, LLC TM is subject to measure 4.12f-1 identified above, which would ensure compliance with City requirements.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would not result in significant impacts to library services. However, the Otay Project LP TM is subject to measure 4.12f-1 identified above, this would ensure compliance with City requirements.

4.12f.6 Level of Significance After Mitigation**VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

Development of the proposed project would not result in significant impacts to library services. Impacts would remain below a level of significance.

4.12g Solid Wastes Disposal**4.12g.1 Existing Conditions**

The following discussion summarizes solid wastes disposal services related to the *Village 7 SPA Plan*. These services would serve all proposed development within the *Village 7 SPA Plan*; therefore, the following description of existing conditions also applies to the McMillin Otay Ranch, LLC TM area and the Otay Project LP TM area.

VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Pacific Waste Systems is responsible for solid waste disposal in the project area. Solid wastes generated from the project area would be transported to the Otay Landfill, which is located north of Otay Valley Road on the south side of Chula Vista. The Otay Landfill serves the cities of Chula Vista, Coronado,

Imperial Beach, National City, and San Diego. The Otay Landfill was opened in February 1966 and encompasses approximately 464 acres, with 230 acres of the total area used for disposal purposes. The remaining landfill capacity of Otay Landfill is 20 years or 25,800,000 cubic yards.

4.12g.2 Threshold of Significance

According to Appendix G of the CEQA Guidelines, a proposed project would impact solid waste disposal services if the proposed project is served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

4.12g.3 Impact Analysis

The following summary identifies an impact that relates to the Otay Ranch GDP Program EIR.

- ◆ Project-generated solid waste would result in a significant impact due to declining landfill capacity in the region. Mitigation involves the preparation of an Integrated Waste Management Plan prepared by the applicant in coordination with the County of San Diego and the City of Chula Vista. Impacts were reduced to a below level of significance.

This EIR is a second tier from the Otay Ranch GDP; therefore, this impact will serve as the determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

The proposed *Village 7 SPA Plan* would be served by the Otay Landfill, which has a remaining capacity of 20 years, or 25,800,000 cubic yards. Currently, the Otay Landfill has an adequate capacity for potential waste generated by the proposed project. To further reduce solid waste impacts, the City of Chula Vista would limit solid waste by the implementation of a curbside recycling program. In addition, the Chula Vista General Plan suggests that solid waste collection is currently being handled satisfactorily. Project impacts associated with solid waste are not considered significant.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The Otay Landfill, which has adequate capacity to operate for the next 20 years, would provide the disposal site for solid waste generated at the McMillin Otay Ranch, LLC TM site. Chula Vista's curbside recycling program would be implemented at the site, reducing the amount of waste generated by the McMillin Otay Ranch, LLC TM project and disposed of at Otay Landfill. Impacts associated with solid waste from the McMillin Otay Ranch, LLC TM are not considered significant.

C. OTAY PROJECT LP TENTATIVE MAP

Solid waste produced at the Otay Project LP TM site would be disposed of at Otay Landfill, which has adequate capacity to operate for the next 20 years. Curbside recycling supported by the City of Chula Vista would reduce the amount of waste disposed of at Otay Landfill. Solid waste generated from the Otay

Project LP TM site would not adversely impact the Otay Landfill. Therefore, impacts associated with solid waste from the Otay Project LP TM are not considered significant.

4.12g.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The proposed project would not result in impacts to solid waste services.

4.12g.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* would not result in significant impacts to solid waste disposal services. No mitigation is required.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

No significant impacts to solid waste disposal services are expected with project implementation. No mitigation is required.

C. OTAY PROJECT LP TENTATIVE MAP

No significant impacts to solid waste disposal services are expected with project implementation. No mitigation is required.

4.12g.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Mitigation measures are not required for solid waste services because no significant impacts would occur. The project would not result in significant impacts to solid waste disposal.

4.12h Gas and Electricity

4.12h.1 Existing Conditions

Gas and electricity services for the *Village 7 SPA Plan* are discussed in this section. These services would serve all proposed development within the *Village 7 SPA Plan*; therefore, the following description of existing conditions also applies to the McMillin Otay Ranch, LLC TM area and the Otay Project LP TM area.

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Natural gas and electricity to the project site are provided by Sempra Energy (formally San Diego Gas and Electric). The proposed project is located near three substations which include the Miguel Substation, located approximately two miles south of the site, the Proctor Valley Substation, located approximately 1.5 miles south of the site, and the Otay Lake Substation, located approximately two miles east of the site. In addition, one transmission line occurs approximately two miles east of the site and another transmission line occurs approximately 0.75 mile south of the project site.

4.12h.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project could have a significant adverse impact on the environment if it:

- ◆ Cannot be served from existing resources and would require the construction of new facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

4.12h.3 Impact Analysis

The following summarizes the impacts and mitigation for gas and electricity services identified in the Otay Ranch GDP Program EIR.

- ◆ Additional substations and associated distribution lines would be required to serve the project. Mitigation involves the coordination with SDG&E during all stages of electrical and gas facilities planning to ensure the provision of adequate facilities. Impacts were reduced to a below level of significance.

This EIR is a second tier EIR from the Otay Ranch GDP; therefore, this impact will serve as a determination factor for impacts related to the proposed *Village 7 SPA Plan*.

A. VILLAGE 7 SPA PLAN

The project site is located within the service boundaries of Sempra Energy. Although Sempra Energy currently does not provide services to the project area, adequate gas and electric supplies are available to meet the needs of the proposed project site. Natural gas lines would need to be constructed to the project site to provide service to future residents. However, this would not result in any significant impacts to gas and electricity services.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin TM site lies within the service area of Sempra Energy, although no service facilities currently exist there. Sempra supplies an adequate amount of gas and electricity to serve the McMillin TM site, but natural gas and electricity lines would need to be constructed to reach the McMillin TM site. The McMillin TM site would not result in significant impacts to gas and electricity services.

C. OTAY PROJECT LP TENTATIVE MAP

While Sempra Energy currently does not currently provide gas and electricity service to the Otay Project LP site, the site is located within the Sempra service area. Sempra provides adequate gas and electric supplies to meet the needs of the proposed Otay Project LP site, but natural gas and electricity lines would need to be constructed to the site. The Otay Project LP TM would not result in significant impacts to gas and electricity services.

4.12h.4 Level of Significance Before Mitigation**VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP**

The proposed project would not result in impacts to gas and electric services, and no mitigation measures are required.

4.12h.5 Mitigation Measures**A. VILLAGE 7 SPA PLAN**

No significant impacts on gas and electric services are expected with project implementation. Therefore, no mitigation measures are required.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

No significant impacts on gas and electric services are expected with project implementation. Therefore, no mitigation measures are required.

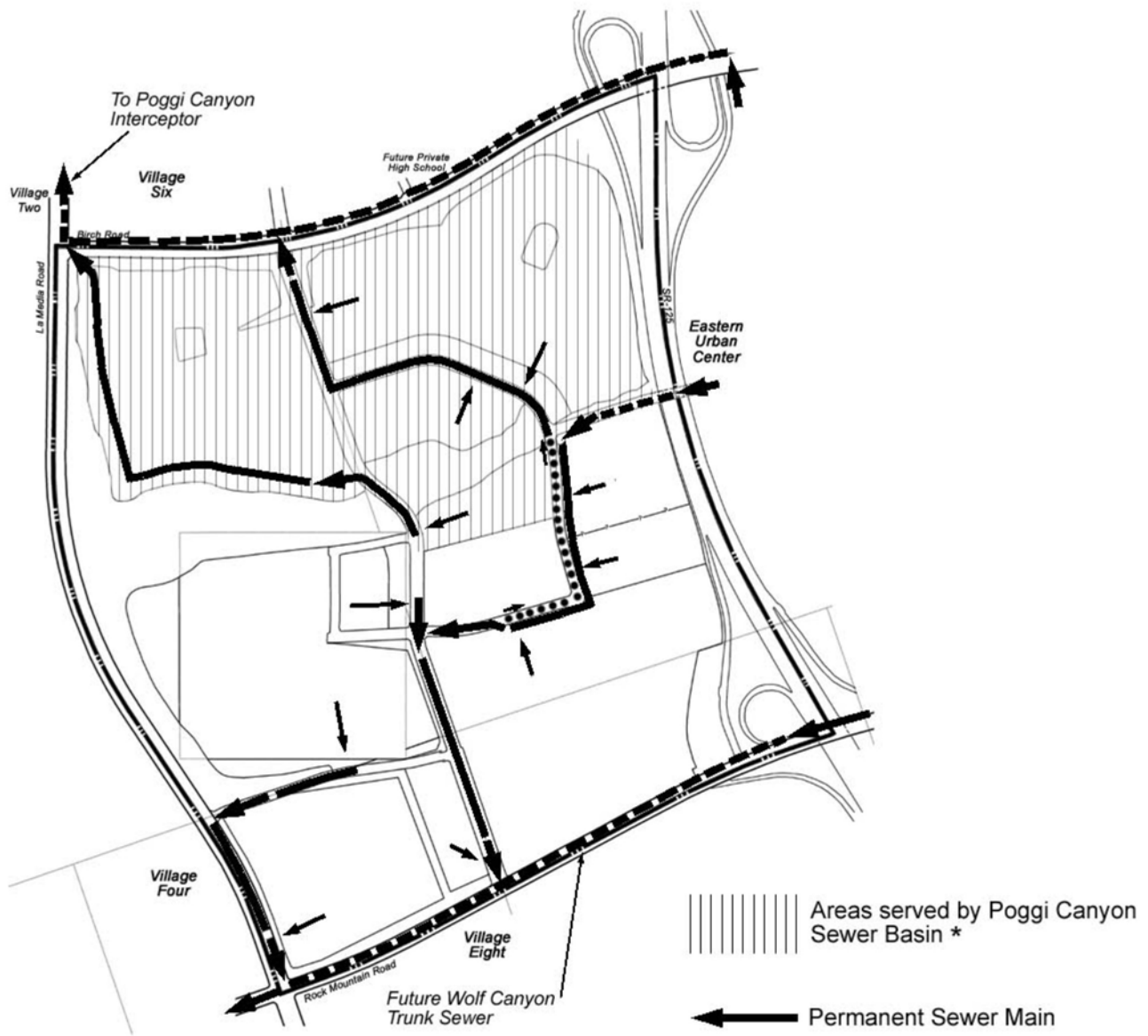
C. OTAY PROJECT LP TENTATIVE MAP

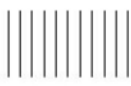



No significant impacts on gas and electric services are expected with project implementation. Therefore, no mitigation measures are required.

4.12h.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Mitigation measures are not required for gas and electric services because no significant impacts would occur.

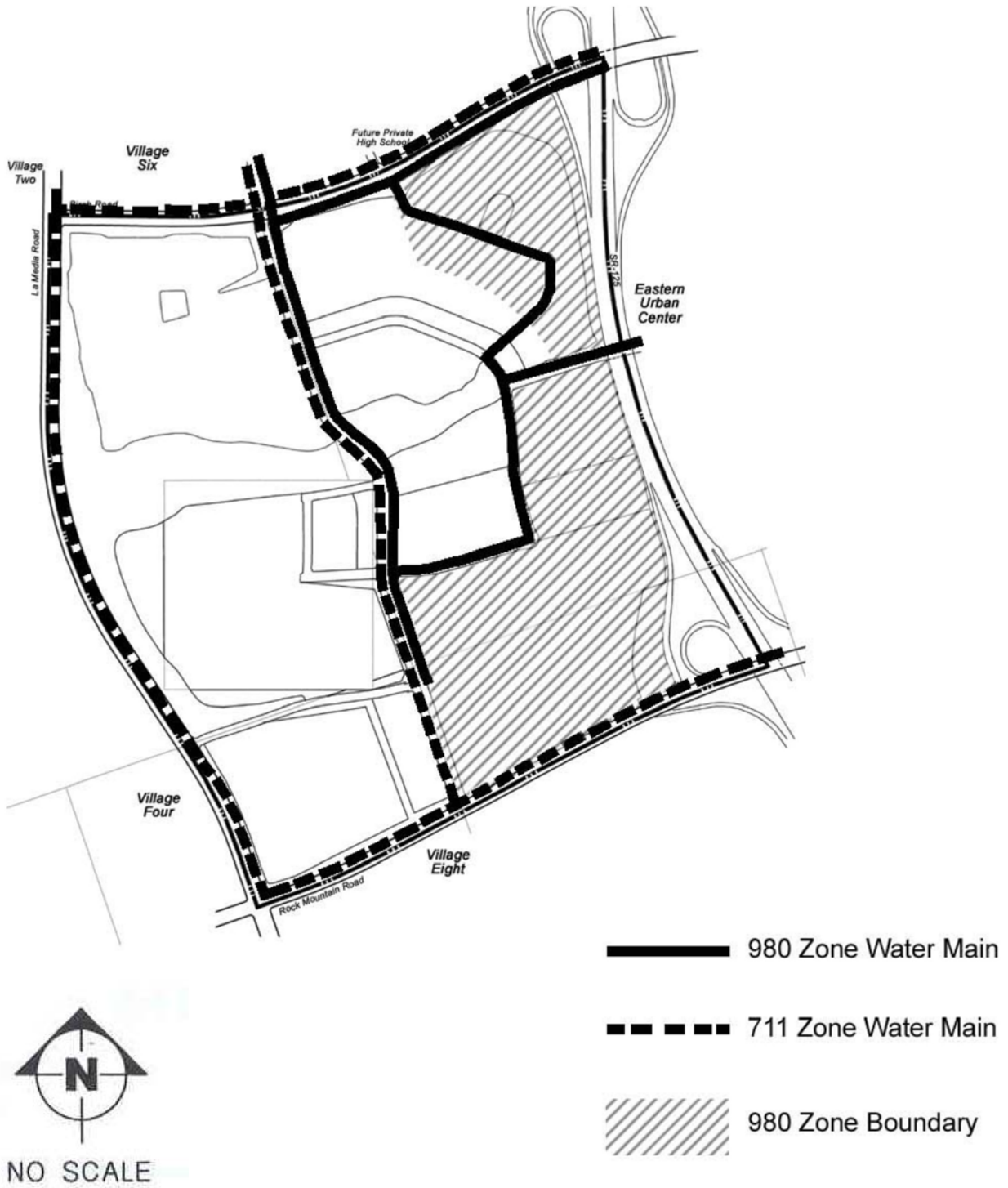


-  Areas served by Poggi Canyon Sewer Basin *
-  Permanent Sewer Main
-  Planned off-site Sewer
-  Interim Sewer Main (to be abandoned in place)

* Permanent sewer for remaining areas will be the future Wolf Canyon Trunk Sewer to be in Rock Mountain Road.

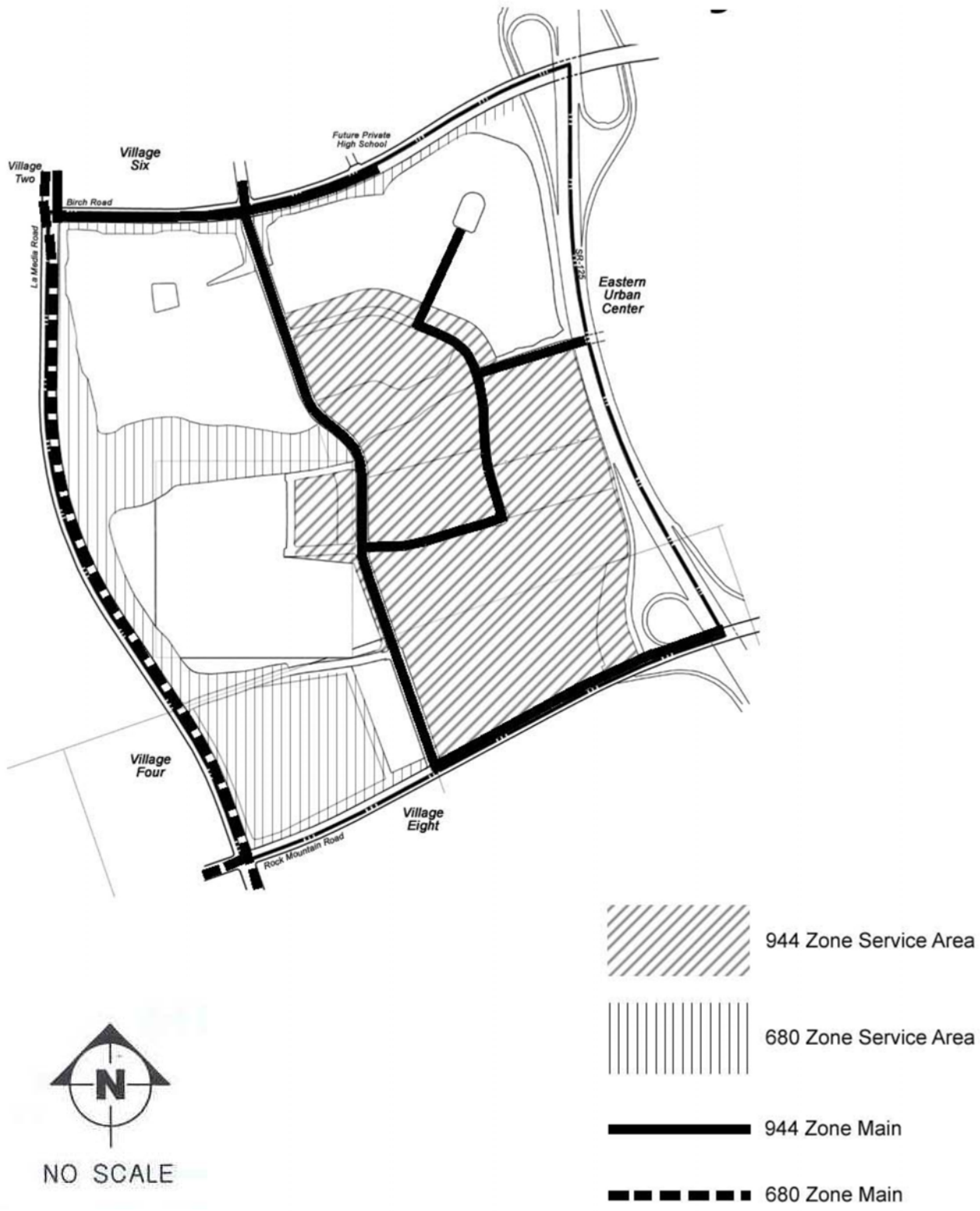
Source: PBS&J

PROPOSED SEWER SYSTEM



Source: PBS&J

PROPOSED POTABLE WATER SYSTEM



Source: PBS&J

PROPOSED RECYCLED WATER SYSTEM

4.13 PUBLIC HEALTH AND SAFETY

Hazards and risk of upset were evaluated for the entire Otay Project LP area as part of the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154). Significant impacts associated with hazard issues were identified in the Program EIR due to hazardous waste contamination of soil or groundwater, explosion of previously unexploded ordnance, or increased risk of fire or explosion. Mitigation was identified that would reduce impacts to below a level of significance. The analysis and discussion of hazards and risk of upset from the Program EIR are hereby incorporated by reference.

A *Phase I Environmental Site Assessment* dated January 10, 1996 has been prepared for the McMillin Otay Ranch, LLC TM, and a *Phase I Environmental Site Assessment* dated May 17, 2004, has been prepared for the Otay Project LP TM of the *Village 7 SPA Plan* project site. The studies evaluate the potential for hazardous materials to be located on the project site. The conclusions of the study are summarized in this section of the EIR. A copy of each of the technical studies is included as Appendix L to this EIR. Additionally, a *Limited Pesticide Assessment and Soil Reuse Plan* has been prepared for the Otay Project LP TM project site and is included as Appendix L-3 to this EIR.

4.13.1 Existing Conditions

A. VILLAGE 7 SPA PLAN

Hazardous Materials

Hazardous material concerns associated with the proposed *Village 7 SPA Plan* project site relate to the potential for hazardous materials to exist on the project site. According to the Otay Ranch Program EIR, pesticides were used during agricultural activity on irrigated parts of Otay Ranch, including portions of the *Village 7 SPA Plan* project site. The hazardous waste site assessment conducted as part of the Otay Ranch Program EIR as well as the *Phase I Environmental Site Assessment* prepared for the Otay Project LP TM found that soil samples taken in areas associated with former irrigated farming within Otay Ranch showed levels of residual pesticides in concentrations that do not exceed hazardous waste standards. Additionally, soils within the site contained levels of arsenic and organochlorine pesticide (OCP) that exceed the preliminary remediation goals (PRG) designated by the United States Environmental Protection Agency (EPA).

Fire Hazards

Hundreds of fires occur each year in California's brushland. Although fire is beneficial to reviving aging and native vegetation, it poses a hazard to people and structures located near or within wildland areas. State law requires complete brush clearance within a minimum of 30 feet around all structures. Additionally, the City of Chula Vista recommends that a 50-foot wide low fuel volume buffer strip with no trees and/or shrubs taller than 18 inches should occur around all structures.

The proposed project site is currently undeveloped, characterized by rolling hills and limited, disturbed grassy vegetation. Limited agriculture activities occur on-site. Where grassland vegetation remains undisturbed on steep slopes, fires can occur.

Federal Aviation Administration

The FAA currently owns an approximately 51.9-acre square parcel within Village 7, located to the south of the *Village 7 SPA Plan* project site. The FAA VORTAC site is located at one of the highest existing topographic points in the area, and contains an air navigational beacon for FAA use. The elevation of the navigational beacon in relation to surrounding ground elevations and building heights is important to the FAA VORTAC's function.

Proposed development that would encroach into an existing clearance line is required to file FAA form 7460-1, *Notice of Proposed Construction or Alteration*, in addition to the FAR Part 77. If a determination is made that proposed development extending above the clearance line of the FAA VORTAC does not interfere with the function of the VORTAC beacon, the FAA will issue a *Determination of No Hazard to Air Navigation*. The clearance line of the FAA VORTAC is defined by the highest physical point of the FAA VORTAC facility, as well as an established area within a 1,000-foot radius of the beacon. Figure 4.13-1, *VORTAC Air Navigational Facility Clearance Radius*, illustrates the relationship between the 51.9-acre FAA site and the 1,000-foot clearance line radius.

The FAA has established standards and notification procedures for objects and development affecting navigable airspace, known as FAR Part 77. The FAA requires FAR Part 77 notification based on conditions of building height, development within airport environs, development within airports, transportation infrastructure height, and requests made by the FAA. This notification serves as a basis for evaluating the effects of project-related construction or land-use alteration on aviation operating procedures, determining potential safety effects of proposed construction on air navigation, identification of mitigation measures to enhance safe air navigation, and recordation of new objects within the air space areas.

The FAR Part 77 facilitates the advance identification of potential aeronautical hazards, thereby preventing or limiting significant impacts to the safe and efficient use of navigable airspace. Once the FAA has completed an aeronautical study, a determination is made regarding the impact to air navigation, and one of three responses is typically issued. These responses range from "No Objection," where the proposed project was determined to not exceed obstruction standards, "Conditional Determination," where the proposed project is deemed acceptable contingent on mitigation measures, and "Objectionable," where the proposed project is determined to be hazardous by the FAA and is deemed objectionable.

It is anticipated that the FAA VORTAC aviation navigation facility would be relocated to a land area outside of Village 7 in the future, after development within *Village 7 SPA Plan* area occurs. The 51.9-acre site would then undergo development based on a revision to the *Village 7 SPA Plan*. According to the adopted GDP for Village 7, once the FAA VORTAC air navigation facility is relocated, the 51.9-acre site would be developed with residential and mixed commercial/residential uses, as well as community purpose facilities and a town square.

Figure 4.13-1, *VORTAC Air Navigational Facility Clearance Radius*

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAPHazardous Materials

The Otay Ranch Program EIR noted that pesticides were used during agricultural activity on irrigated parts of Otay Ranch, including the McMillin Otay Ranch, LLC TM project site. A hazardous waste site assessment conducted as part of the Otay Ranch Program EIR found that soil samples taken in areas associated with former irrigated farming showed low levels of residual pesticides in concentrations that do not exceed hazardous waste standards.

The McMillin Otay Ranch, LLC TM project site is currently utilized for grazing and dry farming. According to the *Phase 1 Assessment* conducted for the McMillin Otay Ranch, LLC TM, historic photographs and interviews indicate that the site was used only as agricultural land, and there was no previous industrial use on the site. A pesticide reportedly used on the McMillin Otay Ranch, LLC TM site was 2,4 D. The pesticide 2,4 D is the most widely used herbicide in the world. This pesticide is relatively nonpersistent because it readily undergoes biological and non-biological degradation. The State of California does not list 2,4 D as a substance known to cause cancer, reproductive or developmental harm, under Proposition 65.

Additionally, according to the Sweetwater Union High School #13 EIR (SCH #99041004) soils samples taken on the 23.4-acre high school portion of the McMillin Otay Ranch, LLC site detected arsenic and organochlorine pesticide (OCP) levels that exceed the preliminary remediation goals (PRG) designated by the United States Environmental Protection Agency (EPA). Concentrations of lead and DDE were also detected, however were not found to exceed PRG levels.

No uncontrolled and/or abandoned hazardous waste sites, release of hazardous waste, or identified California hazardous wastes sites were identified on-site or within a one mile radius of the subject site. There is no evidence found in files or observed on-site indicating that activities on the proposed project site had contributed to groundwater pollution or that the property owner had been identified as a potentially responsible party.

Two sites within one half mile of the McMillin Otay Ranch, LLC TM property appear on one or more of the lists provided by various government agencies. No evidence was obtained during the course of the Phase 1 Assessment which indicated that the McMillin Otay Ranch, LLC TM site has been adversely impacted by any of these sites nor that they represent an imminent threat to the subject site.

Of 30 sites tested for radon in the McMillin Otay Ranch, LLC TM project area, testing found that radon levels are below the Environmental Protection Agency's recommended action level of four pCi/L.

Fire Hazards

As discussed above, hundreds of fires occur each year in California's brushland. Although fire is beneficial by reviving aging, native vegetation, it poses a hazard to people who live near wildlands. State law requires complete brush clearance within a minimum of 30 feet around all structures, and the City of Chula Vista recommends that a 50-foot wide low fuel volume buffer strip with no trees and/or shrubs taller than 18 inches should occur around all structures.

The proposed project site is currently undeveloped and is characterized by rolling hills and limited, disturbed grassy vegetation, as well as the upper reaches of Wolf Canyon. Limited agriculture activities occur on-site. Where grassland vegetation remains undisturbed on steep slopes, fires can occur.

C. OTAY PROJECT LP TENTATIVE MAP

Hazardous Materials

According to the *Phase I Environmental Site Assessment* (May 17, 2004) and the Otay Ranch Program EIR, pesticides were used during agricultural activity on irrigated parts of Otay Ranch, including the Otay Project LP TM project site. Soil samples were taken in areas associated with former irrigated farming to assess concentrations of pesticide residue on-site and to determine if soil reuse would be possible. The soil samples showed levels of residual pesticides such as DDE, DDT, and Toxaphene at levels that exceed the preliminary remediation goals (PRG) designated by the United States Environmental Protection Agency (EPA). However, PRGs are considered conservative figures, and the chemical concentrations above these levels do not automatically designate a site as impacted. Additionally, the concentration levels of these pesticide residues in the soils on-site are not at levels considered to be classified as “California hazardous” and do not exceed California hazardous waste standards.

Fire Hazards

Fires commonly occur each year in California’s brushland. Although fire is beneficial by reviving aging, native vegetation, it poses a hazard to people who live near wildlands. State law requires complete brush clearance within a minimum of 30 feet around all structures. Additionally, the City of Chula Vista recommends that a 50-foot wide low fuel volume buffer strip with no trees and/or shrubs taller than 18 inches should occur around all structures.

The proposed project site is currently undeveloped, characterized by rolling hills and limited, disturbed grassy vegetation. Limited agriculture activities occur on-site. Where grassland vegetation remains undisturbed on steep slopes, fires can occur.

4.13.2 Thresholds of Significance

Based on Appendix G of the CEQA Guidelines, the proposed project could result in significant adverse hazards and hazardous materials impacts if the project would:

- ◆ Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- ◆ Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- ◆ Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- ◆ Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment;

- ◆ Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- ◆ Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands; or
- ◆ Be inconsistent with the *Education Code or CCR Title 5* requirements for siting of future schools.

As mentioned previously, impacts related to hazards were identified in the Program EIR. Because the EIR is a second tier of the Otay Ranch GDP EIR, these impacts will also serve as the basis for determining impacts related to public health and safety for the proposed *Village 7 SPA Plan*.

- ◆ 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. Mitigation involves adherence to federal, state, and local laws and regulation regarding hazardous materials, and emergency evacuation routes. Impacts would be reduced to levels below significance.
- ◆ Historic use of pesticides would result in soil contamination and health effects. Mitigation involves conducting soil testing in appropriate areas. Impacts would be reduced to levels below significance.

4.13.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

Hazardous Materials

The project site is currently utilized for dry farming. According to the *Phase I Assessment*, the pesticide 2,4 D, which was used onsite, is not a substance known to cause cancer, reproductive or developmental harm. However, soils samples taken on the southern portion of the site, where the high school is proposed, detected arsenic and OCP levels. The pesticide levels found at the project site would not result in public health or safety impacts.

Construction activities associated with the future development of the *Village 7 SPA Plan* project would lead to the use of paints, solvents, and other chemicals for housing construction. These hazardous materials would be handled in accordance with Cal-OSHA requirements for employee safety and disposed of in accordance with State and county regulations. Compliance with existing regulations regarding the use or disposal of hazardous materials and wastes would prevent any adverse impacts on human health and safety from the proposed construction activities.

Future residential development on the site could use household quantities of hazardous materials, such as cleaning solvents, paint, fertilizers, pesticides, etc. This usage would be limited and is not expected to create human health hazards or public safety hazards. Residents shall be informed of the Pacific Waste Services' Households Hazardous Waste Collection Facility to encourage proper disposal of household hazardous wastes. This is done regularly through the Pacific Waste Services' website, newsletters, ads, and other public information programs. Impacts associated with residential use of hazardous materials would be less than significant.

Fire Hazards

The proposed *Village 7 SPA Plan* would not expose future residents to the risk of fire associated with urban fires and brush fires. Development of the site would change the undeveloped site to developed land, eliminating the potential for brush fires. The project would include a perimeter wall and landscaping that would be regularly irrigated. The proposed layout and building construction would be subject to the requirements of the Chula Vista Fire Department regarding fire control and safety, fire flows, fire/smoke alarms, and emergency access. The proposed development on-site would be constructed in accordance with the Chula Vista Municipal Code and the County of San Diego Wildland/Urban Interface Fire Code Standards and would not create an undue fire hazard in the community or the surrounding area.

Additionally, a Fire Protection Plan (FPP) is required for the *Village 7 SPA Plan* by the California Fire Code 2001ed Article 86, *Fire Protection Plan Urban-Wildland Interface Area*. The FPP shall include a Brush Management Plan which, upon review by the Chula Vista Fire Department, would ultimately determine the fuel modification requirements for the proposed project.

Emergency Response and Evacuation

Emergency response to the project site would be handled by the Chula Vista Fire Department, the Chula Vista Police Department, or other responsible agency, depending on the nature of the emergency. Evacuation of the site is expected to occur along internal roadways on the site toward the major and arterial roadways serving the site and to the I-805. All lots would have direct access to local roadways and into perimeter streets. Construction activities related to roadway improvements on perimeter roadways may block traffic and emergency response during the construction period; therefore, on the high school portion of the site, a dedicated emergency access will be provided on the McMillin property until a permanent second emergency access is provided. However, the site would be served by several perimeter roads and the roadway improvements would be made concurrently with development phasing of the development areas within the *Village 7 SPA Plan* area. Thus, only segments of the roadways would be under construction at any one time. Thus, emergency response, access, and evacuation would still be available.

The proposed project is not expected to interfere with emergency services and emergency evacuation plans. No significant adverse impacts on human health and safety or risk of upset situations are expected with implementation of the *Village 7 SPA Plan*.

Federal Aviation Administration VORTAC Site

Development of the proposed *Village 7 SPA Plan* occurs adjacent to and within 1,000 feet of the 51.9-acre FAA VORTAC facility, currently owned and operated by the FAA. Potential impacts to this 51.9-acre site could occur with development of the *Village 7 SPA Plan*. Grading associated with development of the *Village 7 SPA Plan* would modify existing topographical conditions surrounding the FAA VORTAC site. Development of the site would also introduce buildings varying in heights from 35 feet for the residential structures to 50 feet for the high school. Other structures, such as street lights, traffic control lights, and light poles for sports fields, would also extend above-grade.

As proposed, the *Village 7 SPA Plan* would extend into the clearance cone for the FAA VORTAC facility in some places. The street lights along Magdalena Avenue would be 572 feet, which would

exceed the clearance cone by approximately 22 feet. The maximum height of the elementary school and high school buildings would be at elevations of 585 feet and 590 feet, respectively. This would exceed the clearance cone by approximately 37 feet for the elementary school site and approximately 42 feet for the high school site. However, the FAA has determined that the proposed structures would not interfere with the function of the FAA VORTAC beacon, and no impacts would occur. No sports field lighting would be located within the 1,000-foot radius of the FAA VORTAC facility.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Hazardous Materials

The 180.2-acre site proposed for development by the McMillin Otay Ranch, LLC TM is currently utilized for dry farming. According to the *Phase 1 Assessment*, pesticide 2,4 D remnants were found in the soils on-site, due to their use during farming activities. This pesticide is not a substance known to cause cancer, reproductive or developmental harm. Soils on the 23.4-acre high school portion of the site were determined to contain arsenic and organochlorine pesticide (OCP) levels that exceed the preliminary remediation goals (PRG) designated by the United States Environmental Protection Agency (EPA). The concentrations of the pesticide residues found in the soils on the high school portion of the site would be considered as a significant risk to public safety for the proposed high school and mitigation would be required.

The McMillin Otay Ranch, LLC TM would develop residential, school, and neighborhood park uses at the project site. Construction activities associated with development of the McMillin Otay Ranch, LLC TM would lead to the use of paints, solvents, and other chemicals for housing construction. These hazardous materials would be handled in accordance with Cal-OSHA requirements for employee safety and disposed in accordance with State and county regulations. Compliance with existing regulations regarding the use or disposal of hazardous materials and wastes would prevent any adverse impacts on human health and safety from the proposed construction activities.

Future residential development on the site would be expected to use household quantities of hazardous materials, such as cleaning solvents, paint, fertilizers, pesticides, etc. This usage would be limited and is not expected to create human health hazards or public safety hazards. Residents shall be informed of the Pacific Waste Services' Households Hazardous Waste Collection Facility to encourage proper disposal of household hazardous wastes. This is done regularly through the Pacific Waste Services' website, newsletters, ads, and other public information programs. Impacts associated with residential use of hazardous materials would be less than significant.

Fire Hazards

Implementation of the McMillin Otay Ranch, LLC TM would not expose future residents to the risk of fire associated with urban fires and brush fires. Development of the site would change the undeveloped site to developed land, eliminating the potential for brush fires. The project site would be surrounded by roadways, a perimeter wall and landscaping that would be regularly irrigated. The proposed layout and building construction would be subject to the requirements of the Chula Vista Fire Department regarding fire control and safety, fire flows, fire/smoke alarms, and emergency access. The proposed development on-site would be constructed in accordance with the Chula Vista Municipal Code and the County of San

Diego Wildland/Urban Interface Fire Code Standards and would not create an undue fire hazard in the community or the surrounding area.

Emergency Response and Evacuation

Emergency response to the project site would be handled by the Chula Vista Fire Department, the Chula Vista Police Department, or other responsible agency, depending on the nature of the emergency. Evacuation of the site is expected to occur along internal roadways on the site toward the major and arterial roadways serving the site. All lots would have direct access to local roadways and into perimeter streets. Construction activities related to roadway improvements on perimeter roadways may block traffic and emergency response during the construction period. Therefore, on the high school portion of the site, a dedicated emergency access will be provided on the McMillin property until a permanent second emergency access is provided. The site would be served by several perimeter roads and the roadway improvements would be made concurrently with development phasing of the development areas within the *Village 7 SPA Plan* area. Thus, only segments of the roadways would be under construction at any one time and emergency response, access, and evacuation would still be available.

The proposed project is not expected to interfere with emergency services and emergency evacuation plans. No significant adverse impacts on human health and safety or risk of upset situations are expected.

C. OTAY PROJECT LP TENTATIVE MAP

Hazardous Materials

Currently, the 108.3-acre site proposed for development by the Otay Project LP TM, as well as the 44.4-acre off-site borrow area, is used for grazing and dry farming. Pesticides historically used on-site include OCP such as DDE, DDT, and toxaphene. Generally, concentrations of these OCPs were found to be limited to the top two feet of soil on-site. According to the *Phase I Environmental Site Assessment*, the concentrations of the OCPs on-site are not at high enough levels to be classified as a California hazardous waste, and therefore, would not be considered as a public health risk. However, the contamination levels do exceed the PRG designated by the United States Environmental Protection Agency. The PRGs are considered conservative figures, and the chemical concentrations above these levels do not automatically designate a site as impacted. Therefore, the project would result in potentially significant impacts to public health and safety.

The total fill capacity for the site exceeds the volume of contaminated soil by a ratio of 10:1; therefore, it is likely that all the contaminated soil could be reused in combination with new fill material in a manner that would meet or exceed the EPA criteria. The soils on-site would be suitable for reuse, provided that the reuse method described in the *Phase I Environmental Assessment* is followed.

The Otay Project LP TM would allow for the development of residential uses in the western portion of the *Village 7 SPA Plan* project area. Construction activities associated with development of the Otay Project LP TM would lead to the use of paints, solvents, and other chemicals for housing construction. These hazardous materials would be handled in accordance with Cal-OSHA requirements for employee safety and disposed in accordance with State and county regulations. Compliance with existing regulations regarding the use or disposal of hazardous materials and wastes would prevent any adverse impacts on human health and

safety from the proposed construction activities.

Future residential development on the site would be expected to use household quantities of hazardous materials, such as cleaning solvents, paint, fertilizers, pesticides, etc. This usage would be limited and is not expected to create human health hazards or public safety hazards. Residents shall be informed of the Pacific Waste Services' Households Hazardous Waste Collection Facility to encourage proper disposal of household hazardous wastes. This is done regularly through the Pacific Waste Services' website, newsletters, ads, and other public information programs. Impacts associated with residential use of hazardous materials would be less than significant.

Fire Hazards

Implementation of the Otay Project LP TM would not expose future residents to the risk of fire associated with urban fires and brush fires. Development of the site would change the undeveloped site to developed land, eliminating the potential for brush fires. The project site would be surrounded on three sides by roadways, a perimeter wall and landscaping that would be regularly irrigated. To the south, the project would be bordered by Wolf Canyon. However, the proposed layout and building construction would be subject to the requirements of the Chula Vista Fire Department regarding fire control and safety, fire flows, fire/smoke alarms, and emergency access. The proposed development on-site would be constructed in accordance with the Chula Vista Municipal Code and the County of San Diego Wildland/Urban Interface Fire Code Standards and would not create an undue fire hazard in the community or the surrounding area.

Emergency Response and Evacuation

Emergency response to the project site would be handled by the Chula Vista Fire Department, the Chula Vista Police Department, or other responsible agency, depending on the nature of the emergency. Evacuation of the site is expected to occur along internal roadways on the site toward the major and arterial roadways serving the site. All lots would have direct access to local roadways and into perimeter streets. Construction activities related to roadway improvements on perimeter roadways may block traffic and emergency response during the construction period. However, the site would be served by several perimeter roads and the roadway improvements would not be made concurrently but would be phased with the development areas within the *Village 7 SPA Plan* project area. Thus, only segments of the roadways would be under construction at any one time and emergency response, access, and evacuation would still be available.

The proposed project is not expected to interfere with emergency services and emergency evacuation plans. No significant adverse impacts on human health and safety or risk of upset situations are expected.

4.13.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Hazardous Materials

Development of the *Village 7 SPA Plan*, including the proposed McMillin Otay Ranch, LLC and Otay Project LP TMs, with residential, community purpose facilities, school, park, and open spaces uses would not result in the introduction of hazardous materials to the site in quantities that pose health risks to residents or other sensitive receptors within the *Village 7 SPA Plan* area. Soils samples taken at the project site detected arsenic and OCP levels that exceed PRG designated by the United States Environmental Protection Agency. This would be considered as a significant health risk. Additionally, low levels of DDE, DDT, and toxaphene were found in the soils on the McMillin Otay Ranch, LLC TM site, as well as the Otay Project LP TM site. Mitigation measures would be required to reduce this impact to below a level of significance.

Fire Hazards

The proposed *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM and Otay Project LP TM would not expose future residents, employees, or school-aged children to risks associated with urban fires and brush fires. The proposed development on-site would be constructed in accordance with the Chula Vista Municipal Code and the County of San Diego Wildland/Urban Interface Fire Code Standards and would not create an undue fire hazard in the community or the surrounding area. No significant impacts are anticipated.

Emergency Response and Evacuation

The proposed project would construct roadways, which would result in assisting emergency services and emergency evacuation plans. No significant adverse impacts on human health and safety or risk of upset situations are expected.

Federal Aviation Administration VORTAC Site

Based on existing conditions, development is allowed within 1,000 feet of the VORTAC air navigational beacon. No significant impacts to or from aviation navigation are anticipated.

4.13.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

Implementation of the *Village 7 SPA Plan* could potentially result in public health and safety impacts related to soil contamination at the project site. The following mitigation is recommended:

- 4.13-1** *Prior to grading, the applicant of Grading Contractor shall enroll in the Voluntary Assistance Program operated by the county of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading*

will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer.

Relevant to hazardous materials, fire hazards, or emergency response and evacuation, development occurring within 1,000 feet of the FAA VORTAC air navigational beacon has the potential to adversely affect aviation navigation. It is anticipated that the existing FAA VORTAC air navigational beacon would be relocated outside the Village 7 area. Because no significant health or safety impacts were identified in association with the FAA site, no mitigation measures are recommended.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The mitigation measure identified above would reduce potential public health and safety impacts associated with soil contamination at the project site. No additional mitigation measures are recommended.

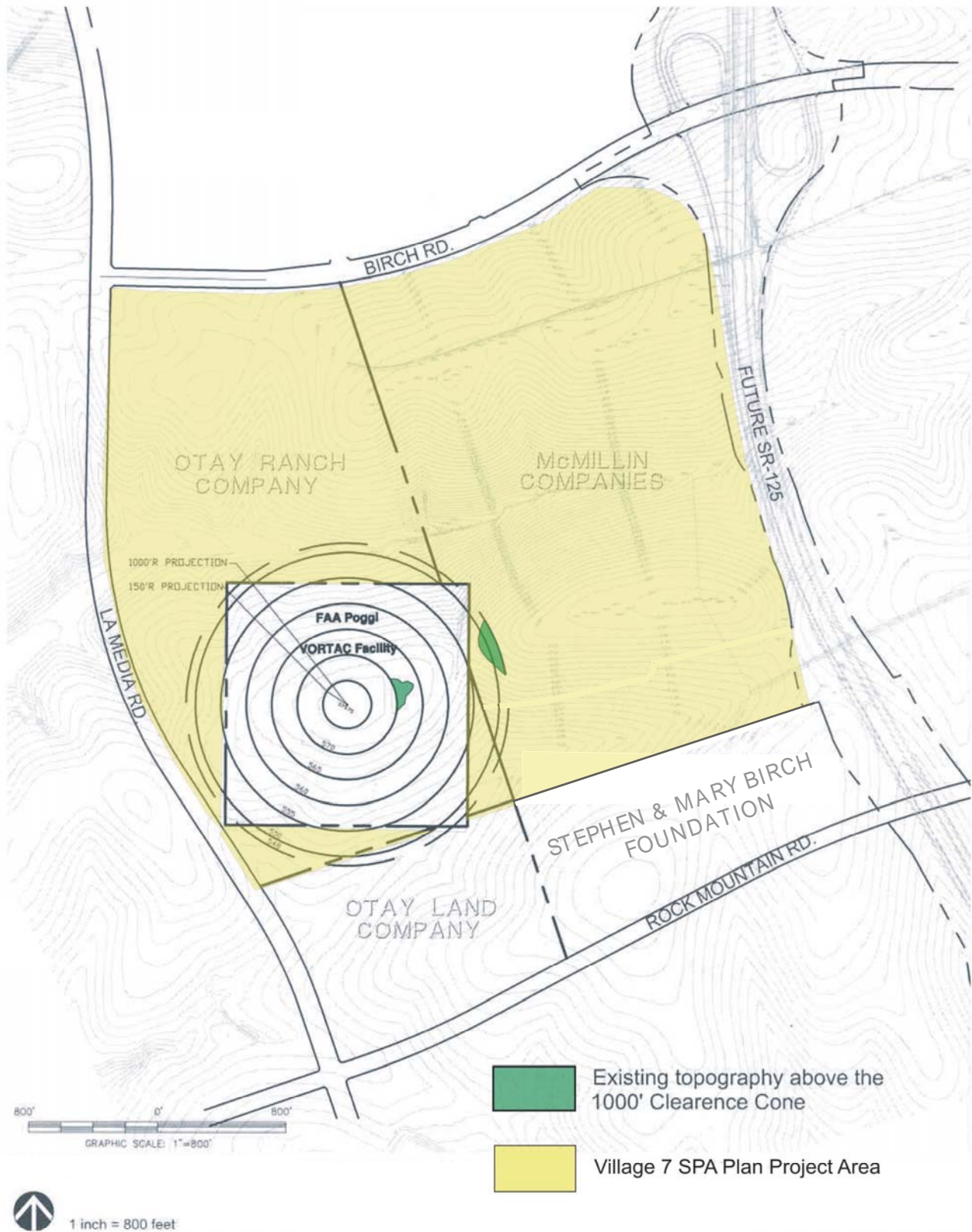
C. OTAY PROJECT LP TENTATIVE MAP

The existing soil contamination at the Otay Project LP TM project site requires mitigation to ensure that no impacts associated with soil contamination would occur with development of the site. No additional mitigation measures are recommended.

4.13.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN/ McMILLIN OTAY RANCH, LLC TENTATIVE MAP/ OTAY PROJECT LP TENTATIVE MAP

Implementation the proposed project would result in potential public health and safety impacts due to the presence of pesticide residue in on-site soils. Implementation of mitigation measure 4.13-1 identified above would reduce potential impacts to below a level of significance.



SOURCE: P&D Consultants, Inc.

VORTAC AIR NAVIGATIONAL FACILITY CLEARANCE RADIUS

4.14 POPULATION AND HOUSING

The Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154) analyzed the potential for implementation of the Otay Ranch GDP to result in population and housing in the context of growth inducement. The Program EIR addressed the Otay Ranch development's growth-inducing effect on population, housing, and employment opportunities, and the impact it would have on public facilities and utilities. Mitigation introduced for this impact involves the provision of adequate facilities as proposed in the Otay Ranch GDP, which would accommodate the growth provided. The analysis and discussion of population and housing issues from the Program EIR is hereby incorporated by reference.

4.14.1 Existing Conditions

The following discussion summarizes existing conditions related to population and housing for the *Village 7 SPA Plan* project area. Population and housing are discussed in a city-wide context; therefore, the following description of existing conditions applies to the McMillin Otay Ranch, LLC TM area and the Otay Project LP TM area, as well as the entire *Village 7 SPA Plan* project area.

VILLAGE 7 SPA PLAN / MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

According to the most recent SANDAG population estimate, the total population of the City of Chula Vista, as of January 1, 2003, was 199,680 persons. According to the most recent U.S. Census data available, as assimilated by SANDAG, 174,319 persons occupied homes in Chula Vista as of January 1, 2000. The population of the City grew by approximately 14.5 percent in that three year time period. In comparison, the City grew by 28 percent in the ten year time period between 1990 and 2000. Buildout of the entire Otay Ranch GDP will result in an estimated population of 70,684, based on the 1999 California Department of Finance population generation factor of 3.01 persons per dwelling unit. SANDAG has projected that the City of Chula Vista's population will increase to a total of 244,332 persons by 2010, 269,529 persons by 2020, and 282,664 persons by 2030. This is a population increase of 62 percent between 2000 and 2030.

According to the most recent SANDAG housing unit estimate, the number of housing units in the City of Chula Vista, as of January 1, 2003, was 69,238 units. According to the most recent U.S. Census data available, as assimilated by SANDAG, 59,333 housing units existed in the City of Chula Vista as of January 1, 2000. The number of housing units in the City grew by approximately 17 percent in that three year time period. The vacancy rate was 3.0 percent in January 2003, as compared to 4.06 percent in 2000. Between 1990 and 2000, the housing stock increased by approximately 19 percent. SANDAG has projected that the number of housing units in Chula Vista will increase to a total of 81,465 units by 2010, 86,403 units by 2020, and 87,537 units by 2030. This is an increase of 52 percent between 2000 and 2030. A total of 23,483 dwelling units were approved under the Otay Ranch GDP.

The City of Chula Vista Housing Element requires that residential development with fifty or more dwelling units provide a minimum of ten percent of the total dwelling units for low and moderate income households. Of these units, one-half (or five percent of the total project) are to be available to low income households and the remaining five percent to moderate income households. In order to guarantee the provision of affordable housing opportunities, the City requires that a specific Affordable Housing Program (AHP) consistent with the Housing Element of the Chula Vista General Plan be prepared. The AHP is implemented through an Affordable Housing Agreement between the City and the applicant.

The Otay Ranch GDP established a five-year objective that requires each village to proportionally assist the City of Chula Vista to meet or exceed the Otay Ranch's share of the affordable housing allocations set forth in the Chula Vista General Plan. The proposed *Village 7 SPA Plan* includes a Comprehensive Affordable Housing Program that would apply to all neighborhoods within the *Village 7 SPA Plan* project area and is intended to meet the requirements of the City of Chula Vista Housing Element. Due to the varied ownership of land within Village 7 and based on the proposed residential districts, it has been determined that the McMillin Otay Ranch, LLC portion is responsible for providing 37 low income and 38 moderate income units, and the Otay Project LP portion is responsible for providing 18 low income and 19 moderate income units.

4.14.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, impacts to housing and population would be significant if the proposed project results in the following:

- ◆ Induces substantial population growth in an area, either directly or indirectly;
- ◆ Displaces substantial numbers of existing housing, necessitating the construction or replacement of housing elsewhere; or
- ◆ Displaces substantial numbers of people, necessitating the construction or replacement of housing elsewhere.

4.14.3 Impact Analysis

As discussed previously, the Program EIR analyzed population and housing impacts in the context of growth inducement. The following discussion uses the population and housing analysis from the Program EIR as a basis for evaluating the potential impacts of the proposed *Village 7 SPA Plan* on population and housing.

A. VILLAGE 7 SPA PLAN

There are no existing housing units located in the proposed *Village 7 SPA Plan* project area; thus, no housing demolition or population displacement would occur with the proposed project. The proposed *Village 7 SPA Plan* project would allow for the development of 756 single-family homes and 448 multi-family units, which would lead an increase in the resident population and housing stock of the project area, the Eastern Territories planning area, and the City as a whole.

Population Growth

Based on the average household size of ~~3.01~~ 3.52 persons per single-family household and 2.61 persons per multi-family household, the proposed 756 single-family homes and 448 multi-family homes would lead to as many as ~~3,624~~ 3,830 residents on-site. This would increase the population of Chula Vista by ~~1.81~~ 1.9 percent. The proposed development would increase the residential population in the project area, but the estimated increase would be within SANDAG's regional projections and would not exceed regional growth projections for the City. Thus, increase in population within the community and the region would not result in any significant adverse impacts.

The increase in demand for goods and services created by residents of the project are expected to be met by existing and planned commercial and service developments in the project vicinity. Impacts of the population growth on public service levels are discussed in Section 4.12, *Public Services and Utilities*. Growth-inducing impacts of the project are discussed in Section 5.2, *Growth-Inducing Impacts*.

Housing Stock Growth

There are no existing housing units located on the project site, and no displacement of residents or households would occur. The existing homes in the nearby communities would also not be displaced or disrupted by the proposed project. The project proposes an internal roadway circulation network that would provide access to individual lots, as well as direct traffic to collector roads and to the surrounding streets. Land use compatibility is discussed in Section 4.1, *Land Use and Planning*.

The proposed *Village 7 SPA Plan* would increase the housing stock in the project area and in the City as a whole. The proposed project would lead to an increase in the local housing stock by 1,204 housing units. This represents an increase of approximately 1.8 percent to the housing stock of the City of Chula Vista. The demand for housing in Chula Vista has remained strong despite continuous housing development in the area and current economic conditions. The proposed project is expected to meet some of this demand, as well as provide a more affordable housing product in the area.

The proposed *Village 7 SPA Plan* would include the development of five percent low-income housing and five percent moderate-income housing. Due to the division of land ownership within the *Village 7 SPA Plan* project area, and based on the proposed residential districts, it has been determined that the McMillin Otay Ranch, LLC portion is responsible for providing approximately 39 low income and 40 moderate income units, and Otay Project LP is responsible for providing 18 low income and 19 moderate income units. The proposed affordable housing is consistent with objectives of the City's Affordable Housing Plan and the Otay Ranch GDP Program EIR.

Over 44,652 residents are expected to migrate to or be born in the City of Chula Vista between 2003 and 2010. Some 11,080 housing units are anticipated to be built in the City during the same time period. The project would represent approximately 7.9 percent of the projected population growth and 10.5 percent of the projected housing stock growth. Thus, the projected population and housing stock increases that would accompany the project would not exceed regional growth projections and are not considered significant.

Employment

Agricultural employees currently working on the site would be displaced by the proposed *Village 7 SPA Plan*. The site has been planned for urban development, and on-going agricultural activities have been expected to be replaced with urban uses in the future. Due to the low-intensity agricultural operations at the site, it is unlikely that loss of these farmlands would result in the loss of jobs. In the event job loss occurs, agricultural workers would likely seek employment elsewhere in the area or may already be employed at other locations. Impacts to agricultural employment are not considered significant.

The proposed *Village 7 SPA Plan* would include the development of an elementary school and a high school that would create permanent jobs within the site. This long-term employment would create a demand for housing, which would be met by the provision of 756 housing units at the *Village 7 SPA Plan* project

site. Construction employment would also be created during the short-term, as each phase is developed. This short-term employment would not create a demand for housing or services in the area. No adverse impacts on population and housing are expected to result from implementation of the *Village 7 SPA Plan*.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM would result in the construction of single-family and multi-family dwelling units, which would add to the City's housing stock. The development of 310 single family dwelling units and 448 multi-family dwelling units proposed by the McMillin Otay Ranch, LLC TM would lead to a maximum population increase of approximately ~~2,282~~ 2,261 persons within the *Village 7 SPA Plan* project area and in the City. The McMillin Otay Ranch, LLC TM project itself would provide housing for the population increase it generates. Additionally, as discussed above, a total of 39 low-income and 40 moderate-income housing units would be provided. These units would occur in neighborhoods R-5, R-6, and/or R-7.

The McMillin Otay Ranch, LLC TM would not generate a significant volume of employment, as it proposes to develop residential land use. However, the elementary school site and the high school site identified within the McMillin Otay Ranch, LLC TM area would result in the creation of a number of permanent jobs at the project site. Housing proposed by the McMillin Otay Ranch, LLC TM could accommodate any future employees of the elementary or high school. The McMillin Otay Ranch, LLC TM project would not result in significant adverse impacts to population and housing.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM would develop 375 single-family dwelling units, leading to a maximum population increase of ~~1,129~~ 1,320 persons. As a project developing residential land use, it would provide adequate housing stock for the population increase it generates. Likewise, being a residential project, implementation of the Otay Project LP TM would not generate a significant volume of employment. The Otay Project LP TM would be obligated for provision of 18 low-income and 19 moderate-income housing units. These units would be provided off-site. The Otay Project LP TM project would not result in significant adverse impacts to population and housing.

4.14.4 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN/ MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

No housing demolition or resident displacement would occur with the project. Instead, the proposed project would add to the housing stock within the City. The increase in population and housing that would occur as part of the proposed project would not exceed growth projections or displace existing residents. Employment displacement is considered less than significant. The project would not result in significant population and housing impacts.

4.14.5 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* would not result in significant population and housing impacts. No mitigation is recommended.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Implementation of the McMillin Otay Ranch, LLC TM would not result in population and housing impacts. No mitigation is recommended.

C. OTAY PROJECT LP TENTATIVE MAP

Implementation of the Otay Project LP TM would not result in population and housing impacts. No mitigation is recommended.

4.14.6 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN/ MCMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Implementation of the project would not result in significant impacts to housing and population, and no mitigation is recommended. Population and housing impacts would remain less than significant.

4.15 PARKS, RECREATION, TRAILS, AND OPEN SPACE

4.15.1 Existing Conditions

The following discussion summarizes existing conditions related to parks, recreation, trails, and open space for the *Village 7 SPA Plan* project area. The following description of existing conditions applies to the McMillin Otay Ranch, LLC TM area and the Otay Project LP TM area, as well as the entire *Village 7 SPA Plan* project area.

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The City of Chula Vista defines neighborhood and community parks as local parks. The Chula Vista General Plan recommends a minimum park size of 15 acres for community parks and seven acres for neighborhood parks. According to the City of Chula Vista Parks Master Plan, the preferred size is 30 acres or greater (net useable) for community parks and seven to 12 acres (net useable) for neighborhood parks. The City of Chula Vista has a threshold standard for local parks of three acres per 1,000 population. This requirement can be satisfied through the dedication of land, payment of fees, provision of public recreation facilities, or a combination of these methods. There are no existing parks, public recreation facilities, or trails located within or adjacent to the *Village 7 SPA Plan* project site.

The 288.5-acre project site is currently undeveloped. It is predominantly characterized by gently rolling hills and eroded terraces that have been smoothed by years of agricultural use. Wolf Canyon, a tributary canyon that feeds into the Otay River Valley, runs east-west through the northern portion of the project site. The undeveloped character of the *Village 7 SPA Plan* project area comprises a large open space area that is a visual resource when viewed from surrounding areas, as discussed in Section 4.6, *Landform Alteration/Aesthetics*, of this EIR.

Regulatory Background

Chula Vista Municipal Code

The project site is zoned Planned Community (P-C) under the City's Municipal Code. The P-C zone requires adoption of a general development plan and sectional planning area (SPA) plan, which describe in detail a plan of development for a particular site. According to Section 19.48.090 of the Chula Vista Municipal Code, a SPA plan must show land uses and acreage for each proposed land use, including parks and open space.

Parkland is specifically addressed in Section 17.10 of the City's Municipal Code. According to Section 17.10, actual park acreage is determined at the TM level, and calculated based on the number and type of units. For single-family detached units, a total of 460.0 square feet of parkland per dwelling unit is required. A total of 341.1 square feet of parkland per dwelling unit is required for multi-family residential uses. Park requirements can be met through the dedication of parkland, payment of in-lieu fees, or a combination thereof. Fees are also charged for the development of the park site once acquired.

Otay Ranch General Development Plan

The project site is under private ownership by two parties and is designated by the Otay Ranch GDP for development as part of Village 7. Development of the project site in accordance with the Otay Ranch GDP would consist of a mix of land uses including residential, park, and school uses, as well as open space corridors. The Otay Ranch GDP sets forth the following directives relative to the provision of park and open space areas in the *Village 7 SPA Plan* project area:

“The application of the three acres per 1,000 residents standard would result in the development of 13.5 acres of local parks in Village 7. To satisfy this requirement, 9.5 acres of neighborhood parks/town square are planned. The remaining obligation is satisfied through the provision of community parks in Villages 2, 10, and the Eastern Urban Center. The following policies shall guide the design of parks and open spaces in Village 7:

- ◆ *A regional pedestrian and open space link will be provided through the village connecting Wolf Canyon on the west to the Eastern Urban Center and Salt Creek on the east. This greenbelt connection may take several forms, including a greenbelt, parks, trails, and the pedestrian portion of promenade streets. The average width and continuous character of the greenbelts shall be defined in the Overall Ranch Design Plan. The greenbelt shall average 200 feet in width (excluding street ROW) over the entire length of any village (requirements set forth in Section E of the Otay Ranch GDP, Implementation) to provide a direct connection between the village core, Wolf Canyon, and the intense uses of the Eastern Urban Center.*
- ◆ *The average width of the pedestrian open space/trail corridor shall be calculated from one edge of the village to the other.*
- ◆ *Buffering shall be provided to screen the Vortac facility (aviation navigation facility) from adjacent land uses, if this use is not relocated.”*

Otay Ranch Resource Management Plan (RMP)

As discussed in Section 4.1, *Land Use and Planning*, of this EIR, the goal of the Otay Ranch RMP is to establish an open space system that will become a permanent management preserve dedicated to the protection and enhancement of the multiple resources present on Otay Ranch. Accordingly, the RMP provides for the long-term protection, enhancement, and management of sensitive natural and cultural resources on Otay Ranch. To mitigate for the biological impacts of implementing the Otay Ranch GDP, the RMP established a permanent open space Preserve, comprised of 11,375 acres, within Otay Ranch.

The RMP includes a Preserve Conveyance Plan to transfer ownership of land in fee title to the identified Preserve Owner/Manager. The conveyance of Preserve lands is to be met on a village-by-village basis. Development within Otay Ranch must adhere to a conveyance ratio of 1.188 acres for each net acre of project area. Conveyance is required prior to approval of final maps.

Chula Vista Landscape Manual

The Chula Vista Landscape Manual sets forth a process and specific submittal requirements for park and open space development. The development of parks requires the preparation of a Concept Plan, Master Plan, Design Development, and Construction Documents. The Concept Plan comprises the initial phase of

the park design process and involves meeting with City staff, exploring various alternatives, and refining the concept plan. The Master Plan phase involves further refinement of the concept plan for approval by the Parks and Recreation Commission and City Council. The Design Development phase continues refining the Master Plan to identify materials, finishes, colors, plants, etc. necessary for development of the park. The Construction Documents phase results in the review and approval of all plans necessary for the contractor to install a specific project.

For public open space, the Landscape Manual requires preparation of an Open Space Concept and Analysis Plan, Master Plan, and Construction Documents. The Open Space Concept and Analysis Plan analyzes existing conditions, mitigation, proposed open space lots, and proposed improvements. The Master Plan graphically represents the location of the project, its improvements, its relationship to adjacent land uses, and proposed benefits of the open space. The Construction Documents are the plans and documents necessary for installation of the project.

Greenbelt Master Plan

The trail system within the City of Chula Vista is guided by the Greenbelt Master Plan. The Greenbelt Master Plan is a tool for planning and developing the entire City of Chula Vista Greenbelt System. It also serves as a guide for identifying significant open space areas within the City's Greenbelt and potential multi-use trails. The Greenbelt Master Plan provides guidance and continuity for planning open space and constructing and maintaining trails that encircle the City. The plan's primary purpose is to provide goals and policies, trail design standards, and implementation tools that guide the creation of a greenbelt system connected by multi-use trails.

The Greenbelt is divided into nine segments. These segments are known as Lower Sweetwater; Sweetwater Regional Park; San Miguel; Otay Lakes; Salt Creek Corridor; Otay Ranch Village Greenway; Otay Valley Regional Park; East and West; and The Bayfront. A portion of the proposed project site is identified as being within the major trail linkage of the Otay Ranch Village Greenway segment of the Greenbelt Master Plan. This segment is planned to connect from the Salt Creek trail through urban villages, including the *Village 7 SPA Plan* area, in or near Wolf Canyon to the Otay Valley. The Greenbelt Master Plan sets forth design criteria and standards for development of the City of Chula Vista Greenbelt, including the portion of it that is planned to cross the *Village 7 SPA Plan* project site.

4.15.2 Threshold of Significance

According to Appendix G of the CEQA Guidelines, the proposed project would have a significant impact on park and recreation facilities if it would:

- ◆ Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- ◆ Include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment.

Additionally, the City of Chula Vista's Quality of Life Threshold Standards requires a standard of three acres of improved local parkland with appropriate facilities per 1,000 residents east of Interstate 805 (I-805).

4.15.3 Impact Analysis

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* would provide for the development of a neighborhood park, regional trails, and open space on the project site. A Parks, Recreation, Open Space, and Trails Plan has been prepared as part of the proposed *Village 7 SPA Plan*. The plan identifies the types, quantities, and location of the park and recreation facilities that would be provided within the *Village 7 SPA Plan* project area. A variety of recreational opportunities would be provided. These include a neighborhood park, public schools, community purpose facilities, and an intense trail system (see Figures 3-1, *Site Utilization Plan*, and 3-6, *Parks and Open Space*).

Parks and Recreation

As shown by the site utilization plan for the *Village 7 SPA Plan* (see Figure 3-1), a 7.6-acre neighborhood park would be located centrally within the *Village 7 SPA Plan* project area, adjacent to the Wolf Canyon open space. The central location of the park would conveniently serve all residents. Additionally, the park would include a variety of facilities, as required by the City's Parks and Recreation Master Plan. The preliminary park program includes: restrooms/maintenance building, a tennis court, multipurpose field, two basketball courts, two play areas, a skateboard facility, picnic area, open lawn areas, paved walkways, and parking. As discussed in Section 4.6, *Landform Alteration/Aesthetics*, of this EIR, lighting at the park would be in conformance with City standards and mitigation has been identified to reduce potentially significant nighttime lighting impacts to insignificance.

The Otay Ranch GDP sets forth a parks standard of three acres of parkland per 1,000 residents. For the *Village 7 SPA Plan*, a buildout population of ~~3,624~~**3,830** persons was identified. Therefore, a total of ~~10.8~~**11.5** acres of parkland dedication would be required by the *Village 7 SPA Plan* in accordance with the Otay Ranch GDP. As stated in the Otay Ranch GDP, the acreage of park size is to be determined by the Parks Master Plan at the SPA level. The remaining park requirements can be met through the provision of additional parkland, payment of in-lieu fees, or a combination thereof, and the payment of parkland development fees. The proposed project would result in a significant impact to developed parkland, if parkland was not dedicated or park fees were not paid.

According to the City's Municipal Code, the City's park standard is also three acres per 1,000 population. Using this standard, the City has calculated the number of new dwelling units that would generate a requirement of one parkland acre based on population per household and determined the square footage of parkland required per housing type (single-family, multi-family, Mobile Home, and Hotel/Motel Rooms). Park acquisition and development (PAD) fee obligations for the City are based on housing type. Relevant to the *Village 7 SPA Plan*, single-family detached units require the dedication of 460.0 square feet of parkland per dwelling unit, and multi-family units require the dedication of 341.1 square feet of parkland per dwelling unit. Applying these rates to the *Village 7 SPA Plan*, a total of 11.5 acres of parkland would be required by this project, as shown by Table 4.15-1, *Improved Parkland Dedication Requirements for the Village 7 SPA Plan*.

**TABLE 4.15-1
IMPROVED PARKLAND DEDICATION REQUIREMENTS FOR THE VILLAGE 7 SPA PLAN**

Dwelling Unit Type	Target Unit Count	Park Area/DU	Total (acres)
Single-Family Detached	756	460.0 SF/DU	8.0
Multi-Family/Apartments	448	341.1 SF/DU	3.5
Totals	1,204		11.5

As proposed, the dedication of a 7.6-acre park would not meet the total requirements for parkland dedication as required by the City; therefore, dedication of additional parkland or payment of park in-lieu fees would also be required for the project to meet its anticipated parkland dedication requirement of 11.5 acres, in addition to park development fees. Park fees paid by the *Village 7 SPA Plan* are anticipated to be applied to the proposed Community Park in Village 4, located on the west side of La Media Road. If parkland dedication was not granted and park fees were not paid, a significant impact to parkland would occur.

Trails

A variety of trails are proposed at the project site, including regional trails, community pathways, village pathways, and village streets (see Figure 3-7, *Trails*). The regional trail system runs along the south side of Wolf Canyon through the *Village 7 SPA Plan* area, as identified in the Greenbelt Master Plan. This trail is also called the “Village Greenway.” Construction of the Village Greenway would occur at the time landscaping and drainage improvements are made within Wolf Canyon.

The Village Greenway would include a regional trail and would connect to the regional trail in the Eastern Urban Center to the east and to the regional trail proposed for Village 2 to the west. Easterly connections would be made by an undercrossing of SR-125 which is part of the McMillin TM. Westerly connections to the regional trail system would require the crossing of La Media Road. As proposed, trail users could cross La Media at the La Media Road/Street “C” intersection. Additionally, a pedestrian bridge may be constructed over La Media Road. Construction of the regional trail would be in conformance with applicable plans and regulations, and no impacts would occur.

Community pathways are those landscaped parkways located along circulation element roadways. For the *Village 7 SPA Plan*, community pathways occur along La Media Road and Birch Road, surrounding the project site. As described in Section 4.3, *Traffic, Circulation, and Access*, of this EIR, Birch Road would have five-foot sidewalks separated by a 10-foot buffer area along both sides of the roadway. Additionally, a 10-foot Village Pathway is located adjacent to the sidewalk on the side nearest to the *Village 7 SPA Plan* project site. The regional trail would run along La Media Road and would have a 10-foot offset bicycle/pedestrian path.

Village pathways provide pedestrian connections between villages and to planned regional transit stations. There is no public transit station currently proposed within the *Village 7 SPA Plan* project area. However, transit stations are located in Village 6 to the north and the Eastern Urban Center to the east. Village pathways serving the *Village 7 SPA Plan* are located from each of the entry points to the project site, leading throughout the project area. Along Magdalena Avenue, the Village Pathway would run along the west side of the street, to match the Village Pathway in Village 6. Additionally, the Village Greenway would include a regional trail, which serves as a village pathway providing a connection to the Eastern Urban Center to the east.

the east. Provision of village pathways is in conformance with applicable plans and regulations, and no impacts would occur.

The last type of trail provided within the *Village 7 SPA Plan* is the village street. These include all residential streets. As described in Section 4.3 of this EIR, residential streets would have five- or six-foot sidewalks separated from the roadway by a landscaped parkway. Village streets would provide additional non-vehicular routes. The *Village 7 SPA Plan* would provide a variety of trails, and no impacts would occur.

Open Space

The major open space area within the *Village 7 SPA Plan* is Wolf Canyon. Other open space areas include the landscaped parkways and manufactured slopes. A total of 47.8 acres of open space is proposed for the *Village 7 SPA Plan*. As described above, the regional trail would run along the south side of Wolf Canyon, providing the public with opportunities to enjoy this resource.

As discussed in Section 4.11, *Biological Resources*, of this EIR, in accordance with the RMP, the *Village 7 SPA Plan* is required to contribute 1.188 acres of open space per acre of development, less the acreage of common use lands. Common use lands include parks, schools, arterial roads, and other land designated as public use areas.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

Parks and Recreation

Implementation of the McMillin Otay Ranch, LLC TM would develop up to 346 single-family residential units, 448 multi-family dwelling units, and a 1.1-acre common useable open space/park area, as well as provide for future development of a 7.6-acre neighborhood park, an 11.1-acre elementary school, and a 23.4-acre high school. The residential units proposed by the McMillin Otay Ranch, LLC TM would lead to a maximum population increase of 2,390 persons. By applying the GDP's standard of three acres of park per 1,000 residents, approximately 7.2 acres of parkland would be required to serve the expected population. Based on the proposed unit mix and using the City's standards, a total of 7.2 acres of parkland would be required. Since the project has dedicated 7.6 acres of land for park uses, implementation of the McMillin Otay Ranch, LLC TM would not result in significant impacts to parkland dedication. However, if the parkland is not developed, then fees to cover the development of 7.2 acres of parkland would be required. If the parkland obligation is not met, then a significant impact would occur.

Trails

As part of the McMillin Otay Ranch, LLC TM, a portion of the regional trail would be constructed along the south side of Wolf Canyon, connecting to the Eastern Urban Center to the east and continuing along Wolf Canyon to the west. The regional trail is identified by the Greenbelt Master Plan and would be designed in accordance with the standards set forth in the Master Plan and included in the *Village 7 SPA Plan*. The McMillin Otay Ranch, LLC TM would also develop the village pathway along the west side of Magdalena Avenue through its property, and street pathways along proposed internal roadways. No impacts to the trail system would occur.

Open Space

Open space areas within the McMillin Otay Ranch, LLC TM area include Wolf Canyon, landscaped parkways, and manufactured slopes. The trail system described above would allow residents of the project, as well as the public in general, to enjoy these open space areas. Additionally, as discussed in Section 4.11, *Biological Resources*, the McMillin Otay Ranch, LLC TM is anticipated to convey a total of 143.2 acres to the Otay Ranch preserve in accordance with the RMP requirements.

Three detention and water quality basins would be constructed within the bottom of Wolf Canyon to accommodate flows from the McMillin Otay Ranch, LLC TM development as well as a portion of the Eastern Urban Center to the east, as described in Section 4.7, *Hydrology/Drainage/Water Quality*, of this EIR. Under maximum storm conditions, the largest of the detention basins could raise up 15 feet. The detention basins would be landscaped with native materials, which would enhance their aesthetic value. The project would result in a net positive benefit to open space, and no adverse impacts to open space would occur.

C. OTAY PROJECT LP TENTATIVE MAP

Parks and Recreation

Implementation of the Otay Project LP TM would develop up to 410 single-family residential units, a 0.7-acre common useable open space/park area, and 1.0-acres of community purpose facilities. The residential units proposed by the Otay Project LP TM would lead to a maximum population increase of 1,129 persons. By applying the GDP's standard of three acres of park per 1,000 residents, a total of 3.7 acres of parkland would be required to serve the expected population. However, applying the City's standards to this project, a total of 4.3 acres of parkland dedication would be required. Since the project does not propose to dedicate a park site, parkland acquisition and development fees would be required for 4.3 acres of parkland. With payment of park fees, implementation of the Otay Project LP TM would not result in park impacts. However, if the Otay Project LP TM does not meet its park obligation, then a significant parks impact would occur.

Trails

A portion of the regional trail would be constructed along the south side of Wolf Canyon through the Otay Project LP TM site, continuing along Wolf Canyon to the east, through the McMillin Otay Ranch, LLC TM site, and ultimately connecting to the proposed regional trail within Village 2. The regional trail is identified by the Greenbelt Master Plan and would be designed in accordance with the standards set forth in the Master Plan and included in the proposed *Village 7 SPA Plan*. The Otay Project LP TM would also develop the village pathway along the west side of Magdalena Avenue through its property, the regional trail and community pathway along La Media Road, and street pathways along proposed internal roadways. No impacts to the trail system would occur.

Open Space

Open space areas within the Otay Project LP TM area include Wolf Canyon, landscaped parkways, and

manufactured slopes. The trail system described above would allow residents of the project, as well as the public in general, to enjoy these open space areas. Additionally, as discussed in Section 4.11, *Biological Resources*, the Otay Project LP TM is anticipated to convey a total of 119.2 acres to the Otay Ranch preserve in accordance with the RMP requirements. No impacts to open space would occur.

4.15-3 Level of Significance Before Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

Parks and Recreation

A 7.6-acre neighborhood park would be located centrally within the *Village 7 SPA Plan* for residents to enjoy. Based on City requirements, a total of 11.5 acres, 7.2 acres, and 4.3 acres of parkland dedication is needed to serve the population of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs, respectively. Therefore, development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would also require payment of park in-lieu fees to be consistent with requirements of the Otay Ranch GDP and the City for parkland dedication. Without development of the 7.6-acre park and payment of park fees, a significant impact associated with parks would occur.

Trails

Regional trails, community pathways, village pathways, and village streets would be provided with development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM. Trails would be designed in accordance with applicable plans and regulations and no impacts would occur.

Open Space

Open space areas within the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs consist of Wolf Canyon, landscaped parkways, and manufactured slopes. The trail system within the *Village 7 SPA Plan* would provide the public with opportunities to enjoy these areas. A portion of the regional trail would be constructed on the south side of Wolf Canyon, providing the public with opportunities to enjoy this open space area. Landscaping would also be provided within Wolf Canyon to enhance its visual quality as well as to enhance the appearance of the three detention basins that will be placed in Wolf Canyon and views of the FAA VORTAC Facility. Additionally, land would be conveyed to the Otay Ranch preserve in accordance with the requirements of the RMP. No impacts would occur.

4.15.4 Mitigation Measures

A. VILLAGE 7 SPA PLAN

The *Village 7 SPA Plan* would be required to dedicate a total of 11.5 acres of developed parkland. As proposed, a 7.6-acre neighborhood park site would be provided; which is deficient in size based on the requirements of the *Village 7 SPA Plan*. Therefore, an additional 3.9 acres of parkland is needed. The following mitigation measure would reduce park impacts to below a level of significance:

- 4.15-1** *The developer of the Village 7 SPA Plan shall dedicate parkland, pay park development fees and/or pay park in-lieu fees to meet the total obligation of 11.5 acres in accordance with the PFFP.*

In addition, the *Village 7 SPA Plan* would be required to meet the requirement of the RMP for conveyance of 1.188 acres of open space per net developable acres, less common space, to the Otay Valley preserve, as identified by mitigation measure 4.11-1 in Section 4.11, *Biology*.

B. McMILLIN OTAY RANCH, LLC TENTATIVE MAP

The McMillin Otay Ranch, LLC TM project could result in impacts to parks if the obligation of 6.8 acres of developed parkland were not met. Compliance with measure 4.15-1 above, would ensure impacts are below a level of significance. Additionally, the project would be required to convey open space lands in accordance with Mitigation Measure 4.11-1 as discussed in Section 4.11, *Biological Resources*. No other mitigation is required.

C. OTAY PROJECT LP TENTATIVE MAP

The Otay Project LP TM project could result in impacts to parks if the obligation of 3.96 acres of developed parkland was not met. Compliance with measure 4.15-1 above, would ensure impacts are below a level of significance. Additionally, the project would be required to convey open space lands in accordance with Mitigation Measure 4.11-1 as discussed in Section 4.11, *Biological Resources*. No other mitigation is required.

4.15.5 Level of Significance After Mitigation

VILLAGE 7 SPA PLAN / McMILLIN OTAY RANCH, LLC TENTATIVE MAP / OTAY PROJECT LP TENTATIVE MAP

The combination of parkland dedication, payment of park development fees, and payment of park in-lieu fees would reduce park impacts to below a level of significance after mitigation. Additionally, the proposed project would convey open space lands to the Otay Ranch preserve, in accordance with the RMP. The *Village 7 SPA Plan*, McMillin Otay Ranch, LLC TM, and Otay Project LP TM would not result in impacts to trails or open space, and mitigation is not required. Impacts to trails and open space would remain less than significant.

5.0 OTHER CEQA MANDATED EIR SECTIONS

5.1 CUMULATIVE IMPACTS

Section 15355 of the State CEQA Guidelines describes *cumulative impacts* as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. These individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Section 15130(b) of the State CEQA Guidelines describes an adequate discussion of cumulative impacts as one which includes either of the following elements:

- a) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- b) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

Cumulative impacts associated with buildout of the Otay Ranch GDP were evaluated in the Otay Ranch GDP Program EIR (EIR 90-01/SCH #89010154). A total of 31 proposed or approved projects were evaluated in conjunction with Otay Ranch GDP for the cumulative impacts analysis. Together, the projects included in the cumulative impacts analysis contained in the Otay Ranch GDP Program EIR anticipated the addition of 41,609 dwelling units, 1,269 industrial/office lots, and 976 hotel rooms on about 30,434 acres, of which 19,935 acres would be developed.

The Otay Ranch GDP Program EIR identified significant and unmitigable cumulative impacts for the following issue areas: Land Use, Planning, and Zoning; Landform Alteration/Aesthetics; Paleontological Resources; Cultural Resources; Biological Resources; Agricultural Resources; Transportation, Circulation, and Access; Air Quality; Noise; Water Resources and Water Quality; Public Services and Utilities; Hazards/Risk of Upset. A Statement of Overriding Considerations was adopted for the Otay Ranch GDP Program EIR.

Since the time the Otay Ranch GDP Program EIR was approved, several second tier EIRs have been prepared for development of specific villages within Otay Ranch. These EIRs have updated and revised the cumulative impact analysis of the Otay Ranch GDP Program EIR, as needed. The Village 12 EIR was the most recent EIR certified (February 2003), and it presented a revised list of cumulative projects in the area. This cumulative impacts analysis is based in part on the cumulative analysis in the Village 12 EIR.

5.1.1 Projects Evaluated for Cumulative Impacts Analysis

This section examines cumulative impacts on a regional or local basis depending upon the nature of the impact. For the purposes of this cumulative impact analysis, several scenarios (or “universes” as often described) of potential cumulative effects were considered. Buildout of the City’s General Plan, and more specifically, buildout of the Otay Ranch General Development Plan, was evaluated for consideration in each cumulative effects analysis. Additionally, specific development projects which would not have been considered in the community plan or general plan evaluations have also been considered.

Chula Vista General Plan. The *Village 7 SPA Plan* project is located within the City of Chula Vista. The Chula Vista General Plan was last updated in September 1995. The General Plan area covers 58,299 acres, with approximately 28 percent of the City being vacant land. As of January 1990, the City’s population was 131,455 and the General Plan area had a population of 146,000. The target buildout population for the City is 268,000 people.

Currently, the Chula Vista General Plan is being updated. The General Plan update will reflect changing community needs, values, shifts in demographic and economic conditions, and growth and development patterns in the City. The General Plan Update is largely in response to the projected increase in the City’s population of approximately 100,000 persons from 2000 to 2020, as estimated by the San Diego Association of Governments (SANDAG). The General Plan Update will develop solutions for new long-term planning issues and take advantage of opportunities through comprehensive planning. It will identify how land will be used in the City, where roads and other public facilities will be located, and how natural resources will be protected.

Otay Ranch General Development Plan. The *Village 7 SPA Plan* comprises a portion of Village 7 of the Otay Ranch GDP. The Otay Ranch GDP allows for the development of Village 7 as an Urban Village with a mix of land uses, including: 1,053 single-family homes, 448 multi-family homes, a middle school, a high school, and a village core area with commercial uses, community purpose facilities, an elementary school, a town square, and a neighborhood park. As proposed, the *Village 7 SPA Plan* is consistent with the Otay Ranch GDP, and no amendment to the Otay Ranch GDP is proposed or necessary. The cumulative analysis for the *Village 7 SPA Plan* considers complete buildout of Village 7, as identified by the Otay Ranch GDP.

Contributing to the buildout of Village 7, SUHSD has processed the development of Sweetwater Union High School #13, which is located on 53.9 acres in the southeastern portion of Village 7 on the Stephen & Mary Birch Foundation ownership, as well as on a 23.4-acre portion of the McMillin Otay Ranch, LLC ownership. The Sweetwater Union High School #13 project will construct a public high school for grades 9 through 12, serving up to 2,950 full-time high school students and 130 professional staff members. Other project features include approximately 217,000 square feet of building space, 10 portable classrooms, three parking lots with 600 parking spaces, athletic courts and fields, and a lighted football stadium. This project is considered in the cumulative analysis for the *Village 7 SPA Plan*.

Specific development projects outside of Village 7 that have been evaluated for cumulative impact analysis are presented below in Table 5-1, *Projects Evaluated for Cumulative Impacts Analysis*. The table provides the project name, a brief description of the project and the current project status.

**TABLE 5-1
PROJECTS EVALUATED FOR CUMULATIVE IMPACTS ANALYSIS**

Project	Description	Status
Sunbow SPA Plan*	Planned Community with 1,382 single-family and 1,073 multiple-family units. Includes a neighborhood park, elementary school, community commercial, industrial park, veterans home, 28-acre hospital site, and 176 acres of open space.	APPROVED AND DEVELOPING
San Miguel Ranch	Planned Community with 1,394 single family units and 14 acres of commercial use.	APPROVED AND DEVELOPING
EastLake III GDP	Planned Community with 2,061 single family units and commercial uses.	DEVELOPING
EastLake I and Business Park	Business Park complete except for north commercial area.	DEVELOPING
EastLake Trails/Greens	Planned Community with 2,788 single family and 2,100 multi-family units, senior high school, two elementary schools, golf course/clubhouse, community commercial, freeway commercial, two neighborhood parks, low rise office, church, community purpose facility, and private park uses.	APPROVED AND DEVELOPING
Rolling Hills Ranch	Planned Community with 2,099 single-family and 284 multi-family units, community purpose facility, one elementary school, a fire/police station, and community park. Phase I complete; Phase II 40% built; Phase III GDP & TM approved and under construction.	APPROVED AND DEVELOPING
Salt Creek I Interceptor Sewer*	Sewer Line under construction	APPROVED
Wolf Canyon I Interceptor	Sewer Line awaiting completion of EIR.	PENDING
SR 125	Transportation Corridor. Design moving forward; northern reach under construction. Completion anticipated late 2006.	APPROVED
Vista Mother Miguel	Planned Community. Status unknown – 20 units proposed.	PENDING
Otay Ranch Village 6 SPA Plan	Planned Community with 2,086 single-family and 1,203 multi-family units, community propose facilities, school, public park, commercial uses, and open space.	APPROVED AND DEVELOPING
Otay Ranch Village 11 SPA Plan	Planned Community with 2,104 single- and multi-family units, commercial, community purpose facilities, park, school, and open space.	APPROVED AND DEVELOPING
Bella Lago	Residential Subdivision with 142 single-family estate units and 89 acres of open space.	APPROVED
Otay Ranch Eastern Urban Center	Planned Community with residential, office, commercial uses proposed.	APPROVED
Otay Ranch Village 2 SPA Plan	Planned Community with EIR & SPA Plan in process.	PENDING
Olympic Parkway	Transportation Corridor.	COMPLETED
Land Swap Parcel	Planned Community with mixed commercial and residential development.	PENDING

5.1.2 Cumulative Impacts Analysis

Land Use and Planning

The proposed development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs in conjunction with the buildout of the remaining portions of Village 7, Otay Ranch, Eastlake, Rolling Hills Ranch, and other development in the Eastern Territories, would contribute to the conversion of undeveloped land to urban uses. The majority of this undeveloped land is currently and has historically been used for agricultural purposes. Development of the project site, when considered in conjunction with urban development in the project area, would result in cumulative land use impacts associated with open space and agriculture.

The cumulative loss of open space and agricultural lands was identified as a significant and unmitigable impact by the Otay Ranch GDP Program EIR, and the Chula Vista City Council adopted a Statement of Overriding Considerations for land use impacts associated with the Otay Ranch GDP. Cumulative land use impacts associated with development of the *Village 7 SPA Plan* are also found to be significant and unmitigable. These cumulative impacts are consistent with those anticipated by the Otay Ranch GDP Program EIR. Nonetheless, a Statement of Overriding Considerations will be required in conjunction with certification of the EIR.

Agricultural Resources

Development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would convert approximately 288.5 acres from agricultural lands to urban uses, which would contribute to the conversion of agricultural land throughout the City, thereby creating a cumulative impact to agricultural lands. The cumulative loss of agricultural lands was identified as a significant and unmitigable impact by in the Otay Ranch GDP Program EIR, and the Chula Vista City Council adopted a Statement of Overriding Considerations for the loss agricultural lands associated with development of the Otay Ranch GDP. There is no mitigation for the loss of agricultural lands; therefore, a Statement of Overriding Considerations would be required in conjunction with certification of the EIR.

Transportation, Circulation, and Access

Development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs would contribute to the generation of a total of 25,525 daily trips for all of Village 7. Of these, 4,234 daily trips would remain within Village 7; therefore, the project would contribute to the generation of a total of 21,291 daily external trips, which may contribute to cumulatively significant impacts in the project vicinity. As identified in Section 4.3, *Traffic and Circulation*, of this EIR, the traffic study found that the *Village 7 SPA Plan* project would contribute incrementally to cumulatively significant impacts under Scenarios 1, 3, 4, 5, 6, 8, 9, and 10. Please see Section 4.3, *Traffic, Circulation, and Access*, for definitions of each of these scenarios.

Under **Scenario 1**, the proposed project would contribute incrementally to cumulative impacts at the Rock Mountain Road/La Media Road intersection and along Rock Mountain Road from La Media Road to SR 125. Mitigation measure 4.3-2, identified in Section 4.3, for these cumulative impacts requires that no residential units are constructed prior to SR 125, and would reduce impacts to below a level of significance.

For **Scenario 3** conditions, the proposed project would contribute incrementally to a cumulative impact along Rock Mountain Road from SR 125 to Eastlake Parkway. Mitigation measure 4.3-3 has been identified for this cumulative impact in Section 4.3 of this EIR. Implementation of measure 4.3-3 would result in a LOS D along this street segment. Impacts would be reduced to below a level of significance.

Similar to Scenario 3, the proposed project would contribute incrementally to a cumulative impact along Rock Mountain Road from SR 125 to Eastlake Parkway under **Scenario 4** conditions. Mitigation measure 4.3-4 would be required to reduce impacts along this street segment to LOS D. Impacts would be reduced to below a level of significance.

The project would contribute incrementally to a cumulative impact along Rock Mountain Road from SR 125 to Eastlake Parkway under **Scenario 5** conditions. Mitigation measure 4.3-4 would be required to reduce impacts along this street segment to LOS D. Impacts would be reduced to below a level of significance.

Under **Scenario 6** conditions, the proposed project would contribute incrementally to cumulative impacts at the Rock Mountain Road/La Media Road intersection and along Rock Mountain Road from La Media Road to SR 125. Mitigation measure 4.3-2 would reduce impacts to less than significant.

Implementation of the *Village 7 SPA Plan* would contribute to cumulative impacts to three segments along Rock Mountain Road under **Scenario 8** conditions. These include Rock Mountain Road from Main Street to La Media Road, from La Media Road to SR 125, from SR 125 to Eastlake Parkway, and from SR 125 and Eastlake Parkway. Mitigation measure 4.3-5 in Section 4.3 of this EIR would mitigate for cumulative impacts to Rock Mountain Road under Scenario 8 conditions. Impacts would be reduced to below a level of significance.

Under **Scenario 9** conditions, the project would contribute incrementally to cumulatively significant impacts at the intersection of Rock Mountain Road/La Media Road and along Rock Mountain Road from Main Street to La Media Road and from SR 125 to Eastlake Parkway. Implementation of Measure 4.3-6, identified in Section 4.3, would reduce cumulative impacts at the Rock Mountain Road/La Media Road intersection along Rock Mountain Road from Main Street to La Media Road and along Rock Mountain Road from SR 125 to Eastlake Parkway to below a level of significance.

Scenario 10 conditions would result in cumulatively significant impacts along Rock Mountain Road from SR 125 to Eastlake Parkway. Implementation of measure 4.3-7, identified in Section 4.3, would reduce cumulative impacts along Rock Mountain Road from SR 125 to Eastlake Parkway to below a level of significance.

Mitigation measures have been identified above for the cumulatively significant intersection and roadway segment impacts to which the *Village 7 SPA Plan* would contribute. These measures would reduce cumulative impacts to below a level of significance.

Noise

Implementation of the proposed *Village 7 SPA Plan*, the McMillin Otay Ranch TM and the Otay Project LP TM would not individually generate enough traffic to double volumes on already heavily traveled streets with existing noise problems. Therefore, off-site noise impacts from a project relative to "measurable

degradation" are considered cumulative impacts in conjunction with all other sources of traffic growth. These impacts are not considered significant.

Air Quality

The Otay Ranch GDP Program EIR identified significant and unmitigable cumulative air quality impacts, and a Statement of Overriding Considerations was adopted. The *Village 7 SPA Plan* would result in significant air impacts due to project traffic emissions. The San Diego Air Basin is a non-attainment area; therefore, any emissions would result in a significant impact. Project generated emissions would contribute incrementally to the air basin's inability to achieve air quality standards. Considered with past, present, and future development in the region, the project would contribute incrementally to a cumulatively significant air impact. Such an air quality cumulative impact is not mitigable at the project level. The proposed project would require adoption of a Statement of Overriding Considerations, should the decision-makers choose to approve this project.

Landform Alteration/Aesthetics

The proposed development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and Otay Project LP TMs would change the visual quality of the site from agricultural lands to urban uses. This change in visual quality includes grading activities, construction of homes, buildings, and schools, roadways and parking lots, and the introduction of landscaping to the site. Additionally, nighttime lighting would be affected by the introduction of lighting sources at the site.

The change in visual quality at the project site, when considered with development of other villages within Otay Ranch, and other subdivisions within Eastlake, Rolling Hills Ranch, and the Eastern Territories as a whole, would contribute incrementally to cumulative impacts to landform alteration and aesthetics. Implementation of mitigation identified in the Otay Ranch GDP Program EIR, such as the use of contour grading, the granting of open space prior to development, and adherence to grading and hillside policies, would help reduce landform alteration and aesthetics impacts, but would not fully mitigate these impacts. The Otay Ranch GDP Program EIR identified landform alteration and aesthetics impacts as significant and unmitigable, and a Statement of Overriding Considerations was adopted. Cumulative landform alteration and aesthetics impacts associated with the proposed project remain significant and unmitigable, requiring adoption of a Statement of Overriding Considerations.

Hydrology and Drainage

The proposed development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would introduce large amounts of impermeable surfaces to the project site, which would reduce the amount of infiltration occurring at the project site and increase storm water runoff. When considered with other development within the region, this alteration to natural hydrology and drainage could result in cumulative impacts to downstream water resources. The Otay Ranch GDP Program EIR identified potentially significant cumulative impacts to hydrology and drainage due to the potential increase in runoff and decrease in water quality, and a Statement of Overriding Considerations was adopted. As discussed in Section 4.7, *Hydrology/Drainage/Water Quality*, of this EIR, mitigation has been identified to reduce impacts to hydrology, drainage, and water quality. Additionally, the proposed detention/treatment basins on the McMillin Otay Ranch, LLC TM would help mitigate future projects, such as the EUC. Implementation of the mitigation measures would substantially reduce the potential for significant runoff

and water quality impacts. Implementation of similar measures for future projects would reduce significant cumulative hydrology and drainage impacts to below a level of significance.

Geology and Soils

Impacts associated with geology and soils are site-specific. As discussed in Section 4.8, *Geology and Soils*, of this EIR, mitigation has been identified to reduce potentially significant geology and soils impacts to below a level of significance. The *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would not contribute to cumulatively significant geology and soils impacts.

Cultural Resources

Over 450 cultural sites have been recorded within the cumulative impacts project region. Development of the *Village 7 SPA Plan* would result in the direct loss of four insignificant cultural sites. The Otay Ranch GDP Program EIR identified the cumulative loss of cultural resources as significant and unmitigable, and a Statement of Overriding Considerations was adopted. However, because the four identified cultural sites within the *Village 7 SPA Plan* boundaries are not considered significant under CEQA, the project would not result in cumulative impacts to cultural resources.

Paleontological Resources

Numerous paleontological resources have been discovered from development occurring within the Eastern Territories area of the City. Cumulatively significant impacts to paleontological resources resulting from the continued development of the area were identified in the Otay Ranch GDP Program EIR, and a Statement of Overriding Considerations was adopted. As discussed in Section 4.10, *Paleontological Resources*, of this EIR, the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM project site has the potential to contain subsurface paleontological resources, and mitigation has been identified to reduce potential impacts to below a level of significance. Implementation of the project-specific mitigation measures would reduce the projects' cumulative impacts to paleontological resources to below a level of significance. Implementation of similar measures for other projects would ensure that cumulative impacts associated with paleontological resources are mitigated to below a level of significance.

Biological Resources

The *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs project site is characterized by agricultural land and non-native grasslands. There are no sensitive plant or vegetation communities on the project site, and no federal or state listed animals occur on-site. As discussed in the Otay Ranch GDP Program EIR, development of the Otay Ranch GDP would result in cumulatively significant impacts to biological resources due to the loss of undeveloped lands, and a Statement of Overriding Considerations was adopted for the Otay Ranch GDP Program EIR. To mitigate for impacts to biological resources, the Otay Ranch RMP was adopted, which requires development within Otay Ranch to contribute lands to the Otay Preserve. However, cumulative impacts to biological resources are still considered significant due to the loss of foraging areas for raptor species and the overall loss of this habitat from development of Otay Ranch. These cumulative impacts are considered significant and unmitigable. Approval of the *Village 7 SPA Plan* would require adoption of a Statement of Overriding Considerations.

Public Services and Utilities/Compliance with City Thresholds and Standards Policy

Sewer Services

Significant and unmitigable impacts to sewer services were identified in the Otay Ranch GDP Program EIR due to the planned continued development within the subregion, and a Statement of Overriding Considerations was adopted. The *Village 7 SPA Plan* would allow the development of approximately 288.5 acres with urban uses, requiring sewer services. The development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would contribute incrementally to sewer systems serving the region. The project would construct portions of the planned sewer in order to service its needs. Other projects considered as part of this cumulative analysis would be required to provide sewer services in a similar manner. Therefore, cumulative impacts are considered less than significant.

Water Services

The Otay Ranch GDP Program EIR identified significant and unmitigable water resource impacts due to the planned continued development within the subregion. As a result, a Statement of Overriding Considerations was adopted for the Otay Ranch GDP Program EIR. Development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would contribute incrementally to the demand for water supply and services in the region. This demand has been planned for by the City of Chula Vista and the OWD, and a planned water system for the project area exists. The project would also incorporate water conservation measures to further reduce water demands. The *Village 7 SPA Plan* is in conformance with the adopted Otay Ranch GDP, and the water demand associated with the *Village 7 SPA Plan* has been planned for in the OWD's Water Resources Master Plan (WRMP). Additionally, the Water Supply Assessment, prepared by the OWD for the project, states that the project is consistent with water demand assumptions in the OWD's WRMP and verifies that there are sufficient water supplies to meet the projected demand of the proposed project. Because other projects considered as part of this cumulative analysis would be required to demonstrate water service availability in a similar manner, cumulative impacts to water services would not be significant.

Law Enforcement and Police Protection

The *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM would introduce residential, park, and school uses to the site, which require police services. Additional staffing and facilities would be required to serve the new residential population, as well as the parks and school uses at the project site. When considered with past, present, and future development in the region, additional police services would be required to meet service standards. The PFFP that has been prepared for the *Village 7 SPA Plan* addresses the need for additional police services and recommends methods to maintain acceptable service levels. The City will evaluate each project considered as part of this cumulative analysis on a similar level, and each project will be required to pay fees to offset incremental increases in demand created by the project. Therefore, cumulative impacts to law enforcement and police protection are not considered significant.

Fire and Emergency Services

The *Village 7 SPA Plan* allows for the development of, and the McMillin Otay Ranch, LLC and Otay Project LP TMs would develop, residential, park, community purpose facilities and school uses, which would result in an increased demand for fire and emergency services. The demand of services required by

the *Village 7 SPA Plan*, in addition to those required by past, present, and future development in the region, would result in the need for additional fire and emergency services to meet service standards. A PFFP has been prepared for the *Village 7 SPA Plan*, which addresses the need for additional fire and emergency services and identifies methods to maintain acceptable service levels. The City will evaluate each project considered as part of this cumulative analysis on a similar level, and each project will be required to pay fees to offset incremental increases in demand created by the project. Cumulative fire and emergency services impacts are not considered cumulatively significant.

Schools

Development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM area would result in residential land uses on a portion of the project site, which would create a demand for elementary, middle, and high school to serve its population. As a result the project would contribute to the cumulative need for additional school facilities from both the Chula Vista Unified Elementary School District and the Sweetwater Union High School District. The *Village 7 SPA Plan* includes an elementary school and high school. Additionally, a middle school has been identified by the Otay Ranch GDP to be constructed within Village 7. Development of these schools would serve residents of the *Village 7 SPA Plan* and TMs, as well as residents from surrounding villages. The proposed project, as well as foreseeable future projects, will be required to pay school fees or enter into an alternative funding arrangement such as a Community Facilities District. Payment of school fees is intended to pay for school services and improvements commensurate with need. Therefore, impacts to schools would not be considered cumulatively significant.

Library

The residential portion of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs would create a demand for library services to serve its residents. When considered with past, present, and future developments, the project would contribute an incremental demand on libraries. However, the project would pay development fees that would be used towards library facilities within the City, in accordance with the City's Growth Management Act. Other projects considered as part of this cumulative impact analysis would also be required to contribute development fees, as necessary to offset incremental demand for library services created by the project. Therefore, cumulative impacts to libraries would not be significant.

Solid Wastes Disposal

A significant and unmitigable impact to solid waste disposal was identified in the Otay Ranch GDP Program EIR as a result of continued development within the subregion that would create solid waste. The Chula Vista City Council adopted a Statement of Overriding Considerations for the Otay Ranch GDP Program EIR. The buildout of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM project area, in conjunction with past, present, and future projects, would substantially increase the amount of solid waste generated within the region. The nearest landfill to the project site is the Otay Landfill, which has adequate capacity through the year 2028. Additionally, the project, as well as other foreseeable future projects, would implement programs and policies related to solid waste management, which include a curbside recycling program. As a result, cumulatively significant solid waste impacts would not be significant.

Public Health and Safety

The proposed development of the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM and the Otay Project LP TM area would convert existing undeveloped land to urban uses, including residential, community purpose facilities, schools, park, and open space. Roadways would also be constructed, providing access to and through the site. There is currently an aviation navigation antennae located adjacent to the project site on the 51.9-acre property under ownership of the FAA. This antennae is associated with EMF; however, there is no conclusive evidence that EMF is a hazard to human health. However, existing on-site soil contamination of arsenic and OCPs with concentrations that exceed allowable levels due to historic farming activities on-site are considered a potentially significant risk to public health and safety. Implementation of the mitigation measures discussed in Section 4.13, *Public Health and Safety*, would substantially reduce the potential for significant impacts. Therefore, with implementation of mitigation measures no hazards or hazardous materials have been identified on the project site or in its vicinity which may impact the public. The *Village 7 SPA Plan* project site does not contribute to cumulative public health and safety impacts.

Population and Housing

The *Village 7 SPA Plan* would contribute 756 single-family and 448 multi-family residential units to the housing stock within the City. 346 single-family units and 448 multi-family units would be developed by the McMillin Otay Ranch, LLC TM and 375 single-family units would be developed by the Otay Project LP TM. Thus, the project would contribute cumulatively to housing opportunities within the City, contributing to an increase in the City's population. The *Village 7 SPA Plan* is in conformance with the Otay Ranch General Development Plan; therefore, this increase in population is included within the City's buildout population. No cumulative impacts to population or housing would occur.

Parks, Recreation, Trails and Open Space

The *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC and the Otay Project LP TMs would construct residential uses, resulting in additional demands for park, recreation, trails, and open space facilities. However, the project would provide park facilities, recreational opportunities, trails, and open space, as well as contribute development fees to the City to cover the project's fair share demand for park facilities. While the project would contribute incrementally to a cumulative demand for parks, recreation, trails, and open space, the development of a 7.6-acre neighborhood park, schools, a segment of the regional trail system, other trails within the *Village 7 SPA Plan* area, the provision of open space and the contribution of open space, and the payment of park in-lieu fees, would ensure no significant impacts to parks, recreation, trails and open space occur. With the identified mitigation, the *Village 7 SPA Plan* would result in a beneficial contribution to parks, recreation, trails, and open space.

5.2 GROWTH INDUCEMENT

Section 15126.2(d) of the CEQA Guidelines requires an EIR to discuss the ways in which the proposed project could foster economic or population growth or the construction of additional housing, either directly or indirectly in the surrounding environment. Included in this analysis would be the potential for a project to remove obstacles to population growth. To illustrate this point, the CEQA Guidelines use as an example, the major expansion of a wastewater treatment plant that may allow for more construction and development within the service area. Increases in the population may tax existing community service facilities, requiring

construction of new facilities that could cause significant environmental effects. In addition, the growth-inducing effects analysis should include an assessment of how the project may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. The Guidelines further state that it should not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. The following discussion considers ways the proposed *Village 7 SPA Plan* could encourage economic or population growth, either directly or indirectly.

Generally, growth-inducing impacts refer to impacts from projects that possess such characteristics as being located in isolated, undeveloped or underdeveloped areas, necessitating the extension of major infrastructure (e.g., roadways, sewer and water lines and facilities, etc.) or other services or infrastructure that encourage “premature” or unplanned growth (i.e., “leap frog” development). In addition, projects that induce new development in nearby areas due to the provision of major infrastructure, employment centers, or residential communities may be considered to have growth-inducing impacts.

The Otay Ranch GDP Program EIR included a discussion on growth inducement, which is hereby incorporated by reference. The Otay Ranch GDP Program EIR concluded that implementation of the Otay Ranch GDP would increase population growth, housing, and employment opportunities in the Otay Ranch area and would be considered growth-inducing. In accordance with the Otay Ranch GDP, the proposed *Village 7 SPA Plan* would develop 756 single-family residential units, 448 multi-family residential units, an elementary school, a high school, a trail and open space connection, public and community purpose facilities, and a Neighborhood Park.

To accommodate the proposed development, development of the *Village 7 SPA Plan* would require new or extended facilities to serve the site. Currently, there is no existing infrastructure on the project site, and the project would extend infrastructure, public services, utilities, and roadways on-site. Once developed, the 1,204 new housing units associated with the project would assist in meeting the future housing needs of the Eastern Territories and the City of Chula Vista. Full occupancy of the proposed development is expected to increase the resident population in the area by 1,204 households and 3,624 on-site persons. Additionally, the *Village 7 SPA Plan* would provide construction employment opportunities in the short-term. In the long term, the project would develop an elementary school and a high school that would create permanent jobs within the site. These jobs would be beneficial for the economy of the City.

Because the *Village 7 SPA Plan* would offer housing and employment opportunities, as well as provide economic opportunities that are not currently available, the project is considered to be growth-inducing. However, growth resulting from the project would occur in a logical manner, extending southerly from other villages within Otay Ranch that have been developed. Additionally, this growth has been anticipated and identified in the City’s General Plan and the Otay Ranch GDP.

5.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

As required by Section 15126.2(c) of the CEQA Guidelines, the significant effects of a project shall be identified. Irreversible commitments of resources are evaluated to assure that their use is justified. Irreversible environmental changes typically fall into three categories: primary impacts, such as the use of nonrenewable resources; secondary impacts, such as highway improvements which provide access to previously inaccessible areas; and environmental accidents associated with a project.

Primary resources that would be eliminated include the incremental loss of agricultural land in the City and

cultural resources. The site is currently used for dry farming and does not constitute a significant farmland resource. Once developed with urban uses, this agricultural land would be permanently lost.

As discussed in Section 4.0, *Environmental Analysis*, of this EIR, the loss of agricultural lands is considered significant and unmitigable, and a Statement of Overriding Conditions was adopted for the Otay Ranch GDP Program EIR. A total of four insignificant cultural resources found within the *Village 7 SPA Plan* project site would be permanently lost with its development. These include SDI-12,279, a prehistoric temporary camp consisting of a scatter of artifacts; SDI-12,288, a prehistoric scatter of lithic artifacts; SDI-16,680, a scatter of lithic artifacts with a shallow midden deposit; and SDI-16,681, a scatter of lithic artifacts with a limited subsurface component. Additionally, mitigation measures have been identified to reduce impacts to agricultural and cultural resources to below a level of significance. Section 4.11, *Biological Resources*, identifies the loss of non-native grasslands, which provide foraging areas for raptors. Once developed, foraging areas within the *Village 7 SPA Plan* project area would be lost.

Energy would be required for both the construction of the project and to serve the project over the long-term. The primary energy source would be fossil fuels, representing an irreversible commitment of this resource. Construction of the project would also require the use of construction materials, including cement, concrete, lumber, steel, etc., and labor. These resources would also be irreversibly committed.

5.4 EFFECTS FOUND NOT TO BE SIGNIFICANT

Pursuant to CEQA Section 15060, the City of Chula Vista determined that an EIR would be required for the project and an initial study was not prepared. The City also determined that the proposed project would not have the potential to cause adverse effects associated with the mineral resources. As such, mineral resources have not been addressed in this EIR.

5.4.1 Mineral Resources

The project site consists of approximately 288.5 acres of disturbed lands. The construction of the project would involve grading activities that would disturb the surface of the site. No mining operations have occurred or are projected to occur on the site. Additionally, as discussed in Section 3.8, *Mineral Resources*, of the Otay Ranch GDP Program EIR, the project site is not within an area considered to be a significant source of aggregate mineral resource by San Diego County, and no significant impacts would result from the proposed land uses.

6.0 ALTERNATIVES

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project,” as well as an evaluation of the “comparative merits of the alternatives.” In addition, Section 15126.6(b) of the CEQA Guidelines states that “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”

This second tier EIR concludes that the proposed project would result in significant impacts to land use; agricultural resources; traffic, circulation and access; noise; air quality; landform alteration/aesthetics; hydrology/drainage/water quality; geology and soils; cultural resources; paleontological resources; biological resources; and utilities and public services (sewer, water, police and fire protection, schools, and library). Mitigation measures would reduce any impacts to traffic, circulation and access; noise; hydrology/drainage/water quality; geology and soils; cultural resources; paleontological resources; and public health and safety to below a level of significance. However, impacts to land use, agricultural resources, air quality, landform alteration/aesthetics, and biological resources would remain significant and unmitigable. No impacts to utilities and public services (solid waste, gas and electricity), population and housing, or City threshold and standards policy were identified in this EIR.

The alternatives described below have the potential to meet the objectives of the proposed *Village 7 SPA Plan*. Each alternative is considered within this EIR for its ability to avoid, reduce, or mitigate significant physical environmental effects associated with the proposed project, even in the event project objectives may be modified or such alternative is more costly. While several alternatives to the *Village 7 SPA Plan* are considered and discussed in this section, only one alternative was found to be feasible. This alternative is the “No Project” alternative that is mandated by CEQA.

Other alternatives for the proposed project were also considered; however, they were found to be infeasible for various reasons. Alternative locations for the project were considered, as required by Section 15126.6 of the CEQA Guidelines; however, no alternative location was identified that would avoid or substantially reduce the impacts from the proposed project and meet the project’s goals. Alternatives that were considered but rejected are discussed in detail under Section 6.3 of this EIR.

The impacts of the alternative considered are analyzed in Section 6.1 of this EIR. The review of the alternative includes an evaluation to determine if any specific environmental characteristics would have an effect that is “significantly” different than the proposed project. A significant effect is defined in Section 15382 of the CEQA Guidelines as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.” The discussion of alternatives provides:

- ◆ A description of the alternative considered;
- ◆ The identification of the impacts of the alternative;
- ◆ A comparative analysis of the impacts of the alternative under consideration and the proposed project. The focus of this comparative analysis is to determine if the alternative is capable of eliminating or reducing the significant environmental effects of the proposed project to a less than significant level; and
- ◆ An analysis of whether the alternative is feasible (as defined by State CEQA Guidelines, Section 15364), meets the objectives of the project (described in Section 3.0 of this EIR), and remains under

consideration.

Table 6-1, *Comparison of Alternatives to Proposed Project*, summarizes the environmental impacts of the project alternatives. Table 6-1 is located at the end of this chapter.

6.1 ALTERNATIVE ONE – NO PROJECT/NO DEVELOPMENT

6.1.1 Description of Alternative

Under the “No Project/No Development” alternative, the *Village 7 SPA Plan* project site would remain as it is today, and no development would occur. The approximately 288.5288.5-acre project site would remain as undeveloped, agricultural land with residential development to the north and planned future urban development to the west, east and south. This alternative would not allow for the development of the *Village 7 SPA Plan* as identified in the Otay Ranch GDP. With respect to the major issues discussed in Section 4.0, *Environmental Impact Analysis*, of this EIR, the No Project/No Development alternative would not result in impacts to agricultural resources, traffic, noise, air quality, landform alteration/aesthetics, hydrology/drainage/water quality, geology and soils, cultural resources, paleontological resources, and biological resources and utilities and public services. Cumulative Impacts to cultural resources, landform and aesthetics, traffic, and hydrology and water quality would also be eliminated. However, impacts to land use and population and housing would occur because the project would not implement the City’s General Plan, MSCP Subarea Plan or the Otay Ranch GDP, and would not provide housing opportunities within the City. With the No Project/No Development alternative, the site would not be permanently removed from future development, since applicable plans for the site identify its development.

6.1.2 Environmental Analysis of Alternative

Land Use, Planning and Zoning

The No Project/No Development would not implement the Chula Vista General Plan or the Otay Ranch GDP because the project site has been designated for development, and no development would occur under this scenario. Additionally, the project would not allow for the development of the regional trail through the site, as identified by the Greenbelt Master Plan. This alternative would preserve land designated as Prime Farmland or Grazing Land. Preserving the site for agricultural use would result in potential land use interface issues as development occurs to the north, west, east and south of the site. Impacts to land use and planning under the No Project/No Development alternative would be greater than the proposed project.

Agricultural Resources

The No Project/No Development alternative would not develop the *Village 7 SPA Plan* project area of the Otay Ranch GDP. No development of the project site would eliminate the conversion of agricultural lands to urban development. No impacts to agricultural resources at the project site would occur. Impacts to agricultural resources would be less than the proposed project.

Transportation, Circulation and Access

Under this alternative, the proposed development of 756 single-family residential units, 448 multi-family residential units, community purpose facilities, schools, park, and open space uses would not occur. No development of the project site would eliminate traffic contributions to existing and planned roadways. No impacts to intersections or roadway segments would occur. At the same time, no contribution would be

made to roadway improvements. Impacts to traffic and circulation would be less than the proposed project.

Noise

Under the No Project/No Development alternative, no development of the project site would occur. No construction related activities would take place which would lead to significant temporary noise impacts. This alternative would also eliminate noise impacts associated with the project-related traffic. Under this alternative, impacts relating to noise would be less than the proposed alternative.

Air Quality

The No Project/No Development Alternative would avoid incremental contribution to the degradation of regional air quality. No temporary construction emissions or long-term air emissions from project-related traffic would occur. Compared to the proposed project, impacts on air quality under this alternative would be less.

Landform Alteration/Aesthetics

Under this alternative, no residential units, community purpose facilities, schools, or parks would be constructed. The upper reach of Wolf Canyon would not be graded, and the natural banks of the drainage would remain unchanged. The landform impact from the crossing at la Media Road would be avoided. No grading activities would occur, and there would be no landform alteration to the project site. Views of the site would remain as undeveloped agricultural land. Impacts to landform alteration and aesthetics would be less than the proposed project.

Hydrology/Drainage/Water Quality

Under the No Project/No Development Alternative, no development would occur. The proposed project site would remain in its undeveloped state, and there would be no new drainage facilities nor erosion control. In comparison to the proposed project, the No Project/No Development Alternative would continue to contribute sedimentation in runoff due to the undeveloped agricultural land and would not direct runoff to storm drains. Impacts associated with an increase in runoff pollution would not occur under this alternative, and no increase in impervious surfaces would occur. Additionally, chemicals associated with agricultural activities would continue to be used and could impact water quality but urban runoff containing hydrocarbons, etc. would not occur. Impacts to Hydrology/Drainage/Water Quality would be different than, but equal to, the proposed *Village 7 SPA Plan*.

Geology and Soils

The No Project/No Development alternative would avoid impacts associated with geology, because the development of the *Village 7 SPA Plan* would not occur. Impacts under this alternative would be less than the proposed project.

Cultural Resources

Under this alternative, no development of urban uses would occur. The four identified cultural sites, albeit not significant, located within the *Village 7 SPA Plan* project area would remain on-site and not be affected. Additionally, there would be no construction and grading activities, so that the potential for impacts to

cultural resources would be avoided. Impacts to cultural resources would be less than the proposed project.

Paleontological Resources

Under the No Project/No Development alternative, the approximate 288.5-acre site would not be developed with urban uses. Grading activities would not occur; thus, the potential for impacts to paleontological resources would be avoided. Impacts under this alternative would be less than those associated with the proposed *Village 7 SPA Plan*.

Biological Resources

Since no development would occur under the No Project/No Development alternative, the project site would remain in its current state. Under the No Project/No Development alternative, impacts to non-native grassland habitats would not occur. On the other hand, the 145.6 acres of off-site mitigation land would not be contributed as Conveyance Lands in accordance with the Otay Ranch GDP, RMP, and City's adopted MSCP Plan. The benefits of off-site conservation of 145.6 acres are considered biologically superior to on-site retention of 300 acres of active agriculture.

Public Services and Utilities

Under this alternative, no public services or utilities extensions to the site would occur, because no development would occur. The No Project/No Development alternative would reduce the demand for public parks, schools, and libraries in the project vicinity. The increase in the demand for police, fire, and emergency services would also be reduced. However, this alternative would preclude the development of the proposed elementary and high schools located within the project site which would eliminate these benefits of the project. By not delivering the high school site, one of the primary project objectives would not be met. Overall, impacts to public services and utilities would be less than the proposed project.

Public Health and Safety

Under the No Project/No Development Alternative, development of the *Village 7 SPA Plan* as an Urban Village would not occur. This alternative would not have the potential to affect the FAA's VORTAC facility, so that no potential for interference to aviation navigation would occur. The public would not be exposed to interim agricultural activities, although the project includes an Agricultural Plan to prevent any incompatibilities with agricultural activities. Humans and structures would not be exposed to fire hazards. Impacts to hazards and hazardous materials would be less than the proposed project.

Population and Housing

The No Project/No Development Alternative would not allow for development of the 745 single-family units and 448 multi-family units proposed for the *Village 7 SPA Plan*. No housing opportunities would be provided under this alternative, and no population would be added. The City's General Plan has anticipated the project site to be developed with residential uses; therefore, adverse impacts to population and housing are considered greater than the proposed project.

Parks, Recreation, Trails, and Open Space

Under the No Project/No Development Alternative, development of the *Village 7 SPA Plan* would not occur. The seven-acre neighborhood park would not be constructed, the regional trail along Wolf Canyon

would not be developed (leaving a gap in the City's planned Greenbelt Master Plan), and the 49.7-acres of open space within the project site would not be provided. Park acquisition and development fees would not be paid to help fund the community park in Village 4. Impacts to parks, recreation, trails, and open space would be greater than the proposed project.

6.1.3 Summary of Alternative Analysis

The No Project/No Development Alternative would not meet any of the project objectives as listed in Section 3.2, *Project Objectives*, of this EIR. This alternative would leave the site as it exists today – undeveloped and used for limited agricultural activities. Impacts associated with agricultural resources; transportation, circulation and access; noise; air quality; landform alteration/aesthetics; geology and soils; cultural resources; paleontological resources; and public services and utilities would be reduced or avoided. Impacts to land use, biological resources, population and housing, and parks, recreation, trails, and open space would be greater. The No Project/No Development Alternative would not allow for complete implementation of the Otay Ranch GDP.

6.2 ALTERNATIVES CONSIDERED BUT REJECTED

Bridge Crossing of La Media Road

The proposed project would develop La Media Road, a circulation element roadway, as its western boundary. The upper reaches of Wolf Canyon run through the project site, and future La Media Road would have to cross over the canyon. This alternative considered a bridge crossing of Wolf Canyon, instead of the proposed lower crossing that utilizes fill and berming to reduce the visual impacts of the La Media Road crossing associated with the proposed project. This procedure would reduce the footprint of the bridge abutments, while allowing the canyon to remain open instead of being blocked by the berm. This alternative would facilitate the connectivity of the canyon.

However, this alternative would still require significant landform alteration and the narrowing of Wolf Canyon. Rip-rap abutments would be required, and existing natural steep slopes within the canyon would still occur where the bridge abutments would be constructed. The proposed grades from the Otay Project LP TM would still create a steep drop west of La Media, which could not be accomplished as a soft bottom. Additionally, this alternative would require the hanging of utilities on the bridge, which would result in greater visual impacts than the proposed project. Furthermore, the upper reaches of Wolf Canyon that run through Village 7 are not part of the Wolf Canyon Wildlife Corridor and do not provide any connectivity for wildlife. This alternative bridge design would allow the project to achieve the basic project objectives contained in Section 3.2, *Project Objectives*, however, this alternative would not reduce impacts to landform alteration and aesthetics or biological impacts. Therefore, this alternative was rejected.

Alternative Mix of Land Uses

Development of the *Village 7 SPA Plan* project area with a different mix of land uses than proposed by the project was considered. Possible land uses that are identified for Village 7 by the Otay Ranch GDP, but which are not proposed by the *Village 7 SPA Plan*, include a Town Square, a mixed-use/commercial area, and a middle school, as well as additional single-family dwelling units and community purpose facilities. A variety of land use plans could be developed for the subject property based on the land uses allowed by the Otay Ranch GDP. The proposed land use mix achieves the project objectives. Depending on the mix of uses, this alternative could result in greater or less traffic. However, development of the site with any mix of

the land uses identified in the Otay Ranch GDP would result in similar impacts as the proposed project, and would not substantially reduce any significant impact. Furthermore, from a cumulative impacts standpoint, ultimate buildout of Village 7 in accordance with the GDP would result in similar impacts, regardless of the land use mix. Therefore, this alternative has been rejected.

Reduced Density Alternative

A Reduced Density Alternative was considered, which would reduce the project's contribution to cumulative traffic impacts to Rock Mountain Road under Scenarios 9 and 10 of the traffic study. In order to reduce the project's impact to Rock Mountain Road to below a level of significance, the project would need to contribute less than 800 ADT to the roadway. This would equate to the project generating a maximum total of 5,035 ADT. Therefore, the Reduced Density Alternative assumes traffic generated from the project's proposed mixed of land uses would be 5,035 ADT.

With total traffic limited to 5,035 ADT, the Reduced Density Alternative would not allow for development of the mix of land uses proposed by Otay Ranch GDP for the *Village 7 SPA Plan* project. For example, a high school that accommodates up to 2,950 students would not be allowed, since this use alone would generate 5,900 ADT. Rather, the project could develop a maximum of 503 single-family residences only, or it could develop a maximum of 629 multi-family units only. The project could also develop with a combination of land uses (i.e., an elementary school and 205 single-family homes, or some other combination) under this alternative; however, none of these options would allow for implementation of the Otay Ranch GDP. The Reduced Density Alternative would not allow the *Village 7 SPA Plan* to develop with enough variety to ultimately create an Urban Village, as called for in the Otay Ranch GDP. Additionally, this alternative would be inconsistent with the existing and planned villages surrounding the project site because it would be developed at a significantly lower density. Therefore, this alternative has been rejected from further consideration.

6.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires that the EIR identify the environmentally superior alternative among all of the alternatives considered, including the proposed project. If the No Project/No Development alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The environmental analysis of alternatives presented above and summarized in Table 6-1, *Comparison of Alternatives to Proposed Project*, indicates, through a comparison of potential impacts from each of the proposed alternative and the proposed project, that the No Project/No Development alternative, if left in its current state, could be considered environmentally superior because no new impacts would be introduced to the area and the project site. However, the No Project/No Development alternative would not implement the City's General Plan, the Otay Ranch GDP, or the RMP and would not allow delivery of the highschool site, which is one of the primary project objectives. Under the No Project/No Development alternative, the project site would remain as undeveloped, agricultural land. This alternative would not accomplish any of the objectives of the project.

The Reduced Density alternative could also be considered environmentally superior because it would eliminate the project's contribution to cumulative traffic impacts along Rock Mountain Road. However, under this alternative, development of the site would be extremely limited in its development in order to minimize the number of trips it generates. The Reduced Density Alternative would not allow the *Village 7*

SPA Plan to develop with a variety of land uses in order for Village 7 to ultimately become an Urban Village, as identified in the Otay Ranch GDP. Additionally, this alternative would be inconsistent with planned surrounding development and would not accomplish the project's objectives.

TABLE 6-1
COMPARISON OF ALTERNATIVES TO PROPOSED PROJECT

Environmental Impacts	Proposed Project	Alternative 1 No Project/No Development	Alternative Considered but Rejected Bridge Crossing of La Media Road	Alternative Considered but Rejected Alternative Mix of Land Uses	Alternative Considered but Rejected Reduced Density Alternative
LAND USE					
Development of the <i>Village 7 SPA Plan</i> would change the quality of the site from undeveloped to urban uses.	Significant Impact Unmitigable	Less	Equal	Equal	Equal
AGRICULTURAL LANDS					
Development of the <i>Village 7 SPA Plan</i> would contribute to the loss of approximately 288.5 acres of agricultural lands.	Significant Impact Unmitigable	Less	Equal	Equal	Equal
TRAFFIC, CIRCULATION AND ACCESS					
Due to the projected increased daily trips generated by the <i>Village 7 SPA Plan</i> under Scenarios 9 and 10, the project would result in a direct impact to the Rock Mountain Road/La Media Road intersection	Less than Significant with Mitigation	Less	Equal	Potentially More	Less
Due to the projected increased daily trips generated by the <i>Village 7 SPA Plan</i> under Scenarios 9 and 10, the project would result in a direct impact to the roadway section from Rock Mountain Road from La Media Road to SR 125	Less than Significant with Mitigation	Less	Equal	Potentially More	Less
NOISE					
Future traffic noise along Birch Road and La Media Road would result in significant impacts to residential units within the <i>Village 7 SPA Plan</i> .	Less than Significant with Mitigation	Less	Equal	Equal	Equal
AIR QUALITY					
Construction activities associated with the <i>Village 7 SPA Plan</i> development would result in significant impacts to air quality, as they would contribute emissions to a non-attainment air basin.	Less than Significant with Mitigation	Less	Equal	Equal	Less
Operation of the project would result in vehicular	Significant	Less	Equal	Equal	Less

trips and area sources that would contribute significant emissions to a non-attainment basin.	Impact Unmitigable				
LANDFORM ALTERATIONS/AESTHETICS					
Development of the <i>Village 7 SPA Plan</i> would change the visual quality of the site from undeveloped to urban uses.	Significant Impact Unmitigable	Less	More	Equal	More
Views of the FAA VORTAC facility would result in a significant visual impact to proposed development within the <i>Village 7 SPA Plan</i> .	Less than Significant with Mitigation	Less	Equal	Equal	Equal
Grading of the site would involve the cut and fill of approximately 7,800,000 cy. Grading would permanently alter the natural landform of the site.	Significant Impact Unmitigable	Less	Equal	Equal	Equal
The project would result in significant alteration to the slopes of Wolf Canyon due to fill activities to allow for the crossing of La Media Road.	Significant Impact Unmitigable	Less	Equal	Equal	Equal
The introduction of light and glare sources to the project site would result in changing the character of the site from undeveloped to developed and nighttime lighting could spill over onto adjacent residential uses.	Potentially Significant	Less	Equal	Equal	Equal
HYDROLOGY/DRAINAGE/WATER QUALITY (SURFACE AND GROUNDWATER)					
Drainage of the site would be altered to direct stormwater runoff into the municipal storm drain system.	Less than Significant with Mitigation	Less	Equal	Equal	Equal
Development of the <i>Village 7 SPA Plan</i> would introduce impermeable surfaces to the site, reducing infiltration, increasing runoff, and introducing new pollutant sources to the site.	Less than Significant with Mitigation	Less	Equal	Equal	Less
GEOLOGY AND SOILS					
The <i>Village 7 SPA Plan</i> would result in potential	Less than	Less	Equal	Equal	Equal

construction-related geology and soils impacts at the site from the presence of compressible and expansive soils and the potential for settlement and landslides to occur.	Significant with Mitigation				
CULTURAL RESOURCES					
The proposed <i>Village 7 SPA Plan</i> could result in significant impacts to unknown subsurface archaeological materials that may be encountered during grading and excavation activities for the proposed project.	Less than Significant with Mitigation	Less	Equal	Equal	Equal
PALEONTOLOGICAL RESOURCES					
Grading/construction activities associated with <i>Village 7 SPA Plan</i> implementation would affect portions of the Otay formation which underlies the project site and could potentially impact paleontological resources, if unknown paleontological resources are encountered.	Less than Significant with Mitigation	Less	Equal	Equal	Equal
BIOLOGY					
Implementation of the <i>Village 7 SPA Plan</i> would permanently develop/remove 288.5 acres of existing agricultural land and non-native grassland which decreases the amount of foraging land that is available for use by two sensitive bird species which are of CDFG Species of Special Concern.	Significant And Unmitigable	Less	Equal	Equal	Equal
UTILITIES AND PUBLIC SERVICES					
Implementation of the proposed project would result in significant impacts to the sewer system due to creating a demand for sewer service in an area where sewer service is currently planned, but not developed.	Less than Significant with Mitigation	Less	Equal	Equal	Equal
The existing sewage disposal system does not currently serve the project site or have sufficient	Less than Significant	Less	Equal	Equal	Equal

capacity to accommodate flow from the proposed project site.	with Mitigation				
PUBLIC HEALTH AND SAFETY					
Soils samples taken on the high school designated portion of project site detected arsenic and OCP levels that exceed PRGs designated by the United States Environmental Protection Agency which would be considered as a significant health risk.	Less than Significant with Mitigation	Less	Equal	Equal	Equal
PARKS, RECREATION, TRAILS, AND OPEN SPACE					
A 7.6-acre neighborhood park is proposed within the <i>Village 7 SPA Plan</i> ; however, a total of 11.4 acres of parkland dedication is needed to serve the buildout population of the <i>Village 7 SPA Plan</i> .	Less than Significant with Mitigation	Less	Equal	Equal	Equal

7.0 REFERENCES, PERSONS AND AGENCIES CONTACTED, AND EIR PREPARATION

7.1 References

The following references were used in the preparation of this Environmental Impact Report and are available for review by the public at the offices of the City of Chula Vista, Planning Department at 276 Fourth Avenue in Chula Vista, California 91910 or at the offices of David Evans and Associates, Inc. at 8989 Rio San Diego Drive, Suite 335, San Diego, California 92108 during normal business hours.

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- RECON, Revised Noise Technical Report for Otay Ranch Village Seven City of Chula Vista, California, February 23, 2004.
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7.2 Persons and Agencies Contacted

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**ENVIRONMENTAL IMPACT REPORT
FOR THE
VILLAGE 7 SECTIONAL PLANNING AREA PLAN
AND TENTATIVE MAPS**

**CEQA FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

October 12, 2004

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BEFORE THE CHULA VISTA CITY COUNCIL

RE: Village 7 Sectional Planning Area Plan and Tentative Maps Environmental Impact Report (EIR); SCH #2003111050; EIR #04-06.

FINDINGS OF FACT

I.

INTRODUCTION AND BACKGROUND

The Final Environmental Impact Report (Final EIR) prepared for the *Village 7 Sectional Planning Area Plan and Tentative Maps* project addresses the potential environmental effects associated with implementation of the project. In addition, the Final EIR evaluates four alternatives to the proposed project: the No Project/No Development alternative, Bridge Crossing of La Media Road alternative, Alternative Mix of Land Uses, and Reduce Density alternative.

The Final EIR represents a second tier EIR, in accordance with CEQA Section 21094, and tiers off the Program EIR prepared for the Otay Ranch General Development Plan (EIR 90-01/SCH #89010154).

These findings have been prepared to comply with requirements of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 *et seq.*) and the CEQA Guidelines (Cal. Code Regs., Title 14, § 15000 *et seq.*).

II.

ACRONYMS

ADT	Average Daily Traffic
AM	morning
BMP	Best Management Practices
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
City	City of Chula Vista
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CSS	Coastal Sage Scrub
CVPD	Chula Vista Police Department
dB	decibels
dBA	A weighted sound level
EIR	Environmental Impact Report
FAA	Federal Aviation Administration
FPP	Fire Protection Plan
GDP	General Development Plan
GMOC	Growth Management Oversight Committee
gpd	gallons per day
LOS	Levels of Service
MMRP	Mitigation Monitoring and Reporting Program
mph	miles per hour
MS	Masters of Science Degree
MSCP	Multiple Species Conservation Program
MSS	Maritime Succulent Scrub
NOI	Notice of Intent
NO _x	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
OCP	organochlorine pesticide
OWD	Otay Water District
PFDIF	Public Facilities Development Impact Fees
PFFP	Public Facilities Finance Plan
Ph.D.	Doctorate Degree
PM	evening
PM ₁₀	Particulate matter
RMP	Resource Management Plan

ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SCAQMD	South Coast Air Quality Management District
SPA	Sectional Planning Area
SR	State Route
SRP	Subregional Plan
SUSMP	Standard Urban Storm Water Mitigation Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SWSAS	Storm Water Sampling and Analysis Strategy
TM	Tentative Map
VORTAC	VHF OMNI-Directional Range/Tactical Air Navigation

III.

PROJECT DESCRIPTION

The *Village 7 SPA Plan* project presents a plan of development for the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 of the Otay Ranch GDP area. The *Village 7 SPA Plan* allows for a total of 756 single-family dwelling units and 448 multi-family dwelling units. A minimum of 10 percent of the total dwelling units within the *Village 7 SPA Plan* will provide housing for low and moderate-income households. Other land uses designated by the *Village 7 SPA Plan* include an elementary school, a high school, public park, community purpose facilities, open space, and roadways. The *Village 7 SPA Plan* is consistent with and implements the Otay Ranch GDP.

The *Village 7 SPA Plan* project includes the concurrent processing of Tentative Maps (TMs) for both the McMillin Otay Ranch, LLC and Otay Project LP ownerships. The McMillin Otay Ranch, LLC TM results in the development of a total of 310 single-family residential units and 448 multi-family residential units and the grading for a 7.6-acre park site, a 11.1-acre elementary school site, a 23.4-acre high school site and a 1.1-acre community purpose facility site. The Otay Project LP TM includes the development of 375 single-family residential units and a 1.7 acre community purpose facility site. The TMs also establish infrastructure requirements.

The *Village 7 SPA Plan* also includes off-site infrastructure improvements, which are needed to serve the proposed development within the McMillin Otay Ranch, LLC and Otay Project LP ownerships. A connector road between La Media Road and Magdalena Avenue will run through a portion of land owned by Otay Land Company, as well as require grading into a portion of the FAA property located south and west of the project site and not a part of the *Village 7 SPA Plan* project. Grading into a small portion of the northeast corner of the FAA site associated with Magdalena Avenue would also occur. Additionally, the Otay Project LP TM will include a 44-acre borrow site located immediately west of the project and south of Wolf Canyon.

Discretionary Actions

The discretionary actions to be taken by the City Council of the City of Chula Vista (City) include the following:

- ***Village 7 SPA Plan***. In approving the proposed project, the City would process the *Village 7 SPA Plan* in compliance with the General Plan and GDP goals and policies.

- ***McMillin Otay Ranch, LLC Tentative Map.*** In approving the proposed project, the City would allow for development of the McMillin Otay Ranch, LLC ownership within Village 7 in accordance with SPA Plan land uses and performance standards.
- ***Otay Project LP Tentative Map.*** In approving the proposed project, the City would allow for development of the Otay Project LP ownership within Village 7 in accordance with SPA Plan land uses and performance standards.

The City Council will also determine whether the Final EIR is complete and in compliance with CEQA as part of the certification process.

The City of Chula Vista is the lead agency and has discretionary power of approval for all the actions pertaining to the Village 7 SPA and TMs sought by McMillin Otay Ranch, LLC and Otay Ranch LP, the applicants for the project. The Final EIR is intended to satisfy CEQA requirements for environmental review of those actions.

Project Goals and Objectives

As specified in the Final EIR, the objectives of this project include:

- Implement and demonstrate consistency with the goals, objectives, and policies of the Chula Vista General Plan and the Otay Ranch General Development Plan;
- Implement Chula Vista's Growth Management Program to ensure that public facilities are provided in a timely manner;
- Foster development patterns which promote orderly growth and minimize urban sprawl;
- Maintain and enhance a sense of community identity within the City of Chula Vista and surrounding neighborhoods;
- Provide for the establishment of a pedestrian-oriented village;
- Promote complementary uses between villages to balance activities, services and facilities;
- Promote effective management of natural resources by concentrating development into less sensitive areas while preserving large contiguous open space areas with sensitive resources;
- Contribute to the unique Otay Ranch image and identity that differentiate Otay Ranch from other communities;

- Wisely manage limited physical resources;
- Implement development consistent with the provisions of the Otay Ranch Resource Management Plan (RMP);
- Establish a land use and facility plan that assures village viability in consideration of existing and anticipated economic conditions; and
- Provide for the future development of a high school to accommodate the anticipated high school student projections.

IV.

BACKGROUND

The *Village 7 SPA Plan* project area is located in the Otay Valley parcel portion of the Otay Ranch, a 23,700-acre, master-planned community. The first tier of planning and approvals for Otay Ranch, which included a Program Environmental Impact Report (Otay Ranch GDP/SRP Program EIR 90-01/SCH #89010154), was approved in October 1993. At that time, it was anticipated that due to the large project area, complexity of issues, and extended buildout time frame, second tier documents will be required to address subsequent development projects. The *Village 7 SPA Plan* provides a second tier planning document that details how the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7 will be developed. In accordance with Section 21093 of CEQA, this EIR tiers from the Otay Ranch GDP Program EIR and provides specific environmental review for the McMillin Otay Ranch, LLC and Otay Project LP portions of Village 7.

Historically, the land comprising Otay Ranch, including the *Village 7 SPA Plan* project area, has been used for agricultural purposes such as ranching, grazing, dry farming, and truck farming activities. Crop production consisted primarily of hay and grains due to limited water availability. The majority of the site is still used for agricultural activities.

The applicants for the *Village 7 SPA Plan* project (McMillin Otay Ranch, LLC and Otay Project LP) own the majority of the land comprising Village 7; however, the applicants do not own all land within Village 7. The other ownerships are Otay Land Company, FAA, and the Stephen & Mary Birch Foundation. Because the applicants do not control the land outside the *Village 7 SPA Plan* project area, they are unable to specifically plan these areas as part of the SPA, and land uses have not been assigned to these properties. Future development of those areas outside the

control of the applicants will require amendment(s) to the *Village 7 SPA Plan* and subsequent environmental review under CEQA.

V.

RECORD OF PROCEEDINGS

For purposes of CEQA and the findings set forth below, the administrative record of the City Council decision on the environmental analysis of this project shall consist of the following:

- The Notice of Preparation and all other public notices issued by the City in conjunction with the project;
- The Draft and Final EIR for the project (EIR #04-06), including appendices and technical reports;
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the proposed project;
- All documents, comments, and correspondence submitted by members of the public and public agencies in connection with this project, in addition to comments on the EIR for the project;
- All documents submitted to the City by other public agencies or members of the public in connection with the EIR, up through the close of the public hearing;
- Minutes and verbatim transcripts of all workshops, the scoping meeting, other public meetings, and public hearings held by the City, or videotapes where transcripts are not available or adequate;

- Any documentary or other evidence submitted at workshops, public meetings, and public hearings for this project;
- All findings and resolutions adopted by City decision makers in connection with this project, and all documents cited or referred to therein; and
- Matters of common knowledge to the City, which the members of the City Council considered regarding this project, including federal, state, and local laws and regulations, and including but not limited to the following:
 - Chula Vista General Plan;
 - Relevant portions of the Zoning Code of the City;
 - Otay Ranch General Development Plan (GDP);
 - Otay Ranch Resource Management Plan (RMP);
 - City of Chula Vista Multiple Species Conservation Act Subarea Plan;
 - Otay Ranch GDP/SRP Final EIR (90-01);
 - Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the record of proceedings is Susan Bigelow, Clerk to the City Council, whose office is located at 276 Fourth Avenue, Chula Vista, California 91910.

The City Council has relied on all of the documents listed above in reaching its decision on the *Village 7 SPA Plan* project, even if every document was not formally presented to the City Council or City Staff as part of the City files generated in connection with the *Village 7 SPA Plan* project. Without exception, any documents set forth above but not found in the project files fall into two categories. Many of them reflect prior planning or legislative decisions with which the City Council was aware in approving the *Village 7 SPA Plan* (see *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392 [142 Cal.Rptr. 873]; *Dominey v. Department of Personnel Administration* (1988)205 Cal.App.3d 729, 738, fn. 6 [252 Cal. Rptr. 620]). Other documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the City Council's decisions relating to the adoption

of the *Village 7 SPA Plan* (see Pub. Resources Code, section 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal. App.3d 852, 866 [226 Cal.Rptr. 575]; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155 [39 Cal.Rptr.2d 54]).

VI.

FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects.” (Emphasis added.) The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects” (emphasis added). Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects.”

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required (see Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a)). For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR” (CEQA Guidelines, § 15091, subd. (a)(1)). The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines, § 15091, subd. (a)(2)). The third potential finding is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR” (CEQA Guidelines, § 15091, subd. (a)(3)). Public Resources Code section 21061.1 defines “feasible” to mean “capable of being

accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations (see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 [276 Cal.Rptr. 410]).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (see *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [83 Cal.Rptr. 898]). “ ‘[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 [29 Cal.Rptr.2d 182]).

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects” (Pub. Resources Code, § 21002).

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-527 [147 Cal.Rptr. 842], in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level or has simply been substantially lessened but remains significant.

Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the Final EIR (FEIR).

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency (CEQA Guidelines, § 15091, subd. (a), (b)).

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b)). The California Supreme Court has stated that, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced” (*Goleta, supra*, 52 Cal.3d 553, 576).

VII.

LEGAL EFFECTS OF FINDINGS

To the extent that these findings conclude that proposed mitigation measures outlined in the EIR are feasible and have not been modified, superseded or withdrawn, the City (or “decision makers”) hereby binds itself and any other responsible parties, including the applicant and its successors in interest (hereinafter referred to as “Applicant”), to implement those measures. These findings, in other words, are not merely informational or hortatory, but constitute a binding set of obligations that will come into effect when the City adopts the resolution(s) approving the project.

The adopted mitigation measures are express conditions of approval. Other requirements are referenced in the mitigation monitoring reporting program adopted concurrently with these findings and will be effectuated through the process of implementing the project.

The mitigation measures are referenced in the mitigation monitoring and reporting program adopted concurrently with these findings, and will be effectuated both through the process of implementing the Otay Ranch GDP and through the process of constructing and implementing the *Village 7 SPA Plan*.

VIII.

MITIGATION MONITORING PROGRAM

As required by Public Resources Code section 21081.6, subd. (a)(1), the City, in adopting these findings, also concurrently adopts a mitigation monitoring and reporting program (MMRP) as prepared by the environmental consultant under the direction of the City. The program is designed to ensure that during project implementation, the applicant and any other responsible parties comply with the feasible mitigation measures identified below. The program is described in the document entitled *Village 7 SPA Plan Mitigation Monitoring Reporting Program*. The City will use the MMRP to track compliance with project mitigation measures. The MMRP will be available for public review during the compliance period.

The monitoring program is dynamic in that it will undergo changes as additional mitigation measures are identified and additional conditions of approval are placed on the project throughout the project approval process. The monitoring program will serve as a dual purpose of verifying completion of the mitigation measures for the proposed project and generating information on the effectiveness of the mitigation measures to guide future decisions. The program includes monitoring team qualifications, specific monitoring activities, a reporting system, and criteria for evaluating the success of the mitigation measures.

IX.

SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Final EIR identified a number of direct and indirect significant environmental effects (or “impacts”) that the project will cause. Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Others cannot be fully mitigated or avoided by the adoption of feasible mitigation measures or feasible environmentally superior alternatives. However, these effects are outweighed by overriding considerations set forth in Section XII below. This Section (IX) presents in greater detail the City Council’s findings with respect to the environmental effects of the project.

The project will result in significant environmental changes with regard to the following issues: land use; agricultural resources; traffic, circulation and access; noise; air quality; landform alteration/aesthetics; hydrology/drainage/water quality; geology and soils; cultural resources; paleontological resources; biological resources; and utilities and public services (sewer, water, police, fire and emergency medical services, parks and recreation, schools and libraries) and public health and safety. These significant environmental changes or impacts are discussed in Final EIR 04-06 in Table ES-1 on pages ES-4 through ES-14 and in Chapter 4, Environmental Impact Analysis, pages 4.1-1 through 4.15-9. No significant effects were identified for population and housing, solid waste disposal and gas and electricity services. The proposed project will result in unmitigable changes to land use, agricultural resources, air quality, landform alterations/aesthetics, and biological resources.

Land Use

Implementation of the proposed Village 7 SPA Plan and TMs will result in direct impacts associated with land use compatibility with: a) visual impacts of the VORTAC facility from residential use; b) noise impacts from traffic along Birch and La Media Roads; park lighting “spillover” into residential neighborhoods, and c) on-going agricultural operations adjacent to the proposed urban uses. In addition, the proposed project will result in a significant change in character of the site from undeveloped to urban uses. The overall change in the character and use of the site from rural agricultural to urban will have a significant cumulative land use impact as identified in the GDP Program EIR (90-01).

Agricultural Resources

Implementation of the proposed project will result in a significant direct short-term land use compatibility impact at the interface between on-going agricultural operations and urban development. The proposed project will also result in the direct loss of Prime Farmland or Grazing Land to urban uses. The loss of agricultural land and land suitable for the production of crops associated with the *Village 7 SPA Plan* project will also contribute to the cumulatively significant impact identified in the GDP Program EIR (90-01) due to the incremental and irreversible loss or impairment of limited agricultural resources.

Traffic, Circulation, and Access

Approval of the *Village 7 SPA Plan* project will result in significant direct impacts to traffic at the intersection of Rock Mountain Road/La Media Road and to the roadway segment of Rock Mountain Road from La Media Road to SR 125. The project will contribute to cumulative traffic impacts at the intersections of Telegraph Canyon Road/I-805 southbound ramps and at Rock Mountain Road/La Media. Additionally, the project will contribute incrementally to cumulative roadway segment impacts along Telegraph Canyon Road from I-805 to Oleander Avenue, along Rock Mountain Road from Main Street to SR 125, and along Rock Mountain Road from SR 125 to Eastlake Parkway.

Noise

Traffic-generated noise along Birch Road, La Media Road and SR 125 will cause a significant direct noise impact on proposed residential uses within the *Village 7 SPA Plan* area.

Air Quality

The proposed project will result in temporary and long-term cumulative air quality impacts. Construction and grading activities will result in temporary emissions from equipment exhaust emissions. Operation of the project will result in long-term cumulative emissions from project-related vehicular trips. Once the *Village 7 SPA Plan* project area is built out, the project will contribute to long-term cumulative operational emissions, primarily from vehicle emissions that will exceed SCAQMD thresholds. The GDP Program EIR (90-01) identified significant short-term and cumulative impacts on regional air quality from build out of the Otay Ranch.

Landform Alteration/Aesthetics

The *Village 7 SPA Plan* will result in an overall change to the existing Otay Ranch area topography and landscape from predominantly rural to a more urban/developed character. Grading will permanently alter the natural landform of the site. The GDP Program EIR (90-01) identified significant direct and cumulative impacts to landform alteration and aesthetics due to change of land use from undeveloped to urban, and due to the alteration of existing landforms. In addition, the proposed project will result in significant direct impacts associated with the increase in light and glare from the increase in developed area.

Hydrology/Drainage/Water Quality

Project implementation will introduce landscaping, impermeable surfaces, and urban activities to undeveloped land, as well as new pollutant sources, such as automobiles and household products, which will result in significant long-term, direct and cumulative, impacts. Impermeable surfaces will decrease the amount of infiltration occurring at the project site and will lead to increased runoff rates and the potential for pollutants to be introduced to water sources.

Geology and Soils

Potentially significant construction-related direct impacts to geology and soils at the site will result from the presence of compressible and expansive soils and the potential for settlement and landslides to occur.

Cultural Resources

The proposed project will impact the four archaeological sites known to exist within the proposed project site. These sites have been tested and determined to be not significant under CEQA; therefore, the project will not result in direct or cumulatively significant impacts to archaeological resources that have been identified as significant. However, the proposed project could result in significant impacts to unknown important subsurface archaeological materials that may be encountered during grading and excavation activities for the project.

Paleontological Resources

Grading activities associated with the development of the project will potentially impact paleontological resources. Destruction of paleontological resources from the Otay formation would be a significant direct impact.

Biological Resources

Implementation of the proposed *Village 7 SPA Plan* and TMs will result in a direct and cumulative impacts to non-native grassland which is raptor foraging habitat. The Otay Ranch GDP Program EIR (90-01) identified loss of raptor foraging habitat as a significant impact. Additionally, development of the McMillin Otay Ranch, LLC TM and the Otay Project LP TM will result in significant direct impacts to revegetated maritime succulent scrub, coastal sage scrub, disturbed coastal sage scrub, and jurisdictional waters.

Utilities and Public Services

Sewer. The proposed wastewater generation will result in significant direct impacts to the existing sewer system.

Water. The projected water demand could result in significant direct impacts on water service, if water facilities to serve the project are not constructed prior to demand.

Law Enforcement. The proposed project will result in significant direct impacts to law enforcement due to the increase in demand for patrol officers to service the proposed land uses.

Fire and Emergency Medical Services. The proposed project would result in a significant direct impact on fire and emergency medical services due to the increase in demand for services to the proposed land uses.

Schools. The proposed project will result in a significant direct impact on schools due to the fact that the proposed project would generate elementary, middle, and high school-aged children.

Library. The proposed project will result in a significant direct impact on library service due to an increase in demand.

Public Health and Safety

Soils samples taken at the project site identified because arsenic, organochlorine pesticides (OCP) and low levels of DDE, DDT and toxaphene. The proposed project could result in potentially significant direct impacts related to contaminated soils.

Parks, Recreation, Trails, and Open Space

The *Village 7 SPA Plan* will result in direct impacts to parks. The proposed project will result in the need for 11.5 acres of developed parkland. As proposed, a 7.6-acre neighborhood park site will be provided; therefore, an additional 3.8 acres of parkland is needed.

A. LAND USE

Standards of Significance:

The proposed project would have a significant impact on land use if it would:

- Physically divide an established community;
- Conflict with any applicable land use plan, policy, or applicable agency regulation adopted for the purpose of avoiding or mitigating an environmental effect; or
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

Impact:

The proposed project will result in significant direct land use compatibility impacts associated with: a) visual impacts of the VORTAC facility from residential use; b) noise impacts from traffic along Birch and La Media Roads; park lighting “spillover” into residential neighborhoods, and c) on-going agricultural operations adjacent to the proposed urban uses.

Finding:

Pursuant to section 15091 (a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

The land use compatibility impacts would result from the location of different land uses adjacent to one another. These land use compatibility impacts are in the form of visual quality, noise and agricultural operations. Implementation of mitigation measures discussed under Agricultural Resources, Noise, and Landform Alteration/Aesthetics would reduce the land use compatibility impacts.

Mitigation Measures:

Mitigation for the land use compatibility impacts are identified under Agricultural Resources (mitigation measure 4.2-1), Noise (mitigation measures 4.4-1 and 4.4-2) and Landform Alteration/Aesthetics (mitigation measures 4.6-1 and 4.6-2). As discussed below under each of these environmental issues, the mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.2, page 7; Subchapter 4.4, page 12; Subchapter 4.6, pages 32-33).

Significance After Mitigation:

Implementation of the mitigation measures identified above would reduce the significant land use compatibility impacts to below significance.

Impact:

Implementation of the *Village 7 SPA Plan*, in conjunction with buildout of the remaining portions of Village 7, Otay Ranch, and other nearby projects, will contribute to the conversion of over 30,000 acres of undeveloped land to urban uses. The overall loss of agricultural land and change in the character and use of the site from rural agricultural to urban would have a significant cumulative land use impact (EIR, Subchapter 5.0, page 5.4), as identified in the GDP Program EIR (90-01).

Finding:

There is no feasible mitigation available for this impact. Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Explanation:

The *Village 7 SPA Plan* would result in the conversion of undeveloped land to urban uses. This impact is identical to that assessed in the Otay Ranch GDP Program EIR (90-01). In adopting the Findings of Fact to approve the Otay Ranch GDP, the City Council found that there are no feasible measures that would mitigate the impact to below significance and a Statement of Overriding Considerations was adopted. The *Village 7 SPA Plan* would not result in any new significant adverse impacts to land use, or an intensification of such impacts, that were not analyzed in Program EIR 90-01. This unavoidable effect is acceptable when balanced against the

specific overriding economic, legal, social, technological and other considerations describe in the Statement of Overriding Considerations, Section XII, below.

Mitigation Measures:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact of the conversion of land to urban uses to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to the loss of undeveloped land will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to land use that was identified and assessed in the Program EIR 90-01, and overridden in the City’s Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

B. AGRICULTURAL RESOURCES

Standards of Significance:

The proposed project would have a significant impact on agricultural resources if it:

- Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use.
- Conflicts with existing zoning for agricultural use or a Williamson Act contract.
- Involves other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to nonagricultural use.

Impact:

Short-term land use incompatibility due to noise, odors, insects, rodents, and chemicals at the interface between on-going agricultural operations and urban development will result in potentially significant direct impacts.

Finding:

Pursuant to section 15091 (a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Historically, the *Village 7 SPA Plan* area has been used for dry farming and sheep and cattle grazing. Crop production was limited to hay and grains due to limited water availability. Dry farming and cattle grazing activities continue as active uses on-site. There is no land currently subject to the Williamson Act on the *Village 7 SPA Plan* property. Development of the *Village 7 SPA Plan* would temporarily introduce urban uses, residents, and school children adjacent to agricultural uses until Village 7 is built out.

Mitigation Measures:

The following mitigation measure has been identified to reduce potentially significant, short-term direct impacts between on-going agricultural uses and urban uses. The mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.2, page 7).

4.2-1 The agricultural plan included in the *Village 7 SPA Plan* shall be implemented for the area as development proceeds on the project. The following measures shall be implemented by the developer to the satisfaction of the Director of Planning and Building:

- 1) A 200-foot buffer between developed property and on-going agriculture operations;
- 2) Vegetation to shield adjacent urban development (within 400 feet) from agriculture activities where pesticides are to be applied;
- 3) Notification of adjacent property owners of potential pesticide application through newspaper advertisements; and
- 4) Fencing, where necessary, to ensure the safety of *Village 7 SPA Plan* residents.

Significance After Mitigation:

With implementation of mitigation measure 4.2-1, direct impacts associated with on-going agricultural uses will be less than significant.

Impact:

The conversion of 288.5 acres of agricultural land to urban uses will contribute to a significant cumulative impact due to the incremental and irreversible loss or impairment of limited agricultural resources. The Program EIR (90-01) found the conversion of prime farmland and elimination of crop production to be a significant and unmitigable impact.

Finding:

There is no feasible mitigation available for this impact. Pursuant to section 15091 (a)(3) of the CEQA Guidelines, specific economic, legal, social, technological, or other considerations make this alternative infeasible.

Explanation:

The *Village 7 SPA Plan* would result in the conversion of agricultural land to urban uses. The cumulative commitment of agricultural land to urban uses will be irreversible. In adopting the Findings of Fact to approve the Otay Ranch GDP, the City Council found that there are no feasible measures that would mitigate the impact below a level of significant, and a Statement of Overriding Considerations was adopted. This impact is identical to that assessed in the Otay Ranch GDP Program EIR (90-01). The *Village 7 SPA Plan* would not result in any new significant adverse impacts to agricultural resources, or an intensification of such impacts, that were not analyzed in Program EIR 90-01. This unavoidable effect is acceptable when balanced against the specific overriding economic, legal, social, technological and other considerations describe in the Statement of Overriding Considerations, Section XII, below.

Mitigation Measures:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact of the conversion of agricultural land to urban uses to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to the loss of agricultural lands will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to agricultural resources that was identified and assessed in the Program EIR 90-01, and overridden in the City's Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

C. TRAFFIC, CIRCULATION, AND ACCESS

Standards of Significance:

The criteria utilized to determine if a traffic impact at an intersection, street segment, or freeway is considered significant is based on City of Chula Vista standards. Both project specific and cumulative project impacts can be significant impacts. Additionally, the criteria differs depending on whether the timing of impacts are near-term or long-term. These criteria are outlined below.

NEAR TERM (STUDY HORIZON YEAR 0 TO 4)

Intersections

A direct project impact to an intersection would occur if both of the following criteria are met:

1. Level of service is LOS E or LOS F; and
2. Project trips comprise five percent or more of entering volume.

A cumulative impact to an intersection would occur if only Criteria #1 is met.

Street Segments

If Average Daily Trips (ADT) methodology indicates LOS C or better for a street segment, an impact is not significant; if ADT methodology indicates LOS D, E or F for a street segment, the Growth Management Oversight Committee (GMOC) method should be utilized, which uses the following criteria:

A direct project impact would occur to a street segment if all of the following criteria are met:

1. Level of service is LOS D for more than two hours if LOS E/F for one hour based on GMOC criteria;
2. Project trips comprise five percent or more of segment volume; and
3. Project adds greater than 800 ADT to segment.

A cumulative impact to a street segment would occur only if Criteria #1 is met.

LONG TERM (STUDY HORIZON YEAR 5 AND LATER)

Intersections

A direct project impact to an intersection would occur if both of the following criteria are met:

1. Level of service is LOS E or LOS F; and
2. Project trips comprise five percent or more of entering volume.

A cumulative impact to an intersection would occur only if Criteria #1 is met.

Street Segments

Using the ADT methodology, an impact is considered significant if the following criteria are met:

A direct project impact to a street segment would occur if all three of the following criteria are met:

1. Level of service is LOS D, LOS E, or LOS F;
2. Project trips comprise five percent or more of total segment volume; and
3. Project adds greater than 800 ADT to segment.

A cumulative impact to a street segment would occur only if Criteria #1 is met.

However, if the intersections along a LOS D or LOS E operating segment all operate at LOS D or better, the segment impact is considered not significant since intersection analysis is more indicative of actual roadway system operations than street segment analysis. If the segment LOS is LOS F, the impact is significant regardless of the intersection LOS. The impact is direct if the project is responsible for over five percent and cumulative if less than five percent.

If it is determined that a direct project impact would occur at Study Horizon Year 10 or later, and is offsite and not adjacent to the project, the impact is considered cumulative.

In the event a direct identified project specific impact occurs at Study Horizon Year 5 or earlier and the impact is offsite and not adjacent to this project, but the property immediately adjacent to the identified project specific impact is also proposed to be developed in approximately the same time frame, an additional analysis may be required to determine whether or not the identified

project specific impact would still occur if the development of the adjacent property does not take place. If the additional analysis concludes that the identified project specific impact is no longer a direct impact, then the impact shall be considered cumulative.

Impact:

The project will result in a significant direct impact, under Scenarios 9 and 10, to the Rock Mountain Road/La Media Road intersection and to Rock Mountain Road from La Media Road to SR 125 roadway segment.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant direct effects as identified in the EIR to a level of insignificance.

Explanation:

Implementation of the *Village 7 SPA Plan* would introduce new sources of traffic to the project site. Project-related traffic from development under Scenarios 9 and 10 will directly impact the Rock Mountain Road/La Media Road intersection, resulting in a LOS E in the AM peak hour and LOS F in the PM peak hour. Additionally, the segment of Rock Mountain Road from La Media Road to SR 125 would operate at a LOS F.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.3, page 4.3-31).

4.3-1: Prior to 2030, assuming the scenarios of 9 or 10, the applicant shall pay a fair share toward the construction of the six-lane Prime Arterial segment of Rock Mountain Road between La Media and SR 125 with the appropriate intersection geometry, or shall construct the road segment.

Significance After Mitigation:

With implementation of mitigation measure 4.3-1, significant direct traffic impacts will be less than significant.

Impact:

Cumulative impacts associated with the proposed project will occur under Scenarios 1, 3, 4, 5, 6, 8, 9, and 10 at the following intersections and/or roadway segments:

- **Scenario 1** - Rock Mountain Road/La Media Road intersection; and along Rock Mountain Road from La Media Road to SR 125.
- **Scenario 3** - Rock Mountain Road from SR 125 to Eastlake Parkway.
- **Scenario 4** - Rock Mountain Road from SR 125 to Eastlake Parkway.
- **Scenario 5** - Rock Mountain Road from SR 125 to Eastlake Parkway.
- **Scenario 6** - Rock Mountain Road/La Media Road intersection; and along Rock Mountain Road from La Media Road to SR 125.
- **Scenario 8** - Rock Mountain Road from Main Street to La Media Road, from La Media Road to SR 125, from SR 125 to Eastlake Parkway, and from SR 125 and Eastlake Parkway.
- **Scenario 9** - Rock Mountain Road/La Media Road intersection; and along Rock Mountain Road from Main Street to La Media Road, and from SR 125 to Eastlake Parkway.
- **Scenario 10** - Rock Mountain Road from SR 125 to Eastlake Parkway.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant cumulative effect as identified in the EIR to a level of insignificance.

Explanation:

Traffic from development under scenarios 1, 3, 4, 5, 6, 8, 9, and 10 will contribute to cumulative traffic impacts. The intersections of Telegraph Canyon Road/I-805 southbound ramps and Rock Mountain Road/La Media would operate at unacceptable levels of service (LOS E or F).

Additionally, the project would contribute incrementally to cumulative roadway segment impacts along Telegraph Canyon Road from I-805 to Oleander Avenue, and along Rock Mountain Road from Main Street to SR 125 and from SR 125 to Eastlake Parkway at the Rock Mountain Road/La Media Road intersection and along Rock Mountain Road from La Media Road to Eastlake Parkway.

Mitigation Measures:

The following mitigation measures are feasible and are required as conditions of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.3, page 4.3-32).

- 4.3-2: No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.
- 4.3-3: Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.
- 4.3-4: Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.
- 4.3-5: Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway.
- 4.3-6: Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.
- 4.3-7: Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.

Significance After Mitigation:

With implementation of mitigation measures 4.3-2 through 4.3-7, cumulative traffic impacts will be reduced to below significance.

D. NOISE**Standards of Significance:**

The proposed project would have a significant noise impact if the project would:

- Result in exterior noise levels that exceed 65 CNEL in residential areas and outdoor recreational areas;
- Result in interior noise levels that exceed 45 dB CNEL for single-family and multi-family residential homes;
- Result in noise levels that violate the City's Noise Ordinance (Chapter 19.68 of the Municipal Zoning Code);
- Create a substantial permanent or temporary increase in ambient noise levels in the project vicinity above levels existing without the project; or
- Generate a one-hour average noise level (Leq) in excess of 60 dBA at the adjacent wildlife habitat during a nesting season.

Impact:

Noise from traffic along Birch Road, future La Media Road, and future SR 125 will result in potentially significant direct impacts at adjacent residences within the *Village 7 SPA Plan* project.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Implementation of the project will introduce a permanent source of traffic noise to the area. Noise from traffic along Birch Road, La Media Road, and SR 125 will be significant on the proposed residential uses adjacent to these roadways.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.4, pages 4.4-12).

4.4-1 Noise walls shall be secured to the satisfaction of the City Engineer and Environmental Review Coordinator for residential units located along Birch Road and La Media Road prior to receiving a grading permit, and constructed prior to occupancy of 1st unit. An acoustical study confirming wall geometrics and conformance with the City’s noise threshold is required prior to finalization of site and grading plans. Based on preliminary design and assumptions, the following wall heights would be required to meet City standards:

Birch Road	7 feet
La Media Road	6 feet

4.4-2 1. Noise barriers, varying between three to 14 feet in height, shall be constructed along the top of the pad slopes or near the edge of SR 125, as shown in Figure 4.4-2, *Proposed Noise Barriers along SR 125*. The barriers shall be either walls, berms, or a combination thereof, and constructed of solid material with a density of at least four pounds per square foot and without any cracks or gaps.

The City limits the height of noise walls to eight and a half feet. Therefore, where noise barriers in excess of eight and a half feet are required, the barrier shall be constructed of a combination of noise wall and berm, with the wall portion not exceeding eight and a half feet.

2. For the multi-family development area adjacent to SR 125, only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. An acoustical analysis shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to

approval of building permits. The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.

3. For the single-family development area adjacent to SR 125, an acoustical study shall be conducted concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.

4. For multi-family areas where second- and third-floor exterior noise levels are projected to exceed 60 CNEL, the affected units shall include a ventilation or air conditioning system to ensure that interior noise levels meet the interior standard of 45 CNEL.

Significance After Mitigation:

With implementation of mitigation measures 4.4-1 and 4.4-2, noise impacts will not be significant.

E. AIR QUALITY

Standards of Significance:

A significant air impact is identified if the project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- 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;
- Expose sensitive receptors to substantial pollutant concentrations; or,
- Create objectionable odors affecting a substantial number of people.

Impact:

Development of the *Village 7 SPA Plan* project area will result in short-term cumulative air quality impacts associated with construction activities.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant temporary air quality effect to a level of insignificance.

Explanation:

Implementation of the *Village 7 SPA Plan* will introduce new sources of air emissions to the San Diego Air Basin, which is a non-attainment area. Development of the project will result in a short-term cumulative air quality impact from dust generated during construction activities, fumes, and equipment exhaust.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.5, page 16).

4.5-1: The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:

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

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

Significance After Mitigation:

Construction related cumulative air quality impacts will be less than significant.

Impacts:

The proposed project will result in temporary and long-term air quality impacts associated with construction and operation of the proposed project. Once the proposed project is built out, the major source of air pollution will be from project-related traffic. These emissions would exceed the thresholds for ROG, NO_x, CO and PM₁₀ resulting in significant cumulative air quality impacts. The San Diego Air Basin is a non-attainment area; therefore, any emissions will result in a significant impact.

Finding:

With implementation of all feasible mitigation identified above, project-related traffic emissions will still exceed the identified significance threshold ROG, NO_x, CO, and PM₁₀ in Year 2005. There is no feasible mitigation available for this impact. Pursuant to section 15091 (a)(3) of the CEQA Guidelines, specific economic, legal, social, technological, or other considerations make this alternative infeasible.

Explanation:

Implementation of the *Village 7 SPA Plan* will introduce new sources of air emissions to the San Diego Air Basin, which is a non-attainment area. Development of the project will contribute to cumulatively significant emissions resulting from the introduction of human activity and vehicles to the area that exceed SCAQMD thresholds.

Mitigation Measures:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the significant air quality impact to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to air quality will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to air quality that was identified and assessed in the Program EIR 90-01, and overridden in the City's Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

F. LANDFORM ALTERATION/AESTHETICS

Standards of Significance:

A significant landform alteration/visual quality impact is identified if the project could:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including but not limited to trees, rock, outcroppings, or historic buildings within view of a state scenic highway.
- Substantially degrade the existing visual character or quality of the site and its surroundings.
- Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Impact:

The proposed project would develop residential areas adjacent to the existing FAA VORTAC facility. Views of the VORTAC from residential areas would be temporarily adverse.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a less than significant level.

Explanation:

The project proposes residential development adjacent to the FAA VORTAC Facility, which has a centrally-located navigational beacon and is surrounded by chain-linked fence. No landscaping is found at the FAA site. Until development of the VORTAC facility occurs, visual impacts will occur related to the view of the facility.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.6, pages 32).

4.6-1 Perimeter landscaping, in accordance with the Landscape Master Plan, within the McMillin Otay Ranch, LLC and Otay Project LP ownerships shall occur with each phase of development adjacent to the FAA property to minimize views of the FAA VORTAC facility.

Significance After Mitigation:

Implementation of mitigation measure 4.6-1 will reduce visual impacts to below significance.

Impact:

Uses proposed by the *Village 7 SPA Plan* will result in an increase in nighttime lighting and glare.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a less than significant level.

Explanation:

Light and glare impacts will increase with the development of the site. Residential, schools, and park uses will introduce nighttime lighting, and there will be a significant increase in nighttime illumination from the project site. Additionally, vehicular traffic associated with residents and visitors to the site would include the use of headlights during the evening and nighttime hours.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.6, page 32).

4.6-2 Lighting for community facilities, recreation areas, and sports fields shall be approved by the Director of General Services and Environmental Review Coordinator prior to approval of a final site plan for the park. Shielded, uni-directional lighting shall be used. Additionally, lighting at these facilities to be shut off between 11 pm and 7 am.

Significance After Mitigation:

Implementation of mitigation measure 4.6-2 will reduce impacts to below significance.

Impact:

Implementation of the TMs would result in a temporary significant visual impacts associated with the grading of the elementary school site and offsite borrow area.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a less than significant level.

Explanation:

Grading would permanently alter existing landform. Grading would be required of the elementary school site and the offsite borrow area. However, development of these areas is not proposed at this time.

Mitigation Measures:

In addition to the above measures, the following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.6, page 32-33).

4.6-3 The perimeter slopes and street parkways surrounding the elementary school site shall be landscaped as an interim measure until the future development of the elementary school occurs.

4.6-4 The perimeter of the off-site borrow area shall be landscaped as an interim measure until the future development of the borrow area occurs.

Impact:

The proposed project will result in cumulatively significant and unmitigable landform alteration and aesthetics impacts related to: (i) an unavoidable change in the overall visual character of the project area; (ii) an unavoidable impact to landforms; and (iii) an unavoidable impact related to development in highly visible areas. These impacts are identical to the significant and unmitigable landform alteration and aesthetics impacts that were identified and assessed in Program EIR 90-01, and overridden in the City's Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

Finding:

There is no feasible mitigation available for this impact. Pursuant to section 15091 (a)(3) of the CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Explanation:

The project would develop an undeveloped site used for agricultural purposes with urban uses. Implementation of the project will result in an overall change in topography and landscape, and the conversion of the site from predominantly agricultural to urban uses. These impacts are considered direct and cumulative significant impacts and are identical to those assessed in the GDP Program EIR (90-01). The proposed project would not result in any new landform alteration and aesthetics impacts or on intensification of such impacts that were not analyzed in Program EIR (90-01).

Mitigation Measures:

No mitigation is available to lessen or avoid this impact.

Significance After Mitigation:

Cumulative impacts to aesthetics and landform will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to land use that was identified and assessed in the Program EIR 90-01, and overridden in the City's Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

G. HYDROLOGY/DRAINAGE/WATER QUALITY**Standards of Significance:**

A significant impact on hydrology, drainage, or water quality if the project would:

- Violate any water quality standards or waste discharge requirements;
- Substantially impact groundwater;
- Substantially alter the existing drainage pattern of the site or area;
- Result in runoff that exceeds the capacity of existing or planned stormwater drainage systems;
- Provide substantial additional sources of polluted runoff; or
- Expose people or structures to flooding or inundation by seiche, tsunami, or mudflow.

Impact:

The proposed project will introduce impervious surfaces and alter the existing runoff pattern at the project site, resulting in direct impacts to hydrology, drainage, and water quality.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effects as identified in the EIR.

Explanation:

Development of the *Village 7 SPA Plan* will introduce landscaping, impervious surfaces, and new surface activities to undeveloped land. This will result in significant direct impacts to water quality because surface water runoff will be increased due to the impervious surfaces, and the peak runoff of the project site will be affected. Additionally, new pollutant sources will be introduced, such as automobiles and household products, and there will be a greater chance for runoff to pick up surface pollutants and deposit them into local water resources.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.7, pages 11-12).

- 4.7-1 Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.
- 4.7-2 Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the *Village 7 SPA Plan* project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.
- 4.7-3 Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7 (Rick Engineering Company, May 24, 2004) and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).

- 4.7-4 Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.
- 4.7-5 After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultants shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.

Significance After Mitigation:

Implementation of mitigation measures 4.7-1 through 4.7-5 will reduce impacts to below significance.

Impact:

The project, in conjunction with the development of other projects in the Eastern Territories, will increase the amount of impervious surfaces, decrease ground water replenishment, aggravate existing downstream drainage and flooding problems, and contribute to cumulatively significant water quality degradation downstream and in local water resources.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a level of insignificance.

Explanation:

The project will be developed in accordance with the regulations of the RWQCB, and engineering and design features will be required to ensure water quality is maintained. Other projects in the vicinity will be similarly required to adhere to NPDES and RWQCB requirements, which are directed at reducing the amount of urban pollutants entering natural water courses and sensitive coastal resources.

Mitigation Measure:

Mitigation measures 4.7-1 through 4.7-5 listed above are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.7, pages 11-12).

Significance After Mitigation:

Implementation of mitigation measures 4.7-1 through 4.7-5 will reduce cumulative impacts to water quality and hydrology to below significance.

H. GEOLOGY AND SOILS**Standards of Significance:**

The project could have a significant effect on geology and soils if it would:

- Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides;
- Result in substantial soil erosion or the loss of topsoil; or
- Be located on expansive soils or on a geologic unit or soil that is unstable, or that would become unstable as a result of the project.

Impact:

The presence of compressible and expansive soils and the potential for settlement and landslides to occur at the project site is considered a potentially significant direct impact.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Expansive soils, which include alluvium, colluvium, and claystone occur throughout the project site. Expansive soils may adversely impact structural slabs and foundations and roadways due to their swelling characteristics. The adverse effects of slope creep, landslides or lateral fill extension may also occur with expansive soil fills and cuts.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.8, page 15).

4.8-1 Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Geotechnical Investigation McMillin Otay Ranch, Village 7, prepared by Geotechnics Incorporated, dated January 23, 2004, for the eastern portion of the *Village 7 SPA Plan* project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.

4.8-2 Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California dated May 5, 2004 prepared by Geocon Incorporated, for the western portion of the *Village 7 SPA Plan* project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.

Significance After Mitigation:

Implementation of mitigation measures 4.8-1 and 4.8-2 will reduce impacts to below significance.

I. CULTURAL RESOURCES

Standards of Significance:

A project could have a significant effect on cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource defined in §15064.5;

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or,
- Disturb any human remains, including those interred outside of formal cemeteries.

Impact:

Grading and excavation activities associated with construction of the roadways off-site could result in significant direct impacts to unknown subsurface archaeological materials.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a level of insignificance.

Explanation:

There are no known significant archaeological sites within the proposed project site. However, the proposed project could result in significant impacts to unknown subsurface archaeological materials that may be encountered during grading and excavation activities associated with the proposed project.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.9, page 4.9-6).

- 4.9-1 A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.

Significance After Mitigation:

Implementation of mitigation measure 4.9-1 will reduce impacts to below significance.

J. PALEONTOLOGICAL RESOURCES

Standards of Significance:

The proposed project could have a significant effect on paleontological resources, if it would:

- Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

Impact:

Grading associated with development of the site could directly impact unknown paleontological resources in the upper sandstone, the lower gritstone, and the fanglomerate portions of the Otay formation.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

The project site is underlain by the Otay Formation, which is characterized by an upper portion with high paleontological resource sensitivity and a lower portion with moderate resource sensitivity. Impacts to paleontological resources occur when earthwork activities cut into geological formations that are fossil bearing and destroy the buried fossil remains. Areas of the Otay Formation, which are known to be fossil-bearing, may be exposed during grading and construction activities and could impact unknown paleontological resources.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.10, pages 4-5).

4.10-1 Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to

consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)

4.10-2 A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations (Otay Formation) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).

4.10-3 If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.

4.10-4 Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.

Significance After Mitigation:

Implementation of mitigation measures 4.10-1 through 4.10-4 will reduce impacts to below significance.

Impact:

The GDP Program EIR (90-01) identified the potential for disturbance of significant paleontological resources as a cumulatively significant impact. Grading activities associated with development of the site in combination with buildout of the Otay Ranch GDP area could impact buried paleontological resources in the Otay Formation. Therefore, the project would contribute to cumulatively significant paleontological impacts.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a level of insignificance.

Explanation:

Cumulatively significant impacts to paleontological resources resulting from the continued development of the area were identified in the Otay Ranch GDP Program EIR, and a Statement of Overriding Considerations was adopted. The GDP Program EIR identified mitigation measures for potential impacts to paleontological resources, which the project will comply with.

Mitigation Measures:

Mitigation measures 4.10-1 through 4.10-4 listed above are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.10, pages 4-5):

Significance After Mitigation:

Implementation of mitigation measures 4.10-1 through 4.10-4 will reduce impacts to below significance.

K. BIOLOGICAL RESOURCES**Standards of Significance:**

A significant biological impact would occur if the project would:

- Affect sensitive or species of special concern or their habitats, sensitive natural communities, or federally protected wetlands, or interfere with the movement of wildlife species within wildlife corridors or nursery sites; or
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, or with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Impact:

The proposed *Village 7 SPA* and TMs will have direct significant impacts to sensitive habitat, including 1.2 acres of revegetated MSS, 0.10 acres of coastal sage scrub habitat, and 0.3 acres of disturbed coastal sage scrub, and .34 non-wetland Waters of the U.S. that occur on the project site. Even though the proposed project is not anticipated to result in significant impacts to burrowing owls, the potential exists for owls to have relocated to the site since the last focused surveys of the site.

Findings:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Sensitive habitat, including revegetated MSS, coastal sage scrub, and non-wetland Waters of the U.S., is found within the project site and would be impacted by development of the project. Focused surveys for burrowing owls were conducted and no burrowing owls were found. However, the potential exists for the relocation of burrowing owls to the site since the time of the focused surveys.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.11, pages 25-26).

- 4.11-1 Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.188 acres for each acre of development area, or pay a fee in lieu.
- 4.11-2 Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.

- 4.11-3 Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.14 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.
- 4.11-4 Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.2 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.
- 4.11-5 The developer shall prepare a restoration plan to restore 0.40 acres of Coastal sage scrub habitat (CSS) pursuant to the Otay Ranch RMP restoration requirements. The CSS restoration plan shall be approved by the Department of Planning and Building prior to issuance of the grading permit and shall include an implementation plan, maintenance and monitoring program, estimated completion time and any relevant contingency measures. Alternatively, no restoration will be required if impacts to CSS are entirely avoided.
- 4.11-5 Prior to issuance of grading permit, the developer shall prepare a plan to the satisfaction of the Director of Planning and Building to reduce indirect impacts to the Preserve adjacent to the borrow site. The plan shall address adjacency provisions of the MSCP and RMP, including but not limited to, buffering techniques, control of invasives, access restrictions, water quality and noise reduction.

Significance After Mitigation:

With implementation of mitigation measures 4.11-1 through 4.11-5, direct impacts to biological resources will not be significant.

Impact:

Development of the project site will contribute to the cumulative loss of raptor foraging habitat. The loss of raptor foraging habitat was also identified as a significant impact in the GDP Program EIR (90-01).

Finding:

There is no feasible mitigation available for this impact. Pursuant to section 15091(a)(3) of the CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Explanation:

Implementation of the proposed *Village 7 SPA Plan* would eliminate 288.5 acres of undeveloped land used for foraging by raptors. The GDP Program EIR (90-01) identified the loss of raptor foraging habitat as a significant impact. The *Village 7 SPA Plan* and TMs, as an implementation activity of the GDP, will contribute to this significant impact.

Mitigation Measures:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact of the loss of foraging habitat to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to the loss of foraging habitat will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to foraging habitat that was identified and assessed in the Program EIR 90-01, and overridden in the City's Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

L. UTILITIES AND PUBLIC SERVICES

SEWER SERVICE

Standards of Significance

The proposed project would have a significant impact on sewer service if it would:

- Exceed wastewater treatment requirements of the San Diego Regional Water Control Board;
- Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Require sewer service where additional sewage treatment capacity is not presently available;
or
- Result in the deterioration of the quality of service provided to the area.

Additionally, the City's Threshold Standards Policy require the following:

1. Sewage flows and volumes shall not exceed City Engineering Standards as set forth in the Subdivision Manual adopted by City Council Resolution Number 11175 on February 12, 1983, as may be amended from time to time.
2. The City shall annually provide the San Diego Metropolitan Sewer Authority with a 12 to 18 month development forecast and request confirmation that the projection is within the City's purchased capacity rights and an evaluation of their ability to accommodate the forecast and continuing growth, or the City Engineering Department staff shall gather the necessary data.

Impact:

A significant direct impact to sewer service will occur if sewer facilities to serve the project site are not constructed at the time the project is ready to develop.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effects as identified in the EIR to a level of insignificance.

Explanation:

The project site is currently undeveloped and not served by a sewer system. Development of the *Village 7 SPA Plan* will generate a total of 371,292 gpd of wastewater, which will result in significant impacts to the existing sewer system. No sewer facilities currently serve the project site; therefore, sewer facilities will need to be constructed to accommodate sewer flows from the proposed project.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.12a, page 8):

4.12a-1: Prior to the recordation of any final map, the City Engineer shall be satisfied that the connections to the Salt Creek Interceptor via the Rock Mountain Road Trunk Sewer have been constructed or that the Poggi Canyon Trunk Sewer has calculations of existing and anticipated sewage flows have determined thresholds at which two capital improvement projects must be completed: 1) the increase of the size of the Poggi Canyon Trunk Sewer within Reach 205 when Poggi Basin EDU's exceed 1,635 and 2) the construction of the Rock Mountain Trunk Sewer connection to the Salt Creek Interceptor when Poggi Basin EDU's exceed 5,000. These thresholds represent additional cumulative flows to the Poggi Canyon Trunk Sewer in excess of currently entitled and reserved EDU's within the Poggi Basin.

4.12a-2: Sewer facility improvements shall be financed or installed on-and- off -site in accordance with the fees and phasing in the approved Public Facilities Financing Plan.

Significance After Mitigation:

Implementation of mitigation measures 4.12a-1 and 4.12a-2 will reduce impacts to below significance.

WATER SERVICE

Standards of Significance:

The proposed project would have a significant impact on water service if it:

- Cannot be served from existing entitlements and resources and would require the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or
- Disrupts water service or causes water purveyors to provide inadequate levels of service.

In accordance with the City's Thresholds Standards Policy:

1. Developer will request and deliver to the City a service availability letter from the Water District for each project.
2. The City shall annually provide the San Diego County Water Authority, the Sweetwater Authority, and the Otay Municipal Water district with a 12 to 18 month development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth. The Districts' replies should address the following:
 - a. Water availability to the City and Planning Area, considering both short and long term perspectives.
 - b. Amount of current capacity, including storage capacity, now used or committed.
 - c. Ability of affected facilities to absorb forecast growth.
 - d. Evaluation of funding and site availability for projected new facilities.
 - e. Other relevant information the District(s) desire(s) to communicate the City and GMOC.

Impact:

A significant direct impact to water storage and pumping facilities will occur, if construction of facilities does not coincide with the development phasing of the proposed *Village 7 SPA Plan*.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Development of the project site with urban uses would result in the need for water service to the site to serve its residents and employees. The project will place additional demands on water storage and pumping facilities to serve the increased population at the site. The impact to water storage and pumping facilities will be significant, if construction of facilities does not coincide with the development phasing of the proposed project.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.12b, page 18) for impacts associated water service.

- 4.12b-1: Prior to approval of the first final map, a final Subarea Water Master Plan (SAMP) shall be required for the project. The Master Plan shall include the design of water system infrastructure including timing and cost of development and must be in compliance with the OWD Master Plan. Water facilities improvements shall be financed or installed on- and off-site in accordance with the SAMP.
- 4.12b-2: Prior to the approval of the first final map for the project, the Developer shall secure and agree with the Otay Water District to construct all potable water facilities (on and off-site) required to serve the project.
- 4.12b-3: Prior to approval of the first final map for the project, the applicant shall provide the City with a letter from the OWD stating that adequate storage capacity exists or would be available to serve the project.
- 4.12b-4: Water facility improvements shall be financed or installed on-and off-site in accordance with the fees and phasing in the approved Public Facilities Finance Plan (PFFP) for the *Village 7 SPA Plan*.

Significance After Mitigation:

Impacts associated with water service will not be significant.

POLICE PROTECTION

Standards of Significance:

According to the City of Chula Vista’s Quality of Life Threshold Standards, the proposed project would have direct adverse impacts on police protection if the proposed project would:

- Result in the CVPD’s inability to implement the following regulations:
 1. Properly equipped staff and police units shall respond to 84 percent of “Priority One” emergency calls within seven minutes and maintain an average response time to all “Priority One” emergency calls of 4.5 minutes or less.
 2. Response to 62 percent of “Priority Two Urgent” calls within seven minutes and maintain an average response time to all “Priority Two” calls of seven minutes or less.

Impact:

The *Village 7 SPA Plan* will result in the need for additional patrol officers to service the proposed land uses, which is considered a direct significant impact to law enforcement services.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Development of the project site would introduce urban uses to the area, which require the services of the CVPD. The developers of the *Village 7 SPA Plan* will be required to pay development fees, which will help to fund additional patrol officers in the area.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.12c, pages 12-21).

4.12c-1 Prior to the approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).

4.12c-2 The City will monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis.

Significance After Mitigation:

Impacts to police protection will not be significant.

FIRE AND EMERGENCY MEDICAL SERVICE

Standards of Significance:

According to the City of Chula Vista’s Quality of Life Threshold Standards, the proposed project would have direct adverse impacts on fire and emergency medical services if the proposed project would:

- Not implement regulations set forth from the following criteria:
 1. Properly equipped and staffed fire and medical units shall respond to calls throughout the City within seven minutes in 85 percent of calls.

Impact:

The *Village 7 SPA Plan* project will increase the demand for fire and emergency medical response services at the project site, resulting in a significant direct impact.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effect as identified in the EIR to a level of insignificance.

Explanation:

Development of the project site would introduce urban uses to the area, which require fire and emergency medical services. The developer will pay development fees for fire protection and emergency medical services to help finance the needed facilities and services

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.12d, page 24).

4.12d-1 Prior to approval of each building permit, the developer shall pay PFDIF.

4.12d-2 The City will monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis.

4.12d-3 A Fire Protection Plan (FPP) is required for this SPA as allowed by the California Fire Code 2001ed Article 86 – Fire Protection Plan Urban-Wildland Interface Area. The FPP will include a Brush Management Plan, this plan will be provided from an approved list of consultants. Ultimately, fuel modification requirements will be decided by the Chula Vista Fire Department upon the review of Brush Management Plan. This plan will include all slopes within the village.

Significance After Mitigation:

Impacts to fire and medical emergency service will not be significant.

SCHOOLS

Standards of Significance:

The project could have a significant adverse impact on the provision of public services and facilities, such as school services, if it would:

- Result in a need for new or physically altered governmental facilities, the construction of which may cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

In accordance with the City's Threshold Policy:

- The City shall annually provide the two local school districts with a 12 to 18 month development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth. The growth forecast and school district response letters shall be provided to the GMOC for inclusion in its review.

Impact:

The project would result in an incremental increase to school-aged children; however, the project would not result in significant impacts to school services. In accordance with State law, the project would be required to pay school fees.

Finding:

The project would not result in impacts to school services; however, school fees would be required in accordance with State law.

Explanation:

The proposed project will develop single-family and multi-family uses, which will generate elementary, middle, and high school-aged children. As a result, the project will result in an incremental increase in the demand for school services. Payment of fees is required in accordance with State law.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.12e, page 32).

4.12e-1 Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Chula Vista Elementary Unified School District to the satisfaction of the School District.

4.12e-2 Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Sweetwater Union High School District to the satisfaction of the School District.

Significance After Mitigation:

Impacts to schools will not be significant.

LIBRARY

Standards of Significance:

According to the City of Chula Vista’s Quality of Life Threshold Standards, the proposed project would have direct adverse impacts on library services, if the proposed project would:

- Result in less than the recommended ratio of 500 square feet of adequately equipped and staffed library facility per 1,000 population.

Impact:

The proposed project will result in an incremental increase in the demand for library services; however, this is not considered a significant impact.

Finding:

The project would not result in significant impacts to library services; however, the project is required to pay Public Facilities Development Impact Fees.

Explanation:

The project will introduce 3,624 residents to the Eastern Territories area of Chula Vista. These residents will require 2,537 square feet of library space and increase demand library facilities, supplies, and services, which are currently not provided.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.12f, page 35).

4.12f-1 Prior to approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).

Significance After Mitigation:

Impacts to libraries will not be significant.

M. PUBLIC HEALTH AND SAFETY

Standards of Significance

The proposed project would have a significant impact on public health and safety if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands; or
- Be inconsistent with the *Education Code or CCR Title 5* requirements for siting of future schools.

Impact:

The project will result in a direct impact to public health and safety due to soil contamination at the project site.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effects as identified in the EIR to a level of insignificance.

Explanation:

Implementation the proposed project will result in potential public health and safety impacts due to the presence of pesticide residue in on-site soils. Arsenic and OCP levels that exceed PRG designated by the United States Environmental Protection Agency were detected at the project site, which is considered a health risk. Development of the project will introduce residents to the project site, who could be affected by the contaminated soils.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.13, pages 11-12):

4.13-1: Prior to grading, the applicant of Grading Contractor shall enroll in the Voluntary Assistance Program operated by the county of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer.

Significance After Mitigation:

Implementation of mitigation measure 4.13-1 will reduce impacts to below significance.

N. PARKS, RECREATION, TRAILS, AND OPEN SPACE

Standards of Significance

The proposed project would have a significant impact on park and recreation facilities if it would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment.

Additionally, the City of Chula Vista’s Quality of Life Threshold Standards requires a standard of three acres of improved local parkland with appropriate facilities per 1,000 residents east of Interstate 805 (I-805).

Impact:

The project will result in a demand for 11.5 acres of developed park land, which is considered a direct impact.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant environmental effects as identified in the EIR to a level of insignificance.

Explanation:

Implementation the proposed project will result the need for 11.5 acres of developed park land. As proposed, the project will provide a 7.6 acre park site, which is 3.9 acres less than the total required park land. Additionally, this park land will need to be developed.

Mitigation Measures:

The following mitigation measure is feasible and is required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.15, pages 8-9):

4.15-1 The developer of the *Village 7 SPA Plan* shall dedicate parkland, pay park development fees and/or pay park in-lieu fees to meet the total obligation of 11.5 acres in accordance with the PFFP.

Significance After Mitigation:

Implementation of mitigation measure 4.15-1 will reduce impacts to below significance.

X.

CUMULATIVE SIGNIFICANT EFFECTS & MITIGATION MEASURES

Cumulative impacts are those which “are considered when viewed in connection with the effects of past projects, the effect of other current projects, and the effects of probable future projects” (Pub. Resources Code Section 21082.2 subd. (b)). Several development proposals have been submitted for consideration or have been recently approved by the City of Chula in proximity of the project site for the *Village 7 SPA Plan* project. These “current or probable future” development proposals can affect many of the same natural resources and public infrastructure as development of the *Village 7 SPA Plan*. Potentially significant cumulative impacts are associated with development of the project in conjunction with these surrounding development projects.

In formulating mitigation measures for the project, regional issues and cumulative impacts have been taken into consideration. Many of the mitigation measures adopted for the cumulative impacts are similar to the project level mitigation measures. This reflects the inability of the Lead Agency to impose mitigation measures on surrounding jurisdictions (i.e., City of San Diego, City of National City, and Caltrans) and the contribution of these jurisdictions to cumulative impacts. The project, along with other related projects, will result in the following irreversible cumulative environmental changes. All page numbers following the impacts refer to pages in the EIR.

The Otay Ranch GDP Program EIR (90-01) provided a comprehensive examination of the cumulative impacts associated with buildout of the entire Otay Ranch in conjunction with other related projects. The proposed *Village 7 SPA Plan* project would not substantially change the conclusions of the cumulative impact analysis from the Otay Ranch GDP EIR, since the proposed *Village 7 SPA Plan* project is consistent with the adopted GDP for Village 7.

A. LAND USE, PLANNING, AND ZONING

Impact:

Implementation of the *Village 7 SPA Plan*, in conjunction with buildout of the remaining portions of Village 7, Otay Ranch, and other nearby projects, will contribute to the conversion of over 30,000 acres of undeveloped land to urban uses. The overall loss of agricultural land and change in the character and use of the site from rural agricultural to urban would have a significant cumulative land use impact (EIR, Subchapter 5.0, page 5.4), as identified in the GDP Program EIR (90-01).

Finding:

There is no feasible mitigation measure to reduce this impact to below significance. Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR..

Explanation:

There are no feasible measures that would mitigate the impact to below a level of significance. In adopting the Findings of Fact to approve the Otay Ranch GDP, the City Council found that there are no feasible measures that would mitigate the impact below a level of significant, and a Statement of Overriding Considerations was adopted. The City Council determined that the cumulative land use impacts were acceptable because of the specific overriding considerations.

Mitigation Measures:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact of the conversion of land to urban uses to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to the loss of undeveloped land will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to land use that was identified and assessed in the Program EIR 90-01, and overridden in the City’s Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

B. AGRICULTURAL RESOURCES

Impact:

Cumulative development of Otay Ranch and surrounding properties will result in the permanent loss or impairment of lands suitable and historically used as prime agricultural land. The GDP Program EIR (90-01) found the conversion of prime farmland and elimination of existing crop production to be a significant and unmitigable impact.

Finding:

There is no feasible mitigation measure to reduce this impact to below significance. Pursuant to section 15091(a)(3) of the State CEQA Guideline, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Explanation:

The region represents an agricultural resource because of its coastal climatic conditions that are favorable to agricultural production. The cumulative commitment of agricultural land to urban uses will be irreversible. In adopting the Findings of Fact to approve the Otay Ranch GDP, the City Council found that there are no feasible measures that would mitigate the impact below a level of significant, and a Statement of Overriding Considerations was adopted.

Mitigation Measure:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact of the loss of agricultural land to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

No additional measures are available for the *Village 7 SPA Plan* to reduce the impacts, and therefore, the cumulative impacts related to the loss of agricultural land represented by the *Village 7 SPA Plan* remain significant and unmitigable.

C. TRAFFIC, CIRCULATION AND ACCESS

Impact:

Cumulative impacts associated with the proposed project will occur under Scenarios 1, 3, 4, 5, 6, 8, 9, and 10 at the following intersections and/or roadway segments:

- **Scenario 1** - Rock Mountain Road/La Media Road intersection; and along Rock Mountain Road from La Media Road to SR 125.
- **Scenario 3** - Rock Mountain Road from SR 125 to Eastlake Parkway.

- **Scenario 4** - Rock Mountain Road from SR 125 to Eastlake Parkway.
- **Scenario 5** - Rock Mountain Road from SR 125 to Eastlake Parkway.
- **Scenario 6** - Rock Mountain Road/La Media Road intersection; and along Rock Mountain Road from La Media Road to SR 125.
- **Scenario 8** - Rock Mountain Road from Main Street to La Media Road, from La Media Road to SR 125, from SR 125 to Eastlake Parkway, and from SR 125 and Eastlake Parkway.
- **Scenario 9** - Rock Mountain Road/La Media Road intersection; and along Rock Mountain Road from Main Street to La Media Road, and from SR 125 to Eastlake Parkway.
- **Scenario 10** - Rock Mountain Road from SR 125 to Eastlake Parkway

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a level of insignificance.

Explanation:

Development of the proposed project will have significant cumulative under scenarios 1, 3, 4, 5, 6, 8, 9, and 10. The intersections of Telegraph Canyon Road/I-805 southbound ramps and Rock Mountain Road/La Media would operate at unacceptable levels of service (LOS E or F). Additionally, the project would contribute incrementally to cumulative roadway segment impacts along Telegraph Canyon Road from I-805 to Oleander Avenue, and along Rock Mountain Road from Main Street to SR 125 and from SR 125 to Eastlake Parkway.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.3, page 32).

- 4.3-2: No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.
- 4.3-3: Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.
- 4.3-4: Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.
- 4.3-5: Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway.
- 4.3-6: Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.
- 4.3-7: Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.

Significance After Mitigation:

Implementation of mitigation measures 4.3-2 through 4.3-7 will reduce cumulative traffic impacts to below significance.

D. AIR QUALITY

Impact:

The proposed project will result in temporary and long-term air quality impacts associated with construction and operation of the proposed project. Once the proposed project is built out, the

major source of air pollution will be from project-related traffic. These emissions would exceed the thresholds for ROG, Nox, CO and PM₁₀ resulting in significant cumulative air quality impacts. The San Diego Air Basin is a non-attainment area; therefore, any emissions will result in a significant impact.

Finding:

With implementation of all feasible mitigation, project-related traffic emissions will still exceed the identified significance threshold ROG, NOx, CO, and PM₁₀ in Year 2005. There is no feasible mitigation available for this impact. Pursuant to section 15091(a)(3) of the CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR..

Explanation:

The project site is located within the San Diego Air Basin, a non-attainment area. Vehicular traffic generated by project residents, in concert with all other traffic in the project vicinity, will contribute to cumulatively significant air quality impacts.

Mitigation Measure:

The following mitigation measure is feasible and is required as a condition of approval and is made binding on the applicant through these findings (EIR, Subchapter 4.5, page 4.5-16).

4.5-1: The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:

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

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

Significance After Mitigation:

With implementation of all feasible mitigation identified above, project-related traffic emissions will still exceed the identified significance threshold ROG, NO_x, CO, and PM₁₀ in Year 2005. The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact to air quality to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact. This impact is identical to the significant and unmitigable impact to air quality that was identified and assessed in the Program EIR 90-01, and overridden in the City’s Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

E. LANDFORM ALTERATION/AESTHETICS

Impact:

Implementation of the Otay Ranch GDP would continue to result in cumulatively significant and unmitigable landform alteration and aesthetics impacts related to: (i) an unavoidable change in the overall visual character of the project area; (ii) an unavoidable impact to landforms; and (iii) an unavoidable impact related to development in highly visible areas. These impacts are identical to the significant and unmitigable landform alteration and aesthetics impacts that were identified and assessed in Program EIR 90-01, and overridden in the City’s Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

Finding:

There is no feasible mitigation measure to reduce this impact to below significance. Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible mitigation the measures or project alternatives identified in the Final EIR..

Explanation:

Implementation of the *Village 7 SPA Plan* project will affect visual quality of the region by contributing to the changing the character of the site from rural agricultural land to an urban use and changing the existing topography of the site. Therefore, the project will contribute to the cumulative significant change in visual quality identified by the GDP Program EIR (90-01). In adopting the Findings of Fact to approve the Otay Ranch GDP, the City Council found that there are no feasible measures that would mitigate the impact to below a level of significance, and a Statement of Overriding Considerations was adopted. The City Council determined that the cumulative aesthetics and landform alteration impacts were acceptable because of the specific overriding considerations.

Mitigation Measure:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact to visual quality and landform to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to aesthetics and landform will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to land use that was identified and assessed in the Program EIR 90-01, and overridden in the City’s Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

F. HYDROLOGY/WATER QUALITY

Impact:

The project, in conjunction with the development of other projects in the Eastern Territories, will increase the amount of impervious surfaces, decrease ground water replenishment, aggravate

existing downstream drainage and flooding problems, and contribute to cumulatively significant water quality degradation downstream and in local water resources.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a level of insignificance.

Explanation:

The project will be developed in accordance with the regulations of the RWQCB, and engineering and design features will be required to ensure water quality is maintained. Other projects in the vicinity will be similarly required to adhere to NPDES and RWQCB requirements, which are directed at reducing the amount of urban pollutants entering natural water courses and sensitive coastal resources.

Mitigation Measure:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.7, pages 11-12).

- 4.7-1 Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.
- 4.7-2 Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the Village 7 SPA Plan project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.
- 4.7-3 Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7 (Rick Engineering Company, May 24, 2004)

and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).

- 4.7-4 Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.
- 4.7-5 After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultants shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.

Significance After Mitigation:

Implementation of mitigation measures 4.7-1 through 4.7-5 will reduce impacts to below significance.

G. PALEONTOLOGICAL RESOURCES

Impact:

The GDP Program EIR (90-01) identified the potential for disturbance of significant paleontological resources as a cumulatively significant impact. Grading activities associated with development of the site could impact buried paleontological resources in the Otoy Formation. Therefore, the project would contribute to cumulatively significant paleontological impacts.

Finding:

Pursuant to section 15091(a)(1) of the CEQA Guidelines, changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the EIR to a level of insignificance.

Explanation:

Cumulatively significant impacts to paleontological resources resulting from the continued development of the area were identified in the Otoy Ranch GDP Program EIR, and a Statement

of Overriding Considerations was adopted. The GDP Program EIR identified mitigation measures for potential impacts to paleontological resources, which the project will comply with. Other projects in the vicinity will be similarly required to adhere to the mitigation, which is directed at reducing impacts to paleontological resources.

Mitigation Measures:

The following mitigation measures are feasible and are required as a condition of approval and are made binding on the applicant through these findings (EIR, Subchapter 4.10, pages 4-5):

- 4.10-1 Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)
- 4.10-2 A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations (Otay Formation) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).
- 4.10-3 If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.
- 4.10-4 Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.

Significance After Mitigation:

Implementation of mitigation measures 4.10-1 through 4.10-4 will reduce impacts to below significance.

H. BIOLOGICAL RESOURCES

Impact:

Development of the *Village 7 SPA Plan* will contribute to a cumulative loss of raptor foraging habitat. The loss of raptor foraging habitat was also identified as a significant impact in the GDP Program EIR (90-01).

Finding:

There is no feasible mitigation measure to reduce this impact to below significance. Pursuant to section 15091(a)(3) of the State CEQA Guidelines, specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR..

Explanation:

Implementation of the *Village 7 SPA Plan* will eliminate approximately 288.5 acres of agricultural land and non-native grassland used for foraging by raptor species. The GDP Program EIR (90-01) identified the loss of raptor foraging habitat as a significant impact. The *Village 7 SPA Plan* project will contribute to this significant impact.

Mitigation Measures:

The City Council found in adopting the findings to approve the Otay Ranch GDP that there are no feasible measures that would mitigate the impact of the loss of foraging habitat to below a level of significance. Therefore, the *Village 7 SPA Plan*, as a project that implements the GDP, would contribute to this cumulatively significant unmitigable impact.

Significance After Mitigation:

Cumulative impacts to the loss of foraging habitat will remain significant and unmitigable. This impact is identical to the significant and unmitigable impact to foraging habitat that was

identified and assessed in the Program EIR 90-01, and overridden in the City's Statement of Overriding Considerations prepared for the adopted Otay Ranch GDP.

XI.

FEASIBILITY OF POTENTIAL PROJECT ALTERNATIVES

Because the project will cause significant environmental effects, as outlined above, the City must consider the feasibility of any environmentally superior alternative to the project as finally approved. The City must evaluate whether one or more of these alternatives could avoid or substantially lessen the significant environmental effects. Where no significant environmental effects remain after application of all feasible mitigation measures identified in the EIR, the decision makers must still evaluate the project alternatives identified in the EIR. Under these circumstances, CEQA requires findings on the feasibility of project alternatives.

In general, in preparing and adopting findings, a lead agency need not necessarily address feasibility when contemplating the approval of a project with significant impacts. Where the significant impacts can be mitigated to an acceptable (insignificant) level solely by the adoption of mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of environmentally superior alternatives, even if their impacts would be less severe than those of the projects as mitigated (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376 [253 Cal.Rptr. 426]; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515 [147 Cal.Rptr. 842]; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692 [270 Cal.Rptr. 650]). Accordingly, for this project, in adopting the findings concerning project alternatives, the City Council considers only those environmental impacts that, for the finally approved project, are significant and cannot be avoided or substantially lessened through mitigation.

If project alternatives are feasible, the decision makers must adopt a Statement of Overriding Considerations with regard to the project. If there is a feasible alternative to the project, the decision makers must decide whether it is environmentally superior to the project. Proposed project alternatives considered must be ones that "could feasibly attain the basic objectives of the project." However, the CEQA Guidelines also require an EIR to examine alternatives "capable of eliminating" environmental effects even if these alternatives "would impede to some degree the attainment of the project objectives" (CEQA Guidelines, section 15126).

The City has properly considered and reasonably rejected project alternatives as “infeasible” pursuant to CEQA. CEQA provides the following definition of the term “feasible” as it applies to the findings requirement: “feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors” (Pub. Resources Code, section 21061.1). The CEQA Guidelines provide a broader definition of “feasibility” that also encompasses “legal” factors. CEQA Guidelines section 15364 states, “the lack of legal powers of an agency to use in imposing an alternative or mitigation measure may be as great a limitation as any economic, environmental, social, or technological factor” (see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 [276 Cal.Rptr.410]).

Accordingly, “feasibility” is a term of art under CEQA and thus may not be afforded a different meaning as may be provided by Webster’s dictionary or any other sources. Moreover, Public Resources Code section 21081 governs the “findings” requirement under CEQA with regard to the feasibility of alternatives. Specifically, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings:

1. “Changes or alternations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR” (CEQA Guidelines, section 15091, subd. (a)(1)).
2. “Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines, section 15091, subd. (a)(3)).
3. “Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR” (CEQA Guidelines, section 15091, subd. (a)(3)).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [183 Cal. Rptr. 898]). “ ‘[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” (Ibid.; see

also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 [29 Cal.Rptr.2d 182]).

These findings contrast and compare the alternatives where appropriate in order to demonstrate that the selection of the finally approved project, while still resulting in significant environmental impacts, has substantial environmental, planning, fiscal, and other benefits. In rejecting certain alternatives, the decision makers have examined the finally approved project objectives and weighed the ability of the various alternative to meet objectives. The decision makers believe that the project best meets the finally approved project objectives with the least environmental impact.

The detailed discussion in Section IX and Section X demonstrates that all but five significant environmental effects of the project have been either substantially lessened or avoided through the imposition of existing policies or regulations or by the adoption of additional, formal mitigation measures recommended in the EIR. The remaining unmitigated impacts are the following:

- Land Use (direct and cumulative - conversion of the site from undeveloped to intensive urban uses);
- Agricultural Resources (cumulative - loss of agricultural lands);
- Air Quality (cumulative – operation-related emissions);
- Landform Alterations/Aesthetics (direct and cumulative - change in visual character of the site); and
- Biological Resources (cumulative – loss of raptor foraging habitat).

The GDP Program EIR (90-01) also identified significant and not mitigated impacts for land use, agricultural resources, air quality, landform alterations/aesthetics, and biological resources. The *Village 7 SPA Plan* project would contribute to the significant, unmitigated impacts identified above and by the GDP Program EIR. A Statement of Overriding Considerations was previously adopted by City Council for the GDP Program EIR, from which the *Village 7 SPA Plan* EIR tiers.

Thus, the City can fully satisfy its CEQA obligations by determining whether any alternatives identified in the EIR are both feasible and environmentally superior with respect to the impacts listed above (*Laurel Hills, supra*, 83 Cal.App.3d at 519-527 [147 Cal. Rptr.842]; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731 [270 Cal. Rptr. 650]; and

Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376, 400-403 [253 Cal. Rptr. 426]). Table 6-1 in the EIR (EIR, Chapter 6, pages 9-12) provides a summary table comparing each of the alternatives to the proposed project. As the following discussion will show, no identified alternative qualifies as both feasible and environmentally superior with respect to the unmitigated impacts.

To fully account for these unavoidable significant effects and the extent to which particular alternatives might or might not be environmentally superior with respect to them, these findings will not focus solely on the impacts listed above, but may also address the environmental merits of the alternatives with respect to all broad categories of impacts – even though such a far-ranging discussion is not required by CEQA. The findings will also assess whether each alternative is feasible in light of the City’s objectives for the project.

The City’s review of project alternatives is guided primarily by the need to reduce potential impacts associated with the project, while still achieving the basic objectives of the project. Here, the City’s primary objective is to comprehensively plan, coordinate, and implement development over a large area. More specific objectives include those previously listed in Section III. The City evaluated four alternatives to the proposed project, which are discussed below. A comparison of these alternatives is included in the EIR as Table 6-1 (EIR, Section 6.0, pages 8-11).

A. NO PROJECT/NO DEVELOPMENT ALTERNATIVE

Section 15126, subdivision(e), of the CEQA Guidelines requires the evaluation of the “No Project” alternative. Such an alternative “shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”

Under the “No Project/No Development” alternative, the *Village 7 SPA Plan* project site would remain as it is today, and no development would occur. The approximately 288.5-acre project site would remain as undeveloped, agricultural land with residential development to the north and planned future urban development to the west, east and south.

The proposed *Village 7 SPA Plan* project is consistent with the Otay Ranch GDP. The No Project/No Development alternative would not allow for the development of the *Village 7 SPA Plan* as identified in the Otay Ranch GDP. With respect to the unmitigated impacts discussed in Section 4.0, *Environmental Impact Analysis*, of this EIR, the No Project/No Development alternative would not result in direct impacts to agricultural resources, air quality, landform alteration/aesthetics, hydrology/drainage/water quality, and biological resources and utilities and

public services. Cumulative impacts to landform and aesthetics, and hydrology and water quality would also be eliminated. However, impacts to land use would occur because the project would not implement the City's General Plan, MSCP Subarea Plan or the Otay Ranch GDP, and would not provide housing opportunities within the City. With the No Project/No Development alternative, the site would not be permanently removed from future development, since applicable plans for the site identify its development.

Although the No Project/No Development alternative is considered environmentally preferable to the proposed project because it would eliminate many direct and cumulative impacts, it would not accomplish several of the goals and objectives of the proposed project and is therefore not feasible. Additionally, this alternative would result in land use conflicts because it would not allow for implementation of the Otay Ranch GDP for Village 7.

Findings:

1. The No Project/No Development alternative would not meet any of the basic project objectives as listed in Section 3.2, *Project Objectives*, of this EIR, and in Section III of these Findings of Fact.
2. The No Project/No Development alternative would not provide housing, conflicting with the housing goals of the General Plan, which recommends that housing be provided for all income groups.
3. Retention of the project site in its existing state as primarily agricultural fields would be inconsistent with the approved General Plan and existing Otay Ranch GDP land use designations for the site. In addition, key subregional traffic routes established in the Circulation Element would not be implemented.
4. Retention of the site in its current vacant condition would not implement the goals of the General Plan and would require re-evaluation of the existing GDP. The project proposes to provide regional-serving public facilities designated in the community plan, including Circulation Element roads, parks, open space, water and sewer facilities, and other infrastructure. These facilities would be needed to support surrounding developments whether the project is implemented or not. The No Project/No Development alternative would require that these facilities be provided without the benefit of the dedications and financial participation from private development, which may delay or preclude facilities from being provided. The reduction in dwelling units would result in a loss of anticipated contributions into the Public Facilities Financing Plan (PFFP) from the dwelling units/structures that would otherwise have made payments upon issuance of building

permits. The loss of units under the No Project/No Development alternative would result in a shortfall of contributions into the PFFP and potentially lead to insufficient funding for the remaining public facilities currently identified in the PFFP for construction in this area.

5. The City and County would receive lower long-term revenues in the form of property and sales tax resulting from the non-development of the proposed residential areas.

Implementation of the No Project/No Development alternative would not achieve any of the objectives established for the project. Although this alternative would at least temporarily preserve land which is currently not developed, agricultural land and other natural features on the project site, it would amount to a failure to plan the site for eventual development, despite the planned community designation contemplated by the General Plan GDP.

The No Project/No Development alternative is inconsistent with the City's objectives: to plan the project area in a comprehensive manner in a way that deals with the logical extension of public services and utilities; to plan for parks and open space to serve residents; to complete the City's circulation; and to create densities sufficient to pay for all required services and infrastructure. The alternative also fails to meet objectives favoring an accommodation of future projected population in an area reasonable close to future job-growth areas within the City, as well as the construction of affordable housing consistent with the City's goals.

For these reasons, the City Council concludes that the No Project/No Development alternative is not feasible (see *City of Del Mar, supra*, 133 Cal.App3d at 417; *Sequoiah Hills, supra*, 23 Cal.App.4th at 715).

B. ALTERNATIVE II – BRIDGE CROSSING OF LA MEDIA ROAD

The Bridge Crossing of La Media Road alternative considered a bridge crossing of La Media Road over Wolf Canyon, instead of the proposed lower crossing that utilizes fill and berming. This procedure would reduce the footprint of the bridge abutments, while allowing the canyon to remain open instead of being blocked by the berm and would reduce the visual impacts of the La Media Road crossing associated with the proposed project. Additionally, the Bridge Crossing of La Media Road alternative would facilitate the connectivity of the canyon.

However, this alternative would still require significant landform alteration and the narrowing of Wolf Canyon. Rip-rap abutments would be required, and existing natural steep slopes within the canyon would still occur where the bridge abutments would be constructed. Additionally, this

alternative would require the hanging of utilities on the bridge, which would result in greater visual impacts than the proposed project.

Under the Bridge Crossing of La Media Road alternative, the proposed grades from the Otay Project LP TM would create a steep drop (an approximately 30-foot grade difference) west of La Media. This grade differential would cause a soft bottomed crossing to be subject to significant scour and would require the placement of reinforcement/stabilizing structures. In addition, water would infiltrate and could cause the La Media Road fill crossing to be unstable, which over time could result in road failure.

The City's MSCP Subarea plan does not identify any of Village 7 as a Conserved Area; the upper reaches of Wolf Canyon that run through Village 7 are not part of the Wolf Canyon Wildlife Corridor and do not provide any connectivity for wildlife. Therefore, no open crossing under La Media is contemplated in the City's Subarea Plan or being requested by the City for biological purposes or to protect wildlife corridors.

This alternative bridge design would allow the project to achieve most of the basic project objectives. However, the Bridge Crossing of La Media Road alternative would not reduce or further mitigate impacts to landform alteration and aesthetics or biological impacts and is not considered environmentally superior. The Bridge Crossing of La Media Road alternative would also result in a 30-foot differential within Wolf Canyon, which is not engineering feasible.

Findings:

1. The Bridge Crossing of La Media Road alternative would require significant landform alteration associated with the narrowing of Wolf Canyon, as well as introduce visual impacts associated with the hanging of utilities, resulting in significant landform alteration/aesthetics impacts.
2. The Bridge Crossing of La Media Road would result in an approximate 30-foot grade differential within Wolf Canyon, which is not engineering feasible.

The Bridge Crossing of La Media Road alternative would not avoid or substantially lessen any of the significant effects of the project. This alternative would still result in significant impacts to land use, agricultural resources, traffic, noise, air quality, landform alteration/aesthetics, hydrology/drainage/water quality, geology and soils, cultural resources, paleontological resources, biological resources, utilities and public services, and public health and safety. Impacts to landform alteration/aesthetics would be different from the proposed project, but still

significant. Additionally, the Bridge Crossing of La Media Road alternative would not be engineering feasible.

For these reasons, the City Council concludes that the Bridge Crossing of La Media Road alternative is not feasible (see *City of Del Mar, supra*, 133 Cal.App3d at 417; *Sequoyah Hills, supra*, 23 Cal.App.4th at 715).

C. ALTERNATIVE III – ALTERNATIVE MIX OF LAND USES

The *Village 7 SPA Plan* covers the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7. As such, the complete development of Village 7 with all uses identified in the Otay Ranch GDP for Village 7 is not proposed. The Alternative Mix of Land Uses alternative evaluated the development of the *Village 7 SPA Plan* project area with a different mix of land uses than proposed by the project. Possible land uses identified for Village 7 by the Otay Ranch GDP, but which are not proposed by the *Village 7 SPA Plan*, include a Town Square, a mixed-use/commercial area, and a middle school, as well as additional single-family dwelling units and community purpose facilities.

A variety of land use plans could be developed for the subject property based on the land uses allowed by the Otay Ranch GDP for Village 7. In developing the proposed project land use plan, the entire village was first planned to a conceptual level to demonstrate that compliance with the Otay Ranch GDP could be accomplished as the remaining landholdings were developed. This exercise drove the land use pattern shown for the project. In addition, the plan provides for the public facility needs of the village residents by providing a site for an elementary school, a high school site and the neighborhood park on McMillin's ownership. This allows for these facilities to be developed when needed to serve the village.

Findings:

1. The Alternative Mix of Land Uses alternative would result in unmitigated impacts associated with land use, agricultural resources, air quality, landform alteration/aesthetics, and biological resources, similar to the proposed project.
2. The Alternative Mix of Land Uses alternative may not implement all of the project's objectives.

The project's land use mix may not implement all of the project objectives. Depending on the mix of uses, this alternative could result in greater or less traffic. Also depending on the mix of uses, a high school site may or may not be part of the project. However, development of the site

with any mix of the land uses identified in the Otay Ranch GDP would result in similar unmitigated impacts as the proposed project (i.e., land use, agricultural resources, air quality, landform alteration/aesthetics, and biological) and would not substantially reduce any significant impact. Furthermore, from a cumulative impacts standpoint, ultimate buildout of Village 7 in accordance with the GDP would result in similar impacts, regardless of the land use mix.

For these reasons, the City Council concludes that the Alternative Mix of Land Uses alternative is not feasible (see *City of Del Mar, supra*, 133 Cal.App3d at 417; *Sequoyah Hills, supra*, 23 Cal.App.4th at 715).

D. ALTERNATIVE IV – REDUCED DENSITY ALTERNATIVE

A Reduced Density Alternative was considered, which would reduce the project’s contribution to cumulative traffic impacts to Rock Mountain Road under Scenarios 9 and 10 of the traffic study. It should be noted that these impacts are fully mitigated by the project. In order to reduce the project’s impact to Rock Mountain Road to below a level of significance thereby not requiring mitigation, the project would need to contribute less than 800 ADT to the roadway. This would equate to the project generating a maximum total of 5,035 ADT. Therefore, the Reduced Density Alternative assumes traffic generated from the project’s proposed mixed of land uses would be 5,035 ADT.

With total traffic limited to 5,035 ADT, the Reduced Density Alternative would not allow for development of the mix of land uses proposed by Otay Ranch GDP for the *Village 7 SPA Plan* project. For example, a high school that accommodates up to 2,950 students would not be allowed, since this use alone would generate 5,900 ADT. Rather, the project could develop a maximum of 503 single-family residences only, or it could develop a maximum of 629 multi-family units only. The project could also develop with a combination of land uses (i.e., an elementary school and 205 single-family homes, or some other combination) under this alternative; however, none of these options would allow for implementation of the Otay Ranch GDP.

Findings:

1. The Reduced Density alternative would not meet the basic project objectives as listed in Section 3.2, *Project Objectives*, of this EIR, and in Section III of these Findings of Fact.
2. The Reduced Density alternative would not allow for development of Village 7 as an Urban Village, as called for in the Otay Ranch GDP.

3. The Reduced Density alternative would not allow for the project site to develop to its full potential, as allowed by the General Plan and Otay Ranch GDP.
4. The City and County would receive lower long-term revenues in the form of property and sales tax resulting from the significantly reduced development of the project site.

The Reduced Density Alternative would not allow the *Village 7 SPA Plan* to develop with enough variety to ultimately create an Urban Village, as called for in the Otay Ranch GDP, and is therefore considered infeasible. Additionally, this alternative would be inconsistent with the existing and planned villages surrounding the project site because it would be developed at a significantly lower density and is not considered environmentally superior. For these reasons, the City Council concludes that the Reduced Density alternative is not feasible (see *City of Del Mar, supra*, 133 Cal.App3d at 417; *Sequoyah Hills, supra*, 23 Cal.App.4th at 715) and environmentally superior.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires that the EIR identify the environmentally superior alternative among all of the alternatives considered, including the proposed project. If the No Project/No Development alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The environmental analysis of project alternatives presented above indicates, through a comparison of potential impacts from each of the proposed alternative and the proposed project, that the No Project/No Development alternative, if left in its current state, could be considered environmentally superior because no new uses would be introduced to the area and the project site that would result in environmental impacts. However, the No Project/No Development alternative would not implement the City's General Plan, the Otay Ranch GDP, or the RMP and would not allow delivery of the high school site, which is one of the primary project objectives. The No Project/No Development alternative would not accomplish any of the objectives of the project.

The Reduced Density alternative could also be considered environmentally superior because it would eliminate the project's contribution to cumulative traffic impacts along Rock Mountain Road. However, under this alternative, development of the site would be extremely limited in its development in order to minimize the number of trips it generates. The Reduced Density Alternative would not allow the *Village 7 SPA Plan* to develop with a variety of land uses in order for Village 7 to ultimately become an Urban Village, as identified in the Otay Ranch GDP.

Additionally, this alternative would be inconsistent with planned surrounding development and would not accomplish the project's objectives.

XII.

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED VILLAGE 7 SECTIONAL PLANNING AREA PLAN AND TENTATIVE MAPS EIR

The project would have significant, unavoidable impacts on the following areas, described in detail in Section IX of these Findings of Fact:

- Land Use;
- Agricultural Resources;
- Air Quality;
- Landform Alterations/Aesthetics; and
- Biological Resources.

The City has adopted all feasible mitigation measures with respect to these impacts. Although in some instances these mitigation measures may substantially lessen these significant impacts, adoption of the measures will, for many impacts, not fully avoid the impacts.

Moreover, the City has examined a reasonable range of alternatives to the project. Based on this examination, the City has determined that none of the alternatives (1) meets project objectives, and (2) is environmentally preferable to the proposed project.

As a result, to approve the project, the City must adopt a "statement of overriding considerations" pursuant to CEQA Guidelines sections 15043 and 15093. This provision allows a lead agency to cite a project's general economic, social, or other benefits as a justification for choosing to allow the occurrence of specified significant environmental effects that have not been avoided. The provision explains why, in the agency's judgment, the project's benefits outweigh the unavoidable significant effects. Where another substantive law (e.g., the California Clean Air Act, the Federal Clean Air Act, or the California and Federal Endangered Species Acts) prohibits the lead agency from taking certain actions with environmental impacts, a statement of overriding considerations does not relieve the lead agency from such prohibitions.

Rather, the decision-maker has recommended mitigation measures based on the analysis contained in the Final EIR, recognizing that other resource agencies have the ability to impose more stringent standards or measures.

CEQA does not require lead agencies to analyze “beneficial impacts” in an EIR. Rather, EIRs are to focus on potential “significant effects on the environment,” defined to be “adverse.” (Pub. Resources Code Section 21068.) The Legislature amended the definition to focus on “adverse” impacts after the California Supreme Court had held that beneficial impacts must also be addressed. (See, *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 206 [132 Cal.Rptr. 377].) Nevertheless, decision-makers benefit from information about project benefits. These benefits can be cited, if necessary, in a statement of overriding considerations. (CEQA Guidelines Section 15093.)

The City finds that the proposed project would have the following substantial, social, environmental and economic benefits. Any one of the reasons for approval cited below is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the Record of Proceedings, as defined in Section IV.

Environmental Protection and Preservation

The *Village 7 SPA Plan* project will convey land within the Otay Ranch Open Space Preserve at a ratio of 1.188 acres for each acre of development area, or pay a fee in lieu. The Resource Management Plan (RMP) has established performance standards for achieving an 11,375-acre Otay Ranch open space preserve. Compliance relies on progressive acquisition, or funding for acquisition, of the designated Otay Ranch Preserve areas with each development approval. Without the project’s conveyance of land or payment of fees, Village 7 will have an indirect, long-term, potentially significant impact related to biological resources management unless the Otay Ranch regional open space is preserved proportionally and concurrently with development.

The preserve includes an open space system that incorporates public education programs; links community to natural areas; and preserves and restores sensitive habitats, special landforms, and wildlife corridors. In addition, a system of paths and trails will connect the urban villages and their parks within Otay Ranch, forming a passive and active recreation network throughout the area. The RMP adopted by the Chula Vista City Council has the following functions:

- Serves as a plan-wide multi-species/habitat and cultural resources management program;
- Provides the funding, phasing, and ownership mechanisms necessary to effectively protect and manage on-site resources over the long term;
- Plans for coordinated, controlled public use and enjoyment of the Management Preserve established as part of the RMP consistent with protection of sensitive resources;
- Provides certainty that the open space will be preserved in perpetuity by requiring irrevocable dedications of open space acreage; and
- Preserves/protects cultural resources.

The RMP provides for management, resource enhancement and restoration, research, education, and interpretive activities to ensure that resource values in areas to be preserved are maintained and enhanced in perpetuity. The RMP also addresses cultural, paleontological, recreational, and agricultural resource protection needs in addition to sensitive habitats. Finally, the RMP provides an opportunity to establish large blocks of interconnected natural open space. By linking the Otay Ranch Resource Management Preserve system to large and adjacent publicly owned open space lands with resource values similar to those found on the Otay Ranch property, the RMP contributes to the creation of an overall regional open space system, providing more the 35,000 acres of interconnected open space in Otay Ranch and the immediate vicinity. The RMP identifies the preservation of sensitive habitats that contain approximately 100 species of sensitive plants and animals.

The *Village 7 SPA Plan* project will contribute to the Otay Ranch Open Space Preserve or pay a fee in lieu. Therefore, the project will help implement the 11,375-acre Otay Ranch open space preserve called for in the RMP.

Community Planning and Development

Development patterns can be designed to minimize the adverse impacts of development on air quality and congestion. The Otay Ranch area contributes to air pollution in the San Diego air basin. Most of this pollution is attributable to motor vehicles. The *Village 7 SPA Plan* project provides job opportunities, schools, and park facilities proximate to housing, which will minimize automobile trip length and thereby reduce pollutant contributions to regional air quality. Additionally, once the entire Village 7 area is developed, the Village concept of the Otay Ranch GDP further minimizes automobile trip length and pollutant contributions to regional air

quality that could otherwise result, if jobs, housing, and commercial opportunities were provided for in a typical suburban development pattern.

Otay Ranch's location adjacent to the Otay Mesa industrial area will provide housing proximate to this employment center. A mixed-use development, the GDP will promote linkage of trips, reduce trip length, and encourage use of alternative modes of transportation such as biking, walking, and use of transit. The GDP created a multi-modal transportation network that minimized the number and length of single-passenger vehicle trips. Designed to encourage walking, biking, use of transit and reduced reliance on automobiles, the GDP clusters high-density, high-intensity development in villages near transit and light rail terminals. Jobs, homes, schools, parks, and commercial centers are close by and linked by pedestrian and bicycle routes.

Comprehensive Regional Planning

The GDP and the *Village 7 SPA Plan* project provide the opportunity to comprehensively plan development that meets the region's needs for housing, jobs, infrastructure, and environmental preservation. These benefits are made possible by Otay Ranch's size and scope. The Otay Ranch GDP includes a provision for regional purpose facilities and public services that are typically not undertaken for smaller development projects. The regional planning process undertaken for the GDP involved long-range inter-jurisdictional coordination, ensuring maximum achievement of policies and regulations of both the City of Chula Vista and San Diego County.

The benefits offered by the regional planning process utilized for the GDP include the following:

- Comprehensive consideration of the GDP cumulative effects;
- Consistency in the approach to resolving regional issues such as transportation, air quality, habitat preservation, infrastructure, and public services planning; and
- Long-range coordination of local and regional public facilities.

The GDP includes a provision for designating land for regional purpose facilities. These facilities are provided by the County and are currently housed in County-owned facilities, where available, but are more commonly located in leased or rented space. Designation of land for regional purposes will facilitate the provision of these services and provide better opportunities for users of these facilities than is currently available with new development.

The *Village 7 SPA Plan* will develop a mix of uses that will ultimately contribute to an urban village once the entire Village 7 area is developed. The project is consistent with and implements the vision for Village 7, as set forth in the Otay Ranch GDP.

Housing Needs

The GDP will help meet a projected long-term regional need for housing by providing a wide variety of housing types and prices. In recent years, the cost of housing compared to other uses (e.g., commercial, industrial) has risen disproportionately to the cost of other uses in the Otay Ranch area, reflecting a shortfall in residentially zoned land. The GDP will help reduce the cost of housing by designating an adequate supply of suitable land for residential development.

The *Village 7 SPA Plan* increases the housing stock in the City by approximately 1,204 dwelling units. This proposed level of development is included in the adopted planning for the City. The project represents a future housing supply for the region. Phasing will occur in response to market conditions, which will help fulfill the demand for housing.

SANDAG has forecasted a need for an additional approximately 13,500 additional dwelling units within the City of Chula Vista by 2005. The *Village 7 SPA Plan* would enact the SANDAG policies by providing a pedestrian and trail system, preserving open space, offering new homes, increasing the tax base for the City, and providing right-of-way for the regional transit system.

The *Village 7 SPA Plan* provides five percent low-income and five percent moderate-income housing. A total of 116 affordable units (57 low-income dwelling units and 59 moderate-income dwelling units) will be provided. The proposed 10 percent affordable housing is consistent with the objectives of the City's Housing Element and the Otay Ranch GDP requirements.

Fiscal Benefit

The fiscal impact analysis conducted for the GDP and included in the Otay Ranch Service Revenue Plan concluded that, at buildout, the GDP will have a net positive impact on both the City of Chula Vista and the County of San Diego. Because it is anticipated that during buildout there will be short-term periods in which the costs to service Otay Ranch exceed revenues, the GDP includes a reserve fund program, which protects the City and County by correcting any operating deficiencies incurred by the affected jurisdiction during years where there is a fiscal shortfall. Financing of the reserve program and the cost of annual fiscal reviews will be the responsibility of the applicants.

The project will provide for significant community-wide public facilities. As the plan is implemented, it will be responsible for constructing public facilities and infrastructure to serve the project and incidentally the subregion. These facilities include:

- Improvements to regional backbone circulation system;
- Water and sewer facilities;
- An elementary school and a high school site to serve Village 7 and the subregion; and
- A public park and greenbelt and community trails.

The project would also generate new temporary construction-related jobs that would enhance the economic base of the region.

For these reasons, on balance the City Council finds there are environmental, economic, social, and other considerations resulting from the project that serve to override and outweigh the project's unavoidable significant environmental effects and, thus, the adverse unavoidable effects are considered acceptable.

VILLAGE 7 SECTIONAL PLANNING AREA PLAN

MITIGATION MONITORING REPORTING PROGRAM

Introduction

This Mitigation Monitoring Reporting Program (MMRP) was prepared for the City of Chula Vista for the *Village 7 Sectional Planning Area (SPA) Plan* to comply with Assembly Bill 3180, which requires public agencies to adopt such programs to ensure effective implementation of mitigation measures. This monitoring program is dynamic in that it will undergo changes as additional mitigation measures are identified and additional conditions are placed on the project throughout the project approval process.

This monitoring program will serve a dual purpose of verifying completion of the mitigation measures for the proposed project and generating information on the effectiveness of the mitigation measures to guide future decisions. The program includes the following:

- Monitoring team qualifications
- Specific monitoring activities
- Reporting system
- Criteria for evaluating the success of the mitigation measures

The proposed project is the adoption of a SPA Plan for the McMillin Otay Ranch, LLC and Otay Project LP ownerships within Village 7, located in the Otay River Parcel of the Otay Ranch General Development Plan (GDP).

The proposed project is the *Village 7 SPA Plan*, a development plan for an approximately 288.5-acre site within the Otay Ranch GDP/SRP area. Located in the southwestern portion of Otay Ranch, the project proposes a mix of residential and public and civic uses.

The proposed Site Utilization Plan for the *Village 7 SPA Plan* divides the village into various parcels for development with a range of land uses. The parcels located on the northern portion of the site are identified as single-family residential. A total of 756 single-family units are proposed. Located centrally within the site is the Village Core. The Village Core would provide one acre of community purpose facilities; an 11.1-acre elementary school site; and a 7.6-acre neighborhood park. Additionally, a total of 448 multi-family units, including affordable housing, would be constructed north and east of the Village Core. Other public and community purpose facilities would be located in the single-family residential portions of the site. A trail connecting Wolf Canyon to the west to the Eastern Urban Center would be provided.

The EIR, incorporated herein as referenced, focused on issues determined to be potentially significant by the City of Chula Vista. The issues addressed in the EIR include land use and planning; agricultural lands; traffic, circulation and access; noise; air quality; landform alternation and aesthetics; hydrology, drainage, and water quality; geology and soils; cultural resources; paleontological resources; biological resources; utilities and public services; public health and safety; population and housing; and parks, recreation, trails, and open space. The environmental analysis concluded that some of the significant and

potentially significant impacts could be avoided or reduced through implementation of recommended mitigation measures. Potentially significant impacts would require mitigation to the following issues: agricultural resources; traffic, circulation and access; noise; air quality; landform alteration and aesthetics; hydrology, drainage, and water quality; geology and soils; cultural resources; paleontological resources; biological resources; utilities and public services; and parks, recreation, trails, and open space.

Mitigation Monitoring Team

A monitoring team should be identified once the mitigation measures have been adopted as conditions of approval by the Chula Vista City Council. Managing the team would be the responsibility of the Mitigation Monitor (MM). The monitoring activities would be accomplished by Environmental Monitors (EMs), Environmental Specialists (ESs), and the MM. While specific qualifications should be determined by the City of Chula Vista, the monitoring team should possess the following capabilities:

- Interpersonal, decision-making, and management skills with demonstrated experience in working under trying field circumstances;
- Knowledge of and appreciation for the general environmental attributes and special features found in the project area;
- Knowledge of the types of environmental impacts associated with construction of cost-effective mitigation options; and
- Excellent communication skills.

The responsibilities of the MM throughout the monitoring effort include the following:

- Implement and manage the monitoring program;
- Provide quality control for the site-development monitoring;
- Administrate and prepare daily logs, status reports, compliance reports, and the final construction monitoring;
- Act as a liaison between the City of Chula Vista and the applicant's contractors;
- Monitor on-site, day-to-day construction activities, including the direction of EMs and ESs in the understanding of all permit conditions, site-specific project requirements, construction schedules, and environmental quality control effort;
- Ensure contractor knowledge of and compliance with all appropriate permit conditions;
- Review all construction impact mitigation and, if need be, modify existing mitigation or proposed additional mitigation;
- Have the authority to require correction of observed activities that violate project environmental conditions or that represent unsafe or dangerous conditions, and;

- Maintain prompt and regular communication with the on-site EMs and ESs and personnel responsible for contractor performance and permit compliance.

The primary role of the Environmental Monitors is to serve as an extension of the MM in performing the quality control functions at the construction sites. Their responsibilities and functions are to:

- Maintain a working knowledge of the *Village 7 SPA Plan* project permit conditions, contract documents, construction schedules, and any special mitigation requirements for his or her assigned construction area;
- Assist the MM and the applicant's construction contractors in coordinating with City of Chula Vista compliance activities;
- Observe construction activities for compliance with the City of Chula Vista permit conditions, and;
- Provide frequent verbal briefings to the MM and construction personnel, and assist the MM as necessary in preparing status reports.

The primary role of the ESs is to provide expertise when environmentally sensitive issues occur throughout the development phases of project implementation and to provide direction for mitigation.

Program Procedural Guidelines

Prior to any construction activities, meetings should take place between all the parties involved to initiate the monitoring program and to establish the responsibility and authority of the participants. Mitigation measures that need to be defined in greater detail will be addressed prior to any project plan approvals in follow-up meetings designed to discuss specific monitoring effects.

An effective reporting system must be established prior to any monitoring efforts. All parties involved must have a clear understanding of the mitigation measures as adopted, and these mitigations must be distributed to the participants of the monitoring effort. Those that would have a complete list of all the mitigation measures adopted by the City of Chula Vista would include the City of Chula Vista, the project applicant, the MM, and the construction crew supervisor. The MM would distribute to each EM and ES a specific list of mitigation measures that pertain to his or her monitoring tasks and the appropriate time frame that these mitigations are anticipated to be implemented.

In addition to the list of mitigation measures, the monitors will have mitigation monitoring report (MMR) forms, with each mitigation measure written out on the top of the form. Below the stated mitigation measure, the form will have a series of questions addressing the effectiveness of the mitigation measure. The monitors shall complete the MMR and file it with the MM following the monitoring activity. The MM will then include the conclusions of the MMR into an interim and final comprehensive construction report to be submitted to the City of Chula Vista. This report will describe the major accomplishments of the monitoring program, summarize problems encountered in achieving the goals of the program, evaluate solutions developed to overcome problems, and provide a list of recommendations for future monitoring programs. In addition, and if appropriate, each EM or ES will be required to fill out and submit a daily log report to the MM. The daily log report will be used to record and account for the

monitoring activities of the monitor. Weekly and/or monthly status report, as determined appropriate, will be generated from the daily logs and compliance reports and will include supplemental material (i.e., memoranda, telephone logs, and letters). This type of feedback is essential for the City of Chula Vista to confirm the implementation and effectiveness of the mitigation measures imposed on the project.

Actions in Case of Noncompliance

There are generally three separate categories of noncompliance associated with the adopted conditions of approval:

- Noncompliance requiring an immediate halt to a specific task or piece of equipment;
- Infraction that warrants an immediate corrective action but does not result in work or task delay, and;
- Infraction that does not warrant immediate corrective action and results in no work or task delay.

In each case, the MM would notify the applicant's contractor and the City of Chula Vista of the noncompliance, and an MMR would be filed with the MM on a daily basis.

There are a number of options the City of Chula Vista may use to enforce this program should noncompliance continue. Some methods commonly used by other lead agencies include "stop work" orders, fines and penalties (civil), restitution, permit revocations, citations, and injunctions. It is essential that all parties involved in the program understand the authority and responsibility of the on-site monitors. Decisions regarding actions in case of noncompliance are the responsibility of the City of Chula Vista.

SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

The following table summarizes the potentially significant project impacts associated with the *Village 7 SPA Plan* project, and lists the associated mitigation measures and the monitoring efforts necessary to ensure that the measures are properly implemented. The mitigation measures presented within this MMRP are further documented on a project level, as well as ownership level, including the *Village 7 SPA Plan*, the McMillin Otay Ranch, LLC TM, and the Otay Project LP TM. All the mitigation measures identified in the EIR are required as conditions of project approval and are stated herein in language appropriate for such conditions. In addition, once the *Village 7 SPA Plan* project has been approved, and during various stages of implementation, the designated monitors, the City of Chula Vista, and the applicant will further develop the mitigation measures.

**Village 7 Sectional Planning Area (SPA) Plan
Mitigation Monitoring and Reporting Program Checklist**

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
VILLAGE 7 SPA PLAN										
AGRICULTURAL LANDS										
4.2-1	The agricultural plan included in the <i>Village 7 SPA Plan</i> shall be implemented for the area as development proceeds on the project. The following measures shall be implemented by the developer to the satisfaction of the Director of Planning and Building: <ul style="list-style-type: none"> ◆ A 200-foot buffer between developed property and on-going agriculture operations; ◆ Vegetation to shield adjacent urban development (within 400 feet) from agriculture activities where pesticides are to be applied; ◆ Notification of adjacent property owners of potential pesticide application through newspaper advertisements; and ◆ Fencing, where necessary, to ensure the safety of <i>Village 7 SPA Plan</i> residents 	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
TRAFFIC, CIRCULATION AND ACCESS										
4.3-1	Prior to 2030, assuming the scenarios of 9 or 10, the applicant shall pay a fair share toward the construction of the six-lane Prime Arterial segment of Rock Mountain Road between La Media and SR-125 with the appropriate intersection geometry, or shall construct the road segment.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			The developer will pay their fair share prior to 2030.
4.3-2	No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-3	Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.3-4	Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-5	Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-6	Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-7	Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
NOISE										
4.4-1	Noise walls shall be secured to the satisfaction of the City Engineer and Environmental Review Coordinator for residential units located along Birch Road and La Media Road prior to receiving a grading permit, and constructed prior to occupancy of 1 st unit. An acoustical study confirming wall geometrics and conformance with the City's noise threshold is required prior to finalization of site and grading plans. Based on preliminary design and assumptions, the following wall height would be required to meet City standards: <div style="margin-left: 40px;"> Birch Road 7 feet La Media Road 6 feet </div>	Monitoring by City of Chula Vista Engineering and Planning and Building Department.		X	X	X	Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.4-2	<p>1.Noise barriers, varying between three to 14 feet in height, shall be constructed along the top of the pad slopes or near the edge of SR 125, as shown in Figure 4.4-2, <i>Proposed Noise Barriers Along SR 125</i>. The barriers shall be either walls, berms, or a combination thereof, and constructed of solid material with a density of at least four pounds per square foot and without any cracks or gaps.</p> <p>The City limits the height of noise walls to eight and a half feet. Therefore, where noise barriers in excess of eight and a half feet are required, the barrier shall be constructed of a combination of noise wall and berm, with the wall portion not exceeding eight and a half feet.</p> <p>2. For the multi-family development area adjacent to SR 125, only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. An acoustical study shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.</p> <p>3. For the single-family development area adjacent to SR 125, an acoustical study shall be conducted concurrent with the submittal of construction drawing and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.</p>	Monitoring by City of Chula Vista Engineering and Planning and Building Department.		X			Developer			<p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p>

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	4. For multi-family areas where second- and third-floor exterior noise levels are projected to exceed 60 CNEL, the affected units shall include a ventilation or air conditioning system to ensure that interior noise levels meet the interior standard of 45 CNEL.									
AIR QUALITY										
4.5-1	<p>The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:</p> <ul style="list-style-type: none"> ◆ Minimize simultaneous operation of multiple construction equipment units. ◆ Use low pollutant-emitting construction equipment, as practical. ◆ Use electrical construction equipment as practical. ◆ Use catalytic reduction for gasoline-powered equipment. ◆ Use injection timing retard for diesel-powered equipment. ◆ Water the construction area at least twice daily to minimize fugitive dust. ◆ Stabilize graded areas as quickly as possible to minimize fugitive dust. ◆ Pave permanent roads as quickly as possible to minimize dust. ◆ Use electricity from power poles instead of temporary generators during building as feasible. ◆ Apply chemical stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry. ◆ Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads. ◆ Remove any visible track-out into traveled public streets within 30 minutes of occurrence. ◆ Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred. ◆ Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads. ◆ Cover haul trucks or maintain at least 12 inches of freeboard to reduce blowoff 	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to issuance of grading permits.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	during hauling. ◆ Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph.									
LANDFORM ALTERATION/AESTHETICS										
4.6-1	Perimeter landscaping in accordance with the Landscape Master Plan within the McMillin Otay Ranch, LLC and Otay Project LP ownerships shall occur with each phase of development adjacent to the FAA site to minimize views of the FAA VORTAC facility.	Monitoring by the City of Chula Vista Building and Planning Department		X	X		Developer			Perimeter landscaping is to occur with the first development within Village 7.
4.6-2	Lighting for community facilities, recreation areas, and sports fields shall be approved by the Director of General Services and Environmental Review Coordinator prior to approval of a final site plan for the park. Shielded, uni-directional lighting shall be used. Additionally, lighting at these facilities to be shut off between 11 pm and 7 am.	Monitoring by the City of Chula Vista Engineer Department of General Services		X			Developer			
HYDROLOGY/DRAINAGE/WATER QUALITY										
4.7-1	Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.	Monitoring by the City of Chula Vista Engineer		X			Developer			Mitigation to be completed prior to issuance of Grading Permit.
4.7-2	Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the <i>Village 7 SPA Plan</i> project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.	Monitoring by the City of Chula Vista Engineer		X	X		Developer			Mitigation to be completed prior to issuance of Grading Permit.
4.7-3	Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7	Monitoring by the City of Chula Vista Engineer			X		Developer			Mitigation to be completed after Grading Permit is issued.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	(Rick Engineering Company, May 24, 2004) and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).									
4.7-4	Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.	Monitoring by the City of Chula Vista Engineer			X		Developer			Mitigation to be completed after Grading Permit is issued.
4.7-5	After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultants shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.	Monitoring by the City of Chula Vista Engineer				X	Developer			Mitigation to be completed after construction.
GEOLOGY AND SOILS										
4.8-1	Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Geotechnical Investigation McMillin Otay Ranch, Village 7, prepared by Geotechnics Incorporated, dated January 23, 2004, for the eastern portion of the <i>Village 7 SPA Plan</i> project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.	Monitoring by the City of Chula Vista Engineer		X			Developers			Mitigation to be implemented prior to issuance of each Grading Permit.
4.8-2	Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California dated May 5, 2004 prepared by Geocon Incorporated, for the western portion of the <i>Village 7 SPA Plan</i> project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.	Monitoring by the City of Chula Vista Engineer		X			Developers			Mitigation to be implemented prior to issuance of each Grading Permit.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
CULTURAL RESOURCES										
4.9-1	A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			
PALEONTOLOGY										
4.10-1	Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Mitigation to be completed prior to issuance of each grading permit.
4.10-2	A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations (Otay Formation) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.10-3	If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.	Monitoring by the City of Chula Vista Planning and Building Department			X		Developer			
4.10-4	Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.	Monitoring by the City of Chula Vista Planning and Building Department			X	X	Developer			
BIOLOGICAL RESOURCES										
4.11-1	Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.118 acres for each acre of development area, or pay a fee in lieu.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to recordation of each Final Map.
4.11-2	Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Prior to issuance of Grading Permit..

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
UTILITIES AND PUBLIC SERVICES										
4.12a-1	Prior to the recordation of any final map, the City Engineer shall be satisfied that the connections to the Salt Creek Interceptor via the Rock Mountain Road Trunk Sewer have been constructed or that the Poggi Canyon Trunk Sewer has adequate capacity in the interim until construction of said connection. The calculations of existing and anticipated sewage flows have determined thresholds at which two capital improvement projects must be completed: 1) the increase of the size of the Poggi Canyon Trunk Sewer within Reach 205 when Poggi Basin EDU's exceed 1,635 and 2) the construction of the Rock Mountain Trunk Sewer connection to the Salt Creek Interceptor when Poggi Basin EDU's exceed 5,000. These thresholds represent additional cumulative flows to the Poggi Canyon Trunk Sewer in excess of currently entitled and reserved EDU's within the Poggi Basin.	Monitoring by the City of Chula Vista Engineer								Prior to recordation of any Final Map.
4.12a-2	Sewer facility improvements shall be financed for installed on-and off-site in accordance with the fees and phasing in the approved Public Facilities Financing Plan.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permit.
4.12b-1	Prior to approval of the first final map, a final Subarea Water Master Plan (SAMP) shall be required for the project. The Master Plan shall include the design of water system infrastructure including timing and cost of development and must be in compliance with the OWD Master Plan. Water facilities improvements shall be financed or installed on- and off-site in accordance with the SAMP.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12b-2	Prior to the approval of the first final map for the project, the Developer shall secure and agree with the Otay Water District to construct all potable water facilities (on and off-site) required to serve the project.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of first Final Map.
4.12b-3	Prior to approval of the first final map for the project, the applicant shall provide the City with a letter from the OWD stating that adequate storage capacity exists or would be available to serve the project.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.12b-4	Water facility improvements shall be financed or installed on-and off-site in accordance with the fees and phasing in the approved PFFP for the <i>Village 7 SPA Plan</i> .	Monitoring by the City of Chula Vista Engineer			X	X	Developer			Prior to approval of the first Final Map.
4.12c-1	Prior to the approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12c-2	The City will monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis.	Monitoring by the City of Chula Vista Engineer		X		X	Developer			Prior to approval of the first Final Map.
4.12d-1	Prior to approval of each building permit, the developer shall pay PFDIF.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12d-2	The City will monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis.	Monitoring by the City of Chula Vista Engineer		X	X	X	Developer			
4.12d-3	A Fire Protection Plan (FPP) is <u>required</u> for this SPA as allowed by the California Fire Code 2001ed Article 86 – Fire Protection Plan Urban-Wildland Interface Area. The FPP will include a Brush Management Plan, this plan will be provided from an approved list of consultants. Ultimately, fuel modification requirements will be decided by the Chula Vista Fire Department upon the review of Brush Management Plan. This plan will include <u>all slopes</u> within the village.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12e-1	Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Chula Vista Elementary Unified School District to the satisfaction of the School District.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
4.12e-2	Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Sweetwater Union High School District to the satisfaction of the School District.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
4.12f-1	Prior to approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).	Monitoring by the City of Chula Vista Engineer				X	Developer			Prior to issuance of Building Permits.

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			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	PUBLIC HEALTH AND SAFETY									
4.13-1	Prior to grading, the applicant or Grading Contractor shall enroll in the Voluntary Assistance Program operated by the county of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
	PARKS, RECREATION, AND OPEN SPACE									
4.15-1	The developer of the <i>Village 7 SPA Plan</i> shall dedicate parkland, pay park development fees and/or pay park in-lieu fees to meet the total obligation of 11.5 acres in accordance with the PFFP.	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Prior to the first Final Map recordation.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
MCMILLIN OTAY RANCH, LLC TM										
AGRICULTURAL LANDS										
4.2-1	The agricultural plan included in the <i>Village 7 SPA Plan</i> shall be implemented for the area as development proceeds on the project. The following measures shall be implemented by the developer to the satisfaction of the Director of Planning and Building: <ul style="list-style-type: none"> ◆ A 200-foot buffer between developed property and on-going agriculture operations; ◆ Vegetation to shield adjacent urban development (within 400 feet) from agriculture activities where pesticides are to be applied; ◆ Notification of adjacent property owners of potential pesticide application through newspaper advertisements; and ◆ Fencing, where necessary, to ensure the safety of <i>Village 7 SPA Plan</i> residents 	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
TRAFFIC, CIRCULATION AND ACCESS										
4.3-1	Prior to 2030, assuming the scenarios of 9 or 10, the applicant shall pay a fair share toward the construction of the six-lane Prime Arterial segment of Rock Mountain Road between La Media and SR-125 with the appropriate intersection geometry, or shall construct the road segment.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			The developer will pay their fair share prior to 2030.
4.3-2	No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-3	Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-4	Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			

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4.3-5	Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-6	Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-7	Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
NOISE										
4.4-1	Noise walls shall be secured to the satisfaction of the City Engineer and Environmental Review Coordinator for residential units located along Birch Road and La Media Road prior to receiving a grading permit, and constructed prior to occupancy of 1 st unit. An acoustical study confirming wall geometrics and conformance with the City's noise threshold is required prior to finalization of site and grading plans. Based on preliminary design and assumptions, the following wall height would be required to meet City standards: <div style="display: flex; justify-content: space-between;"> Birch Road 7 feet </div> <div style="display: flex; justify-content: space-between;"> La Media Road 6 feet </div>	Monitoring by City of Chula Vista Engineering and Planning and Building Department.		X	X	X	Developer			
4.4-2	1.Noise barriers, varying between three to 14 feet in height, shall be constructed along the top of the pad slopes or near the edge of SR 125, as shown in Figure 4.4-2, <i>Proposed Noise Barriers Along SR 125</i> . The barriers shall be either walls, berms, or a combination thereof, and constructed of solid material	Monitoring by City of Chula Vista Engineering and Planning and Building Department.		X			Developer			

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	<p>with a density of at least four pounds per square foot and without any cracks or gaps.</p> <p>The City limits the height of noise walls to eight and a half feet. Therefore, where noise barriers in excess of eight and a half feet are required, the barrier shall be constructed of a combination of noise wall and berm, with the wall portion not exceeding eight and a half feet.</p> <p>2. For the multi-family development area adjacent to SR 125, only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. An acoustical study shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.</p> <p>3. For the single-family development area adjacent to SR 125, an acoustical study shall be conducted concurrent with the submittal of construction drawing and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.</p> <p>4. For multi-family areas where second- and third-floor exterior noise levels are projected to exceed 60 CNEL, the affected units shall include a ventilation or air conditioning system to ensure that interior noise levels meet the interior standard of 45 CNEL.</p>								<p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p>	

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AIR QUALITY										
4.5-1	<p>The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:</p> <ul style="list-style-type: none"> ◆ Minimize simultaneous operation of multiple construction equipment units. ◆ Use low pollutant-emitting construction equipment, as practical. ◆ Use electrical construction equipment as practical. ◆ Use catalytic reduction for gasoline-powered equipment. ◆ Use injection timing retard for diesel-powered equipment. ◆ Water the construction area at least twice daily to minimize fugitive dust. ◆ Stabilize graded areas as quickly as possible to minimize fugitive dust. ◆ Pave permanent roads as quickly as possible to minimize dust. ◆ Use electricity from power poles instead of temporary generators during building as feasible. ◆ Apply chemical stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry. ◆ Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads. ◆ Remove any visible track-out into traveled public streets within 30 minutes of occurrence. ◆ Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred. ◆ Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads. ◆ Cover haul trucks or maintain at least 12 inches of freeboard to reduce blowoff during hauling. ◆ Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph. 	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to issuance of grading permits.

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	LANDFORM ALTERATION/AESTHETICS									
4.6-1	Perimeter landscaping in accordance with the Landscape Master Plan within the McMillin Otay Ranch, LLC and Otay Project LP ownerships shall occur with each phase of development adjacent to the FAA site to minimize views of the FAA VORTAC facility.	Monitoring by the City of Chula Vista Building and Planning Department		X	X		Developer			Perimeter landscaping is to occur with the first development within Village 7.
4.6-2	Lighting for community facilities, recreation areas, and sports fields shall be approved by the Director of General Services and Environmental Review Coordinator prior to approval of a final site plan for the park. Shielded, uni-directional lighting shall be used. Additionally, lighting at these facilities to be shut off between 11 pm and 7 am.	Monitoring by the City of Chula Vista Engineer Department of General Services		X			Developer			
4.6-3	The perimeter slopes and street parkways surrounding the elementary school site shall be landscaped as an interim measure until the future development of the elementary school occurs.	Monitoring by the City of Chula Vista Building and Planning Department		X	X		Developer			
	HYDROLOGY/DRAINAGE/WATER QUALITY									
4.7-1	Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.	Monitoring by the City of Chula Vista Engineer		X			Developer			Mitigation to be completed prior to issuance of Grading Permit.
4.7-2	Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the Village 7 SPA Plan project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.	Monitoring by the City of Chula Vista Engineer		X	X		Developer			Mitigation to be completed prior to issuance of Grading Permit.

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4.7-3	Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7 (Rick Engineering Company, May 24, 2004) and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).	Monitoring by the City of Chula Vista Engineer			X		Developer			Mitigation to be completed after Grading Permit is issued.
4.7-4	Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.	Monitoring by the City of Chula Vista Engineer			X		Developer			Mitigation to be completed after Grading Permit is issued.
4.7-5	After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultants shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.	Monitoring by the City of Chula Vista Engineer				X	Developer			Mitigation to be completed after construction.
GEOLOGY AND SOILS										
4.8-1	Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Geotechnical Investigation McMillin Otay Ranch, Village 7, prepared by Geotechnics Incorporated, dated January 23, 2004, for the eastern portion of the <i>Village 7 SPA Plan</i> project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.	Monitoring by the City of Chula Vista Engineer		X			Developers			Mitigation to be implemented prior to issuance of each Grading Permit.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
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CULTURAL RESOURCES										
4.9-1	A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			
PALEONTOLOGY										
4.10-1	Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Mitigation to be completed prior to issuance of each grading permit.
4.10-2	A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations (Otay Formation) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			
4.10-3	If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the	Monitoring by the City of Chula Vista Planning and Building Department			X		Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
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	paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.									
4.10-4	Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.	Monitoring by the City of Chula Vista Planning and Building Department			X	X	Developer			
BIOLOGICAL RESOURCES										
4.11-1	Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.118 acres for each acre of development area, or pay a fee in lieu.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to recordation of each Final Map.
4.11-2	Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.									
4.11-3	Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.14 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.									
UTILITIES AND PUBLIC SERVICES										
4.12a-1	Prior to the recordation of any final map, the City Engineer shall be satisfied that the connections to the Salt Creek Interceptor via the Rock Mountain Road Trunk Sewer have been constructed or that the Poggi Canyon Trunk Sewer has adequate capacity in the	Monitoring by the City of Chula Vista Engineer								Prior to recordation of any Final Map.

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	interim until construction of said connection. The calculations of existing and anticipated sewage flows have determined thresholds at which two capital improvement projects must be completed: 1) the increase of the size of the Poggi Canyon Trunk Sewer within Reach 205 when Poggi Basin EDU's exceed 1,635 and 2) the construction of the Rock Mountain Trunk Sewer connection to the Salt Creek Interceptor when Poggi Basin EDU's exceed 5,000. These thresholds represent additional cumulative flows to the Poggi Canyon Trunk Sewer in excess of currently entitled and reserved EDU's within the Poggi Basin									
4.12a-2	Sewer facility improvements shall be financed for installed on-and off-site in accordance with the fees and phasing in the approved Public Facilities Financing Plan.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permit.
4.12b-1	Prior to approval of the first final map, a final Subarea Water Master Plan (SAMP) shall be required for the project. The Master Plan shall include the design of water system infrastructure including timing and cost of development and must be in compliance with the OWD Master Plan. Water facilities improvements shall be financed or installed on- and off-site in accordance with the SAMP.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12b-2	Prior to the approval of the first final map for the project, the Developer shall secure and agree with the Otay Water District to construct all potable water facilities (on and off-site) required to serve the project.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of first Final Map.
4.12b-3	Prior to approval of the first final map for the project, the applicant shall provide the City with a letter from the OWD stating that adequate storage capacity exists or would be available to serve the project.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12b-4	Water facility improvements shall be financed or installed on-and off-site in accordance with the fees and phasing in the approved PFFP for the <i>Village 7 SPA Plan</i> .	Monitoring by the City of Chula Vista Engineer			X	X	Developer			Prior to approval of the first Final Map.
4.12c-1	Prior to the approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12c-2	The City will monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis.	Monitoring by the City of Chula Vista Engineer		X		X	Developer			Prior to approval of the first Final Map.

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4.12d-1	Prior to approval of each building permit, the developer shall pay PFDIF.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12d-2	The City will monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis.	Monitoring by the City of Chula Vista Engineer		X	X	X	Developer			
4.12d-3	A Fire Protection Plan (FPP) is <u>required</u> for this SPA as allowed by the California Fire Code 2001ed Article 86 – Fire Protection Plan Urban-Wildland Interface Area. The FPP will include a Brush Management Plan, this plan will be provided from an approved list of consultants. Ultimately, fuel modification requirements will be decided by the Chula Vista Fire Department upon the review of Brush Management Plan. This plan will include <u>all slopes</u> within the village.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12e-1	Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Chula Vista Elementary Unified School District to the satisfaction of the School District.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
4.12e-2	Prior to issuance of building permits, the project applicant shall pay school impact fees or enter into a mitigation agreement to help finance the needed facilities and services for the Sweetwater Union High School District to the satisfaction of the School District.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
4.12f-1	Prior to approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).	Monitoring by the City of Chula Vista Engineer				X	Developer			Prior to issuance of Building Permits.
PUBLIC HEALTH AND SAFETY										
4.13-1	Prior to grading, the applicant of Grading Contractor shall enroll in the Voluntary Assistance Program operated by the county of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	PARKS, RECREATION, AND OPEN SPACE									
4.15-1	The developer of the <i>Village 7 SPA Plan</i> shall dedicate parkland, pay park development fees and/or pay park in-lieu fees to meet the total obligation of 11.5 acres in accordance with the PFFP.	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Prior to the first Final Map recordation.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
OTAY PROJECT LP TM										
AGRICULTURAL LANDS										
4.2-1	<p>The agricultural plan included in the <i>Village 7 SPA Plan</i> shall be implemented for the area as development proceeds on the project. The following measures shall be implemented by the developer to the satisfaction of the Director of Planning and Building:</p> <ul style="list-style-type: none"> ◆ A 200-foot buffer between developed property and on-going agriculture operations; ◆ Vegetation to shield adjacent urban development (within 400 feet) from agriculture activities where pesticides are to be applied; ◆ Notification of adjacent property owners of potential pesticide application through newspaper advertisements; and ◆ Fencing, where necessary, to ensure the safety of <i>Village 7 SPA Plan</i> residents 	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
TRAFFIC, CIRCULATION AND ACCESS										
4.3-1	Prior to 2030, assuming the scenarios of 9 or 10, the applicant shall pay a fair share toward the construction of the six-lane Prime Arterial segment of Rock Mountain Road between La Media and SR-125 with the appropriate intersection geometry, or shall construct the road segment.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			The developer will pay their fair share prior to 2030.
4.3-2	No units within Village 7 shall be constructed which would result in the total number of units within the Eastern Territories (starting on January 1, 2003), exceeding 8,990 units, prior to the construction of SR 125 between SR 54 and the International border.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-3	Assuming the scenario of 3, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Major Street.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-4	Assuming the scenarios of 4, and 5, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a seven-lane Major Street.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.3-5	Assuming the scenario of 8, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a four-lane Major Street from Main Street to La Media Road, a six-lane Major Street from La Media Road to SR 125, and a six-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-6	Assuming the scenario of 9, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for a six-lane Prime Arterial with the appropriate intersection geometry at the intersection of Rock Mountain Road/La Media Road, a six-lane Major Street from Main Street to La Media Road, and an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
4.3-7	Assuming the scenario of 10, the developer of the project shall contribute its fair share towards the widening of Rock Mountain Road to meet the City's standards for an eight-lane Prime Arterial from SR 125 to Eastlake Parkway.	Monitoring by City of Chula Vista Engineering Division	X		X	X	Developer			
NOISE										
4.4-1	Noise walls shall be secured to the satisfaction of the City Engineer and Environmental Review Coordinator for residential units located along Birch Road and La Media Road prior to receiving a grading permit, and constructed prior to occupancy of 1 st unit. An acoustical study confirming wall geometrics and conformance with the City's noise threshold is required prior to finalization of site and grading plans. Based on preliminary design and assumptions, the following wall height would be required to meet City standards: <div style="display: flex; justify-content: space-between; margin-left: 40px;"> Birch Road 7 feet </div> <div style="display: flex; justify-content: space-between; margin-left: 40px;"> La Media Road 6 feet </div>	Monitoring by City of Chula Vista Engineering and Planning and Building Department.		X	X	X	Developer			
4.4-2	1.Noise barriers, varying between three to 14 feet in height, shall be constructed along the top of the pad slopes or near the edge of SR 125, as shown in Figure 4.4-2, <i>Proposed Noise Barriers Along SR 125</i> . The barriers shall be either walls, berms, or a combination thereof, and constructed of solid material	Monitoring by City of Chula Vista Engineering and Planning and Building Department.		X			Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	<p>with a density of at least four pounds per square foot and without any cracks or gaps.</p> <p>The City limits the height of noise walls to eight and a half feet. Therefore, where noise barriers in excess of eight and a half feet are required, the barrier shall be constructed of a combination of noise wall and berm, with the wall portion not exceeding eight and a half feet.</p> <p>2. For the multi-family development area adjacent to SR 125, only enclosed balconies shall be constructed on the first row of buildings that face SR 125. Open balconies may be permitted for the remaining buildings with approval of an acoustical analysis. An acoustical study shall be conducted for the buildings adjacent to SR 125 concurrent with the submittal of construction drawings and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The acoustical analysis shall demonstrate that second- and third-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.</p> <p>3. For the single-family development area adjacent to SR 125, an acoustical study shall be conducted concurrent with submittal of construction drawing and shall be approved by the Director of Planning and Building and Environmental Review Coordinator prior to approval of building permits. The noise study shall demonstrate that second-floor interior noise levels due to exterior noise sources would be below the 45 CNEL standard.</p> <p>4. For multi-family areas where second- and third-floor exterior noise levels are projected to exceed 60 CNEL, the affected units shall include a ventilation or air conditioning system to ensure that interior noise levels meet the interior standard of 45 CNEL</p>								<p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p>	

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
AIR QUALITY										
4.5-1	<p>The following measures shall be specified as notes on the project grading plans, and shall be implemented as practical to minimize construction emissions:</p> <ul style="list-style-type: none"> ◆ Minimize simultaneous operation of multiple construction equipment units. ◆ Use low pollutant-emitting construction equipment, as practical. ◆ Use electrical construction equipment as practical. ◆ Use catalytic reduction for gasoline-powered equipment. ◆ Use injection timing retard for diesel-powered equipment. ◆ Water the construction area at least twice daily to minimize fugitive dust. ◆ Stabilize graded areas as quickly as possible to minimize fugitive dust. ◆ Pave permanent roads as quickly as possible to minimize dust. ◆ Use electricity from power poles instead of temporary generators during building. ◆ Apply chemical stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry. ◆ Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads. ◆ Remove any visible track-out into traveled public streets within 30 minutes of occurrence. ◆ Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred. ◆ Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads. ◆ Cover haul trucks or maintain at least 12 inches of freeboard to reduce blowoff during hauling. ◆ Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph. 	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to issuance of grading permits.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	LAND FORM ALTERATION/AESTHETICS									
4.6-1	Perimeter landscaping in accordance with the Landscape Master Plan within the McMillin Otay Ranch, LLC and Otay Project LP ownerships shall occur with each phase of development adjacent to the FAA site to minimize views of the FAA VORTAC facility..	Monitoring by the City of Chula Vista Building and Planning Department		X	X		Developer			Perimeter landscaping is to occur with the first development within Village 7.
4.6-2	Lighting for community facilities, recreation areas, and sports fields shall be approved by the Director of General Services. Shielded, unidirectional lighting shall be used. Additionally, lighting at these facilities to be shut off between 11 pm and 7 am.	Monitoring by the City of Chula Vista Engineer Department of General Services				X	Developer			
4.6-4	The perimeter of the off-site borrow area shall be landscaped as an interim measure until the future development of the borrow area occurs.	Monitoring by the City of Chula Vista Planning and Building Department			X	X	Developer			Mitigation to be completed following grading of the borrow site.
	HYDROLOGY/DRAINAGE/WATER QUALITY									
4.7-1	Prior to issuance of each grading permit, a detailed drainage system design study shall be prepared in accordance with the City of Chula Vista's standards and shall be approved by the City Engineer.	Monitoring by the City of Chula Vista Engineer		X			Developer			Mitigation to be completed prior to issuance of Grading Permit.
4.7-2	Prior to issuance of each grading permit, the project applicant shall submit an NOI and obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. Each applicant wanting to develop within the Village 7 SPA Plan project is required under the SWRCB General Construction Permit to develop a SWPPP describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. The SWPPP shall also include a Storm Water Sampling and Analysis Strategy (SWSAS), pursuant to the SWRCB General Construction Permit requirements.	Monitoring by the City of Chula Vista Engineer		X	X		Developer			Mitigation to be completed prior to issuance of Grading Permit.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.7-3	Permanent treatment control BMPs shall be included as part of the project in accordance with Section 2c of the City of Chula Vista SUSMP, the Preliminary Water Quality Technical Report for Otay Ranch Village 7 (Rick Engineering Company, May 24, 2004) and the Preliminary Water Quality Technical Report (Hunsaker & Associates, May 21, 2004).	Monitoring by the City of Chula Vista Engineer			X		Developer			Mitigation to be completed after Grading Permit is issued.
4.7-4	Prior to construction, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.	Monitoring by the City of Chula Vista Engineer			X		Developer			Mitigation to be completed after Grading Permit is issued.
4.7-5	After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultants shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.	Monitoring by the City of Chula Vista Engineer				X	Developer			Mitigation to be completed after construction.
GEOLOGY AND SOILS										
4.8-2	Prior to the issuance of each grading permit, the applicant shall verify that the applicable recommendations of the geotechnical report titled Otay Ranch Village 7, R-2 and Village 4 Community Park Chula Vista, California dated May 5, 2004 prepared by Geocoin Incorporated, for the western portion of the <i>Village 7 SPA Plan</i> project site have been incorporated into the project design and construction documents to the satisfaction of the City Engineer of the City of Chula Vista.	Monitoring by the City of Chula Vista Engineer		X			Developers			Mitigation to be implemented prior to issuance of each Grading Permit.
CULTURAL RESOURCES										
4.9-1	A qualified archaeological monitor shall be on-site during initial grading of the site. If historic archaeological material is encountered during grading, all grading in the vicinity as determined and defined by the archaeologist shall stop and its importance shall be evaluated, and suitable mitigation measures shall be developed and	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Mitigation to be completed prior to issuance of each grading permit.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	implemented, if necessary. Cultural material collected shall be permanently curated at an appropriate repository, such as the San Diego Archaeological Center.									
	PALEONTOLOGY									
4.10-1	Prior to issuance of any on-site (or off-site) grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Mitigation to be completed prior to issuance of each grading permit.
4.10-2	A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geological formations(Otay Formation) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. The monitor shall periodically (every several weeks) inspect original cuts in deposits with an unknown resources sensitivity. (A qualified paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials).	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			
4.10-3	If fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor), shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor). A screen-washing operation for small fossil remains shall be set up.	Monitoring by the City of Chula Vista Planning and Building Department			X		Developer			
4.10-4	Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program.	Monitoring by the City of Chula Vista Planning and Building Department			X	X	Developer			

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance or recovered fossils.									
BIOLOGICAL RESOURCES										
4.11-1	Prior to recordation of each final map, the developer shall either convey land within the Otay Ranch Open Space Preserve at a ratio of 1.118 acres for each acre of development area, or pay a fee in lieu.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to recordation of each Final Map.
4.11-2	Focused surveys for burrowing owl shall be conducted no earlier than 1 month prior to grading. If occupied burrows are detected, a mitigation plan shall be prepared and approved by the Director of Building and Planning and Environmental Review Coordinator and relocation of the species shall be conducted to avoid impacts from grading.									
4.11-4	Prior to issuance of a grading permit that impacts jurisdictional waters or wetlands, the developer shall prepare a Wetlands Restoration Plan to the satisfaction of the Resource Agencies and Director of Planning and Building to mitigate for indirect and permanent impacts to 0.2 acre of wetlands. The Plan shall include, but not be limited to, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Jurisdictional waters or wetlands shall be delineated on all grading plans.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to issuance of grading permit.
4.11-5	The developer shall prepare a restoration plan to restore 0.40 acres of Coastal sage scrub habitat (CSS) pursuant to the Otay Ranch RMP restoration requirements. The CSS restoration plan shall be approved by the Department of Planning and Building prior to issuance of the grading permit and shall include an implementation plan, maintenance and monitoring program, estimated completion time and any relevant contingency measures. Alternatively, no restoration will be required if impacts to CSS are entirely avoided.	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to recordation of each Final Map.
4.11-6	Prior to issuance of grading permit, the developer shall prepare a plan to the satisfaction of the Director of Planning and Building to reduce indirect impacts to the Preserve adjacent to the borrow site. The plan shall address adjacency provisions of the	Monitoring by the City of Chula Vista Planning and Building Department		X	X		Developer			Prior to issuance of grading permit.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	MSCP and RMP, including but not limited to, buffering techniques, control of invasives, access restrictions, water quality and noise reduction.									
UTILITIES AND PUBLIC SERVICES										
4.12a-1	Prior to the recordation of any final map, the City Engineer shall be satisfied that the connections to the Salt Creek Interceptor via the Rock Mountain Road Trunk Sewer have been constructed or that the Poggi Canyon Trunk Sewer has adequate capacity in the interim until construction of said connection. The calculations of existing and anticipated sewage flows have determined thresholds at which two capital improvement projects must be completed: 1) the increase of the size of the Poggi Canyon Trunk Sewer within Reach 205 when Poggi Basin EDU's exceed 1,635 and 2) the construction of the Rock Mountain Trunk Sewer connection to the Salt Creek Interceptor when Poggi Basin EDU's exceed 5,000. These thresholds represent additional cumulative flows to the Poggi Canyon Trunk Sewer in excess of currently entitled and reserved EDU's within the Poggi Basin.	Monitoring by the City of Chula Vista Engineer								Prior to recordation of any Final Map.
4.12a-2	Sewer facility improvements shall be financed for installed on-and off-site in accordance with the fees and phasing in the approved Public Facilities Financing Plan.									Prior to issuance of Building Permit.
4.12b-1	Prior to approval of the first final map, a final Subarea Water Master Plan (SAMP) shall be required for the project. The Master Plan shall include the design of water system infrastructure including timing and cost of development and must be in compliance with the OWD Master Plan. Water facilities improvements shall be financed or installed on- and off-site in accordance with the SAMP.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12b-2	Prior to the approval of the first final map for the project, the Developer shall secure and agree with the Otay Water District to construct all potable water facilities (on and off-site) required to serve the project.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of first Final Map.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
4.12b-3	Prior to approval of the first final map for the project, the applicant shall provide the City with a letter from the OWD stating that adequate storage capacity exists or would be available to serve the project.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12b-4	Water facility improvements shall be financed or installed on-and off-site in accordance with the fees and phasing in the approved PFFP for the <i>Village 7 SPA Plan</i> .	Monitoring by the City of Chula Vista Engineer			X	X	Developer			Prior to approval of the first Final Map.
4.12c-1	Prior to the approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12c-2	The City will monitor Police Department responses to emergency calls and report the results to the GMOC on an annual basis.	Monitoring by the City of Chula Vista Engineer		X		X	Developer			Prior to approval of the first Final Map.
4.12d-1	Prior to approval of each building permit, the developer shall pay PFDIF.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12d-2	The City will monitor Fire Department responses to emergency fire and medical calls and report the results to the GMOC on an annual basis.	Monitoring by the City of Chula Vista Engineer		X	X	X	Developer			
4.12d-3	A Fire Protection Plan (FPP) is <u>required</u> for this SPA as allowed by the California Fire Code 2001ed Article 86 – Fire Protection Plan Urban-Wildland Interface Area. The FPP will include a Brush Management Plan, this plan will be provided from an approved list of consultants. Ultimately, fuel modification requirements will be decided by the Chula Vista Fire Department upon the review of Brush Management Plan. This plan will include <u>all slopes</u> within the village.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to approval of the first Final Map.
4.12e-1	Prior to issuance of building permits, the project applicant shall pay school impact fees to help finance the needed facilities and services for the Chula Vista Elementary Unified School District to the satisfaction of the School District.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
4.12e-2	Prior to issuance of building permits, the project applicant shall pay school impact fees to help finance the needed facilities and services for the Sweetwater Union High School District to the satisfaction of the School District.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
4.12f-1	Prior to approval of each building permit, the developer shall pay Public Facilities Development Impact Fees (PFDIF).	Monitoring by the City of Chula Vista Engineer				X	Developer			Prior to issuance of Building Permits.

Mitigation Measure No.	Mitigation Measure	Method of Verification	Timing of Verification				Responsible Party	Completed		Comments
			SPA/T.M.	Pre Const.	During Const.	Post Const.		Initials	Date	
	PUBLIC HEALTH AND SAFETY									
4.13-1	Prior to grading, the applicant of Grading Contractor shall enroll in the Voluntary Assistance Program operated by the county of San Diego DEH and obtain from DEH a Letter of Concurrence stating that onsite burial of contaminated soils during grading will not result in a public health risk, to the satisfaction of the District Director of Planning and Construction, the Environmental Review Coordinator, and City Engineer.	Monitoring by the City of Chula Vista Engineer		X			Developer			Prior to issuance of Building Permits.
	PARKS, RECREATION, AND OPEN SPACE									
4.15-1	The developer of the <i>Village 7 SPA Plan</i> shall dedicate parkland, pay park development fees and/or pay park in-lieu fees to meet the total obligation of 11.5 acres in accordance with the PFFP.	Monitoring by the City of Chula Vista Planning and Building Department		X			Developer			Prior to the first Final Map recordation.

**Changes Incorporated in the Final Environmental Impact Report for the
Village 7 Sectional Planning Area Plan and Tentative Maps Project**

The following table identifies the locations of the key changes to the text, tables, and graphics and a brief description of the changes, which were made in response to the comments received during review of the Draft EIR. Text changes in the Final EIR are indicated with underline for added text and ~~striketrough~~ for deleted text. Copies of all letters received by the City of Chula Vista regarding the Draft EIR and the responses to comments follow immediately after this section.

Location in the Final EIR	Description
Pages ES-6, 4.4-12 through 13	Correction to Mitigation Measure 4.4-2.
Pages ES-9, 4.9-6	Correction to Mitigation Measure 4.9-1.
Pages ES-10, 4.11-25	Addition of requirement for burrowing owl surveys.
Pages ES-10, 4.11-25	Clarification to Mitigation Measure 4.11-3.
Pages ES-10, 4.11-26	Clarification to Mitigation Measure 4.11-4.
Pages ES-12, 4.12-21	Correction to Mitigation Measure 4.12c-1.
Pages ES-12, 4.12-24	Correction to Mitigation Measure 4.12d-1.
Pages ES-12, 4.12-35	Correction to Mitigation Measure 4.12f-1.
Pages 2-9, 4.1-1, 4.1-3	Correction of reference to SR 125 as a Tollway/Freeway.
Pages 3-11, 4.1-26	Correction to the phasing discussion regarding residential development.
Page 4.3-19	Clarification that SR 125 is assumed to be a toll facility.
Page 4.7-6	Correction to groundwater depth.
Pages 4.9-1, 4.9-3, 4.9-5	Clarification that analysis included the off-site borrow area.
Page 4.9-3	Correction to reference of Site 16,679.
Page 4.12-12	Clarification that the project's WSA&V was approved.
Pages 4.14-2, 4.14-4, 4.15-4	Correction to population projections.

Responses to Comment

All letters received during the public review of the Draft Environmental Impact Report for the Village 7 Sectional Planning Area Plan and Tentative Maps project are reproduced in their entirety and are addressed in the following Responses to Comments section. Additionally, all oral comments received are contained in meeting minutes and are also addressed in the following Responses to Comments section. Numbered responses correspond to the numbered comments at the point the comment occurs for purposes of continuity. Changes made to the text of the final document as a result of the letters of comment are indicated by underline (for additional text) and ~~strikeout~~ (for deletions), as referenced in the applicable response(s) to comments.

<u>Commentor</u>	<u>Page</u>
1. United States Fish and Wildlife Service	PR-3
2. State of California Clearinghouse (7/29/04)	PR-6
3. California Department of Fish and Game	PR-8
4. Department of Toxic and Substance Control	PR-11
5. State of California Clearinghouse (7/30/04)	PR-14
6. CalTrans	PR-15
7. Native American Heritage Commission	PR-19
8. San Diego County Archaeological Society, Inc.	PR-20
9. City of San Diego – Engineering	PR-22
10. City of San Diego – Traffic	PR-23
11. Chula Vista Elementary School District	PR-25
12. The Corky McMillin Companies	PR-28
13. Bryan Felber	PR-33
14. City of Chula Vista Resource Conservation Committee	PR-34
15. City of Chula Vista Planning Commission	PR-35