

**F I N A L**

**Environmental  
Impact Report**

**MCA CHULA VISTA  
AMPHITHEATER**

**SCH# 95031073**

**Prepared for:**



**CITY OF  
CHULA VISTA**

**August 1995**

**Prepared by:**



**TETRA TECH, INC.**

## INTRODUCTION

This document is a Final EIR which provides a review and analysis of the potential environmental impacts that could result from implementation of the proposed MCA Chula Vista Amphitheater project in the City of Chula Vista. In accordance with CEQA Guidelines Section 15002, an EIR is the public document used by a governmental agency to analyze the significant environmental effects of a proposed project, to identify the alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage. The EIR itself does not control the way in which a project can be built or carried out, rather, the governmental agency must respond to the information contained in the EIR by one or more of the seven methods outlined in Section 15002 (h) which include:

1. Changing a proposed project;
2. Imposing conditions on the approval of the project;
3. Adopting plans or ordinances to control a broader class of project to avoid the adverse changes;
4. Choosing an alternative way of meeting the same need;
5. Disapproving the project;
6. Finding that changing or altering the project is not feasible;
7. Finding that the unavoidable significant environmental damage is acceptable as provide in Section 15093.

Under CEQA, an agency must solicit and respond to comments from the public and from other agencies concerned with the project. The Draft EIR was submitted by the City of Chula Vista for public review on June 19, 1995. The public review period closed with the City of Chula Vista Planning Commission public hearing on the EIR on July 19, 1995. During the public review period, eleven sets of comments responding to the Draft EIR were received. A reproduction of the letters, minutes of the Planning Commission meeting, and responses to issues raised are included following the Introduction. A transmittal letter from the Office of Planning and Research is included with the letters of comment which are presented in the following order:

- A. United States Fish and Wildlife Service
- B. State of California Department of Fish and Game (DFG)
- C. State of California Department of Transportation (Caltrans)
- D. County of San Diego
- E. City of San Diego
- F. Otay Water District
- G. Sweetwater Union High School District
- H. The Baldwin Company
- I. John Willet - Planning Commission Member,
- J. Moriarity, Adams et. al.
- K. City of Chula Vista Planning Commission Hearing Minutes - Comment Excerpts, (July 19, 1995).

The actual text additions are underlined (underlined) to distinguish those from original text. Text to be deleted has been denoted with strike over (~~strike over~~). The following is a list of pages requiring text changes in response to various comments. It should be noted that some page numbers have changed between the Draft EIR and the Final EIR. The page numbers referenced below and in the responses refer to the Final EIR.

<b>EIR Section</b>	<b>Page Numbers</b>
Introduction	1-7, 1-8, 1-10
Project Description	2-1, 2-6, 2-14, 2-15
Land Use	3.1-12
Transportation/Circulation	3.2-1 through 3.2-32
Noise	3.3-7, 3.3-14, 3.3-15
Air Quality	3.4-13, 3.4-14
Biology	3.5-8, 3.5-9, 3.5-11

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

147 THIRDS STREET  
SACRAMENTO, CA 95834

PETE WILSON, Governor



RESPONSES TO COMMENTS

July 19, 1995

JOE MONACO  
CITY OF CHULA VISTA  
276 FOURTH AVENUE  
CHULA VISTA, CA 91910

Subject: MCA CHULA VISTA AMPHITHEATER SCH #: 95031073

Dear JOE MONACO:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call Mark Goss at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

Michael Chiriat,  
Chief, State Clearinghouse

This letter is a transmittal from the Office of Planning and Research (OPR) acknowledging that the City has complied with the State Clearinghouse review requirements for Draft EIRs pursuant to CEQA. The letter does not address the adequacy of the EIR. No response required.



**Notice of Completion** *Supplementary Document M*

Mail to: State Clearinghouse, 1400 Tomah Street, Sacramento, CA 95814 916/445-0613

See NOTE below  
**SCH# 9501073**

**Project Title:** MCA Amphitheater  
**Lead Agency:** City of Chula Vista  
**Street Address:** 275 Fourth Avenue  
**City:** Chula Vista, CA **Zip:** 91910  
**Contact Person:** Joseph Higgins, AICP  
**Phone:** (619) 681-5016  
**County:** San Diego  
**Project Location:**  
**County:** San Diego **City/Nearest Community:** Chula Vista **Total Acres:** 72.5  
**Consent Street:** City Valley Road/Otay Rio Road **Zip Code:** 91911  
**Assessor's Parcel No. fee attached:** Section: **Map:**  
**Within 1/4 mile:** See Map # 1-805 **Waterways:** Otay River **Basin:**  
**Agency:** Brown Field **Relays:** N/A **Schools:** N/A

**Development Type:**  
 NEPA:  MCL  Other:  Initial Document  
 EIS/CEQ  MIA  Final Document  
 NEPA  DRA/EIS  Other  
 DRA/ER  FONSI

**Local Action Type:**  
 General Plan Update  Specific Plan  Resonance  
 General Plan Amendment  Land Use  Precinct  Backstop  
 General Plan Element  Use Permit  Land Division Subdivision,  Conditional Permit  
 Community Plan  Other:  Other:  Other

**Development Type:**  
 Residential:  Single-Family  Multi-Family  Other:  MGD  
 Office:  Retail  Industrial  Warehouse  Other:  Other  
 Commercial:  Retail  Industrial  Warehouse  Other:  Other  
 Educational:  Other:  Other  
 Recreational:  Other:  Other

**Project Issues Discussed in Document:**  
 Air Quality  Flood Plain/Flooding  Wetlands/Streams  
 Agricultural Land  Forest Land/Fire Hazard  Wetlands/Streams  
 Air Quality  Geologic/Hazardous  Soils  Wetlands/Streams  
 Cultural Resources  Historical  Noise  Wetlands/Streams  
 Cumulative Impacts  Population/Housing Balance  Traffic/Highways  Wetlands/Streams  
 Economic/Job  Public Services/Facilities  Traffic/Highways  Wetlands/Streams  
 Fiscal  Recreation/Parks  Vegetation  Wetlands/Streams

**Present Land Use/Zoning/General Plan Use:**  
 Limited Industrial

**Project Description:**  
 CLEARINGHOUSE CONTACT: MARK GORE (916) 445-0613  
 STATE REVIEW BEGINS: 6-19-95  
 DEPT REV TO AGENCY: 7-12  
 AGENCY REV TO SCH: 7-17  
 SCH COMPLIANCE: 7-19  
 \* Short listed Review \*  
 PLEASE BRING FOR REVIEW ON ALL COMMENTS  
 PLEASE FORGIVE LATE COMMENTS DIRECTLY  
 TO THE LEAD AGENCY ONLY  
 AOH/ANCD: 27 (resources: 6/24)  
 I.S. = SENT BY LEAD / ... = MADE BY SCH



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Field Office  
27730 LaJolla Avenue West  
Carlsbad, California 92008

July 19, 1995

Mr. Joseph Monaco  
Environmental Projects Manager  
Community Development Department  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, California 91910

Re: Draft Environmental Impact Report for the proposed MCA Chula Vista Amphitheater; EIR-95-03.

Dear Mr. Monaco:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Environmental Impact Report (DEIR) for the proposed MCA Chula Vista Amphitheater. The project would involve construction and operation of a 20,000 seat capacity amphitheater with parking for approximately 6,000 vehicles. The amphitheater is proposed for concert events on approximately 35-50 nights per year. Occasional fireworks displays are also anticipated. Additionally, an open air market is proposed for daytime use on Thursday through Sunday.

The proposed project would be located on approximately 72.5 acres of disturbed lands within the Otay River Valley in the City of Chula Vista. The project is bounded by the Otay River to the North, and Otay Valley Road to the east. The project site was previously planned as a business park and currently includes building pads, landscaped entrances and embankments, street improvements, and utilities. The surrounding properties are predominantly undeveloped land. Much of the surrounding Otay River Valley, including the steep canyons along the south side of the river, are included in the draft Multiple Species Conservation Program (MSCP) plan's Multiple Habitat Planning Area (NHFA).

According to the results of recent biological surveys, vegetation within the project site is primarily disturbed with areas of non-native grassland and revegetated coastal sage scrub. Coastal California gnatcatchers were previously recorded in the area, but were not observed in the project vicinity during 1995 surveys. Surveys for least Bell's vireo in the nearby riparian areas were not undertaken but previous reports indicate that as many as five breeding territories are present nearby, along the south side of Otay Valley Road in the taller riparian vegetation. No sensitive plants were found in the project area. Sensitive wildlife observed either onsite or in adjacent areas include white-tailed kite (likely nesting nearby), northern harrier, southern willow flycatcher, loggerhead shrike, yellow warbler, yellow-breasted chat, rufous-crowned sparrow, tricolored blackbird and black-tailed

Mr. Monaco

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jackrabbit. The biology report states that while the proposed project would result in loss of raptor, songbird and small mammal foraging areas, this loss is not considered important biologically as abundant open-space lands exist in surrounding areas. Potential indirect impacts include noise, lighting, human encroachment, and fire. The DEIR includes three design features expected to reduce certain indirect impacts to biological resources: (1) fencing along Otay Valley Road south of the facility and along the top of the mesa; (2) dedicated open space within the steep slopes south of the project site; and (3) any trail developed as part of the Otay Valley Regional Park will be closed during concert events.

Based on the above project description, the Service has the following comments:

A1 The Service generally concurs with the three mitigation measures listed above and supports the California Department of Fish and Game's request that they be consulted on the siting of any fencing.

A2 On page 3.1-12 of the DEIR, it states that the boundaries of the proposed project would not be located adjacent to a sensitive preserve area or buffer area within the draft MSCP. It is the Service's understanding that this project is adjacent to areas proposed for conservation in the MHPA. The segment of the Otay River Valley north of the project appears to be included in the draft MHPA, and the steep slopes and canyons to the south of the project also appear to be included. In addition, in Figure 2.3 of the draft MSCP plan, the Otay River Valley through this area is categorized as a habitat linkage (linkage "M"). The final EIR should contain a detailed discussion on the consistency of this project with the MSCP plan.

A3 With the planned loss of much of the remaining grasslands and agricultural areas in the Otay Mesa area, the loss of foraging areas with this project would be part of a significant cumulative impact. The final EIR should include specific mitigation measures to offset this impact.

A4 Figure 4.6.1 of the Environmental Noise Impact Evaluation for the amphitheater site shows predicted amphitheater noise contours. Noise levels higher than 60 dBA are expected in areas that provide habitat for sensitive resources, including least Bell's vireo. The final EIR should include specific mitigation plans to fully offset this impact. Mitigation measures could include those listed on page 3.3-17 of the DEIR.

A5 Lighting should be directed away from habitat areas and minimized when the amphitheater is not in use.

A1. Comment noted. Please refer to California Department of Fish Game letter (Responses BI - BT) for description of three mitigation measures.

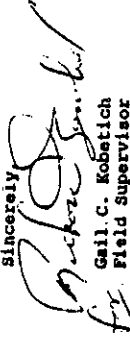
A2. The project site is not located within a sensitive preserve area according to the draft MSCP. The project site is located to the south of a segment of the Otay River. The Multi-Habitat Planning Area (City of San Diego, MSCP Plan, Public Review Draft, Figure 3-1) of the draft MSCP does not delineate specifically this segment of the Otay River as Riparian/Wetlands (indicated by dark blue shading on Figure 3-1) as a part of the MHPA. Therefore, the project site is not located adjacent to a segment of the Otay River included in the MHPA. The City of San Diego Southern Subarea identified preserve lands located to the south of the project site as "Disturbed Habitat." A discussion of buffers is provided in EIR Section 3.1, Land Use, Page 3.1-11. The EIR states "The Subarea Plan identifies buffers (measuring 180 feet) as important features to protect resources within the preserve from the edge effects of adjacent land uses. Buffers may be either inside or outside the preserve system, on private or public lands, as long as easements or other land use restrictions are imposed. The Draft MSCP states that in areas with existing approved plans or existing development, the buffer will be contained entirely within the preserve (City of San Diego, MSCP Plan, Public Review Draft, Page 8-3)" (EIR, Page 3.1-11). Figure 2-3 of the draft MSCP plan indicates the segment of the Otay River north of the project site as within a biological core area. The referenced habitat linkage (linkage "M") includes the segment of Otay River west of Interstate 805. The segment of Otay River located to the north of the project site is located to the east of I-805 and is not located within linkage M. The entire Otay River to the east of Interstate 805 is indicated to be a biological core area within the MSCP Study Area. This project proposes development on the mesa top. No development is proposed on the slopes or within the Otay River. The mesa top is land use planned and approved as industrial. This information has been consistently used in regional planning efforts. Therefore, no impacts to the sensitive habitats or buffers would occur. An expanded discussion of land use compatibility is provided in EIR Section 3.1 as related to MSCP Section 4.0.

Mr. Monaco

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If you have any questions regarding this letter, please contact  
Jacalyn Fleming of my staff at (619) 431-9440.

Sincerely,



Gail C. Kobetich  
Field Supervisor

1-6-95-HC-266

cc: CDFG (attn: Bill Tippets)

A3. The project site was developed as the Otay Rio Business Park - Phase I which includes graded building pads, landscaped entrances and embankments, street improvements, and utilities. The building pads were graded and intended to be covered with permanent structures or impervious surfaces (asphalt paving) for the Otay Rio Business Park. Presently, on some building pads, grasses have grown and may provide temporary foraging areas. The foraging areas identified onsite are located on graded building pads which would not provide permanent suitable foraging areas for raptors, songbirds, and small mammal foraging areas. The EIR states "The loss of foraging habitat, however, is not considered important biologically as abundant open-space lands exist in surrounding areas" (Page 3.5-6). The loss of foraging areas on graded building pads is not considered a loss of natural undisturbed grass areas which are located to the west of the project site in the Otay River Valley. The loss of foraging areas on graded building pads would not contribute to a significant cumulative impact.

A4. Based on biological studies and anecdotal conclusions referenced in the Biological Study, Appendix D, the biological assessment states "Continuous noise levels above 60 dBA within habitat areas may affect the suitability of the area for least Bell's vireo nesting. Caltrans surveys observed a continuously high noise level (61 dBA Leq) at one sample nest site (RECON, 1988). Subsequent studies and observations have indicated that vireos will nest in areas of higher noise levels, although it is not known what ecological costs, if any, are borne by these birds. Given the fact that the project vicinity already experiences high noise levels due to existing off-road vehicle activity on a daily basis, it is unlikely the occasional increased noise levels generated by the MC4 project and associated activities would significantly affect the least Bell's vireo utilizing this portion of the Otay River Valley" (Appendix E, Page E-35).

Noise levels exceeding 60 dBA in least Bell's vireo habitat for short durations (3-4 hours) would not interfere with vocalization during their breeding season. Elevated noise levels which are chronic, such as a roadway are more likely to impact least Bell's vireo habitat as a roadway creates extended periods of noise masking. Noise levels from the proposed project will be episodic instead of continuous, and will occur during the evening, instead of the morning when the vireos are most active. In addition, most concert events will

occur in the summer or early fall outside the main breeding season of the least Bell's vireo.

The EIR states "Short-term increased noise levels resulting from concerts are unlikely to have significant impact on least Bell's vireo and California gnatcatchers in the project vicinity due to the proximity of suitable habitat to existing sources of high noise levels. This portion of the Olay River presently experiences high noise levels as a result of an adjacent public trap/sheet shooting range, vehicle activity along Olay Valley Road (including large vehicles hauling waste inroad to the Olay Landfill), auto wrecking/recycling facilities, rock quarry/crushing operation, and off-road vehicle activity on surrounding open space lands. A review of previous studies suggests that birds can tolerate relatively high noise levels of prolonged periods (PSDS 1995, pg. 29/E-33). Indirect impacts due to short-term periods of high noise level are unlikely to significantly affect least Bell's vireo nesting in the project vicinity because the principal activity time for least Bell's vireo is during the early morning and daylight hours when mating, foraging, vocalization, and nest building activity occurs. The proposed concert events occurring at the MCA Chula Vista Amphitheater would occur in the afternoons and evenings" (Pages 3.5-8 and 3.5-9). The EIR further states "due to the intermittent frequency of disturbance by concert events at the MCA Chula Vista Amphitheater, (35-60 days per year) and timing of the events (evening hours), noise related impacts to wildlife activity are not expected to be significant" (Page 3.5-9). The Draft EIR provides adequate evidence to support the conclusion that no significant impacts to least Bell's vireo would result from project operations.

In addition, the City of Chula Vista recognizes that the project applicant has voluntarily determined to enact additional measures to reduce indirect impacts of noise, lighting, and human activity/encroachment to potential sensitive species and sensitive habitat in the Olay River Valley. The project applicant has voluntarily agreed to conduct the following measure:

- A. Implement a least Bell's vireo monitoring program conducted within the segment of the Olay River Valley for a period of 5 years as a part of the

mitigation plan. This monitoring can be limited to collection of existing information from other ongoing projects in the project vicinity.

- A.5. The EIR states "*Artificial lighting and glare entering the Otay River Valley adjacent to the site could be an adverse indirect impact on sensitive species...The MCA Chula Vista Amphitheater would utilize design feature and light shield to prevent excess lighting and glare from the top and sides of lighting fixtures. Stage lighting would be directed south towards the central stage, away from the Otay River Valley located to the north. All lighting for public access and parking areas would utilize shields and direct lighting internally towards the project site. Concert events and other uses occurring at the MCA Chula Vista Amphitheater would be intermittent (35-60 days per year) and would not result in frequent displays of artificial lighting and glare. Based on the project implementation of lighting shields and directed lighting, artificial lighting and glare impacts to the Otay River Valley are not expected to be significant (Pages 3.5-9 and 3.5-10). Adequate lighting controls have been designed into the project to address this concern.*

## DEPARTMENT OF FISH AND GAME

400 VERNERDALE BL.  
SUNNYVALE, CALIF. 94088  
(415) 467-4212

RIZ WILSON, Governor



July 18, 1995

Mr. Joseph Monaco  
Environmental Projects Manager  
City of Chula Vista  
Community Development Department  
276 Fourth Avenue  
Chula Vista, California 91910

Draft Environmental Impact Report for the MCA Chula Vista Amphitheater (SCH# 95031073), Chula Vista, California

Dear Mr. Monaco:

The California Department of Fish and Game's (DFG) Natural Community Conservation Planning (NCCP) staff has reviewed the draft EIR for the MCA Chula Vista Amphitheater project. The proposed 72.5 acre project includes the construction of a 20,000 person capacity outdoor amphitheater, a parking lot accommodating approximately 6,000 cars, and associated service and staging areas (e.g., restrooms, concessions, first aid station, etc.). The project is located directly south of the Otay River, within the river valley, east of I-805 and immediately west of Otay Valley Road. Between 35 and 60 evening concerts would be scheduled per year, and an open air market is proposed for the parking lot area Thursday through Sunday from 7 am to 4 pm.

The project site is a part of the Otay Rio Business Park - Phase I, a site that has already been graded. No native habitat remains on the site. The primary biological issues to be addressed are indirect project impacts from noise, lighting and human disturbance on sensitive wildlife species within the Otay River Valley. Two wildlife species are of primary concern, the least Bell's vireo (*Vireo bellii pusillus*) and state and federally listed endangered species, and the California gnatcatcher (*Polioptila californica californica*), a federally listed threatened species. In addition, several other wildlife species that are candidates for listing are known to occur adjacent to the project site. The Draft EIR states that no significant impacts will occur to biological resources on-site or in the project vicinity, although the following actions will be taken:

1. Applicant shall be responsible for fencing along Otay Valley Road south of the facility and along the top of the mesa to discourage access to these sensitive areas.

2. The open space within the steep slopes south of the project site shall be dedicated in fee or in a conservation easement to the DFG.
3. Any trails developed in the project vicinity as a part of the Otay Valley Regional Park shall be closed during concert events.

The DFG generally agrees with the above-listed mitigation measures. However, two points need to be made. First, the DFG requests that it be committed in the siting of any fencing, especially along the east to the south of the amphitheater. The slopes south of the amphitheater form a tenuous habitat corridor between open spaces west of the project and Otay Ranch property to the east. The DFG believes the effort should be made to protect and enhance this slope. Improperly placed fencing could result in a wildlife barrier in a corridor that is already significantly constrained. Secondly, the DFG requests that a permanent conservation easement be placed upon these slopes, with the DFG being either the beneficiary, or possibly a co-beneficiary with some other agency or jurisdiction. Please include a map in the Final EIR delineating the area to be placed in open space.

The biological report within the EIR concludes that noise will not be a significant impact to the least Bell's vireo and California gnatcatcher. This report states that the noise levels in the vicinity of the project site are already at such a level (from traffic, off-road vehicles, rock crushing operations, etc.) that construction, increased traffic, and concert noise would not appreciably increase the noise level. However, the noise report within the EIR emphasizes how relatively quiet the site is (pages 3.3-5 and 3.3-6), making it a good location for an outdoor amphitheater. While the noise readings were taken during the evening (i.e., concert hours), perhaps a quieter time than during the day, the noise levels expected from the concerts could have significant impacts upon breeding least Bell's vireos. There is evidence that this species has a lower tolerance for noise than other species. The California gnatcatchers in the vicinity will likely not be adversely affected, as they are further from the amphitheater site and appear to be more tolerant of higher noise levels.

The DFG recommends that the noise mitigation measures listed on page 3.3-17 be put in place at the beginning of operations, and not wait until noise levels impact residents of future developments that are planned near the amphitheater. Another possible alternative should be considered that reorients the amphitheater on-site so that initial and "rebound" noise is directed away from the Otay River, perhaps to the south or east.

B1. Comment is noted. The City of Chula Vista will consult with the DFG regarding the placement of any fencing in this area.

B2. Comment is noted. The City of Chula Vista will consult with the DFG and the applicant to convey a permanent conservation easement to be placed upon these slopes if feasible. The project applicant does not control this land. However, land use restrictions limit the entire slope area to open space.

B3. Similar comments were addressed in response A4 to the U.S. Fish and Wildlife Service. The EIR states "Short-term increased noise levels resulting from concerts are unlikely to have significant impact on least Bell's vireo and California gnatcatchers in the project vicinity due to the proximity of suitable habitat to existing sources of high noise levels. This portion of the Otay River presently experiences high noise levels as a result of an adjacent public trap/sheet shooting range, vehicle activity along Otay Valley Road (including large vehicles hauling waste inroad to the Otay Landfill), auto wrecking/recycling facilities, rock quarry/crushing operation, and off-road vehicle activity on surrounding open space lands. A review of previous studies suggests that birds can tolerate relatively high noise levels of prolonged periods (PSBS 1995, pg. 29/E-33). Indirect impacts due to short-term periods of high noise level are unlikely to significant affect least Bell's vireo nesting in the project vicinity because the principal activity time for least Bell's vireo is during the early morning and daylight hours when mating, foraging, vocalization, and nest building activity occurs. The proposed concert events occurring at the MCA Chula Vista Amphitheater would occur in the afternoons and evenings" (Pages 3.5-8 and 3.5-9). The EIR further states "due to the intermittent frequency of disturbance by concert events at the MCA Chula Vista Amphitheater, (35-60 days per year) and timing of the events (evening hours), noise related impacts to wildlife activity are not expected to be significant" (Page 3.5-9).

In addition, the City of Chula Vista recognizes that the project applicant has voluntarily determined to enact additional measures to reduce indirect impacts of noise, lighting, and human activity/encroachment to potential sensitive species and sensitive habitat in the Otay River Valley. The project applicant has voluntarily agreed to conduct the following



measure:

A. Implement a least Bell's vireo monitoring program conducted within the segment of the Otay River Valley for a period of 5 years as a part of the mitigation plan. This monitoring can be limited to collection of existing information from other ongoing projects in the project vicinity.

B4. The EIR states "it is unlikely the occasional increased noise levels generated by the project would significantly affect the least Bell's vireo utilizing this portion of the Otay River Valley" (Page 3.5-9). The EIR states "Due to the intermittent frequency of disturbance by concert events at the MCA Chula Vista Amphitheater (35-60 days per year) and timing of the events (evening hours), noise related impacts to wildlife activity are not expected to be significant" (Page 3.5-9). No mitigation for noise impacts to wildlife is proposed since no significant impacts have been identified. The referenced noise mitigation is related to impacts on future land uses and is only required when and if those land uses are developed.

B5. The present orientation of the amphitheater was selected as it generates the least amount and focus of indirect impacts such as noise and lighting/glare. The noise levels with the current orientation focus noise towards the north towards present noise (trap/shooting range fires to north across Otay River) as well as away from existing residential land uses. The present orientation directs lighting/glare to the southeast, away from the Otay River. Reorienting the amphitheater would result in increase in lighting/glare to the Otay River as well as potential rebound noise from sound from the steep slopes to the south of the site.

Mr. Joseph Monaco  
July 19, 1995  
Page Three

B6 The DFG recommends that all on-site lighting be shielded to direct light and glare away from the Otay River and away from the slopes south of the amphitheater. Except for public safety concerns, the lights on-site should be turned off or minimized when the amphitheater is not in use.

B7 In Appendix E, the biological technical report lists recommended mitigation measures (Section 4.0) on pages 34 and 35. The DFG concurs with the mitigation measures in this report and believes they should be incorporated into the Final EIR. Of key importance in this list is confining construction to the non-breeding season for the least Bell's vireo (September 1 to February 1) and a vireo monitoring program to assess the impacts of the amphitheater on this endangered species.

This concludes the DFG's comments. If you have any questions please contact David Lawhead at (619) 467-4211. Thank you.

Sincerely,



William E. Tippet  
NCCP Field Supervisor

cc: Department of Fish and Game

Dr. Larry Eng  
Mr. Ron Rempel  
Sacramento

Ms. Patty Wolf  
Long Beach

Mr. David Lawhead  
Mr. Randy Botta  
San Diego

U.S. Fish and Wildlife Service

Mr. Gail Kobetich

FILE: Chron

B6. Similar comments were addressed in the response to the U.S. Fish and Wildlife Service. Lighting controls provided in the project design are adequate to address this concern.

B7. No significant impacts to biological resources were identified. The EIR states "due to the intermittent frequency of disturbance by concert events at the MCA Chula Vista Amphitheater, (35-60 days per year) and timing of the events (evening hours), noise related impacts to wildlife activity are not expected to be significant" (Page 3.5-9). Therefore, no mitigation measures are required.

The biology technical report was prepared prior to the finalization of the noise impact analysis. Upon review of the findings of the noise technical report, it was concluded that the construction-related noise levels would not attain levels which would disturb the least Bell's vireo. No grading is proposed on the slopes or in the Otay River. The majority of the grading activities are more centrally located. Therefore, the EIR concluded that this recommendation was not warranted.

In addition, the City of Chula Vista recognizes that the project applicant has voluntarily determined to enact additional measures to reduce indirect impacts of noise, lighting, and human activity/encroachment to potential sensitive species and sensitive habitat in the Otay River Valley. The project applicant has voluntarily agreed to conduct the following measures:

- A. Implement a least Bell's vireo monitoring program conducted within the segment of the Otay River Valley for a period of 5 years as a part of the mitigation plan. This monitoring can be limited to collection of existing information from other ongoing projects in the project vicinity.

DEPARTMENT OF TRANSPORTATION  
DISTRICT 11, P. O. BOX 8408, SAN DIEGO 92114-8408

July 26, 1995

11-SD-805  
PM 3:52.9  
11-224-936165  
@Otay Valley RoadHal Rosenberg  
City Traffic Engineer  
City of Chula Vista  
P. O. Box 1087  
Chula Vista, CA 91912


Dear Mr. Rosenberg:

C1 The following comments pertain to the Draft EIR for the MCA Chula Vista Amphitheater project near Route 805:

- C2 1. The projected traffic volumes at the Olay Valley Road ramp intersections will cause congestion. Queuing will occur on the southbound off-ramp, and may also occur on the southbound freeway lanes. A queuing analysis is required which shows that ample vehicle storage is provided on the southbound off-ramp. Queuing on the freeway lanes should be avoided during an amphitheater event.
- C3 2. The traffic impact study also indicates that a traffic management team will be formed for this project. A detailed Traffic Management Plan (TMP) is required which shows the locations of traffic control measures. Such measures include changeable message signs, delineation, coning, and traffic control personnel. The TMP should include locations on the freeway, and locations north of the Orange Avenue interchange as an alternate route to the project site if necessary. The TMP should be reviewed by Caltrans Traffic Operations, and included in the final EIR.
- C4 3. The TMP will be the responsibility of the Amphitheater. All costs associated with hiring a contractor to provide traffic control will be paid for by the Amphitheater. Encroachment permits from Caltrans will be required for operation of the TMP.
- C5 4. It is understood that the City will sponsor a project to improve the Olay Valley Road interchange which will be funded through developer impact fees. A fair share contribution should be made by the developer of the amphitheater.

If you have questions regarding these comments, please contact Keith Ploettner, Project Manager, at (619) 688-3156.

Sincerely,

  
 KEITH R. PLOETTNER  
 Project Manager  
 Design

cc: Joseph Monaco - City of Chula Vista

C1.

Vehicle queuing analysis of the I-805/Olay Valley Road intersection was performed for 1996 Opening Day conditions and for Year 2010 interim conditions. The analysis was performed for the timing parameters utilized in the intersection capacity calculations utilizing the Transit 7F program. The analysis was performed to determine the maximum queue that would be expected. The results of the analysis are as follows:

	SB Left Vehicle Queue	Storage Required
1996 Opening Day	35	875 ft.
2010 Interim	119	2,975 ft.
2010 Interim with 20% of left turning vehicles diverted to Orange Ave.	42	1,050 ft.

In summary, it can be stated that for 1996 Opening Day conditions the southbound left turns from I-805 to eastbound Olay Valley Road are not expected to queue onto the I-805 freeway mainline. This conclusion is based on the approximately 1,200 feet of storage on the off-ramp and the expected queue of 35 vehicles.

For interim Year 2010 conditions the southbound left turn without delay to other movements at the intersection would have a peak demand of 119 vehicles. This demand is greater than the available 1,200 feet of storage.

Additional analysis of the southbound traffic volumes was conducted to determine how many left turning vehicles would need to be diverted to Orange Avenue and Brandywine to avoid queuing vehicles onto the I-805 mainline. The conclusion was that a diversion of 20 percent of the left turn vehicles (approximately 360) would result in the intersection operating at LOS D with an average intersection delay of 34.8 seconds and a vehicle queue of 42 vehicles for the southbound left. This queue requires 1,050 feet of storage which is less than the available 1,200 feet of storage.

It should also be noted that the project approvals identifies a Traffic Management Plan to be implemented with City, Caltrans and CHP concurrence. The TMP is intended to provide additional controls such as variable message signs, directional signing and traffic

control officers and key locations to minimize/mitigate project impacts. The technical analysis is available for review at the City Traffic Engineers office.

- C2. The MCA Traffic Study (Page B-71) identified and required a Traffic Management Plan to be prepared and approved by the City of Chula Vista and Caltrans. The recommended condition has been revised to further define the requirements of the plan. See also response D5.
- C3. Comment noted. The implementation of the Traffic Management Plan and related costs are the responsibility of the amphitheater operator as discussed in EIR Section 3.2.
- C4. The City acknowledges the need to identify future I-805/Olay Valley Road interchange improvements. In addition, the City has a Development Impact Fee (DIF) program to fund highway improvements within the I-805 corridor. The City has requested Caltrans to prepare the necessary Project Study Report (PSR) to determine future interchange improvements at Olay Valley Road, Orange Avenue, Palomar Road and Telegraph Canyon Road. At the time Caltrans completes the necessary PSR(s), the City will be able to incorporate fees for interchange improvements into their DIF program.



# County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666  
INFORMATION (619) 594-2860

ROBERT R. COPPER  
DIRECTOR (Acting)  
(619) 604-2962

July 19, 1995

Joseph Monaco, Environmental Projects Manager  
Community Development Department  
City of Chula Vista  
Chula Vista, California 91910

Dear Mr. Monaco:

San Diego County Transportation Planning staff has reviewed the draft Environmental Impact Report (EIR) for the proposed MCA Chula Vista Amphitheater. We offer the following comments regarding the EIR for this project:

- D1 The near-term and long-term impacts to Otay Mesa Road should be identified in the draft EIR.
- D2 According to the San Diego Region's Congestion Management Program (CMP), Otay Mesa Road is a CMP Principle Arterial and a Regionally Significant Arterial. Otay Mesa Road should be identified as such in the draft EIR. The CMP and its requirements should also be discussed in the draft EIR.
- D3 Mitigation should be proposed for significant impacts to Otay Mesa Road. This should include a fair share contribution to road widening improvements on Otay Mesa Road proposed by the City and County of San Diego.
- D4 Interstate 805 (I-805) is also part of the CMP system. The impacts to I-805 should also be discussed as per the procedures outlined in the CMP. For example, in the interim and buildout scenarios, the proposed project would add trips to I-805 between Orange Avenue and Otay Valley Road which are forecast to operate at Levels of Service (LOS) "F" and "E", respectively.
- D5 Details of the proposed mitigation monitoring system should be identified in the EIR. The provisions outlined on Page 59 of the traffic impact study are for a traffic control plan. If a mitigation monitoring program is to be provided, upon what thresholds will it be based and how will it be implemented? Will it address roads outside of the City of Chula Vista's jurisdiction, such as Otay Mesa Road?

D1. Existing ADT volumes and level of service (LOS) on Otay Mesa Road are as follows:

- 43,800 from SR-905 to Heritage Road (LOS F)
- 33,100 from Heritage Road to Cactus Road (LOS C)

Under near-term (Opening Day 1996) conditions it is anticipated that Otay Mesa Road to the east of Heritage Road will carry approximately 500 to 600 directional trips during loading and unloading of a 100 percent capacity event. The primary impact of this traffic will occur at the intersection of Otay Mesa Road/Heritage Road. Segment impacts will be minimal due to the spreading of inbound traffic over a two-hour period prior to an event and the off-peak nature of outbound traffic (i.e., 10 pm to midnight). Potential impacts at the aforementioned intersection are addressed in the EIR with Opening Day 1996 LOS C. Planned improvements to this intersection scheduled for 1997 will allow the intersection to operate at acceptable levels in the future.

There would be no long-term impacts to Otay Mesa Road as SR-905 is planned to be in place as at least a 4-lane expressway, and ultimately a 6-lane freeway with 2 HOV lanes. Recent modeling efforts in the Southbay indicate Otay Mesa Road will maintain LOS B or better from SR-905 to the east.

D2. Comment noted. Otay Mesa Road is identified as a CMP Principal Arterial and a Regionally Significant Arterial (RSA).

One of the elements of the Regional CMP is an enhanced CEQA review process which applies to all discretionary projects. The CMP considers a contribution of more than 50 vehicles in the peak hour in each direction on a Regionally Significant Arterial or more than 150 vehicles in the peak hour in each direction on a freeway to be significant. These peak hour directional values generally equate to approximately 800 two-way trips on arterials and 2,400 two-way trips on a freeway. It should be noted that the majority of project traffic will occur in non-peak hour conditions. Level of service standards are LOS E for both RSA's and freeways, unless the existing freeway level of service is LOS


Mr. Monaco

- 2 -

July 19, 1995

Thank you for your consideration of the above comments. If you have any questions concerning these comments, please contact Bob Goralka at 694-3728.

Sincerely,

  
ROBERT R. COPPER, Director (Acting)  
Department of Planning and Land Use

RRG:RG:d1d

AUTHOR\TPLTRRG1.795:jcr

F. The CMP and its requirements are discussed in detail in the 1991 Congestion Management Program (SANDAG, and the 1994 update), and the 1994 Guidelines for Congestion Management Program Transportation Impact Report (SANTEC, ITE, January 1994).

The estimated contribution of approximately 1,100 two-way trips to the segment of Otay Mesa Road east of Heritage Road would normally be considered significant by CMP standards. However, due to low peak hour operating characteristics of the project, and the infrequent occurrence of 100 percent capacity events, the resulting impact of project traffic on Otay Mesa Road is considered to be less than significant. Also, see response D5.

D3. Mitigation measures reduce project impacts on Otay Mesa Road to a less than significant level as described in the EIR. This mitigation consists of a Traffic Event Management requirement and an Event Monitoring Program requirement. It should also be recognized that the forecasted trip generation by the amphitheater are not "new" trips to the transportation network. Previous transportation planning studies in the southbay area by the City of Chula Vista and the City of San Diego (Otay Mesa community) have long accounted for trips emanating from the project site. Furthermore, forecasted trip generation for the project site is lower now as compared to the industrial traffic forecasted for this site by a previous EIR approved for this site.

D4. See response D3. Year 2010 level of service on I-805 from Orange Avenue to Otay Valley Road is LOS F both with and without the project. See also response C4.

D5. The EIR and the MCA Traffic Study (Technical Appendices, B-71) identified the requirement for the applicant to develop a Traffic Management Plan (TMP) and Event Monitoring Program for approval by the City of Chula Vista. The condition was intended to address the major facilities providing access to the project such as I-805, Otay Valley Road and Otay Mesa Road. The TMP and EMP were developed by the applicant and approved by the City of Chula Vista, Caltrans and the CHP. The TMP and EMP will identify the types of controls and strategies to be implemented for the

various types of concerts to occur. The applicant will also be responsible for the costs associated with implementing the plan. Traffic control requirements will be included in the Conditional Use Permit issued for the project. Minor revisions to the recommended plan have been made and are incorporated in the final EIR.

The recommended TMP requirements have been revised and hereby incorporated into the Final EIR as follows:

7. Develop and implement a management and mitigation monitoring program acceptable to the City of Chula Vista Traffic Engineer that includes but is not limited to the following:

a. Establish a Management Team consisting of MCA Amphitheater management, City of Chula Vista, Caltrans, CHP and law enforcement personnel for oversight and continued surveillance of the facility and associated events.

b. The applicant, prior to Opening Day of the project, in concert with the Management Team will develop a Traffic Management Plan (TMP) to be used during the first year of operations. The plan will identify traffic control, directional signing, variable message signs, traffic control officers, cones, law enforcement and parking management procedures to be followed for the various size and types of concerts.

The plan will detail the manpower and equipment requirements. Also, the plan will necessitate securing an Encroachment Permit from Caltrans to implement the recommended procedures.

Figure 3.2-2 depicts the generalized traffic management techniques to be incorporated into the TMP.

c. Prepare plans for directional signing to and from the amphitheater during events. These plans will need to be closely coordinated with the City of Chula Vista,

Caltrans and the City of San Diego. Event or temporary signing would be expected on I-805 (as approved by CalTrans), Olay Valley Road and Olay Mesa Road.

d. Prepare and implement traffic control strategies and equipment requirements for the intersections along Olay Valley Road and at Olay Valley Road/Heritage Road. These strategies will need to address manpower and equipment requirements and determine the hours of operation.

Due to the heavy peak demands at the I-805/Olay Valley Road interchange, traffic control personnel will be assigned to assist in directing of traffic at the interchange as well as at signalized intersections along Olay Valley Road. Traffic control personnel and barricades will also be employed at Oleander Avenue and/or other local roadways to direct traffic and eliminate short-cut traffic through residential areas.

e. Develop and implement an onsite access plan to minimize conflicts with pedestrian traffic and vehicles, adequately place pay points, and determine procedures to fill the parking areas from Olay Valley Road via Olay Rio Road and Spy Glass Hill Road. This dual ingress scheme may need to load both roads with inbound traffic simultaneously. The plan will need to include:

- Channelization/coming plans and traffic control personnel requirements;
- Location and number of pay points;
- Pedestrian control onsite and to limit pedestrians along Olay Valley Road;
- Tow truck and emergency equipment requirements for stalled and disabled vehicles; and,

A plan to maintain access to and from the City of Chula Vista Corporation Yard during events. Due to the heavy traffic demand during arrival and departure periods, it may be necessary for amphitheater management personnel to make provisions for off-site facilities such as a separate driveway to Olay Valley Road to accommodate emergency activities of the



• City. Specific provisions to maintain access to and from the corporation yard during events shall be developed to the satisfaction of the Director of Public Works and implemented prior to development of the corporation yard site.

f. The applicant will be responsible for all costs associated with the development of and implementation of the TMP.

g. After completion of the first year of operation, the applicant will work with the Traffic Management Team to refine the TMP for future years of operation.



THE CITY OF  
**SAN DIEGO**  
CITY OPERATIONS BUILDING • 1222 Neil Avenue • M.S. 301 • San Diego, California 92101

OFFICE OF  
DEVELOPMENT SERVICES  
DEPARTMENT  
236-6460

July 18, 1995

Mr. Joe Monaco  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910

SUBJECT: LETTER OF COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT  
REPORT FOR THE PROPOSED MCA CHULA VISTA AMPHITHEATER  
PROJECT (DEP FILE 95-02)

Dear Mr. Monaco:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the MCA Chula Vista Amphitheater project. We are very concerned that the project could have significant impacts on planned land uses in proximate portions of San Diego. In summary, the conclusions and mitigation measures proposed for the MCA Chula Vista Amphitheater do not allow the City of San Diego's concerns for the project's impacts on the Demery Ranch and Robbhood Ridge Precise Plans, which propose residential development and open space. The major issue is the potential impact of event noise on future residential development. Additionally, the project could significantly affect sensitive biological resources within the draft Multiple Species Conservation Program (MSCP) area, including sensitive riparian resources within the Otay River Valley. These concerns are addressed in greater detail below.

**Land Use**

The DEIR (page 3.1-14) concludes that the proposed project would not result in significant impacts to land use. The City of San Diego does not concur with this conclusion. According to the noise study, some of the area proposed for residential development in the Robbhood Ridge and Demery Ranch Precise Plans would lie within the 50 decibel (dB(A)) noise contour. The land use conflict resulting from project implementation must be considered a significant land use impact within adopted community and precise plans within the City of San Diego. Additionally, a

E1

E1. The basis for disagreement with the conclusions of the Draft EIR with respect to land use compatibility is identified in this comment to be related to noise impacts. However, Section 3.3 of the Draft EIR indicates that all significant noise impacts would be mitigated to less than significant levels. Mitigation of significant noise impacts would be required prior to occupancy of future residential land uses whether those land uses are in the City of Chula Vista, the City of San Diego, or the County of San Diego. Specific conditions that will be placed on the Conditional Use Permit for the project include the following:

- A. When development of land within the potentially impacted future residential areas is imminent, as defined by approval of a Tentative Subdivision Map for residential development, a sound monitoring program will be implemented during a concert season(s) in which at least one concert event is scheduled that is anticipated to reach the worst case levels identified in the EIR. The monitoring program would be conducted by the City at the project applicant's expense and would require field measurements at the closest residential development area within the area of potential impact. Field measurements would occur for those concert events expected to reach the highest levels of sound.
- B. If the monitoring program indicates that impacts to future residents would occur, the applicant shall post a bond in an amount equal to 125% of the estimated cost of constructing a permanent noise mitigation solution (the current cost estimate for a sound wall is \$1,000,000).
- C. After certificates of occupancy are issued for housing within the identified impact areas (which is when an impact will occur regardless of complaints), the City shall have the right to impose operational mitigation (i.e., noise volumes to be reduced, reorientation of speakers, etc.), all at the applicant's expense, including continued monitoring.
- D. If operational controls are not successful, as evidenced by the monitoring



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program, a hearing will be held where the applicant will be given an opportunity to present evidence that the noise threshold standards have not been exceeded. If it is determined nonetheless that the thresholds have been exceeded, the City will impose permanent noise controls as set forth in the EIR.

These conditions will ensure that future residences will be protected from noise impacts in accordance with the threshold standards set forth in the EIR. Therefore, the Draft EIR reaches a valid conclusion that potential adverse land use compatibility impacts that are associated with noise impacts, are less than significant.

E2. Similar comments were addressed in responses to comments from the U.S. Fish and Wildlife Service (A1 - A5) and the California Department of Fish and Game (B1-B7).

E3. Similar comments were addressed in responses to the U.S. Fish and Wildlife Service and the California Department of Fish and Game as well further comments listed by the City of San Diego Biology/Open Space. See responses A1 - A5 and B1 - B7.

E4. The Draft EIR, along with conditions to be placed on the Conditional Use Permit, as outlined in response to comment E1, adequately ensure that noise impacts will be mitigated. The specific method of mitigation will be determined based on the specific level of impact measured empirically (and therefore more accurately than can now be estimated) at the time when residential development in the vicinity is imminent. The City of Chula Vista has deliberately provided for flexibility in the administration of noise controls so that the most effective solution, based on current and future technology may be implemented. The City has ensured an adequate enforcement mechanism to mitigate impacts, with the knowledge that there are currently available mitigation techniques, as outlined in the Draft EIR that can achieve the identified standards. Specific examples of mitigation techniques are provided in the Draft EIR, not simply implied (Section 3.3, Noise, Page 3.3-17). For additional clarification: "vertical barriers" are identified as noise walls, "reorientation of speakers" is self-explanatory, "administrative controls" refer to limits on the amplification level of sound at the source (i.e., turning the sound down).

E5. The changes in the project relate to the lighting orientation and shielding as well as stage orientation and siting. The design changes were incorporated into the additional sound propagation simulations dated April 17, 1995. The conclusions in the Draft EIR regarding noise were based upon the reference changes through the use of the updated noise studies from April 1995. These changes in the project would reduce the impacts of the proposed project and implement more effective and feasible mitigation measures implemented by the City of Chula Vista to monitor the operations of the MCA Chula Vista Amphitheater. These changes were contemplated by the Draft EIR and therefore, none of the conclusions in the Draft EIR have been changed.

land use conflict with designated open space areas would result, due to the project's impact on sensitive biological resources and the tranquility of passive open space. The project is also in conflict with the draft MSCP and the proposed Otay Valley Regional Park (see discussion under Biology/Open Space).

**NOISE**

Based on the information provided in the DEIR and the supporting noise study, the City of San Diego does not concur with the conclusion that implementation of the proposed Mitigation Monitoring and Reporting Program would reduce the noise impact associated with concert events to below a significant level. The final EIR should provide examples of noise attenuation measures implied by Mitigation Measures 1-3, (page 3.3-17) of the DEIR.

The DEIR (page 3.3-1) indicates that there have been changes in the project and in proposed mitigation measures since the noise studies were conducted. Please explain in detail what these changes were and how they affect the DEIR conclusions. If anticipated sound measurements change from those based on the testing program, the noise studies should be modified accordingly. Based on information currently presented, however, there appear to be significantly greater noise impacts identified in the noise study than in the DEIR. The noise study concludes that the project would exceed the 40 dB(A) 10:00 P.M. - 7:00 A.M. sound limit within single-family residential (R-1) zones within the City of San Diego. As indicated, the anticipated 50 dB(A) noise contour would encompass portions of residential and open space-designated areas within the Dennyway Ranch and Robinhood Ridge Precise Plan areas. In fact, the noise studies recommend that the City of San Diego redesignate proposed residential uses for non-residential uses where the noise levels are anticipated to be 50 dB(A) or greater. This further substantiates the City of San Diego's contention that the proposed project would result in a significant land use impact. The City is concerned that project implementation would render approved housing within Robinhood Ridge and Dennyway Ranch unmarketable, which could potentially result in litigation.

**Biology/Open Space**

The City of San Diego's letter in response to the Notice of Preparation (NOP) pointed out that there are potential conflicts between the amphitheater and the draft MSCP open space preserve. The draft MSCP identifies the portion of the Otay River Valley immediately adjacent to the project site as a Multi-Habitat Planning Area (MHPA). The Plan restricts uses within the MHPA and provides development guidelines for uses within and adjacent to the MHPA. Please explain how the project would be compatible with the MHPA designation and how the project's design would comply with the draft MHPA guidelines.

E7

E6. The comment notes the impact finding of the Draft EIR but appears to confuse the pre-mitigation condition with the post-mitigation condition. Mitigation provided in the Draft EIR sufficiently reduces the impact referred to in this comment to a less than significant level. Additionally, the suggestion by the applicant's noise consultant to redesignate residential land uses to accommodate the facility has been rejected by the City as being infeasible. As indicated in response E1, the conclusion is that land use compatibility impacts, as measured by noise impacts, are considered to be less than significant. Reference to the marketability of housing or the potential for related litigation raises issues that are outside of the scope of CEQA, however, it should again be noted that all significant noise impacts are reduced to less than significant levels with the implementation of mitigation measures.

E7. Similar comments were addressed in responses to the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The project site is not located within a sensitive preserve area according to the draft MSCP. The project site is located to the south of a segment of the Olay River. The Multi-Habitat Planning Area (City of San Diego, *MSCP Plan, Public Review Draft*, Figure 3-1) of the draft MSCP does not delineate specifically this segment of the Olay River as Riparian/Wetlands (indicated by dark blue shading on Figure 3-1) as a part of the MHPA. Therefore, the project site is not located adjacent to a segment of the Olay River included in the MHPA. The City of San Diego Southern Subarea identified preserve lands located to the south of the project site as "Disturbed Habitat." A discussion of buffers is provided in Section 3.1. Figure 2.3 of the draft MSCP plan indicates the segment of the Olay River north of the project site as within a biological core area. The referenced habitat linkage (linkage "M") includes the segment of Olay River west of Interstate 805. The segment of Olay River located to the north of the project site is located to the east of I-805 and is not located within linkage M. The entire Olay River to the east of Interstate 805 is indicated to be a biological core areas within the MSCP Study Area. An expanded discussion of land use compatibility is provided in EIR Section 3.1 as related to MSCP Section 4.0.

The EIR states *"the project site is not located within the jurisdiction boundaries of the MHPA (MSCP, Figure 3-1), the project site's proximity merits an analysis to consider*

*land use impacts of the proposed project. The City of San Diego Subarea Plan Identifies buffers (measuring 180 feet) as important features to protect resources within the preserve from the edge effects of adjacent land uses. Buffers may be either inside or outside the preserve system, on private or public lands, as long as easements or other land use restrictions are imposed. The Draft MSCP states that "in areas with existing approved plans or existing development, the buffer will be contained entirely within the preserve (City of San Diego, MSCP Plan, Public Review Draft, Page 8-3)" (Pages 3.1-11 and Pages 3.1-12). The project site is developed with the existing Otay Rio Business Park - Phase 1 which includes graded building pads, street improvements, utilities, and landscaped embankments/entrances. No undeveloped open space with undisturbed vegetation is located onsite. According to the Draft MSCP, buffers will be contained entirely within the preserve, which would include the segment of the Otay River located to the north, and the steep slopes identified to the south of the site which are identified within the City of San Diego Preserve Lands - Southern Subarea as disturbed habitat. (Southern Subarea, MSCP Figure 8-1). The open space within the steep slopes south of the project site currently are owned by parties other than the applicant. The applicant shall use all reasonable efforts to secure a conservation easement in favor of the DFG.*

The response letter to the NOP also requested that the DEIR thoroughly analyze impacts to biological resources, especially wildlife movement corridors and edge effects associated with loud noise and laser/strobe lights expected to emanate from the amphitheater. These disturbances would occur at the same time that any wildlife movement along the river would be expected to occur. Additionally, the DEIR should address and provide mitigation for the extent of human activity that would be drawn to the project site and vicinity both day and night. The analysis and proposed Mitigation Monitoring and Reporting Program to address biological resources in the DEIR are not adequate. Specifically, not all of the mitigation measures recommended by the biological report were incorporated into the Mitigation, Monitoring and Reporting Program for the DEIR. This is especially true with respect to anticipated indirect impacts to the federally listed as endangered Least Bell's Vireos occupying the riparian habitat associated with the Otay River. Recommended measures are spelled out in detail on pages 34-35 of the biological report prepared by Pacific Southwest Biological Services, Inc. These measures would have adequately addressed such indirect impacts as event noise, lighting, dust, and human encroachment; and would have recommended means of discouraging exotic species from invading nearby native habitats and preventing urban run-off from affecting the Least Bell's Vireo habitat. If all these measures are not implemented, the indirect impacts would remain significant and unmitigated.

Based on the City's review of the project, the proposed amphitheater would have a significant impact on the proposed Otay Valley Regional Park. Specifically, the project would adversely affect the Least Bell's Vireo habitat and disturb the tranquility therefore adversely affecting the feasibility of what is anticipated to be a passive recreational area.

**Traffic**

The following are technical comments addressing the traffic issue, supplied by the Transportation Planning Division of the City Engineering Department:

1. For opening day conditions, the project is estimated to generate 3,335 inbound vehicles during the 7:00-8:00 p.m. project peak hour. Of this amount, 2,835 (85%) vehicles will access the site on Otay Rio Road from southbound Otay Valley Road from three lanes. Approximately 500 (15%) vehicles will access the site on Spy Glass Hill road from northbound Otay Valley road from on lane. To accommodate this number of vehicles, the inbound flow rate would be about 3.8 seconds per vehicle per lane at the Otay Rio Road access and about 7.2 seconds per vehicle per lane at the Spy Glass Hill

Section 3.5 discusses potential indirect impacts to biological resources including noise and lighting/glare. The EIR states "Indirect impacts are disturbance factors such as noise, lighting, dust, and human activity/encroachment. Human activity due to operation and maintenance of the proposed MCA Chula Vista Amphitheater and associated activities (swap meet and fireworks displays) is expected to have the greatest potential for indirect impacts to sensitive resources in the project vicinity, particularly the riparian habitat of the Otay River Valley" (Page 3.5-7).

The EIR analyzes potential indirect impacts of noise (both construction noise and amphitheater noise), lighting, human activity/encroachment, and fire on Pages 3.5-8 through 3.5-11. The EIR states "The proposed project would not result in significant, unmitigated impacts to biological resources onsite or offsite by direct or indirect impacts at the project site" (Page 3.5-11).

The EIR analyzes potential indirect impacts of human activity/encroachment as "impacts could include habitat encroachment, vegetation destruction, and fugitive trash. Riparian bird species living along and within the Otay River floodway are most susceptible to these disturbance factors and may abandon nest sites. The MCA Chula Vista Amphitheater would install a perimeter fence to restrict human and vehicle activity to the designated use of the project site. The perimeter fence would restrict human and vehicle activity to the project site and prevent habitat encroachment. Based on the implementation of these design features for the proposed project, the impacts of human activity/encroachment are not expected to be significant" (Page 3.5-10). The EIR further states "The following design features will be incorporated into the MMRP to ensure their implementation:

- Applicant shall be responsible for fencing along Otay Valley Road south of the facility and along the top of the mesa to discourage access to these sensitive areas.
- The open space within the steep slopes south of the project site shall be dedicated in fee or in a conservation easement to the California Department of Fish and Game.
- Any trails developed in the project vicinity as part of the Otay Valley Regional

*Park shall be closed during concert events" (Page 3.5-11).*

E10. Similar comments were addressed in responses to the U.S. Fish and Wildlife Service (A1 - A5) and the California Department of Fish and Game (B1 - B7).

E11. The EIR states *"The proposed project would be more similar to the Otay Valley Regional Concept Plan than the industrial land uses designated by the Chula Vista General Plan. The entire project site is occupied with graded building pads, street improvements, utilities, and landscaped embankments/entrances. No undeveloped open space with undisturbed vegetation is located onsite. The boundaries of the proposed project would not be located within a wetland area, sensitive area subject to preservation and resource enhancement, or habitat linkages as identified in the Concept Plan. The proposed project would not be located within the Otay River or adjoining floodplain occupied with natural vegetation. The proposed project will not be located within or alter the proposed trail corridors of the Concept Plan. The proposed project will not be located within or alter the proposed intersections/nodes of the Concept Plan" (Page 3.1-11).* Impacts to least Bell's vireo habitat have been addressed in Responses B1 - B7.

E12. See response D5. The applicant will be required to develop a Traffic Management Plan addressing the handling of traffic off-site as well as on-site coupled with traffic control measures to meter the rate at which vehicles leave the facility. The plan as currently proposed will incorporate as many pay points as necessary, and sufficient pay point personnel at each parking area to ensure that peak traffic demands do not create or impose on Otay Valley Road. The pay points will be located in the lots and not on Spy Glass Hill Road and/or Otay Rito Road.



2. Road access. Considering that each vehicle has to go through a pay point, these flow rates appear to be very optimistic, especially at the Otay Rio Road access. Provision of additional access points and queue areas may be needed.

3. For opening day conditions, the proposed traffic lane assignment on Otay Valley road of three southbound inbound lanes prior to a weekend event and three northbound outbound lanes after the event may not be able to accommodate the peak 2,835 inbound and 3,450 outbound site traffic trips projected on this segment of Otay Valley Road. An additional lane should be provided, especially for northbound outbound traffic.

4. The City of San Diego's Otay Mesa Public Facilities Financing Plan shows the north-south section of Otay Valley Road/Heritage Road to be realigned and widened to a six-lane arterial between Otay Mesa Road and Otay Valley Road Bridge, including the bridge, by the year 2020. This schedule should likely be accelerated, and the applicant should provide a fair share contribution toward the cost of this improvement.

5. Otay Mesa Road near Heritage Road is planned to be improved to a six-lane arterial by the beginning of 1997. The project should provide a fair share contribution toward the cost of this improvement, including improvements to the intersection of Heritage Road and Otay Mesa Road.

6. Until the ultimate improvement and widening of Otay Valley Road/Heritage Road occurs, the project should coordinate with the affected auto dismantling owners in the area to provide adequate interim roadway improvements on Datsun Street between Heritage Road and Otay Valley Road and on Otay Valley Road between Datsun Street and the project site. These include the installation of street lights along this section of Otay Valley Road as well as street lights at the intersections of Datsun Street with Heritage Road and with Otay Valley Road.

7. During events, the project should provide adequate traffic control and signage to discourage motorists from using the section of Heritage Road from Datsun Street north to Otay Valley Road.

8. On page 24 of the traffic study, it is stated that 65 percent of attendees are anticipated to depart 0-1 hour after an event and 35 percent to depart 1-2 hours

E13. As stated in the MCA Traffic Analysis report, 3 lanes will be provided inbound and 3 lanes outbound for the directional flow of the event traffic. Conservatively, the capacity of one lane is 1,500 vphpl (vehicles per hour per lane). This will allow 4,500 vehicles to pass through any point in a given hour. Coupled with traffic control measures, this will result in reserve capacity both prior to and after the event, as the maximum hourly project-related ADT is expected to be 3,940 exiting between 11 p.m. and midnight.

E14. The property where the project is located was originally under the jurisdiction of the City of San Diego and thus made part of the Otay Mesa FBA area. Although the property has been annexed to the City of Chula Vista and is within the city's jurisdiction, the FBA obligation still remains with the property and its ownership. The City of Chula Vista, along with other jurisdictions in this region of the Southbay (County of San Diego/City of San Diego) have long recognized the importance of north/south arterial facilities crossing the Otay River Valley. Heritage Road is one of these key facilities and the City of Chula Vista remains committed to participating in it development as a 6-lane arterial in the future. However, the traffic characteristics of this site (periodic, post-peak hour events), should not in of themselves necessitate an accelerated schedule for the widening of Heritage Road. Furthermore, it should also be noted that the rate of industrial and residential development on Otay Mesa and resulting traffic volume growth will dictate the scheduling of major roadway facility improvements in the area. The crossings of the Otay River Valley are considered a regional need and not a direct requirement of the subject project.

E15. See responses D2 and D3.

E16. See MCA Traffic Impact Analysis report (Technical Appendices, Page B-26) for recommendations related to street lighting in the vicinity of the site. The traffic analysis does not indicate an adverse impact to the auto dismantling uses in the area. Continuous lighting on Otay Valley Road in the vicinity of the project where event mitigation and monitoring activities will take place will be made a condition of approval.

E17. Comment noted. See response to D5.

after the event. However, on page 27, Table 6, it is apparently shown in reverse - 35 percent leave at 10-11 p.m. This should be consistent.

E19. On page 27 of the traffic study, Table 6, the number of employee inbound and outbound trips do not equal the total employee average daily traffic (ADT). In addition, the number of employee outbound trips is less than the number of employee inbound trips for the theater event. Clarification is needed regarding the differences between these numbers.

This concludes the comments by the City of San Diego on the DEIR. Please provide us with a copy of a final EIR, including responses to our comments. Please contact Doug McHenry at (619) 336-7785 if you have questions or need additional information.

Sincerely,

*Ann B. Mix*

Ann B. Mix, Principal Planner  
Development Services Department

ABM:DMH:lcv

- cc: Jack McGrory, City Manager
- Maureen Stapleton, Assistant City Manager
- Mayor Susan Golding
- Councilmember Barbara Warden, District 5
- Councilmember Juan Vargas, District 8
- Ernest Freeman, AICP, Planning Director
- Ann French, Senior Traffic Engineer, Engineering Department
- Marcia McLatchy, Park & Recreation Director
- Tina Christiansen, Director, Development Services Department
- Ed Oliva, Assistant Director, DSD
- Mike Stang, Principal Planner, Planning Department
- Bill Levin, Senior Planner, Planning Department
- Frank Hafner, Neighborhood Code Compliance Department
- Jean Cameron, Senior Planner, DSD
- Doug McHenry, Associate Planner, DSD

LRMJCW459

E18. Comment noted. Table 6 in the Traffic Impact Analysis Report (Technical Appendices, Page B-39) has been corrected to read that 3,940 vehicles (65%) exit between 10 and 11 p.m. while 2,120 (35%) exit between 11 p.m. and midnight.

E19. The total employee ADT was rounded from 454 (250/1.1 = 227\*2 = 454) to 450 to keep calculations simple. The number of employee inbound and outbound trips are not equal because some employees arrive between 12 p.m. and 4 p.m. (not shown on Table 6), while others will remain on-site and exit after midnight.



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July 12, 1995

Mr. Joe Monaco  
 Environmental Projects Manager  
 City of Chula Vista  
 Community Development Department  
 276 Fourth Avenue  
 Chula Vista, CA 91910

Re: MCA Chula Vista Amphitheater (W.O. #01473830)  
 Draft EIR (SCII # 95031073)

Dear Joe:

Otay Water District (OWD) is pleased to respond to the City of Chula Vista's Notice of Public review for a Draft Environmental Impact report for the proposed MCA Chula Vista Amphitheater located at the intersection of Otay Valley Road and Otay Rio Road in the City of Chula Vista.

We understand that the proposed project involves construction of a 20,000 person capacity outdoor amphitheater consisting of approximately 10,000 fixed seats and a lawn seating area for an additional 10,000 patrons. The complex would include staging areas, ticket sales, permanent concessions, first aid/medical, restrooms, and will require parking for 6,000 cars. The amphitheater is proposed for concert events on approximately 15-60 nights per year. Additionally, an open air market is proposed for daytime use on Thursday through Sunday.

OWD previously prepared comments to the City of Chula Vista as part of the Notice of Preparation (NOP) process and closely coordinated with Tetra Tech, Inc., the City's EIR preparer, throughout the report preparation process in response to multiple telephone research inquiries. We have brief comments as follows:

**F1** Page 3.8-12 - Impacts section - The term "water capacity of 5,000 gpm" should be clarified that it is the maximum capacity for all anticipated demands. The Final EIR should include a brief discussion of estimated 1) Annual Average Day Use; 2) Maximum Day Demand; 3) Peak Hour Demand; and 4) Fire Flow Demand to insure proper planning of on and off-site facilities. Please refer to page 4-1 of the OWD Final Draft Water Resources Master Plan for a description of these definitions (attached)

**F2** As stated in our NOP letter of April 4, 1995, the contractor should contact the District Inspection Department before any work is started as the District may want to salvage some appurtenances (fire hydrants, etc.)

**F1.** Comment noted. The City of Chula Vista has determined that the maximum capacity for all anticipated demands is 5,000 gpm. The City of Chula Vista require the MCA Chula Vista Amphitheater to provide adequate water demand based on the requirements determined by the Department of Public Works.

**F2.** Comment noted. The City of Chula Vista Public Works Department will require the applicant's contractor to contact the Otay Water District Inspection Department before any work is started as the District may want to salvage appurtenances.

MCA Chula Vista Amphitheater  
Draft EIR (SCH # 95031073)  
July 12, 1995  
Page 2

F3. Comment noted. The City of Chula Vista Public Works Department will require the applicant to submit water system plans for review and approval of the Otay Water District.

F3 • Water system plans must be submitted to OWD for review and approval in advance of work commencement.

Please contact me at 670-2293 if you need any further environmental information or have any questions.

Sincerely,



Michael F. Coleman, AICP  
Environmental Specialist

MC:cp

Enclosure

cc: Tim Stanton  
Jim Peasley  
John Garcia  
Chris Craven  
Rebecca Patton

**CHAPTER 4**  
**WATER DEMANDS**

**FLUCTUATIONS IN WATER USE**

A water system must be able to supply water at rates which fluctuate over a wide range. Demand rates most important to the design and operation of a water system are annual average day (ADD), maximum day (MD), and peak hour (PH), and fire flow demands.

Annual average day use is the yearly total water use divided by the number of days in the year. This rate is used as the baseline for projecting maximum day and peak hour demands and for estimating operating costs and expected revenues.

Maximum day demand is the maximum quantity of water used on any day of the year. The maximum day demand is used to size water pumping facilities and to determine system capability without contributions from storage reservoirs.

Peak hour demand is the maximum rate of water used during any one hour of the year. The peak hour demand typically occurs during the maximum day. Peak hour rates often impose the most severe hydraulic condition and result in minimum residual distribution system pressures. Peak hour demands are met through a combination of system supply (usually pumping) and storage facilities.

Additional demand rates of significance are the peak week, and flow rates needed for fire fighting (fire flow) as defined below.

Water supply from the County Water Authority (CWA) is based upon providing the peak week demand, which is the highest quantity of water used in any one week of the year, expressed as an equivalent daily rate. The peak week peaking factor lies somewhere between the maximum month and maximum day peaking factors. From OWD's recent water use records, the peak week to annual average day demand ratio has been between 1.5 and 1.9. Prior planning studies done for CWA and by OWD staff have used a peak week peaking factor of 1.8. This value appears to be reasonable and will be used for this master plan.

Various fire flow requirements have been defined by the fire protection agencies within the water district boundaries. These flow demands are based upon building construction and land use and range from 1,000 gpm to 5,000 gpm. The water system is analyzed on the basis of delivering the required fire flow on the maximum day of the year. This demand condition is used to determine the size of most distribution mains within a system.



# Sweetwater Union High School District

ADMINISTRATION CENTER  
1130 Fifth Avenue  
Chula Vista, California 91911-2896  
(619) 681-3500

Division of Planning and Facilities

July 7, 1995

Mr. Robert Leiter  
Director of Planning  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910

Dear Mr. Leiter:

Re: Draft Environmental Impact Report/MCA Amphitheater

The Sweetwater Union High School District is in receipt of the Draft Environmental Impact Report for the proposed MCA Amphitheater and would like these comments forwarded to the planning commission for their consideration.

The district is responsible for the education of students in grades (7-12) for all residents in the project area; yet the report is silent about this fact. Additionally, the city and the district are engaged in discussions about the relocation of the district office. It is anticipated that the district's warehouse, transportation and maintenance facilities will occupy a site adjacent to the city's future corporate yard which is directly west of the proposed project.

Although the proposed relocation of the district office was known prior to the preparation of the Environmental Impact Report, it is not explored in the report as a future land use. As with the corporate yard, the district facility will require emergency twenty-four hour service to sites. To make this possible, the proposed uses of the outdoor theater should not make traffic on Otay Valley Road excessive. The proposed theater would seriously impede traffic during concert times as well as when the proposed swap meet/open air market is open. To eliminate this concern, a secondary access road will be needed from Otay Rio Road to Otay Valley Road.


The district disagrees with the statement on page 3.1-9 that the proposed land use is less intensive than the previously approved land uses. Obviously concerns will have a significant impact during this time and the report addresses that concern.

- G1. The EIR includes a description of the Chula Vista Corporation Yard and relocation of the Sweetwater Union High School District Office in EIR Section 2.3 Project Description, Related Project - Chula Vista Corporation Yard, Pages 2-8 through 2-10.
- G2. A discussion of the proposed relocation of the Sweetwater Union High School District Office is included in EIR Section 2.3 Project Description, Related Project - City of Chula Vista Corporation Yard, Pages 2-8 through 2-10. The EIR states "The south 20 acres of the Chula Vista Corporation Yard have been included in the purchase by the City of Chula Vista, but have not been proposed for specific use at this time. However, the City of Chula Vista has indicated that discussions have been initiated with the Sweetwater Union High School District to consider the potential relocation of the School District's warehouse, transportation, and maintenance operations from its current location at Fifth Avenue in Chula Vista, to a portion of the Chula Vista Corporation Yard. The Sweetwater Union High School District activities proposed to be relocated include School District Maintenance, Planning and Maintenance Administration, and Purchasing. In addition, the School District's transit operations, school transit employees, and school bus storage/maintenance operations are proposed for a portion of the Chula Vista Corporation Yard, potentially the south 20 acres" (Page 2-10).
- G3. A discussion of the proposed project to the proposed surrounding land uses including the Chula Vista Corporation Yard, a portion of which may include the relocation of the Sweetwater Union High School District Office states "the proposed amphitheater and open air market would not create significant impacts to surrounding land uses used for the proposed Chula Vista Corporation Yard. The proposed project may create adverse impacts to transportation/circulation along existing streets located on the project site and Otay Valley Road.... Mitigation is provided to reduce these impacts to less than significant levels" (Page 3.1-13). A secondary access road is not required for implementation of this project, but is being considered as a part of the maintenance yard proposals.
- G4. The EIR states "The project plan is a less intensive use of the designated site from the standpoint of daily land use activity" (Page 3.1-9).

Mr. Robert Leiter  
Page Two

G5 However, the proposed swap meet will have a greater impact than stated. As is demonstrated on Palm Avenue in San Diego, the swap meet at the South Bay Drive-In Theater requires traffic control during operation. A similar use in Olay Rio Park will cause grid lock on Olay Valley Road thereby making the corporate yard and district office services difficult to provide. The district feels that the planning commission should be made aware of these concerns when considering the adequacy of the Environmental Impact Report.

Sincerely,

  
Thomas Silva  
Director of Planning

TS/ml

c: Andrew B. Campbell  
Chris Salomone

G5. The total ADT expected for the Open Air Market is 3,655. This traffic will be spread out through the day, with the majority of the customers exiting between 4 and 5 p.m. (420 vehicles) (Technical Appendices, Page B-71). These vehicles will be able to exit at either Spy Glass Hill Road or Olay Rio Road, one of which will be signalized. This signalized intersection will most likely be located at Olay Rio Road and will provide adequate capacity to handle both the needs of the corporate yard and the market.



**The Baldwin Company**  
*Craftsmanship in building since 1956*

July 19, 1995

Mr. Joe Monaco  
 Environmental Projects Manager  
 Department of Housing and Community Development  
 City of Chula Vista  
 276 Fourth Ave  
 Chula Vista, CA 91910

Re: MCA Amphitheater EIR; SCH #95031073

Dear Mr. Monaco:

The Baldwin Company appreciates the opportunity to comment on the Draft Environmental Impact Report for the MCA Chula Vista Amphitheater. The Baldwin Company owns the Denny Ranch project within the City of San Diego immediately south of the project site and most of the Olay Ranch project area immediately north and west of the project site. In general, the Draft EIR is woefully inadequate. The following are The Baldwin Company's comments on the Draft EIR.

**H1**

**H2**

1. Public Review Period

State law requires a minimum of a 45-day public review period for draft EIR's. The MCA Draft EIR has been circulated for 30 days. There is no legal justification for the abbreviated public review period.

**H3**

2. General Plan Land Use Map (Page 3.1-2)

This map fails to display the residential uses contained in the Chula Vista General Plan for Olay Ranch's Villages Two and Four. To the contrary, the map gives the erroneous impression that these areas planned for residential uses are designated open space. The exhibit also fails to show the County of San Diego and City of San Diego General Plan designations. Regrettably, the map deceives the unknowing reader to believe the project would not impact residential uses.

**H1.** The EIR was prepared by the City of Chula Vista in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et. seq.) and complies with the most recent statute, guidelines, and amendments to CEQA and with the requirements set forth in the City of Chula Vista Environmental Review Procedures.

**H2.** The Governor's Office of Planning and Research, State Clearinghouse submitted the environmental document to selected state agencies for review and acknowledges that the City of Chula Vista has complied with the State Clearinghouse review requirements for draft environmental documents. The shortened review period was acknowledged by the State Clearinghouse on the Notice of Completion, Supplementary Document M and the Shortened Review Request Form submitted to the State Clearinghouse. Regulatory agencies and interested parties (including representatives of the Baldwin Company) were provided copies of the Draft EIR via special delivery to ensure that there was adequate time to review and comment on the Draft EIR.

**H3.** Current general plan and community plan land uses were incorporated into the analysis of land uses as adopted by the cities of Chula Vista and San Diego. The Chula Vista General Plan Land Use Map included in the EIR (Figure 3.1-1) was prepared by the City of Chula Vista and adopted by the City Council, Resolution No. 15176, July 11, 1989. Revisions to designated land uses indicated by the City of Chula Vista General Plan must be approved by the City Council and includes those future areas which are slated for annexation to the City of Chula Vista. Land use designations for the County of San Diego were not included as the City of Chula Vista General Plan designates future land uses surrounding the project site. The City of San Diego, Olay Mesa Community Plan (Figure 3.1-4) delineates land uses and all plan amendments adopted by the City Council through February 1, 1995. Recent land use plan amendments to both the City of Chula Vista and the City of San Diego land use designations are depicted on Figure 3.3-3 which overlays project sound contours (unmitigated condition).



- H4. The Preliminary Draft Otay Valley Regional Park Plan was provided by the Otay Valley Regional Park Joint Exercise of Powers Agreement which includes the County of San Diego, the City of San Diego, and the City of Chula Vista. The plan was prepared by the staff of the three participating jurisdictions which have made efforts to ensure that it is consistent with the Multi-Habitat Planning Area map contained within the draft MSCP Plan. The "hand-drawn" map represents the Concept Plan approved by all three jurisdictions dated April 3, 1995. No Concept Plan maps have been prepared by the Otay Valley Regional Park which are "to scale" or indicate topography. Any requests for revisions to the Concept Plan should be submitted to the Otay Valley Regional Park Joint Powers Authority.
- H5. The potential impacts to the proposed Otay Ranch Villages are limited to indirect impacts of noise. A review of noise impacts for the Otay Ranch General Development Plan/SRP Land Use Map is provided in EIR Section 3.3, Noise.
- H6. The description of Existing Land Uses, Page 3.1-6 is limited to existing land uses on surrounding properties in proximity to the project site. The Otay Ranch villages are proposed land uses.
- H7. The description of Existing Land Uses, Page 3.1-6 is limited to existing land uses on surrounding properties in proximity to the project site including "the Otay Mesa Precise Plan area in the City of San Diego". Permitted land uses are proposed land uses and are discussed under the heading Proposed Residential Land Uses in the City of San Diego, Otay Mesa Community Plan, Pages 3.1-13 and 3.1-14.
- H8. The EIR states the proposed project would require approval of discretionary actions including a Noise Ordinance Amendment and a Noise Ordinance Exception, (EIR Section 2.0, Project Description, Page 2-1). It was concluded that a Noise Ordinance Exception is not required and is eliminated from Section 2.2, Project Description, Page 2-1 and Section 2.5, Discretionary Actions, Page 2-14.

3. Otay Valley Regional Park Plan (Page 3.1-4)

Figure 3.1-2 on Page 3.1.4 depicts the Otay Valley Regional Park - Preliminary Concept Plan. Because this map is a hand-drawn map, not to scale, without any topography or other physical land marks, it is impossible to determine with accuracy the actual boundaries of the proposed park. The Baldwin Company has been repeatedly assured that the boundaries of the Otay Valley Regional Park are consistent with the boundaries contained in the Otay Ranch GDP/SRP. However, it appears as if the hand-drawn park map erroneously shows the park boundaries are abutting Otay Valley Road/Hunte Parkway east of the proposed SR-125 alignment. According to the adopted Otay Ranch GDP/SRP, this area is not contained within the Otay Ranch resource preserve and is designated for residential development.

The hand-drawn regional park map appears to contain another error south of the Otay River Valley and west of the proposed SR-125 alignment. It appears as if the park boundary is drawn into an area permitted for industrial development on the Otay Mesa, pursuant to the City of Chula Vista and County of San Diego General Plans. These map errors should be corrected.

5. Otay Ranch General Development Plan (Page 3.1-5)

The second paragraph fails to mention the proximity, number and planned use of the Otay Ranch Villages near the project. Rather, the paragraph simply mentions that Village 3 is the closest Otay Ranch village to the project. However, the project also seriously impacts Villages 2, 4 and 6.

6. Land Uses to the East (Page 3.1-6)

The text fails to adequately describe all the land uses to the east, limiting discussion to only those in the Otay River Valley and not acknowledging the existence of the Otay Ranch villages.

7. Land Use to the South (Page 3.1-8)

The text fails to describe the permitted land uses and level of entitlement of the land south of the project within the City of San Diego. This failure is in spite of City of San Diego correspondence in response to the NOP which expresses the City's grave concern about the potential impact of an amphitheater on those areas.

8. Required Approvals (Page 3.1-9)

The Draft EIR states that the MCA amphitheater would require approval of CUP's by the City of Chula Vista. While this is true, it fails to acknowledge that operation of the amphitheater would also require an amendment to the City's noise ordinance and exemption from the City's noise ordinance (discussed further below).

H9. The City Redevelopment Agency has reviewed the proposed project and determined that removal of 72.5 acres of industrial land does not represent a conflict with land use plans. Industrial lands in other portions of the City are being maintained and protected.

H10. EIR Section 3.1, Land Use identifies potential impacts related to the proposed project plan and adopted land use plans (Chula Vista General Plan) and then refers to the section for the analysis of the potential impact. The EIR states "a discussion of the analysis of noise is present in Section 3.3" (Page 3.1-10). In addition, the land use section also discusses the relationship of the proposed project to proposed surrounding land uses. CEQA does not require social and economic issues be analyzed unless there are related physical environmental impacts. The analysis of land use in the EIR differentiates existing and proposed land uses including those proposed land uses in neighboring jurisdictions which may be in proximity to the proposed project. Please also note that noise impacts to future residential uses would be mitigated to less than significant levels, when and if these uses develop. The mechanism for implementing mitigation is provided in response to comment E1.

H11. The EIR is not quoted accurately. The EIR states "The proposed residential land uses are proposed for the upper mesas and canyons located to the south and southwest of the project site in the City of San Diego. The City of Chula Vista has designated Open Space to the south of the project site, between the project site and the corporate boundaries of the City of Chula Vista creating a land use buffer. The project site is located in the Otay Valley, at a lower surface elevation than residential land uses proposed for upper mesa located to the south and the southwest. Based on surface topography, the project site is not located within proximity to the proposed residential land uses, and access is limited due to steep slopes and canyons located to the south of the project site. The proposed residential land uses would not utilize common access points from Otay Valley Road. The project site would be utilized for 35-60 events per year, occurring primarily in evening or on weekends, which would not impact land uses of proposed residential land uses in the City of San Diego. The proposed project may create significant impacts to transportation/circulation, noise, and visual quality to proposed residential land uses to the south. A discussion of these impacts is presented in Section 3.2,

H9 9. Industrial Uses (Page 3.1-9)  
The next to the last sentence in the last paragraph states that the project would not remove substantial portions of designated industrial land from the City of Chula Vista. This conclusion conflicts with recent City of Chula Vista action. Specifically, the City of Chula Vista justifies designating portions of Village Three within Otay Ranch as "industrial" because of the perceived need for increased industrial land within the City of Chula Vista.<sup>1</sup> Removing industrial land from the re-development area, already zoned and developed as industrial, clearly conflicts with the City goal to preserve industrial land.

H10 10. "Could" (Page 3.1-10)  
The first paragraph contains the following sentence:  
The development of the proposed amphitheater could result in noise that would impact the surrounding land use designated as open space, as well as potential future residential development to the west and the City of San Diego and future residential development in portions of the Otay Ranch Planning Area.

First, the noise analysis clearly indicates that the amphitheater will result in noise impacts. This noise impact clearly violates the City's noise ordinance. It is absolutely misleading to suggest that the noise impact might not occur. The EIR has an obligation to report and analyze the scope of the impact, including the number of areas and homes impacted, the fiscal impact of the diminished real estate values and the social-economic impact on the planned residential areas. The draft EIR is woefully deficient in addressing these issues. Secondly, the use of the word "potential future" is misleading because residential development is occurring within the City of San Diego. Again, there is no analysis of the scope and consequences of these impacts.

H11 11. Impacts on City of San Diego (Page 3.1-14)  
The first statement says the project site would not impact land uses of proposed residential land uses in the City of San Diego. First, the sentence is extremely awkward. Second, the conclusion is inaccurate, as suggested in the following sentence,

"The project does have impacts on land uses within the City of San Diego".

<sup>1</sup> This Chula Vista designation conflicts with the County of San Diego residential description for Village Three.



- H12.** The EIR evaluates the goals, policies, and objectives of the Chula Vista General Plan as determined by the City of Chula Vista.
- H13.** Similar comments were addressed in responses A1 and A2 to the U.S. Fish and Wildlife Service and the California Department of Fish and Game. In addition, consultants in acoustics have confirmed that there is little formal research on noise impacts on wildlife due to the infeasibility to subject natural populations to noise; the majority of evidence is anecdotal in nature.
- H14.** The noise analysis was completed by a noise specialist (Giroux and Associates) contracted by the City of Chula Vista. The noise analysis was conducted utilizing accepted professional methods and provides the results of background noise testing locations. The City of Chula Vista and the City of San Diego Noise ordinance sound level thresholds are expressed in terms of the energy equivalent average (LEQ). The baseline noise levels presented first show LEQ, and then provide additional details on extremes and statistical factors such as L50 referenced in the comment. The ambient noise measurements accurately assess the ambient noise levels at the locations monitored. The values measured, are very low, in comparison with developed areas, and are much lower than they will be when future developments are in place.

- H112** 12. Compatibility with the Project and Chula Vista General Plan (Page 3.1-16)  
 The EIR fails to analyze the impact of the proposed project as it relates to several Chula Vista General Plan goals, policies and objectives as follows.  
 "Economic Base Of The City - Objective 4.9 - Continue the orderly industrial redevelopment of the Otay Valley Road area".  
 The proposed amphitheater directly and categorically conflicts with this General Plan objective.  
 "Housing and Community Character - Objective 14 - For new developments in the Eastern Territories, the predominant character should be low-medium densities, single family housing". Where appropriate, in terms of physical setting, encourage development of quality, large lot housing".  
 Noise and visual impacts from the proposed amphitheater clearly and directly hinder the development of quality, large lot housing in Otay Ranch's Villages Four and Two. The amphitheater also conflicts with the planned residential character for the Eastern Territories.  
 "Noise Policies, Objectives 3.1.1 and 3.1.2" - The EIR fails to address.  
 "Noise Implementation Plan Requirements 3.3.1, 3.3.3-3.3.9" - The EIR fails to address.
- H113** 13. Biology - Noise Impacts (Page 3.5-8)  
 This section states that the increased noise levels are unlikely to have a significant impact on species in the project vicinity. This conclusion is not supported by evidence or analysis. The EIR should contain additional examples of similar noise situations and responses of wildlife to such situations.
- H114** 14. Biology - Ambient Noise (Page 3.5-8)  
 The Draft EIR states that that portion of the Otay River Valley experiences high noise levels as the result of adjacent activities. This conclusion directly conflicts with the EIR technical report, "Noise Impact Analysis", Giroux & Associates, which states "except for minor sources of noise contamination, mainly close to the Otay Valley Road, noise levels were very low. Background noise levels from the mid to late evenings as defined by the L50 level (1/2 the reading higher and 1/2 the reading lower), are seen to range from 39-44 dB. Background LEQ's range from 41 to 50 db because single event "spikes raise the integrated average". This section of the EIR should be revised to accurately reflect the ambient noise conditions in the Otay River Valley.

**H15** 15. Visual Quality (Page 3.9-1)

This entire chapter is deficient in that it fails to address visual impacts of the project from the residential development areas within the City of San Diego to the south and the Otay Ranch properties to the north and west. The EIR should be revised to include color computer visual simulations of what the proposed amphitheater would look like from the various planned residential locations.

**H16** 16. Noise Receptors.

The noise study is fatally deficient because it is based upon noise studies which failed to locate noise receptors within Otay Ranch, the major area impacted by amphitheater noise. The Baldwin Company is astounded that MCA and the EIR would consider this noise study for a Rock Concert Amphitheater even remotely adequate, when the study did not record noise levels in the areas most severely impacted by the proposed facility. The Baldwin Company has, and continues to allow public and private parties onto the Otay Ranch for the purpose of conducting environmental studies (CalTrans, CTV, SDGE, Otay Water District, County Water Authority, etc). I can only conclude that a request for access was not made for the noise tests because the applicant did not want adjacent property owners to observe the tests. This is of grave concern.

**H17** 17. Deficient Source Noise

The April, 1995 noise test is inadequate because the source noise was at an 95 dBA level. This level conflicts with the 1994 noise study which had the noise emanating from the source position at 105 dBA level. The report contains no explanation for the difference between the two noise levels. The 105 dBA is more appropriate for a concert event typical of this type of amphitheater. The 95 dBA noise level is clearly too low to perform an accurate test. Accordingly, contours developed from the 1995 study should be increased by approximately 16 dBAs.

With an average source sound level of 105 dBA at 100 feet the noise level would be approximately 72 dBA at 3000 feet east of the amphitheater site assuming atmospheric absorption and spherical radiation, and no excess attenuation from intervening topography or wind and temperature gradients.

**H18** 18. Noise Contours

Figure 3.3-2, which purports to predict amphitheater noise contours, is not consistent with the major measured test result. For example, when comparing Figure 4.4.1 of the WJHW report, (April 21, 1995), measured test level of 67 dBA was reported at test measurement location "H", however, Figure 3.3-2 predicts the noise level to be less than 45 dBA at this location. It is obvious that the noise contours depicted in Figure 3.3-2 underpredict the noise impacts at higher surrounding elevations.

H15. The EIR includes an analysis of visual quality including panoramic photographs from existing public viewsheds taken from existing roads, streets, commercial facilities, and residences. In addition, viewsheds from accessible portions of undeveloped lands to the north, south, and west of the project site were analyzed to determine if viewsheds of the project site from proposed surrounding land uses would exist. The EIR states "Views to the project site are limited to users of Otay Valley Road, industrial/commercial facilities located north of the project site, and residential uses further north and west. Views through the Otay River Valley are partially blocked by riparian vegetation/trees or landforms.....No facilities, residences, or public roads are located presently on the south slopes of the river valley or Otay Mesa. Views from the slopes and canyons directly south and southwest of the project site extend above and across the river valley to the north slopes which include the industrial facilities, auto wrecking facilities, and Otay Landfill located on the north slopes. Views of the project site are restricted to users standing on the edge of steep slopes directly above the project site" (Page 3.9-2). Panoramic photographs depict viewsheds from surrounding land uses to the project site. Further, CEQA requires analysis of impacts against a base condition, in this case existing visual perceptors. It is not required nor reasonable to evaluate visual impacts of any project with respect to future uses that would be constructed after that project.

H16. At the time of the sound test, much of Otay Ranch was inaccessible, however, measurements were made which could be used to accurately describe the anticipated noise impact on the Otay Ranch area. Over reasonably constant terrain, noise propagation is generally predictable. In this case, the ability to measure at Olay Valley Road, the existing housing and the VOR in the Otay Ranch area allowed the noise levels between these points to be confidently calculated. It should be noted that the contours were developed from the sound test, and empirical data collected at other amphitheater sites. The sound data was gathered by professional, experienced consultants and reviewed by independent consultants with acoustic/sound experience.

H17. The second sound test was conducted only to determine sound propagation from the new facility site location. The 95 dBA source levels were not intended to be representative of concert sound levels. The level employed was high enough to measure the attenuation

of sound from the source to the monitoring location. If for example, the noise was attenuated by 10 dBA from the source to a measurement location, then this value was used to adjust the data from the original test. The contours are all based on the original test, plus empirical data from other amphitheater, adjusted by attenuation (not noise level) data only from the second test. The comment inaccurately asserts that sound level should be increased by 16 dBA. The estimate of a 72 dBA level at 3000 feet for a 105 dBA source is based upon 29.5 dB spreading loss for perfect radiator and 3.5 dB atmospheric absorption loss. Actual measurements showed that the attenuation for existing conditions was considerably higher. Furthermore, with the mitigation measures to be implemented, the applicant will meet the appropriate standard by implementing additional mitigation. If the applicant fails to properly mitigate impacts, the City has retained remedies that relate to the validity of the use permit (see also response E4). The noise monitoring program will be conducted at the operator's expense, if and when residential land uses are constructed in proximity to the amphitheater site.

H18. The sound test reports have not been interpreted accurately by the commenter. Location H is behind the stage house. The differences between the first sound test are due to the barrier presented by the stage house and the movement of the site away from this location to the east. The new attenuation due to distance was measured in the second sound test. The commenter's assumption in regards to the measured level and the contour is incorrect.

**H19.** This comment is a subjective interpretation of the Chula Vista Noise Ordinance. An objective noise standard is the controlling factor in determining a noise violation. The comment assumes that the amphitheater will create noise levels considered to be a nuisance to prospective residents to which the commenter wishes to build, market, and sell homes. The objective noise ordinance is a defensible standard against which to monitor the noise levels from the amphitheater site.

**H20.** The noise contour referred to represents the anticipated noise level without mitigation due to administrative or construction efforts. The commenter's assertion that the 50 dBA level violates the San Diego Noise Ordinance is incorrect. The recommendations for rezoning have not been adopted. The applicant and operators of the amphitheater are responsible to mitigate impacts to future surrounding land uses. A program of monitoring compliance for future sensitive land uses is included as a project condition to comply with the Chula Vista Noise Ordinance.

**H19** 19. Noise Ordinance (Page 3.3-3)  
The EIR concludes that the amphitheater would not violate the Chula Vista noise ordinance for areas of existing development (Page 3.3-11). However, the EIR states that the noise ordinance would be violated in other communities as development occurs (primarily City of San Diego area and Otay Ranch, currently within the County unincorporated area).

Future compliance with the ordinance is sought by altering the Chula Vista law to expressly state that the amphitheater use is an "environmental" noise not a "nuisance" noise. In the absence of such an amendment, the amphitheater would be defined as a nuisance noise. The Chula Vista noise ordinance defines nuisance noise to include "Radios, stereos, TV's, sound amplifiers, musical instruments and drums". The ordinance provides "nuisance noise shall be measured at a sound level not to be exceeded at any time". This contrasts with a lower standard for "environmental" noise, ("measured as an equivalent sound level"). As a nuisance noise, it appears as if the amphitheater would violate the noise ordinance within existing developed areas of Chula Vista. As a nuisance noise, the amphitheater clearly violates the ordinance for planned developed areas within the County of San Diego, City of Chula Vista and City of San Diego. The EIR should carefully analyze and evaluate the rationale for the proposed noise ordinance amendment and the environmental impact of such an amendment.

**H20** 20. Noise Impacts and Residential Development  
Both the WJHW and the Giroux & Associates noise study strongly concludes that noise from the amphitheater is incompatible with residential development noise levels in excess of 50 dBA.

"We recommend that the City of Chula Vista discourage any residential development inside the 50 dBA contour line" (WJHW, Page 19).

"We highly recommend that the City of San Diego, like the City of Chula Vista not allow residential developments within the 50 dBA contour line. This should be accomplished by zoning the area in question, non-residential. (WJHW, Page 19)".

The noise studies, even as deficient as they are (discussed above), demonstrate that the MCA amphitheater causes noise in excess of 50 dBA in areas planned for residential development. This clearly conflicts with the Chula Vista noise ordinance and the City of San Diego noise ordinance. The EIR fails to address the conclusions and recommendations of the technical reports. Accordingly, the mitigation proposed for these impacts is remarkably inadequate.

H21. This comment does not cite the clause in the San Diego Noise Ordinance which averages the allowable noise limits in adjacent areas of dissimilar zoning. The amphitheater is not expected to be in violation for adjacent properties in the City of San Diego. As noted previously, the San Diego Noise Ordinance limit of 40 dBA after 10 pm is presently exceeded. The proposed project is within the City of Chula Vista and will be conditioned to meet City of Chula Vista standards; these standards will be used to indicate attainment. The legally binding standard relative to the San Diego Noise Ordinance for dissimilar zoned interfaces is higher than the Chula Vista Noise Ordinance level which does not incorporate arithmetic averaging. However, the related threshold for significance (Chula Vista Noise Ordinance) will be applied to potential future sensitive land uses regardless of jurisdictional boundary (i.e. city and county incorporated boundaries).

H22. The technical report does not indicate that daytime noise limits will be exceeded. The technical report states, that without mitigation, evening noise levels may be exceeded. The operators of the amphitheater will be required to meet the evening noise limits; no Noise Ordinance Exception is required.

The initial modification of the noise ordinance hours was based upon the observed experience at other amphitheaters that noise conflicts begun when concert noise reaches 50 dBA. This was the threshold of significance recommended to be used by the applicant's noise consultant in preparation of the technical report. Because the Chula Vista Noise Ordinance does not utilize this nuisance threshold, the noise consultant recommended to modify the ordinance to prevent a future violation of the Chula Vista Noise Ordinance. This recommendation was not accepted by the City of Chula Vista. The amphitheater operator will be held to the more stringent noise ordinance limit of 45 dBA after 10 pm if and when noise-sensitive land uses are developed near the amphitheater site, assuming background levels are less than 45 dBA. This same requirement will be applied to any other residential development in neighboring jurisdictions, regardless of the numerical noise standards in those jurisdictions.

H23. See response E5 noting that the relocation/reorientation of noise sources has been

H21 San Diego City Noise Ordinance

The City of San Diego's noise ordinance has more stringent standards than the Chula Vista ordinance. The MCA Amphitheater immediately abuts residential land within San Diego City's jurisdiction. The noise studies show that MCA noise will violate San Diego City standards. The Draft EIR fails to address this impact. The Draft EIR fails to mitigate for this impact.

H22 Night Noise

The discussion above and the Draft EIR's technical reports clearly document that the proposed MCA amphitheater violates the City of Chula Vista and the City of San Diego's noise ordinances for daytime activities. However, the ordinances impose more stringent standards for evening/night activities. Accordingly, every MCA concert will cause noise that exacerbates and expands the extent to which the amphitheater violates the law. These night time violations are not adequately addressed in the Draft EIR.

Again, the noise technical reports evidence some of MCA's strategy for side-stepping this violation of law. Their strategy does not involve reduction of the noise to comply with the law, but rather changing the law to comply with the amphitheater.

The technical report recommends that the noise ordinance be amended to:

"Reset the standard for allowable noise for the amphitheater use to 50 dB LEQ and modify the hours of the nocturnal noise standard to start at 11:30 pm instead of 10 pm through a variance from the ordinance".

The Draft EIR fails to adequately address the need for and effects of noise ordinance amendments to accommodate the amphitheater.

H23 Project Changes (Page 3.3-1)

The second sentence of the noise section of the draft EIR states:

"changes in the project and/or in proposed mitigation since the time of the publication of these studies have occurred that affect the conclusions of the noise analysis".

First, the use of the phrase "and/or" in this context is nonsense. The purpose of an EIR is to inform the public and decisionmakers about the scope of a project, its environmental impacts, and measures taken to mitigate such impacts. This sentence forces the reader to speculate "was the project changed and how?" or "was the mitigation changed and how?" "Why are the prior conclusions no longer accurate?"



incorporated into the Draft EIR analysis.

H24. Background noise level tests were conducted within a radius of the project site within which the greatest impacts were anticipated. The combination of the proposed project and existing noise levels in outlying areas was not anticipated to be an area in which the greatest impacts were anticipated. The Draft EIR evaluates the impacts of the proposed project for existing conditions, including those areas with the greatest potential for noise impacts.

H25. Undeveloped land and steep slopes are existing land uses located directly to the south of the project site within the City of Chula Vista. Further to the south in the City of San Diego, proposed land uses include residential land uses which are depicted in Figure 3.3.1.

H26. The same factors that facilitate horizontal noise propagation such as a canyon topography also create vertical deflection of sound waves that reduce potential noise impacts. Topography by itself, is therefore not a sufficient basis for predicting potential noise impacts. The future monitoring program will include the referenced portions of Otay Ranch in the noise monitoring program if and when those areas are developed.

H27. The noise ordinance level of 45 dBA after 10 pm has been adopted as the key standard for triggering any future additional mitigation requirements. The benefits of any modifications cannot be quantified at this time because the future background noise level will be utilized to establish the degree of supplemental project-related mitigation. In the absence of any existing noise-sensitive land uses within the potential project impact zone, it would not be prudent to incorporate enhanced mitigation as suggested in the comment since the requisite amount of mitigation will depend upon the development timeframe of future noise-sensitive land uses.

Second, the Draft EIR is inadequate since by the Draft EIR's own admission, the noise tests do not accurately reflect the project or its mitigation. Accordingly, new tests should be conducted on the actual project to determine its actual impact.

Third, since the project and mitigation have been altered since the tests, is Exhibit 3.3-2 reliable, since it is taken from the earlier WJHW report without modification?

**H24** 24. Background Noise Testing Locations (Page 3.3-6)

Figure 3.3.1 shows background noise testing locations. Each location is in or within close proximity of the site. Given the fact that the project creates noise problems several miles away, background noise testing should have been conducted over a larger area.

**H25** 25. Background Noise Map (Page 3.3-7)

Like other graphics and text in the Draft EIR, Figure 3.3.1 seriously misrepresents the amphitheaters adjacent uses. The figure fails to depict the adjacent permitted residential land uses south of the site within the City of San Diego, referring to the area instead as "undeveloped land/steep slopes."

**H26** 26. Effects of Topography

The exhibits in the EIR fail to adequately depict the physical relationship of the amphitheater to adjacent uses, especially topographical relationships.

Specifically, the EIR should report that the amphitheater is essentially at the north of and faces towards Wolf Canyon, which extends over two miles into Otay Ranch. This topographic reality seems to force noise up Wolf Canyon, well into the heart of Otay Ranch.

**H27** 27. Mitigation Measures

The Draft EIR fails to analyze the adequacy or feasibility of the proposed noise mitigation measures. First, the EIR does not define "a pattern of violation of the Chula Vista noise ordinance". This key standard must be precisely defined to trigger the mitigation. At a minimum, the current standard for nuisance noise pursuant to the current Chula Vista ordinance shall be expressly cited in the mitigation measures. Why are we waiting for violations to occur when we know they will occur?

Second, the EIR should more precisely define the "additional vertical barriers" which are to be constructed, and evaluate their feasibility and effectiveness. The EIR has no analysis relative to this topic.

- H28. The site trip distribution assumes that 80 percent of site traffic will pass through this interchange under 1996 Opening Day conditions. This represents a significant percentage of total trips and does not minimize impacts at this interchange. Interim Year 2010 trip distribution continues to assume a high percentage of trips (65 percent) utilizing this interchange. As the surrounding network develops and alternate, more direct routes are available for local and regional access, the percentage of site traffic utilizing this interchange can be expected to decrease.
- H29. See responses C3 and H28. Furthermore, approximately 15 percent of traffic from the south will access the site from Olay Valley Road under 1996 Opening Day conditions. The remaining 85 percent will utilize the I-805/Olay Valley Road interchange (80%), Oleander Avenue (1%) and Brandywine Avenue (4%).
- H30. The City of Chula Vista and Caltrans have entered into a cooperative agreement to improve the I-805/Olay Valley Road interchange. The planned improvements for the I-805/Olay Valley Road interchange will improve the southbound off-ramp to provide one left turn lane, one left/through/right lane, and an exclusive right turn lane. These improvements will be constructed by Caltrans prior to the amphitheater opening day. The improvements also include ramp widening for the northbound ramp, widening of Olay Valley Road/Main Street and signalization of the two ramps.
- H31. See responses C1 - C4 to Caltrans comments.
- H32. Under buildout conditions, SR-125 will be in place, allowing many patrons to access the site from the east county areas from the northeast. As shown in Figure 6 (Technical Appendices, Page B-39), 70 percent of patrons will continue to access the site from the north via I-5/Main St., I-805/Olay Valley Road, SR-125/Paseo Ranchero and the eastern extension of Olay Valley Road. Also, see response to D5.

Third, the proposed future mitigation of modifying lawn and stage speakers is inadequate and infeasible because it conflicts with the projects objective of creating an amphitheater. Is it feasible to ask for these changes once the original speaker systems have been installed? If these mitigation measures are feasible, then they should be implemented from the outset of the project.

- H28. Technical Appendices; Transportation/Circulation
- The trip distribution percentages for all three scenarios seem to minimize traffic at the I-805/Olay Valley Road Interchange. By minimizing these impacts adequate mitigation cannot be provided. Additional studies on trip distribution are needed, and a reanalysis of impacts should be conducted accordingly. In addition, the following specific comments are offered:
- H29. Page 5, first paragraph
- "...a considerable number of patrons are expected to come from the south..." This statement needs to be documented since it seems unlikely that 30 to 45% of project traffic, as shown in Figure 8, Page 29, would originate from the south.
- This assumption seems to minimize the traffic impact at the I-805/Olay Valley Road Interchange. A realistic trip distribution assumption should be applied and the impacts to the interchanges and I-805 should be re-evaluated.
- H30. Page 7, first paragraph
- Figure 3 showing I-805/Olay Valley Road improvements indicate only a two lane southbound off ramp. Three lanes will need to be provided on this ramp and three eastbound lanes on the overpass will also be needed to serve the maximum 20,000 seat event. This should be necessary even during opening day. There is no discussion regarding how these widenings will be accomplished.
- H31. Page 14, first paragraph:
- Figure 6 shows existing traffic flow by hour for Olay Valley Road. A similar figure should be shown for I-805 existing conditions, year 2010 Conditions, and year 2015 conditions. It is necessary for impact study purposes to determine the freeway peak period, per land, per hour flow, and off ramp queuing.
- H32. Page 29, Figure 6
- The trip distribution needs to be documented. It seems unlikely that 30 to 45% of event traffic would originate from the south, when the majority of the region's population is to the north of the site. It seems unreasonable to assume that only 20% of event traffic would approach from the north on I-805 in the year 2015.

- H33. See responses C1 - C4 to Caltrans comments.
- H34. The 7-8 pm time period was evaluated as 8 pm because this hour was determined to generate the highest number of project trips and therefore, represents the worst case condition assuming the starting time for events is 8 pm. Given the amount of project trips which would access the site during the 1 to 3 hour period prior to the event is minimal, impacts to the surrounding network are not significant. See also response H35.
- Tables 9, 10, and 11 (Technical Appendices, Pages B-50, B-51, and B-52) in the MCA Traffic Report document the 1996 opening day background volumes without the project. These values serve as the existing conditions baseline. See response D5 for discussion of mitigation measures including the traffic management plan.
- H35. Comment noted. Although regional CMP guidelines recommend peak hour analysis of the freeway and roadway system, it is not required. Based on the unique characteristics of this facility, it was concluded that a peak hour analysis was not necessary. Friday was selected as the typical day. The peak hour of the street system was assumed to be 5 to 6 pm. The impact of project traffic on I-805 in the vicinity of Olay Valley Road whether the peak hour of the freeway is 4 to 5 pm, 5 to 6 pm, or 6 to 7 pm will be subject to the mitigation outlined in the traffic control program for events. As stated in the report, the peak hour for the events will typically be 7 to 8 pm, but will be conditioned to start no earlier than 8 pm if necessary.
- Furthermore, other Southbay studies for the Olay Ranch project have found that Year 2010 levels of service on I-805 from Orange Avenue to Palm Avenue (including the Olay Valley Road interchange) indicate LOS F(0) on this segment. It is the responsibility of the project applicant to devise a mitigation program to mitigate potential significant impacts of the project, primarily queuing at the I-805/Olay Valley Road interchange, given this forecasted LOS F(0). Also, see response C2 to Caltrans comment.
- H36. See response H35.
- H37. See response H35.

- H333 Page 37, Table 8  
The freeway segment level of service is based on average daily traffic volumes. However, the Executive Summary on Page V refers to the regional congestion Management Program (CMP) requirements. The regional CMP guidelines suggest freeway analysis include peak hour conditions using a demand (forecast volume) to capacity calculation. This should be prepared using the procedure in the 1985 (or updated 1994) Highway Capacity Manual, Chapter 3. These procedures have not been used, and therefore peak and off-peak I-805 freeway impacts, including queuing, have not been identified for opening day 1996, Interim 2010 conditions or year 2015 conditions.
- H334 Page 38, Table 9; Page 39, Table 10  
Only the 7-8 pm, time period was evaluated. The 5-6 and 6-7 pm time periods should also be evaluated for concert type events. Also, existing traffic at intersections needs to be evaluated. No analysis of swap meet traffic was done. The swap meet outbound traffic coincides with the pm background traffic. (4-5 pm)
- H335 Page 44, first paragraph  
As stated, the hour from 7:00 pm to 8:00 pm on Friday was selected for analysis. However, Friday pm peak times on freeways typically occur earlier than the rest of the weekdays.  
If concerts are at times expected to start at 7:00 pm (as stated on Page 16, last paragraph), a weekday pm peak could extend until 6 pm. A non-Friday weekday peak period two hours before the 7:00 pm start time should be analyzed. The 5:00 pm to 7:00 pm peak period analysis on freeways would show a considerably greater impact than the current analysis does. Therefore this DEIR seems inadequate for traffic impact purposes.
- H336 Page 45, Table 12  
The *Regional Congestion Management Program Guidelines* recommends that roadway segment levels of service be determined for peak hour conditions using procedures in Chapter 11 of the 1985 (or updated 1994) *Highway Capacity Manual*, also referred to as HCM. Table 12 shows segment levels of service based on ADT, not hourly volumes using HCM methodologies. Therefore, the impact evaluation is incomplete and needs to be revised.
- H337 Page 46, Table 13  
Same comment as for Page 37, Table 8. A freeway hourly demand capacity evaluation using HCM procedures is needed. This is not the analysis as shown.

H38

Page 52, Figure 14

Buildout volumes are shown for future streets leading to Olay Ranch. Figure 8, page 29, shows a total of 33% of event traffic on these future Olay Ranch streets, yet no traffic impact analysis to these street segments or intersections was provided. This seems to be a major flaw.

H39

Page 54-55, Summary of Findings

The third finding discussing capacity being added to the adjacent street system is unclear as to when and how the Olay River crossing of Olay Valley/Heritage Road will be widened.

H40

Persons Consulted

In light of the location and impacts of the proposed project, it is astounding that neither the County of San Diego nor the owner of Robinhood Ridge are not listed as persons consulted.

Sincerely,

*Kim John Kilkenny*

Kim John Kilkenny  
Vice President

cc:

- Mayor Shirley Horton
- Scott Alvey, Chula Vista City Council
- John Moot, Chula Vista City Council
- Jerry Rindone, Chula Vista City Council
- Steve Padilla, Chula Vista City Council
- William Tuchscher, Chula Vista Planning Commission
- Susan Fuller, Chula Vista Planning Commission
- John Ray, Chula Vista Planning Commission
- Mary Salas, Chula Vista Planning Commission
- Frank Tarantino, Chula Vista Planning Commission
- John Willett, Chula Vista Planning Commission
- John Goss, Chula Vista City Manager
- Bruce Boogard, Chula Vista City Attorney
- Jim Baldwin

H38.

The buildout ADT volume on Paseo Ranchero, future 6-lane prime arterial, leading from Olay Ranch is forecasted to be 26,000 (LOS A). Project-related traffic is approximately 3,145 ADT (11 percent of total ADT). The total ADT 29,145 maintains LOS A. Future buildout ADT volumes on Olay Valley Road from the east is 40,000 ADT (LOS B). Project-related traffic is 1005 (2.5 percent of total ADT). The total ADT of 41,005 maintains LOS B. Thus, no impacts are expected for either of these segments.

Also, see response D3. The previous approved industrial uses would have generated higher volumes in the typical peak hour. In addition, the analysis to determine the sizing of future General Plan Circulation Element arterial facilities and major intersections to the north and east of the site on the future Olay Ranch was conducted using the higher trip generation levels of the previously approved industrial uses. Thus, adequate capacity should exist under buildout conditions.

H39.

According to the Regional Transportation Plan (RTP), Olay Valley Road between the project and SR-905 is assumed to be complete by 2010 as a four-lane or a six-lane roadway. Currently, the City of Chula Vista, the City of San Diego, and the County of San Diego, are proceeding with a financial planning strategy to fund the construction of major roadway crossing of the Olay River Valley (see also response E14).

H40.

CEQA requires the lead agency to consult with responsible agencies, trustee agencies with resources affected by the project, and other state, federal, and local agencies which exercise authority over resources which may be affected by the project. The lead agency may consult directly with any person who has special expertise with respect to any environmental impacts involved (CEQA, Section 15086). Data pertaining to areas with the County of San Diego and Robinhood Ridge were available from the City of San Diego and land use plans for the City of Chula Vista. Additionally, all property owners and residents within 1,000 feet of the project and all those located east of Interstate 805, north of Olay Valley Road, and south of Orange Avenue were notified of all actions related to the EIR and planning applications.

July 17, 1995

From: John Willett  
To: Joe Monaco

Draft Environmental Impact Report Review comments

In general, the draft EIR and its Technical Appendices need to be better organized, including some areas which needed to be expanded on or clarified.

**11** *Land Use: Page 5-1 (5.3) states proposed project will have minor growth impact on the City of Chula Vista and the City of San Diego. Will the developer at later date be required to install sound attenuation walls around those areas which have been or in the process of building in 5-10 years?*

**12** *While it is understandable that noise level on opening day will not be significant, but as Denney Ranch, Robinhood Estates along the southern ridge tops, and the Baldwin properties are developed it will become significant. While it is stated, that the developer will be required to conform with existing noise ordinance standards. It is suggested the development include all sides be surrounded with a 8 foot berm, and then on top of the east, west and north berms an additional 8 to 10 foot noise wall, surrounded on all sides by dense planting of native trees and foliage for sound, light absorption and reduce the line of sight of a large parking lot within the Otay Valley Regional Park. This would ease the visual transition from the Otay Valley Regional park on viewing structures approximately 85 feet high (60 feet above surface level).*

**13** *Within Appendix C, page 14, of the Technical Appendices, recommends that the noise be classified as an "Environmental Source instead of a Nuisance source to allow to be average. Do not concur in authorizing "Noise Ordinance Exception" as listed on page 2-14 of the draft EIR.*

**14** *Air Quality: Although the report infers that the impact is significant and not mitigable. The developer should become involved in encouraging the use of alternate methods, use of buses and satellite parking.*

**15** *Transportation/Circulation Impact: 1) When will the "Heritage Bridge" be widened / rebuilt (in phase 3?), and 2) Heritage Road south to I-905?*

**16** *Biology: The EIR Summary states impact is not considers significant. The Multi-Species Conservation Program map shows the northern edge of the project next to the Multi-habitat Planning Area, with respect to edge effects. Reference to this is also contained in the Technical Appendices, (San Diego Ltr, 5th paragraph).*

**17** *Hydrology: Report says impact not significant. With some 12,000 cars parked, and oil leaking, unless there is means to collect it during heavy rains, this will add contamination to the Otay River. Concur with EIR, page 3.6.3, IMPACTS, paragraph 2. Page 2-6 of the Draft EIR, top paragraph states "Drainage will be engineered to drain to the Otay River". This statement is opposite to the above.*

**18** *Hazardous Wastes: Concur with report comments.*

**11.** The Technical Appendices have been assigned page numbers so that finding and referencing specific pages in the Technical Appendices are easier for the reader.

**12.** EIR Section 5.3 refers to potential growth-inducing impacts (not land use impacts which are discussed in Section 3.1) related to the proposed project contributing to an increase in population and development in the surrounding areas. In Section 5.3, Page 5-1, the EIR states, "The proposed project will have minor growth-inducing impacts on the City of Chula Vista and the City of San Diego, Otay Mesa Community Area. The proposed project would result in an increase of county-wide employment opportunities related to the MCA Chula Vista Amphitheater and open air market. The creation of employment opportunities may result in an increase in employed individuals relocating to the cities of Chula Vista and San Diego. The employment opportunities would be limited and would not contribute to a significant amount of growth. The proposed project will be located in an area planned and designated for future development. The proposed project would convert the land use designated for the project site (Industrial - Manufacturing and Research) to a commercial-related land use with fewer growth-inducing impacts for the cities of Chula Vista and San Diego." A discussion of noise impacts on future residential land uses and feasible methods of mitigation are discussed in EIR Section 3.3, Noise, Pages 3.3-16 and 3.3-17.

**13.** Comment noted. Feasible methods of mitigation related to noise impacts on future residential are discussed in EIR Section 3.3, Noise, Pages 3.3-16 and 3.3-17, (as well as addressed in responses A1 - A7). In respect to the design features of the amphitheater related to the proposed Otay Valley Regional Park, the proposed project would be required by the City of Chula Vista (a member of the Otay Valley Regional Park Joint Powers Authority) to comply with design and landscaping standards to incorporate appropriate features to reduce impacts of noise and visual quality related to the Otay Valley Regional Park.

The structural berm referenced in the comment may not achieve the desired objective. The City of Chula Vista will require the applicant/operator to utilize those mitigation measures that meet City standards while providing the most cost-effective mitigation

based upon specific conditions that exist when noise-sensitive receivers are built near the project site.

14. The City of Chula Vista has concluded that a Noise Ordinance Exception is not required and is eliminated from EIR Section 2.2, Project Description, Page 2-1, and Section 2.5, Discretionary Actions, Page 2-14.
15. The Resource Conservation Commission and the Planning Commission have requested the City of Chula Vista to place conditions of approval on the proposed project for the applicant to incorporate the following features and programs into the proposed project (and incorporated into Section 3.4, Air Quality, Page 3.4-14):
  - Satellite parking areas with shuttle service to the amphitheater site.
  - Public transit to decrease traffic. The proposed project is located adjacent to the proposed City of Chula Vista Corporation Yard which will include the relocation of Chula Vista Transit to the adjoining property. When completed, the proximity of the proposed project to public transit would decrease traffic to the amphitheater site.
16. The permanent bridge for Heritage Road and associated road improvements are currently scheduled for 2010.
17. See responses to comments from the U. S. Fish and Wildlife Service (responses A1 -A5) and the California Department of Fish and Game (responses B1 - B7).
18. Comment noted. Sentence on Page 2-6 has been eliminated.
19. Comment noted.

MCA Chula Vista Amphitheater

Draft Environmental Impact Report (EIR) 95-03 (SCH # 95X031073) dtd June 1995

- 110 **Public Services & Facilities: Fire Services Impact:** Section 3.8.5.3rd paragraph states estimated response time would be 12.0 minutes, 5 minutes above standards from Fire Station #3, whereas San Diego Fire Station #43 is scheduled to be open early 1996. Does the developer have a plans to augment on site a small response unit?
- 111 **Police Services Impact:** No comment, as developer will use private force.
- 112 **Mitigation Measures:** Page 3.5.11, states " The open space within the steep slopes south of the project site shall be dedicated to in a fee or in a conservation easement to the California Department of Fish and Game. This is not concurred with. Recommend the developer regenerate the slopes with native grasses, dense native trees and coastal sage scrub as a sound burner and more in keeping with the general concept of the Olay Valley Regional Park and as a part of the green belt around the City of Chula Vista. Do occur that a fence needs to be constructed around the top edges above the site
- 113 **"Any trails developed in the project vicinity as a part of the Olay Valley Regional Park shall be closed".** It is suggested that the trail system have access to the road accessing the overflow lot and that which would be used for Public Works and school busses.
110. The EIR states "preparation and implementation of an Operations Plan for each event by the operators of the MCA Chula Vista Amphitheater to facilitate advanced planning to assess the estimated attendance and nature of each amphitheater event... Specific amphitheater events, including events accompanied by fireworks, would be assessed by the Fire Department to determine if standby personnel would be required" (Section 3.8.2, Page 3.8-9). Any requirements by the Fire Marshall, with respect to potential delay of construction for Fire Station #43 would be included in the project prior to issuance of building permits.
111. Comment noted.
112. There are no plans to disturb the slopes adjacent to the river; therefore, there are no plans to provide any additional landscaping. The slope is very steep (100 feet in height). This slope will provide a visual buffer for people using the Olay Valley Regional Park. Additional visual enhancement may be required as a part of project Design Review but no additional environmental mitigation is required. The fence at the top edge of the site has been requested by California Department of Fish and Game and is therefore, maintained.
113. Access to the City of Chula Vista Corporation Yard and Sweetwater Union High School District facilities are outside of purview of this project. It is anticipated that an existing 40-foot wide easement along the northern border of the site would be used as a part of the trail system. The intent of this mitigation measure is to reduce the number of MCA Chula Vista Amphitheater patrons from accessing the Olay Valley Regional Park and thereby potentially damaging natural resources. This measure has been added at the request of the California Department of Fish and Game (see responses B1 - B7).



July 1995  
Mayor of Chula Vista  
City Council  
Mr. Joe Monaco  
Mr. Chris Salomone, Community Development  
Mr. Fred Kassman, Redevelopment Coordinator

Fleeced be advised that we are concerned about the city of Chula Vista encouraging an amphitheater being built on Otay Valley Road. There are several areas of concern including but not limited to evening noise, traffic, unwholesome crowds, unhealthy exhaust fumes from THOUSANDS of autos most weekend evenings in the summer, and light all of which combined will obstruct us from reasonable and healthy use and enjoyment of our private property 35 to 60 evenings a year.

Southern California lifestyle includes common use of outdoor areas and the leaving open of windows and doors at night. Yet the sound problem at night when the ambient noise levels are low will likely adversely affect the surrounding area homes and definitely adversely affect any homes which Baldwin plans on building in the area. Outdoor concerts are likely to be scheduled on spring, summer and fall weekend evenings, the same evenings that are pleasant enough for families to be outdoors in our own peaceful backyards. Ambient noise is lower during these evening hours so it is more likely that concert noise, assisted by the usual westerly breeze, will be heard by the neighborhoods on the southerly slopes of the Otay River Valley. Not only are we likely to hear strains of noise, but we will no doubt be able to hear the heavy base beat repeating for upwards of four hours. We understand that the city made an effort of a study of noise bleeding into the area of Brandywine and Sierra. The test was conducted at street level during the day when street traffic and geography would have masked possible sound from the amphitheater site. We would like a test to be conducted in the late evening hours around 10:00pm from a property back yard that is on a south facing hill which would be more likely to pick up sound from a concert.

Besides the likely problem of noise is the selection of music that is likely to be heard. Most of us in the neighborhood are middle class working families with attending values. The music that is performed at most concerts reflects values that conflict with traditional values at the least and frequently defy and denigrate what we hold dear; VIOLENCE, LEWD BEHAVIOR, VULGAR LANGUAGE, DRUG USE, etc.. So not only will we hear sound albeit not above prescribed legal limit, but it will be "music" violating our belief system at night after a hard day's work.

J1. Comment noted. See responses H1 - H40.

J2. Comment noted. Figure 3.3-3, EIR Section 3.3, Noise has been added to delineate noise contour lines overlaying existing and proposed land uses in the cities of Chula Vista and San Diego.

J3. Noise study testing was completed during the evening of July 24, 1994 and the afternoon of April 17, 1995. The noise propagation test was performed to create a model of noise contour lines and is considered to be accurate. Additional verification of sound levels during the test were conducted at the closest residential area to the site. That monitoring yielded no impact beyond ambient noise. Sufficient data has been collected to estimate the greatest potential sound impact resulting from project operation.

J4. Comment noted. The EIR and the Chula Vista Noise Ordinance set standards for sound volume and do not evaluate the particular quality or content of the sound (i.e. lyrics, etc.).

J1

J2

J3

J4

J5. See response H39.

J6. Comment noted. See responses H1 - H40.

J7. The only impact identified as significant and unmitigated in the EIR was Air Quality. All other significant impacts require mitigation to reduce impacts to less than significant levels.

Working people expect to come home to relax; not have light, crowds, traffic, obnoxious noise and fireworks at midnight. Not a pleasant thought. The frequency of concerts will likely drive some to move. And since we are by law required to disclose negative aspects when selling, this amphitheater will affect the sale and price of our home we have worked so hard to pay for and keep up (and have paid taxes on.)

J5 Traffic is another issue which will directly affect property access. We understand that Oleander will be blocked off during dense traffic flow to and from concerts. Will home owners have access onto Oleander to get to our homes? People in the Robinhood homes will have the neighborhood open to traffic both at the beginning of the evening and worse, at the end of the concerts - into midnight and one o'clock in the morning. Heavy traffic along Otay Valley Road will be a nuisance for many home owners above Otay between Oleander and Energy Way. Often rock concert audiences are hyped up after a concert and have a tendency to be noisesome and trouble making. Tagging? Vandalism?

J6 Lights and fireworks are another issue our neighborhood is concerned about. We were assured that lights from the auto park would be directional and recessed. They are not. Those lights shine into many bedroom windows. The glow in the sky above the auto park can be seen from National City! Now we are no not only have lights at the amphitheater, but likely spot lights, laser lights and surely fireworks as well! Not just in the evening, but forced upon us when most of us are trying to get to sleep! This kind of disruption late at night, if not an irritation to the homeowner directly, can have secondary problems of frightening pets and causing dogs to bark. (What about the issue of endangered wildlife habitat being disrupted?)

J7 Even in the city's EIR time after time the negative impacts were cited and excused. The EIR recognized that the amphitheater violates the city's own standards.

The city is to serve the needs of the people, not to violate the tax payers in hopes of bringing in revenue at their expense. There are just too many ways this project negatively impacts this established neighborhood not to mention affecting the salability of future homes which also will provide a tax base for Chula Vista. We need protection from the city of Chula Vista not exploitation.

Most sincerely yours,

*Yule S. Sparrow*  
*Dr. F. J. Edmund*  
*Joseph L. Andrews*  
*Stephen A. Clark*  
*Lawrence C. Clark*  
*Paul F. Anderson*  
*David Ferguson*  
*Walt - Briggs*

Juice Juera

John E Hunt 1649 Cleander Ave 9/11  
E. M. Hunt 3 3 3

Thomas J. Akers

Joe D. Moreno 511 Knook Ct. C.V. Ca, 9/11  
Marilyn Joint (same address above)

W. M. M. M. 511 TANAK CT.

Angelo Legano 1638 Cleander Ave. C.V. 9/11  
Paul Legano S. " " " "  
Paul Legano " " " "  
Aprietojan " " " "

**PUBLIC HEARING:** MCA Chula Vista Amphitheater Draft Environmental Impact  
Report EIR-95-03

K1. Comment noted.

This being the time and place as advertised, the public hearing was opened.

K1

My Name is Chuck Schrader, 440 "L" Street, Apt. 1, Chula Vista, California, and I'm in favor of the project and, basically, there are several reasons I am in favor of the project. One, the Federal Government has been cutting taxes but not cutting services and stuff, and in order to do that, they've been bringing money from the states to the Federal Government. The states have, in turn, had to do the same thing with the cities and the counties. So, as a result, the cities have to find new ways of getting tax revenues, and this looks like a very good way of getting tax revenue to me. So far the City has not had to lay off people, but each year as the budget gets tighter and tighter, it gets closer and closer to having to lay people off. And this looks like a good way to bring in tax revenue to prevent having people laid off. So that's one reason why I'm in favor of this type of project. Another reason I'm in favor of this type of project is because the City of Chula Vista is becoming a major city in its own right, but we're still looked upon as just a suburb of San Diego. In the very near future, we're going to be larger than the City of Santa Barbara, but so far up until now we've just been viewed as a suburb of San Diego. But we're now getting EastLake developed, we are now getting the Olympic Training Center developed, we are now becoming a city in our own right with some type of recognition, and this MCA project would go along with that type of recognition, and I think we need that type of a project here in the City of Chula Vista. If we have this type of project developed, then for the first time, people can go and have entertainment--a night on the town--here in Chula Vista without having to leave the city limits to go to San Diego or elsewhere. And up until now, that has not been the case. Also, with the development of the Olympic Training Center, all of the athletes living out in that area and training there on a regular basis, they're young people, they're going to want to have time to release some of their energy, some of their--they're going to want to go out on the town themselves. And I can't think of a better place for them to go than some place in the same area where they can go and watch a concert. I think this would be a plus to Chula Vista, and I think it would be a plus to the Olympic Training Center, and it's a good tax revenue for the City. I'm also an environmentalist. I'm the person that went to City Council two years ago and tried to stop the Daley Rock Quarry from being developed. I don't think you're going to be able to buffer the sound of rocks being blown up out of the ground. I also don't think you're going to be able to stop the pollution from a rock quarry from polluting the air, the land and the water, but I feel that the MCA project is a very good project from an environmental point of view for a couple of good reasons. See, I do go to rock concerts myself, even though I'm a little bit older. But one of the places where I've gone to a lot of rock concerts is at the San Diego State amphitheater. It's a little amphitheater there by the library. Now, I used to be able to go there

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Tarantino: The San Diego Stadium is a mess. That's all I have.

Chair Tuchscher: Ms. Salas.

Salas: Yes, I'd like to ask the applicant. We received a letter objecting to the EIR from the City of San Diego, and they said that the Robinhood Ridge and the Demery Ranch precise plans would lie within the 50 decibel noise contour. And, when I was looking at the noise contour study on page 3.3-12 of the environmental impact report, I see that the circles are drawn out but I don't see where those two projects are located within there. Do you have any drawings that show where those projects occur within that 50 decibel range area?

K2

Bitterlin: Now you're referring specifically to the Demery and Robinhood--the City of San Diego future developments?

Salas: Right.

Bitterlin: Okay. I believe on page 18, I remember--of the technical appendices--there is a specific drawing with respect to this 50 dB line, and Jack Wrightson is here--we can talk about what the significance of that line is.

Salas: Page 18 of the technical?

Bitterlin: Of the noise section--of the noise section of the technical. I believe that's right.

Salas: Noise contours. This one.

Bitterlin: Jack Wrightson's here. He can comment on the significance of that, but just one thing to understand. We do not violate the City of San Diego's noise ordinance with the sound levels that will be generated from the amphitheater.

Salas: Also, does it--I can't tell from looking at this--from where the amphitheater sits, because there is no scale on here. So I can't tell how far away 50 decibels carries. Do you have any kind of estimate of how far that sound carries?

Bitterlin: Jack--I think he's the appropriate--I've learned a lot about sound, but don't know as much as Jack does. We were at the City of San Diego today, and I introduced Jack as being on our team as the number one sound consultant in the world, and I was sorta challenged on that, and he said how do you know, and I said because he told me. So---had to use it again.

K2. Comment noted. Figure 3.3-3 has been added to EIR Section 3.3, Noise to depict the noise contour lines overlaying existing and proposed land uses in the cities of Chula Vista and San Diego. Future noise levels must meet the Chula Vista Noise Ordinance standards. The applicant and operators of the amphitheater must comply with the Chula Vista Ordinance for each concert event or the use of the facility will be cited subject to the remedies identified in response EA.

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facility which gives you increased attenuation which you would have if that severe terrain wasn't there. On the other hand, when you go straight down the barrels of the canyon and you can look right down into it, you can see that does cause a problem and we made extensive measurements in that area to document that phenomena and, if you look at the blow-up map contours that we prepared rather than the full circle, which is a sort of a snapshot of the area, it's a pretty ragged line that runs through there just because of the effect of the canyons. Like I said, the best thing that we could do right now is build a substantial stagehouse and those auxiliary structures you can see on this ....(away from microphone)...looking from the front and the back of the stagehouse is basically build that out of substantial materials and make it massive to the extent that we knock down the sound dramatically going into those areas.

Willitt: I have one more question. It has to do with lighting. Or comment.

Bitterlin: Okay. I'll see if I can answer it.

Willitt: The EIR reports to be using shields for lighting, but we know from the various stadiums and the various amphitheaters I've been at that that light tends to bounce off of other structures. And I would assume that all the lighting will be pointed towards the stage area, which in turn--if I'm correct that some of your lighting is on your further berm of the grass seating which will actually be higher than your stage structure and will be going up the hillside. Is that correct?

Bitterlin: I think I understand what you're saying. The tops of the light standards which are in the parking lot will, in fact, in some cases be a little higher than the light in the lawn seating berm. However, they are also quite distant from the back of the berm, distant enough that they will not be an intrusion into the facility itself, if that is what your question is. Will it be a distraction to the patron or will it be a distraction to the artist--the issue there is, no it will not be. And there are glare guards on all of those fixtures so the light is somewhat trapped on site.

Willitt: I have no further questions until staff makes their presentation.

Chair Tuchscher: You have questions of staff after I close the public hearing? Is that your...okay. Mr. Thomas.

Thomas: A couple of questions for--probably on the right. I guess I'm not convinced about the noise.

Chair Tuchscher: Please direct your questions to the applicant as necessary, but just to remind the Commission, we are making a decision this evening and providing input for a draft EIR.

K3. The EIR states "The MCA Chula Vista Amphitheater would utilize design features and light shield to prevent excess lighting and glare from the top and sides of lighting fixtures. Stage lighting would be directed south towards the central stage, away from the Otay River and Otay Valley Road to the north. All lighting for public access and parking areas would utilize shields and direct lighting internally towards the project site. Concert events and other uses occurring at the MCA Chula Vista Amphitheater would be short-term in duration during evening hours (3-4 hours) and would be intermittent (35-60 days per year). The MCA Chula Vista Amphitheater would not result in frequent displays of artificial lighting and glare. The slopes of the Otay River Valley would prevent direct lighting and glare from the amphitheater from extending north and south onto mesa tops, including Otay Mesa to the south. Based on the project implementation of lighting and shields and direct lighting, artificial lighting and glare impacts would be restricted to south portions of the Otay River Valley and would not extend onto the mesa tops" (Section 3.9, Visual Quality, Pages 3.9-10 and 3.9-11).

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The project will be back before us as I know for project specific approval and finalization of the EIR on August 9th. Is that correct? So relative to concerns, relative to noise concerns and things you want addressed in the EIR, now is the time to voice that. Absolutely. Anything that's covered by the EIR inadequately in your opinion and/or needs further documentation, etc., inadequacies with the documents before us, we should be discussing--not necessarily project specific issues which will be before us on the 9th. Is that along the lines that staff is looking for us to deliberate on this evening?

Joe Monaco: Yes, that's correct.

Chair Tuchscher: Does that make sense? Give it your best shot.

Thomas: I guess I would feel more comfortable if the sound mitigated measures were done at construction, not after the fact. I guess I'm just not convinced. I think that the mitigation figures are--I think what you're proposing is going to be on--I think that the mitigation factors will be necessary, and I think that they will have to be retrofitted. Now, I would feel a lot more comfortable in having that sound mitigation done at the time of construction, because I think that everybody is uncomfortable with the level of the sound and I think that it's an issue that will prove to be there and the mitigation measures will be needed, and it's going to have to happen.

Bitterlin: A legitimate point. With respect to the suggested--not the suggested but the agreed-upon mitigation measures in the EIR--consistent with those mitigation measures is the statement that MCA is assuming the risk of complying with the City of Chula Vista's noise element to the extent that there are no existing impacted residences at the time that we build this facility which I believe is a safe comment for me to make. We know that the existing housing in Chula Vista is absolutely not effected, inaudible, which will be the case even without mitigation. Okay, now what we're also agreeing to the mitigation that demonstrates the confidence that MCA has in being a good neighbor and complying with the Chula Vista ordinance and that is the risk that MCA has chosen to assume. So, I don't know if that answers your question or not, but that's our position on the mitigation. When and if necessary, absolutely it will be put in place.

Thomas: Could you explain the traffic pattern of how you're going to get 20,000 people out of three lanes going west?

Bitterlin: I wish I could answer that myself. I'm not a traffic expert. I'll let Bill--we may have some staff that could help me with that on the traffic studies. But it is MCA...

K4. The EIR states that no impact would be incurred on opening day, and therefore mitigation is not required until an impact is realized. Please see response E1 for additional further discussion of enforcement.

K5. Outbound traffic will be routed east on Olay Valley Road to northbound I-805 ramps or to the Orange Avenue I-805 interchange via Brandywine Avenue. If necessary, a traffic control personnel will be placed at/near entrances to residential areas to regulate and direct traffic flow. After events, traffic control utilizing 3 lanes outbound will direct exiting vehicles. There is sufficient capacity to handle this flow (see response to E13). Additionally, inbound traffic from southbound I-805 will be routed or directed to Olay Valley Road to Brandywine Avenue via Orange Avenue. Oleander Avenue will remain open for residents. It is not expected that amphitheater patrons would seek out Oleander Avenue as a route or short-cut to and from the project. Brandywine Avenue is a parallel street which provides a more direct route with less impedance. Traffic control measures will be oriented to prevent traffic from accessing residential neighborhoods. Also, the CHP and law enforcement personnel will be members of the Traffic Management Team (see response D5). Any tagging/vandalism occurring as a result of the events should be brought to the attention of law enforcement so that the Traffic Management Plan can be adjusted if necessary.

K6. Comments noted. The Technical Appendices have been assigned page numbers to easier reference pages in the Technical Appendices. Figure 3.3-3 has been added to EIR Section 3.3, Noise, to depict the noise contour lines overlaying existing and proposed land uses in the cities of Chula Vista and San Diego.

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Bitterlin: The goal is to be prepared to be--not prepared but to actually finish the construction of the project and have a full concert season next year. That's what dictates the shorter review period.

Ray: Okay. Thank you. I think we've touched on a number of my concerns with the traffic. I did have one--I do have another question. Is the preparer of the EIR here, Tetra Tech? Do they have representatives here?

Monaco: Yes, Mr. Chairman, they are here.

Ray: Let me make some specific comments about the document itself and the layout. The actual draft, I think, was laid out very well. I'd like to see the technical appendices laid out much better. This is extremely difficult to look through, and it's very difficult to relate from this document into this one. And if you could relate the sections or something more easily or more closely so I could flip through this--you saw how we struggled with page 18 when Commissioner Willett was trying to guide us to a specific page. I couldn't find it. I just looked over at what Mary had and searched for it. So, of that review--on that count I'd like to see something that would more closely align us up with the draft as a technical appendices, as far as ease of looking up the data and information. Additionally, on any of the sound maps and the topographical maps that show the dBA and the ranges of the dBA, what you have here is fine, but I would also like to include a specific overlay of Chula Vista's General Plan, San Diego's General Plan, and our proposed plans for the Olay Ranch, specifically Villages 1, 2, 3 and 4. Actually, 1, 2, 3, 4, 7 and 8.

Chair Tuchscher: I'm sorry to interrupt, but I do have two other speaker slips that were handed to me, and thought we might get through the public hearing and then you can make those comments to staff. Kent Aden, from the Baldwin Company is here? I'm sorry, are there any other questions of the applicant at this time? Okay, Mr. Aden, if you would, please. Thank you.

Mr. Chairman, members of the Commission, Kent Aden with the Baldwin Company, 11975 El Camino Real, San Diego, we're alive and well and moving ahead in spite of our recent headlines. You can't get rid of us that easy. I have to start out that by telling you it really pains me tonight to be up here after the last 12 years of supporting projects in front of you. I couldn't even find the pink slips. I've never turned in one before and I've never had to voice any opposition to a project before, and we certainly don't like to do that. It's really unfortunate we think that we've been put in a position to do that, and we think that's because of the failure to prepare an adequate EIR. We are not opposed to an amphitheater in the City of Chula Vista. We think it would be a benefit as the first gentlemen spoke. I like to go to concerts. We think



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it would be a good amenity for the city. However, as we provided in our 11-page letter which we submitted earlier today, we have numerous concerns about the current proposal. I will not go into detail in all those concerns, but I did want to emphasize a few points. After our review of the EIR, we find several glaring inadequacies. We believe the EIR fails to adequately address the noise impacts relative to the approved and planned development of the Olaj Ranch. The noise study itself is faulty, and we believe the conclusions are faulty. The EIR does not analyze whether the mitigation measures are adequate or feasible, and we have grave concerns about deferring them. I'm not sure how we're supposed to sell houses with the noise impact and explain to people that it might be taken care of later. We're concerned about changing a noise ordinance to allow this amphitheater to occur. It's a little bit like instead of reducing the noise to comply with the law, I think the proposal is to change the law to comply with the amphitheater. We're very concerned about that. We also have concerns related to the adequacy of the transportation analysis which are detailed in our letter. Let me conclude by saying that the Baldwin Company remains extremely concerned with the proposed project and the adequacy of this EIR, and until a satisfactory analysis is prepared, I don't even think that we can gauge the magnitude of our concerns. We don't expect a lot of answers tonight, and we certainly don't expect to debate it when we're closing a public hearing, but we look forward to receiving a response to our letter. Thank you.

K7

Chair Tuchscher: Thank you, Mr. Aden. I have one additional speaker slip, a Mr. Walter Fisher. Please state your name and address for the record.

My name is Walter Fisher, my mailing address is Post Office Box 3666 in Chula Vista. I'm four-square in favor of this position--of this project--and I'll give you a number of reasons. One is, we've seen recently in the media the Bayfront sounds like it's dead or very dying, which will essentially eliminate any kind of draw to the City, which I think this amphitheater could present. I favor this one over the amphitheater on the Bay because I don't think a) you'll ever get the cooperation from Coronado for the noise that the amphitheater on the Bay would provide, and as of this morning's Star-News, the people who own the lease on the R.V. park until 2021, I think it is, has said that they're not really willing to give up their property in order to turn it over to an amphitheater. Or they might be but possibly not. The concerns expressed by the City of San Diego, and the particular comments made by their Planning Director about how MCA should have really approached San Diego impressed me as being another example of the 500-pound gorilla. It wasn't there and so they don't want anybody else to have it. San Diego, I think, needs to learn that all cities in the County need projects like this and need to develop economically, not just them first and everybody else gets what's left on the table or what falls off the table. I'm disappointed that the Baldwin Company objects to this in that I went to the local area presentation that MCA made since I live within 3-1/2 miles as the crow flies of this site, and it looks like it's pointed into an area that will not build out for something like 10 to 15

K8

K7. See responses H1 - H40.

K8. Comment noted.

K9. Figure 3.3-3 has been added to EIR Section 3.3, Noise, to depict the noise contour lines overlaying existing and proposed land uses in the cities of Chula Vista and San Diego.

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years. San Diego's objection also to their projects, which are future development--in essence, we're being asked by San Diego and possibly the Baldwin Company to hold the future of the City hostage so that they can build out and sell with no problems. In a perfect world there would be no impact of something like this. There is going to be an impact. I believe it's been stated in press reports I saw the amphitheater would actually generate less traffic and less problems and less air pollution than an industrial facility which was originally planned for the site. I think that this will essentially give us a drawing card that we may not see for years on the Bayfront or anyplace else. It gives us something with a world class organization, an entertainment giant, that will draw people here and spread out. The presentation the MCA made to the local residents spoke about community involvement, spoke about getting people--for example, local groups like Band Boost, or something, a chance to make money off the facility by participating in the food service area. And the presentation as I saw it, yes, will cause problems, but not any problems that can't be mitigated. Mr. Thomas' comment about the road leading away to the south, I believe it was pointed out at that meeting that that road in San Diego's General Plan will eventually be a four-lane road which goes up to Heritage Road at the--so that the--Lord knows when they'll develop their road, but that will be developed eventually to build out. I'm not sure that in the first few years of operation, barring an appearance by Elton John here, that they'll sell out as many concerts as maybe they think, and they pointed out once before that their average attendance is like 9,500. Okay, so we're talking a whole lot less than the 20,000 impact. I just think it's the best of the two proposals for the City and probably our best effort for any kind of drawing card in the immediate future. Like I say, with the Bayfront looking like it's dead and/or dying. Thank you.

Chair Tuchscher: Thank you, Mr. Fisher. Is there anyone else in the audience that wishes to address the Commission on this matter? Seeing none, I will close the public hearing.

Are there additional questions of staff and comments? Mr. Ray.

Ray: Where was I? Okay. And I--although the generator of the report is the applicant, I need to direct it to staff--that's what you were getting at? Specific land use overlays--I think you got that. Noise impact--I'd like to see the overlays for noise impact and traffic on ancillary streets, if there is proposed to be any. I'd like to see what the impact is proposed to be for the Auto Park, because I would suspect that a Friday and Saturday night concert would cut into their business and, hopefully, they will have a letter in here before the final EIR is before us, and I suspect also since this is a draft, you have to respond to all of these correspondence that we got tonight on the dias, so I will see specific responses to Baldwin's concerns. Page 2 of the agenda package, I guess specifically on Item 3 on noise; page 3, item 4, air quality; and item 2--I took those out of sequence, I'm sorry--I'd like to echo Commissioner Thomas' comments--if it's proposed that these are going to be mitigable in the future, I'd like to see something in place that

K9

K10. Comment noted. The term "approximately" is used to reflect the level of detail in the data. To the extent practical, the data are presented in exact levels.

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would address and maybe not impose, because I'm not a developer, so I can't say what the financial impacts are, but I'd like to see something in place that maybe listed alternatives for implementation of the mitigations up front versus the impact if you wait. Because I'd suspect what we're going to have to do is see more and more congestion before we do anything, and I'd like to see what some of those impacts are over time. Because if the build-out truly won't be until 2010, or whatever it may be, it may not be important to implement those now. However, if we--Chula Vista--want to go develop the industrial uses there and Baldwin wants to put the residential uses there, the impact would be on us much more quickly. So I'd like to see that trade-off as well. Just another comment, specifically for the document, and I had a page and I lost what it was. There's some references in the draft itself that say approximately this and approximately that. I'd like to see some specifics that say, in terms of your estimates, and I believe you mentioned worst case, if you're going to use worst-case scenarios, I'd like to see this is the number that we used for our modeling. Also, for--let's see, Mr. Salomone is still here--Community Development agreements in terms of widening of the streets--is that on the City, is that on the developer, is that a joint thing, do we have a draft in work that we might be able to see or is that something that's outside of our jurisdiction?

K10

R-62

Salomone: We are negotiating--Mr. Chairman, we are negotiating a development agreement with MCA and with Kobey's that will come back. We'd be happy to share it with the Planning Commission at the August 9th meeting. It will be going to the City Council on the August 22 meeting.

Ray: Just for my own benefit, I'd like to see a draft of that if you wouldn't mind, for whatever--if it's the final or the draft or whatever--just ...

Salomone: It may just be a draft by August 9. We'd be happy to share it with you.

Ray: Okay, thank you. That's it for my comments. Since we're reviewing this simply for action to go towards the final, those are the types of things I'd like to see improved on the document. Thank you.

Chair Tuchscher: Mr. Willett.

Willett: I have a question for staff. There's two misleading--is the Heritage Bridge included in what I think you referred to originally as Phase III? Because the widening of the road is now Phase II, is it not?

Monaco: Right. Phase III of the road improvements is the improvements for the bridge itself and for the approaches to the bridge.

Willett: Is that Phase III now scheduled for Year 2020 or is it back down to 2005?

Monaco: That's the current phase. Currently, Phases II and III are being improved. So the bridge will be improved as a part of the existing contract that is being carried out now. And I'm not sure what the...probably 1996.

Willett: '96. Those are some of the comments that I think that should go into your final EIR because they are misleading in the technical appendices, and it refers to the other one. The other comment that I have, and I support Mr. Ray's comments on the document back to the technical appendices, I would make a suggestion that we--staff--go to a simple chart that you can put in the front of the book that says a paragraph 3 point here reference to technical appendices sub chapter so and so, like you do a footnote in some technical reports, but that can be up in front so when the reader's reading it sees that immediately and knows where to go to in the technical report. I would also like to see--recommend--in the final report--I'm confused, and I know the Director Bob Leiter is involved in that multi-species conservation program--when I reviewed the latest map that came out, it looks like that map is drawn up and over the project parking lot and which takes in all of the overflow. I think that somebody needs to clarify that in the final report. What impact is that going to have on the project the way they've drawn the current line?

K11

R-63

Monaco: My understanding of the latest, of the draft MSCP map shows this entire project area which is all of the improved portion of the Phase I of the business park, as urbanized land. But we will verify that and check those maps again.

Willett: And along with that comment, there is another minor conflict, and that is the focus planning area of the Otay Regional Valley Park. It's now in a concept plan finalization that consideration should be given to the south edge of the project be considered as part of the greenbelt going around to be included and be revegetated by the developer. Right now, it looks like the project would be a stumbling block or a block in the Otay Regional Valley Park. So there is a conflict between that map also.

K12

Monaco: The project currently--there currently is an easement on the northern end of the property that's 40 feet in width that is contemplated to be used as an active trail as a part of both the City of Chula Vista greenbelt and as a part of the Otay River Park, and as far as the treatment on the south edge, we haven't received any direction or any ideas on how to incorporate that into the park, but we are working and we do have staff on the Otay River Park, specifically Marty Schmidt, who has been working closely with the applicant on those issues.

K11. Comment noted. See responses II - III.

K12. A plan-to-plan land use analysis of the proposed project plan and the Otay Valley Regional Park Concept Plan is included in EIR Section 3.1, Land Use, the EIR states "The Otay Valley Regional Park Concept Plan identifies the project site as a "recreational development area", which includes existing and proposed active and passive recreation sites. The Concept Plan recognizes that "recreation development areas" contain existing private development potential through zoning or development approvals and will require additional land use analysis prior to adoption of a regional park master plan. The development of the project site with a use such as an amphitheater is a more similar land use to the "recreational development area" than the current land use and zoning designation of Industrial - Limited Manufacturing and Research. The proposed project would be more similar to the Otay Valley Regional Park Concept Plan than the industrial land use designated by the Chula Vista General Plan.

The entire project site is occupied with graded building pads, street improvements, utilities, and landscaped embankments/entrances. No undeveloped open space with undisturbed vegetation is located onsite. The boundaries of the proposed project would not be located within a wetland area, sensitive area subject to preservation and resource enhancement, or habitat linkages as identified in the Concept Plan. The proposed project would not be located within the Otay River or adjoining floodplain occupied with natural vegetation. The proposed project will not be located within or alter the proposed trail corridors of the Concept Plan. The proposed project will not be located within or alter the proposed intersections/nodes of the Concept Plan" (EIR, Section 3.1, Pages 3.1-10 and 3.1-11).

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Willitt: Well, the reason I bring that up is because two canyons--Denney Canyon and the other one are both designated as wildlife corridors and the one from Robinhood--I started to say Robinhood whatever it is--Estates comes right down to the western edge which actually ends up into the proposed public works...

Monaco: Yeah, we did suggest that in our--the meetings that staff and the applicant have had with Fish & Game and with Fish & Wildlife suggesting that southern area be used as a wildlife corridor. They didn't seem to feel that it had a lot of value as a corridor, per se, because of the terrain and the vegetation cover, but they did want to see that kept in open space to preserve the coastal sage scrub that is existing on that slope. And that is a recommendation in the EIR.

Willitt: I have one last comment, Mr. Chair, and that has to do with the public services and facilities. No big comment on the police services. I understand the applicant or the manager provides those services. But I'm more concerned with the response for the fire station. For Chula Vista, it's in excess of the--they're stating in the EIR it was 12 minutes, which is 5 minutes above the standard. That will not come down until probably Year 2015 or sometime when Baldwin puts in those two. The other one down in the San Diego area said for Number 43 to be open in '96, but a phone call says no. It's not going to be open until '98. Therefore, I think the EIR should respond that the developer have a fire suppression unit on hand, especially with that response of 12 minutes and the other one is in excess of 7 minutes. I have no further questions, but those should be included in the EIR under discussion.

Chair Tuchscher: Thank you. Ms. Salas.

K14

Salas: Yes. I'd just like to see one recommendation in the traffic mitigation measures. I would strongly recommend that MCA think about a shuttle system from public points of access; for example, from the various trolley lines. I think that that would do a lot to mitigate the traffic going in and out if you could utilize the shuttle system, if not a direct bus lines from certain points to the event.

Monaco: Mr. Chairman, if I could comment on that. The Resource Conservation Commission was concerned about that same issue, and as a condition of their approval, they wanted to add that specific provision for remote parking and shuttle services, in addition to the City establishing a transit line from various transit nodes in the trolley stations within the City to the facility. Those will be added in the final EIR.

Chair Tuchscher: Are there additional comments? I would just like to add a couple of my own. One or two are redundant. The documents--enough has been said about that--the technical appendices were extremely--made my job and others extremely difficult and with limited time,

K13. Comment noted. See responses 11 - 113.

K14. Comment noted. See response 15.

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K15

it is a little frustrating. I'd like to, I guess, I guess you can't force somebody to comment, but United Enterprises seems absent from any comment or discussions, and I just--I guess I'd like to know that staff has noticed them relative to this and other upcoming meetings?

K15. Comment noted.

K16. Comment noted. See response K6.

Monaco: Yes, they have been noticed--they and all other property owners within 1,000 and, in addition, for this project we included the neighborhoods to the east of 805 and north of Otay Valley Road--all of those residential neighborhoods in that area south of Orange Avenue. Approximately 1,500 notices were sent out on each of the items for this EIR.

Chair Tuchscher: Okay, I'd like to reiterate or agree with Mr. Ray's comments relative to the maps and exhibits. I would like to see a General Plan map with those contours on it with approved projects including the San Diego approved projects. I'd also like to know, perhaps in the staff report, perhaps not appropriate for the Environmental Impact Report, but of the San Diego projects which ones have been subject to San Diego's imposed moratorium over the last seven years. And I'd also like to have an exhibit that shows the United Enterprises ownership as opposed to the Baldwin property ownership. I think that's it for my comments at this juncture. I think the Commission did a great job covering a lot of difficult issues, and certainly we'll look forward to seeing a final document. Hopefully one that's a little easier to read.

K16

Chair Tuchscher: Are there additional comments of staff or questions of staff? What is the Commission's pleasure relative to this matter? Mr. Ray. Mr. Willett. One of the Johns.

Ray: Although it's not in the recommendation, I'd like to make a motion that we accept the draft EIR with the comments as noted, and give direction to staff to prepare the final EIR.

Willett: I second that.

Chair Tuchscher: It's been moved and seconded. I do have one comment, I guess a question of staff, before we vote. Are there quick examples you can give us or is there some precedent for providing for a shortened circulation period for the draft EIR document?

Monaco: I think the last example in the City was for the Kaiser Hospital. That was done on a 30-day review period.

Chair Tuchscher: The Kaiser Hospital? And if I might just expand on that or ask you to. Generally, what is the basis for creating that type of situation where you shorten a circulation period?

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Monaco: It requires approval by the State, the Office of Planning and Research--we did make a request to the State. They asked us to make the request of all of the reviewing agencies at the State level. We did do that. We got approval from all those agencies, and the Office of Planning and Research did approve the City's request for the shortened review period.

Chair Tuchscher: So each of the entities that you did--you were required to ask did...

Monaco: All of them individually, yes.

Chair Tuchscher: Okay. Thank you. Are there any additional questions, comments? No?

K17

Willett: Yes, I'd like to add a little bit. I think that--and I did dig through that trying to follow--is that other people following us down the line, there should be maybe just a page or page and one-half how that approval flows through, to start the justification and reference to whatever rule or whatever you might call it, because that's not evident, and although I did do some discussion with it and found out. But after we leave the scene, for backup data, it should be in here.

R-66

Monaco: We could provide that and we can quote the section in CEQA that provides for that. CEQA provides for a minimum 30-day review period and that is the absolute minimum, and the typical is 45 days unless it requested for a shortened review.

Willett: I have one other comment. He just brought up something that is something else that should be expanded on. CEQA here. You had an EIR performed on the Rio Industrial Park and CEQA allows you to use that data and flow it over into that--that's not really clear. It's mentioned briefly, but I think that should go into more depth that you've already done one...

K18

Chair Tuchscher: If I might suggest, and I know we've done it before, but we do have a number of new members on the Commission, that perhaps we might schedule a CEQA workshop to go through those types of issues. Perhaps we could discuss that during the Director's report.

Chair Tuchscher: Are there additional comments? Please vote.

Vote: 6-0

K17. Comment noted. See response H2.

K18. Comment noted. The 1987 Ouzy Rio Business Park, Final EIR (EIR 87-2), was incorporated by reference to the extent feasible that information in the EIR was used and updated, where appropriate, during the preparation of the EIR for MCA Chula Vista Amphitheater and cited in EIR Section 7.0, References.

**FINAL**  
**ENVIRONMENTAL IMPACT REPORT**

**MCA CHULA VISTA AMPHITHEATER**  
**SCH # 95031073**

**Prepared for:**

**CITY OF CHULA VISTA**  
**276 Fourth Avenue**  
**Chula Vista, California 92121**

**Contact:**  
**Joseph Monaco, AICP**  
**Environmental Projects Manager**

**Prepared by:**

**TETRA TECH INCORPORATED**  
**565 Pearl Street, Suite 200**  
**La Jolla, California 92037**

**Contact:**  
**Betty Dehoney**  
**Environmental Services Manager**

**August 1995**



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## 1.0 INTRODUCTION

### 1.1 PURPOSE

This document is an Environmental Impact Report (EIR) for the proposed MCA Chula Vista Amphitheater project. The proposed MCA Chula Vista Amphitheater project would provide a 20,000 person capacity outdoor amphitheater located on a 72.5-acre site. The project site is located on Otay Valley Road east of Interstate 805 (I-805), in the southern portion of the City of Chula Vista. Discretionary actions required for the MCA Chula Vista Amphitheater include approval of a Conditional Use Permit and other discretionary approvals as described in this Draft EIR. All discretionary actions defined as projects by the California Environmental Quality Act (CEQA)(Public Resources Code 21000 et. seq.) require environmental assessment, and those actions which could result in potentially significant impacts to the environment require the preparation of an EIR.

The purpose of an EIR is to inform the public, decision-makers, and other responsible or interested agencies, about the nature of a proposed project and the extent and kinds of environmental impacts which would be expected to result if the project or project alternatives were implemented. EIRs must contain discussions of specific topics as outlined in the guidelines for the implementation of CEQA. This report complies with the most recent statute, guidelines, and amendments to CEQA and with the requirements set forth in the Chula Vista Environmental Review Procedures.

The environmental review process has been established to enable public agencies to evaluate a project in terms of its environmental consequences, to examine and implement methods of eliminating or reducing any potentially adverse impacts, and to consider alternatives to the proposed project. While CEQA requires that major consideration be given to avoiding environmental damage, the lead agency and other responsible agencies must balance adverse

environmental effects against other public objectives, including economic and social goals, in determining whether, and in what manner, a project would be approved.

This EIR contains sections required by CEQA, including an Introduction (Section 1.0), Project Description (Section 2.0), and an Environmental Analysis of potential impacts (Section 3.0). Alternatives to the proposed project are presented in Section 4.0. CEQA Mandated Sections (Section 5.0) includes an analysis of the unavoidable significant environmental impacts, irreversible/irretrievable impacts which would result from the proposed project, growth inducing impacts, and cumulative impacts. Organizations and Persons Consulted, References, and List of Preparers are included in Sections 6.0, 7.0, and 8.0, respectively. The technical appendices are bound under separate cover. During the preparation of the EIR, certain modifications occurred. The EIR analysis incorporates the latest project description and impact analyses. Information in the technical appendices may therefore be slightly different than the information found in the EIR.

The scope of this EIR was determined to include those issues which could result in potentially significant impacts if the proposed project is implemented. These issues include: land use, transportation/circulation, noise, air quality, biology, hydrology, hazardous waste, public services and facilities, and visual quality. Those issues whose potential effects were not found to be significant include geology and cultural resources. A Notice of Preparation (NOP) was distributed to agencies and interested parties regarding this EIR and published in the Star News. The NOP and comments received in response to the NOP are included in Appendix A.

The lead agency for this project is the City of Chula Vista. CEQA defines the lead agency as "the public agency which has the principal responsibility for carrying out or approving a project." The approval process first involves the preparation of the Draft EIR, which will be available for review by the general public and public agencies for a period of 30 days, in accordance with shortened review provisions in the CEQA Guidelines. Comments regarding the environmental analysis contained in this report are invited and may be submitted to the City of

Chula Vista, Community Development Department, 276 Fourth Avenue, Chula Vista, California 91910. The Draft EIR and all documents referenced in the Draft EIR will be available at the Department of Planning, the Community Development Department, and at the Chula Vista public library located at 365 F Street, Chula Vista, California. Upon completion of the public review period and the receipt of public comments, the Planning Commission will conduct a public hearing on the Draft EIR.

The Final EIR will then be prepared, and will include the letters of comment on the Draft EIR, responses to those comments, and the Draft EIR text with revisions, as appropriate. The Planning Commission may then recommend that the Final EIR has been prepared in accordance with CEQA, and send the Final EIR to the decision-making body (City of Chula Vista, City Council) for final certification. If the Final EIR defines significant impacts, then Findings are prepared under Section 15091 of the State CEQA Guidelines. Project approval is a separate action from certification of the adequacy of the EIR under CEQA, and is also taken by the City of Chula Vista.

State of California legislation (AB 3180) requires the adoption of a mitigation monitoring and reporting program in conjunction with approval of Mitigated Negative Declarations or certification of Final EIRs. The purpose of the law is to establish a monitoring and reporting program to assure implementation of required mitigation measures. Mitigation monitoring requirements are included in the mitigation/monitoring subheading for the environmental analysis of each potential impact. The final Mitigation/Monitoring and Reporting Program may be adopted by the City in conjunction with a decision on the project. A Mitigation Compliance Coordinator (MCC) will be responsible for implementation of the program.



## **1.2 SUMMARY OF FINDINGS**

### **Background**

The proposed MCA Chula Vista Amphitheater project site consists of 72.5 acres. The project site was developed as a portion of the Otay Rio Business Park (originally encompassing 210 acres). The entire project site was graded with terraced building pads designated for limited industrial land uses (research and limited manufacturing). Street improvements, public utilities, landscaped embankments/entrances, and monument signs to the Otay Rio Business Park were developed at the project site. The Final EIR for the Otay Rio Business Park (EIR 87-2) was certified by the City of Chula Vista in July 1987. The Final EIR (EIR 87-2) is referenced where appropriate. When the analysis for the previous EIR is adequate, the findings of the previous EIR are used for this project.

The proposed MCA Chula Vista Amphitheater project is proposed for 72.5 acres for the improved portions of the Otay Rio Business Park - Phase I, which has been fully graded and improved with roads and utilities but has not been developed with structures. The City of Chula Vista has proposed the relocation of a public works facility identified as the Chula Vista Corporation Yard from its location in downtown Chula Vista to a portion of an approximately 50-acre undeveloped site located directly west of the proposed MCA Chula Vista Amphitheater project. The Chula Vista Corporation Yard would consist of a building and parking areas used for the storage of vehicles, equipment, and materials, including Chula Vista Transit vehicles. The City of Chula Vista conducted an initial study for the proposed Corporation Yard and prepared a Negative Declaration dated December 16, 1994. Consideration is also being given to relocation of the Sweetwater Union High School District Yard to the same 50-acre site.

### **Project Description**

The MCA Chula Vista Amphitheater is located within the southern portion of the City of Chula Vista. The project site lies southeast of the I-805/Otay Valley Road interchange, and directly

south of the Otay River. The project site occupies 72.5 acres within the City of Chula Vista's Eastern Territories Area Plan as designated by the Chula Vista General Plan.

The proposed project would involve construction of a 20,000 person capacity outdoor amphitheater consisting of approximately 10,000 fixed seats and grass berms to provide lawn seating for 10,000 patrons. The amphitheater complex is proposed to include staging areas, ticket sales, permanent concessions, first aid/medical station, restrooms, and will require parking for approximately 6,000 cars. The amphitheater structures are proposed to be approximately 85 feet high (60 feet above ground level). The amphitheater is proposed to be used for concert events approximately 35-60 nights per year. Additionally, an open air market is proposed for the parking lot area, Thursday through Sunday from 7 am to 4 pm. The proposed project will require night lighting onsite and along access roads. Fireworks may accompany select performances. The project will require grading to create an earthen bowl; all earthwork is proposed to be balanced onsite with no import or export of materials. Amphitheater access would be provided from Otay Valley Road and existing onsite streets. Several public streets would be vacated in the central portion of the site to construct the amphitheater.

### **Environmental Setting**

The MCA Chula Vista Amphitheater project site is 72.5 acres and lies in the Otay River Valley located in the south portion of the City of Chula Vista, four miles north of the United States-Mexico International Border. The City of San Diego is located directly to the south; unincorporated areas of San Diego County are located directly to the east of Otay Valley Road. The project site was developed as the Otay Rio Business Park - Phase I which includes graded building pads, landscaped entrances and embankments, street improvements, and utilities. The graded building pads are terraced descending from the south to the north; no buildings have been constructed at the project site.

The surrounding properties are predominantly undeveloped land. To the north of the site is the Otay River which includes a natural floodway with disturbed and undisturbed vegetation.

Directly to the northeast of the site is a small utility yard under private ownership. Further to the north of the Otay River is Otay Valley Road, with office and industrial uses further to the north. Further to the north is the Otay Landfill operated by the County of San Diego. To the east of the site is Otay Valley Road and undeveloped land that is part of the proposed Otay Ranch development, with the exception of a public trap/skeet shooting range with a resident employee. Further to the east is an aggregate mining operation. To the south of the site are steep, undeveloped hills which have been used by unauthorized off-road motorcycles and vehicles. Further to the south of the site are steep slopes and canyons rising to Otay Mesa. Areas to the south and southeast of the site are within the City of San Diego's Otay Mesa Precise Plan area and are generally proposed for residential uses and open space as a part of the Draft Multiple Species Conservation Program (MSCP). To the west of the site is undeveloped land, portions of which appeared to have been used by unauthorized off-road motorcycles and vehicles. Further to the west, the Otay River trends to the southwest. Further to the northwest, commercial facilities, including industrial and commercial facilities were visible along Otay Valley Road. Other uses in the general area include existing and proposed industrial uses on the Otay Mesa and Interstate 905 to the south; Brown Field to the southeast; residential uses in the City of Chula Vista to the far northwest; and Interstate 805 to the west.

### Impact Analysis

Each section in the impact analysis includes the following subsections: **existing conditions** - describes the environmental setting for each issues; **impacts** - assesses the effects of the project; **mitigation/monitoring** - discusses measures which would avoid or reduce identified significant impacts; and **analysis of significance** - evaluates the significance of each impact after mitigation. The following table provides a summary of the potential impacts, mitigation measures/monitoring, and level of impact after mitigation for each issue.

**TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
LAND USE	<p>The proposed project will not result in significant impacts to land use. The project site was developed for the Otay Rio Business Park; the entire site is graded with terraced building pads, street improvements, utilities, and landscaped embankments/entrances. The project site is zoned for Industrial - Limited Manufacturing and Research land uses. The proposed project will require approval of Conditional Use Permits (CUPs) for the specific use of the project site for an amphitheater and open air market.</p>	<p>No mitigation measures are required.</p> <p>The proposed project will require approval of CUPs which would conform with the Chula Vista General Plan Land Use Element and Eastern Territories Area Plan. The proposed project will require approval of street vacations, lot consolidations, as well as a City Noise Ordinance Exception and City Noise Ordinance Amendment.</p>	Not significant.

TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p><b>TRANSPORTATION/ CIRCULATION</b></p>	<p>The proposed project will generate traffic in off-peak hours. With incorporation of the mitigation measures, the proposed project will not result in significant adverse impacts to traffic operations. The proposed project will not reduce intersection levels of service at various locations for the projected periods in time (1996, 2010, and 2015 Buildout). The proposed project will not result in significant adverse impacts based on the off-peak hours of amphitheater use and off-peak hours of open air market use. In addition, the proposed expansion of adjacent street systems will accommodate project-related traffic volumes from 1996 through 2010. Upon area buildout in 2015, the surrounding street network will have expanded to provide project site access from four directions.</p>	<ol style="list-style-type: none"> <li>1. Complete the widening of Otay Valley Road from I-805 to Nirvana Avenue to provide the ultimate six-lane cross-section and median or, as an interim measure,</li> <li>2. <u>Complete the widening of Otay Valley Road from I-805 to Otay Rio Road as currently planned by the City of Chula Vista.</u> <ol style="list-style-type: none"> <li>a. From Nirvana to northwest of the Otay River crossing, modify the planned improvements to provide three westbound lanes and two eastbound lanes.</li> </ol> </li> <li>3. Between Otay Rio Road and approximately 1,200 feet northwest of the Otay River crossing, provide channelization/coning of traffic during events to provide three eastbound lanes (inbound) for arriving traffic while maintaining one westbound lane. For departing traffic, provide three westbound lanes and one eastbound lane on Otay Valley Road. This would be accomplished through use of traffic control on Otay Valley Road.</li> <li>4. Ensure through adequate control, monitoring and enforcement that event patrons park on-site and not on surrounding streets including Otay Valley Road.</li> <li>5. Modify the planned southbound I-805 off-ramp channelization at the Otay Valley Road interchange to provide exclusive left, left/through/right, and exclusive right turn lanes.</li> </ol>	<p>Reduced to a level less than significant.</p>

TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p>TRANSPORTATION/ CIRCULATION (Continued)</p>		<p>6. Provide one traffic signal at a location to be determined by the City (Otay Valley Road/Otay Rio Road or Otay Valley Road/Spy Glass Hill Road). If the signal is placed at Otay Rio Road, on-site circulation patterns and access control for non-event operations (i.e., industrial park, corporation yard and open-air market) would be dictated by the signal location. Under this scenario, open-air market traffic would enter at Spy Glass Hill Road and exit at Otay Rio Road. Under either scenario, the intersection of Otay Valley Road/Heritage Road at Spy Glass Hill road will require cleanup (grubbing, clearing and grading) on to the south to improve sight distance.</p> <p>7. Develop and implement a management and mitigation monitoring program acceptable to the City of Chula Vista Traffic Engineer. The following measures shall be incorporated into the plan and implemented as mitigation, however, the City Traffic Engineer shall modify the plan as necessary to address any changes in traffic characteristics over time:</p> <p>a. Establish a Management Team consisting of MCA Amphitheater management, City of Chula Vista, Caltrans, CHP and law enforcement personnel for oversight and continued surveillance of the facility and associated events.</p> <p>b. <u>The applicant, prior to Opening Day of the project, in concert with the Management Team will develop a Traffic Management Plan (TMP) to be used during the first year of operations. The plan will identify traffic control, directional signing, variable message signs, traffic control officers, coning, law enforcement and parking management procedures to be followed for the various size and types of concerts.</u></p>	<p>Reduced to a level less than significant.</p>

TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p>TRANSPORTATION/ CIRCULATION (Continued)</p>		<p><u>The plan will detail the manpower and equipment requirements. Also, the plan will necessitate securing an Encroachment Permit from Caltrans to implement the recommended procedures.</u></p> <p><u>Figure 3.2-2 depicts the generalized traffic management techniques to be incorporated into the TMP.</u></p> <p>c. Prepare plans for directional signing to and from the amphitheater during events. These plans will need to be closely coordinated with the City of Chula Vista, Caltrans, and the City of San Diego. Event or temporary signing would be required on I-805, Otay Valley Road and Otay Mesa Road.</p> <p>d. Prepare and implement traffic control strategies and equipment requirements for the intersections along Otay Valley Road and at Otay Valley Road/Heritage Road. These strategies will need to address manpower and equipment requirements and determine the hours of operation.</p> <p>Due to the heavy peak demands at the I-805/Otay Valley Road interchange, traffic control personnel will be assigned to assist in directing of traffic at the interchange as well as at signalized intersections along Otay Valley Road during full capacity events. Traffic control personnel and barricades will also be employed at Oleander Avenue and/or other local roadways as necessary to direct traffic and eliminate short-cut traffic through residential areas.</p>	

**TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p><b>TRANSPORTATION/ CIRCULATION</b> (Continued)</p>		<p>e. Develop and implement an onsite access plan to minimize conflicts with pedestrian traffic and vehicles, adequately place pay points, and determine procedures to fill the parking areas from Otay Valley Road via Otay Rio Road and Spyglass Hill Road. This dual ingress scheme may need to load both roads with inbound traffic simultaneously. The plan will need to include:</p> <ul style="list-style-type: none"> <li>- Channelization/coning plans and traffic control personnel requirements;</li> <li>- Location and number of pay points;</li> <li>- Pedestrian control onsite and to limit pedestrians along Otay Valley Road;</li> <li>- Tow truck and emergency equipment for stalled and disabled vehicles; and,</li> <li>- A plan to maintain access to and from the City of Chula Vista Corporation Yard and other future adjacent uses during events. Due to the heavy traffic demand during arrival and departure periods, it may be necessary for amphitheater management personnel to make provisions for off-site facilities such as a separate driveway along the southern site boundary to Otay Valley Road to accommodate emergency activities of the City. Specific provisions to maintain access to and from the corporation yard during events shall be developed to the satisfaction of the Director of Public Works and implemented prior to development of the corporation yard site.</li> </ul>	



TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p>TRANSPORTATION/ CIRCULATION (Continued)</p>		<p>f. <u>The applicant will be responsible for all costs associated with the development of and implementation of the TMP.</u></p> <p>g. <u>After completion of the first year of operation, the applicant will work with the Traffic Management Team to refine the TMP for future years of operation.</u></p> <p><u>Recommended Event Monitoring Program (EMP)</u></p> <p>An event monitoring program (EMP) shall be developed as an additional mitigation measure for the proposed project. The standards to be achieved by the EMP are as follows:</p> <ul style="list-style-type: none"> <li>● To ensure that area residents are allowed to travel to and from their homes to a destination outside the area with minimal delay;</li> <li>● To provide unconstrained access for emergency vehicles to the area;</li> <li>● To provide monitoring of traffic flow and parking on streets in residential areas during selected events and to provide for restricted access if necessary;</li> <li>● To develop appropriate signage and advertising directing traffic to designated parking areas based on the nature of the event and anticipated attendance; and</li> <li>● To demonstrate sensitivity to the timing of events, taking into account parking and traffic flows related to peak traffic periods, residential commuter patterns and anticipated attendance.</li> </ul>	

**TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p><b>NOISE</b></p>	<p>The proposed project may result in short-term construction-related noise, and an increase in long-term noise levels due to concert events.</p> <p>Construction noise impacts are considered less than significant.</p> <p>Traffic noise impacts are considered less than significant.</p> <p>Concert noise impacts are considered to be less than significant upon construction of the facility since no significant impacts to existing surrounding land uses have been identified. Concert noise might become significant in the future, when and if planned residential development occurs, depending on future ambient noise levels and sound attenuation associated with that future development. Should such future concert-related noise impacts occur, implementation of the mitigation program identified will reduce concert noise impacts to less than significant levels.</p>	<p>No mitigation is required for traffic or construction noise since impacts are determined to be less than significant.</p> <p>Mitigation for concert noise impacts is not required for opening day of the facility since no significant impacts to existing surrounding land uses have been identified. Concert noise impact mitigation will be required when and if it is determined that the standard operation of the facility results in a pattern of violation that exceeds the threshold standards set forth in the City of Chula Vista Noise Ordinance. A pattern of violation shall be determined by the zoning administrator, in accordance with specific conditions placed on the Conditional Use Permit for the amphitheater. The method of mitigation would consist of proven feasible measures such as those listed below, any of which has the ability to feasibly mitigate impacts to less than significant levels, applied either individually or in combination:</p> <ol style="list-style-type: none"> <li>1. Construction of additional vertical barriers around the audience area.</li> <li>2. Modified lawn speaker system designs that better control sound energy radiating outside of seating areas.</li> <li>3. Administrative controls over stage speaker sound levels to be applied if the reference level at the mixing booth exceeds a specified threshold that is correlated to impacts in the community.</li> </ol>	<p>Reduced to a level less than significant.</p>

TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Issue	Impact	Mitigation Measures	Level of Impact After Mitigation
<p><b>AIR QUALITY</b></p>	<p>Air pollution emissions will increase as a result of increased traffic and construction activity. The proposed project is located in a non-attainment air basin and will result in emissions that exceed thresholds established by the South Coast Air Quality Management District for carbon monoxide, nitrogen oxides, and reactive organic compounds.</p>	<p><u>Construction Operations</u></p> <ol style="list-style-type: none"> <li>1. Implement dust control measures to maintain adequate soil moisture, as well as remove soil spilled onto surrounding roads through site housekeeping procedures. Reduce sources of dust by applying water to soil piles, exposed surfaces, and internal roads.</li> <li>2. Implement construction operating procedures to reduce interference with existing traffic and prevent truck queuing on any public roads.</li> <li>3. Restrict earth moving activities to 35 acres at any time, so that no more than half of the project site is under disturbance.</li> <li>4. Implement a construction equipment maintenance program to reduce equipment emissions.</li> </ol> <p><u>Transportation Operations</u></p> <ol style="list-style-type: none"> <li>5. Provide facilities to increase the use of <u>public transit</u> and alternative transportation methods including access by buses and other multi-occupant vehicles during major events.</li> <li>6. Provide satellite parking with shuttle services to reduce access/egress congestion and to alleviate parking space restrictions. Shuttle services will increase the anticipated 3+ passengers per vehicle average vehicle ridership (AVR) for concert attendance.</li> <li>7. Implement transportation demand management procedures for major events to evaluate optimum access/egress routes and to encourage alternatives to low occupancy vehicles. Procedures developed during the first few major events should be refined for subsequent facility use.</li> </ol>	<p>Significant and not fully mitigated. The mitigation measures will substantially lessen short-term and long-term impacts to air quality associated with the proposed project. Short-term impacts from dust generated by construction activities would be reduced to a level less than significant. Short-term impacts from emissions related to construction activities would not be fully mitigated. Long-term impacts from emissions related to traffic would not be fully mitigated.</p>

**TABLE 1.2-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

<b>Issue</b>	<b>Impact</b>	<b>Mitigation Measures</b>	<b>Level of Impact After Mitigation</b>
<b>BIOLOGY</b>	The proposed project will not result in adverse significant impacts to biological resources. The proposed project will not disturb or displace native habitat or sensitive plant or wildlife resources at the project site. The proposed project would result in the conversion of 72.5 acres of disturbed vegetation located on terraced building pads and landscaped entrances/embankments. The proposed project may result in indirect impacts to offsite areas related to noise, lighting/glare, and human activity/encroachment. The direct and indirect impacts to offsite biological resources would not be significant.	No mitigation measures are required.	Not significant.
<b>HYDROLOGY</b>	The proposed project will not result in significant impacts to hydrology.	No mitigation measures are required.	Not significant.
<b>HAZARDOUS WASTE</b>	The proposed project will not result in significant impacts to hazardous waste.	No mitigation measures are required.	Not significant.
<b>PUBLIC SERVICES AND FACILITIES</b>	<u>Police Protection</u> The proposed project will result in an increase in demand for police protection services. This increase in demand will not result in significant impacts to police protection services.	<u>Police Protection</u> No mitigation measures are required.	<u>Police Protection</u> Not significant.
	<u>Fire Protection</u> The proposed project will result in an increase in demand for fire protection. This increase in demand will not result in significant impacts to fire protection services.	<u>Fire Protection</u> No mitigation measures are required.	<u>Fire Protection</u> Not significant.
	<u>Water Utilities</u> No significant impacts were identified.	<u>Water Utilities</u> No mitigation measures are required.	<u>Water Utilities</u> Not significant.
	<u>Sewer Utilities</u> No significant impacts were identified.	<u>Sewer Utilities</u> No mitigation measures are required.	<u>Sewer Utilities</u> Not significant.
<b>VISUAL QUALITY</b>	The proposed project will not result in significant adverse impacts to visual quality.	No mitigation measures are required.	Not significant.

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## **2.0 PROJECT DESCRIPTION**

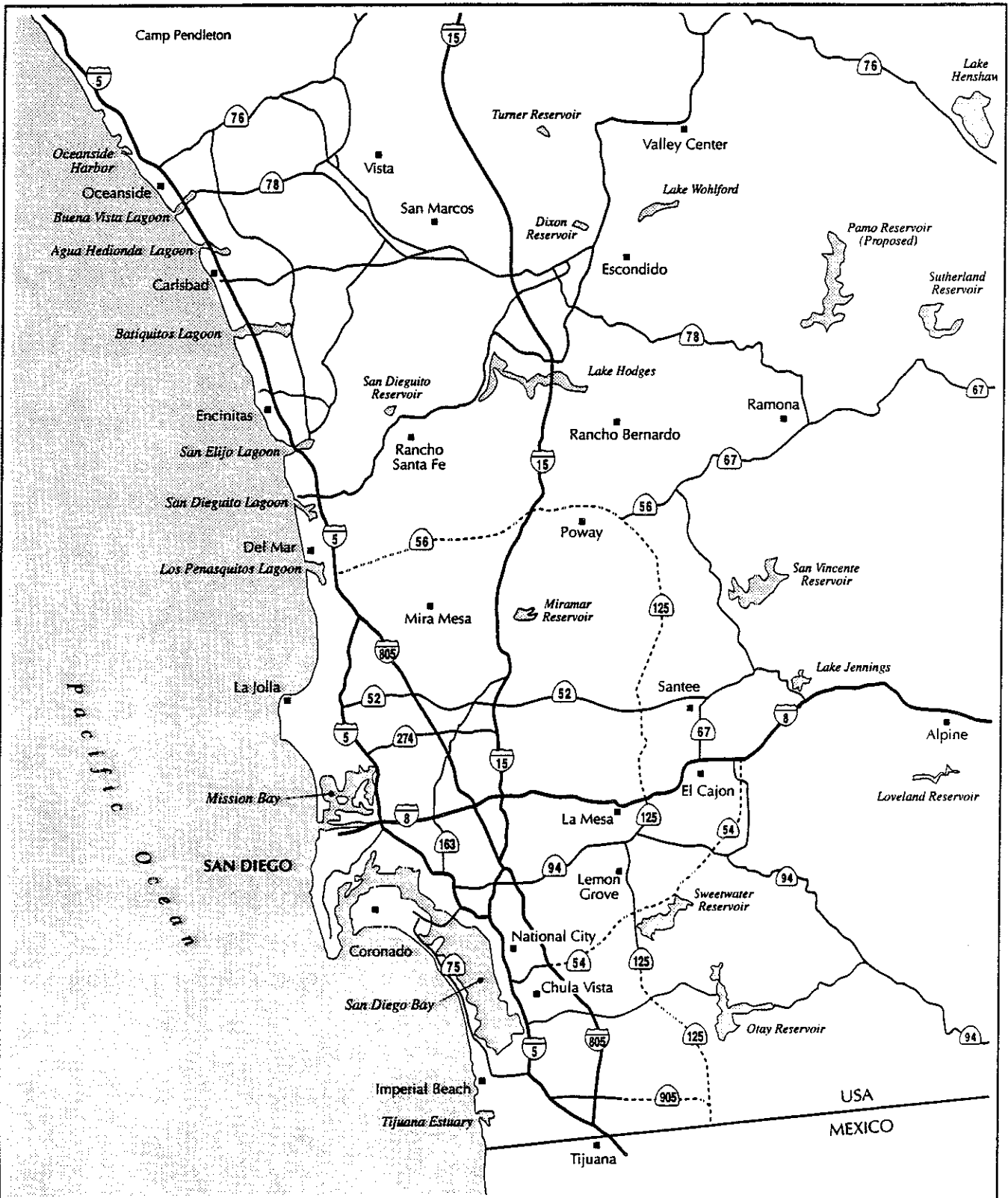
### **2.1 LOCATION**

The City of Chula Vista is located in the south portion of San Diego County, 8 miles south of downtown San Diego, and 130 miles south of downtown Los Angeles. Chula Vista is bounded on the north by National City and unincorporated San Diego County, on the south by the City of San Diego, and the east with unincorporated areas of San Diego County (Figure 2.1-1). The proposed site for the MCA Chula Vista Amphitheater consists of 72.5 acres located approximately 1.5 miles east of I-805 and the Otay Valley Road interchange. The property is bounded by the Otay River to the north, Otay Valley Road to the east, steep slopes rising to Otay Mesa to the south, and by undeveloped land to the west (Figure 2.1-2). The project site is within the City of Chula Vista's Eastern Territories Area Plan as designated by the Chula Vista General Plan. Regional access is provided by Otay Valley Road, which traverses the east portion of the site and links with I-805 and I-5 (via Main Street) to the west and I-905 via Heritage Road to the south. I-805 is located approximately 1.5 miles west of the site.

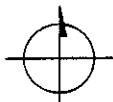
### **2.2 PROJECT DESCRIPTION**

The proposed project consists of the construction of a 20,000 person capacity outdoor amphitheater consisting of approximately 10,000 fixed seats and grass berms to provide lawn seating for 10,000 patrons (Figure 2.2-1). The proposed project site is located on 72.5 acres (3,158,00 square feet). The proposed project would require approval of the following discretionary actions:

- Conditional Use Permits
- Street Vacations
- Development Agreement
- Design Review
- Lot Consolidation
- ~~Noise Ordinance Exception~~
- Noise Ordinance Amendment



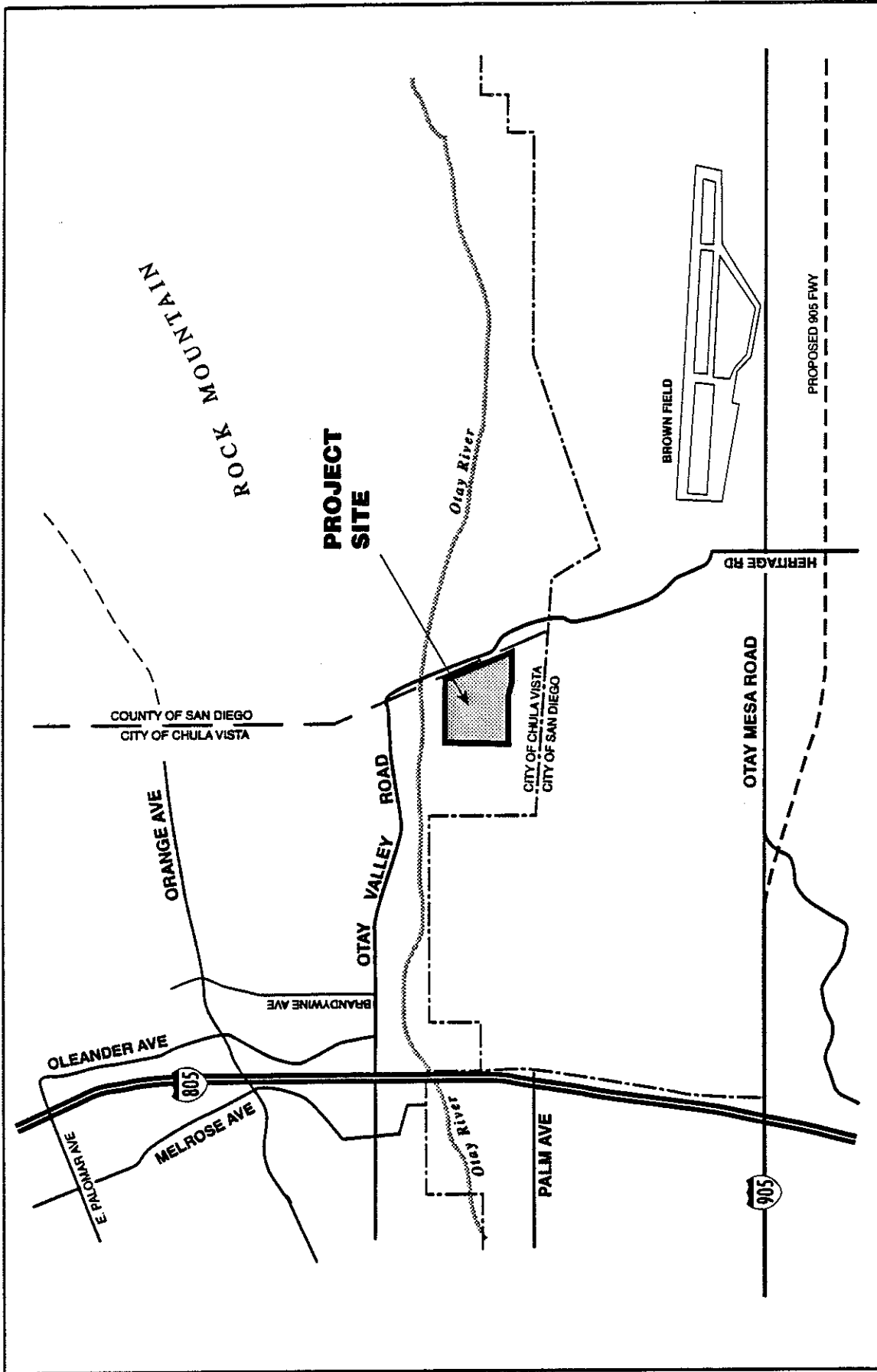
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No Scale

## Regional Map

Figure 2.1-1



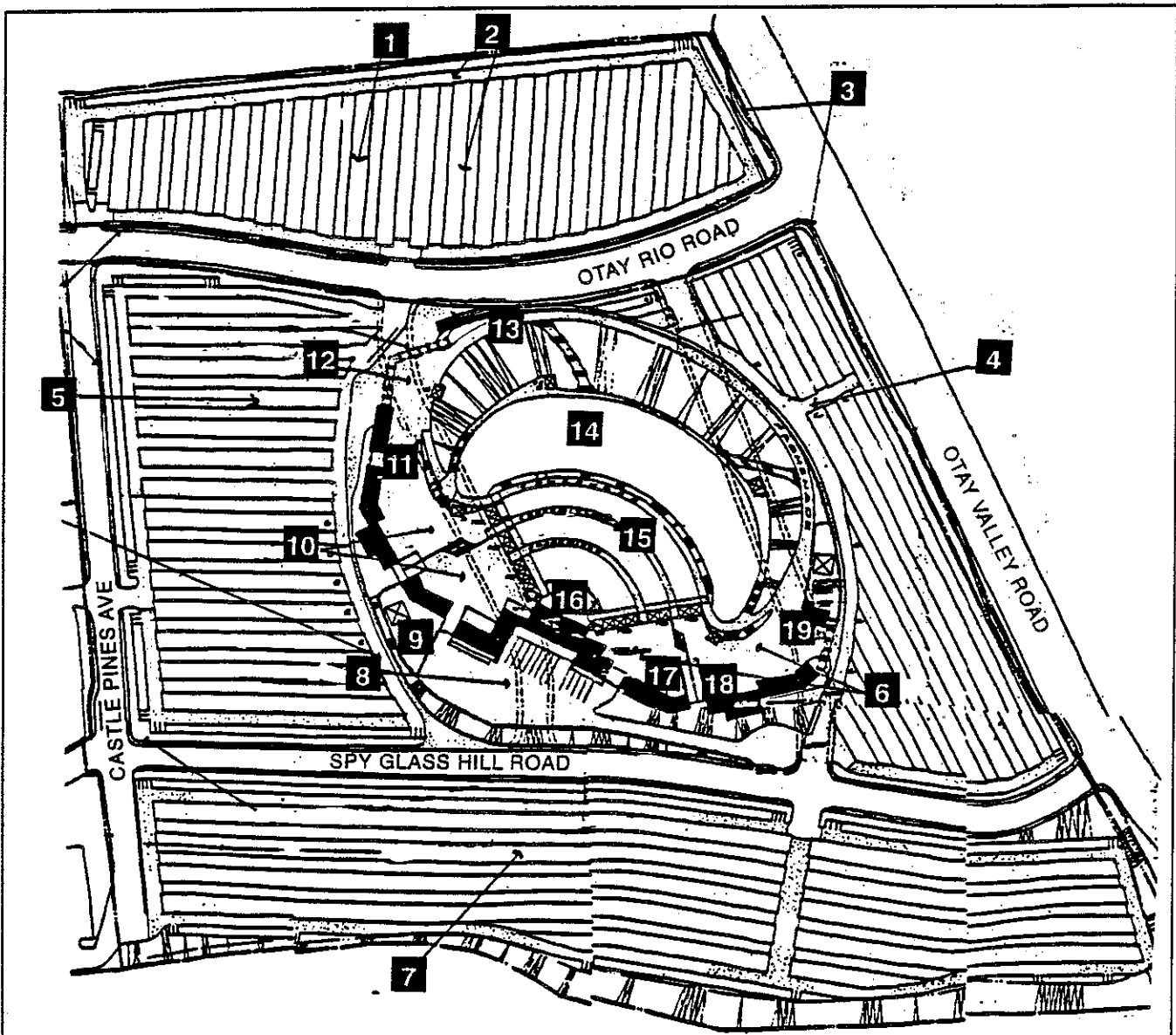
**Vicinity Map**

**Figure 2.1-2**



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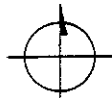


**LEGEND**

1	Parking Area 1 / 1,442 Spaces	11	Administration Box Office, Restrooms
2	Meadow Parking w/ Gravel Perimeter Roadways	12	Entry Plaza
3	Existing Sidewalks/Frontage Improvements	13	Promenade
4	Parking Area 2 / 1,091 Spaces	14	Lawn Seating 10,000 Patrons
5	Parking Area 3 / 1,464 Spaces	15	Fixed Seating 9,500 Patrons
6	East Plaza and Entry	16	Golden Circle 500 Seats (Removable)
7	Parking Area 4 / 2,240 Spaces	17	Restrooms
8	Back of House Loading	18	Food & Beverage
9	Corporate or Sponsor Plaza	19	Corporate or Sponsor Plaza
10	West Plaza		



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No Scale

## Conceptual Site Plan

Figure 2.2-1

These entitlements would allow the construction of the MCA Amphitheater in the City of Chula Vista. The objective of the proposed project is to provide a large capacity outdoor amphitheater for entertainment, cultural, and civic events including world-class concerts, plays, and dance performances, public speakers, and multi-media presentations for patrons from San Diego County and Southern California. In addition, an open air market is proposed to be held in the parking areas when the amphitheater is not in use. It is anticipated that the open air market could potentially cover Parking Areas 1, 3, and 4, and could accommodate up to 250 individual vendors.

The amphitheater will include a main stage, stagehouse structure, permanent one-story structures including ticket sales, concessions, restrooms, and first aid/medical station. The main stage will be located 20 feet below surface grade, with a maximum height of structures of 85 feet high (60 feet above surface grade). The seating areas will include fixed seating areas and lawn seating on lawn berms. The amphitheater will have entrance plazas with concession facilities for access from parking areas to the seating areas with sloped ramps and walkways.

The amphitheater is proposed to be used for concert events approximately 35-60 nights per year which will generate noise associated with concerts. Fireworks may accompany selected performances. Additionally, an open air market is proposed for the parking lot area Thursday through Sunday from 7 am to 4 pm. The proposed project will include energy consuming devices including minimal HVAC for concessions, restrooms, and related facilities. In addition, electricity will be required for lighting, including stage lighting and sound equipment. The proposed project will require night lighting onsite and along access roads.

The project will require grading to create an earthen bowl for the proposed outdoor amphitheater. All earthwork is proposed to be balanced onsite with no import or export of materials. Approximately 500,000 cubic yards of earth will be excavated and 500,000 cubic yards of fill will be placed with a maximum depth of cut 25 feet (average depth of cut 8 feet),

and a maximum depth of fill of 50 feet (average depth of fill 8 feet). All 72.5 acres of the site would be graded. The amphitheater will result in a change in topography and ground surface relief features as a seating berm approximately 50 feet above grade will be created in the north portion of the site, sloping down to the stage which will be located approximately 20 feet below existing grade. ~~Drainage of the facility will need to be engineered to drain to the Otay River.~~ The main stage and stagehouse structure will be located at the south side of the amphitheater, with the audience facing southwest towards the stage. The project site is currently graded for a business park with terraced building pads.

The sloped berms of the amphitheater, entrances, and parking areas would be landscaped. Water conservation techniques are proposed to be incorporated into landscaping systems and the amphitheater including low-flow toilets, automatic toilet flushers, quick couplers, and available reduction and security features. Water for the site would be provided by the Otay Water District.

The proposed amphitheater, roads, and parking areas would encompass all 72.5 acres of the project site, currently developed as a business park. No natural open space is located on the project site.

The project would result in employment opportunities including ticket sales, retail sales, parking attendants, security, performers, sales and maintenance employees. Approximately 250 employment positions would be required to operate the amphitheater; approximately 50 employees for the open air market.

No flammable or potentially explosive materials would be used or stored within the project site with the exception of fireworks utilized at selected performances.

No off-site improvements have been proposed by the applicant. Off-site improvements currently under construction include the widening of Otay Valley Road and the widening of the bridge which crosses the Otay River. Access to the project site would be provided from access points along Otay Valley Road to Otay Rio Road and Spyglass Hill Road. Street improvements and utilities (electric, sewer, and water) already exist at the subject property.

The amphitheater will operate an estimated 35-60 days per year, which in full capacity events, would generate 12,120 automobile trips, an estimated eight or nine times per year (approximately 6,060 roundtrips). This is less than the approximately 14,000 trips anticipated under the currently designated land use. Forty average capacity events are estimated to occur annually, primarily occurring in the evening. These average capacity events would generate 6,060 automobile trips (3,030 roundtrips). The open air market would generate a maximum of 3,655 automobile trips per day, from Thursday through Sunday, 7 am to 4 pm.

Main access to the proposed amphitheater would be provided by Otay Valley Road. Additional roads located at the project site include Otay Rio Road and Spyglass Hill Road which connect with Otay Valley Road. Existing roads in the central portion of the site (Glen Eagles Drive and Turnberry Drive) would be vacated to construct the amphitheater.

### **2.3 PROJECT HISTORY/RELATED PROJECT**

#### **PROJECT HISTORY**

The project site has been partially developed with the Otay Rio Business Park, encompassing all 72.5 acres. In July 1987, the City of Chula Vista certified a Final Environmental Impact Report (EIR 87-2) for the Otay Rio Business Park, which allowed a General Plan Amendment, a Zone Change, and Tentative Subdivision Map approval over a total of 210 acres. The General Plan Amendment designated the site as Research and Limited Industrial, Medium Density

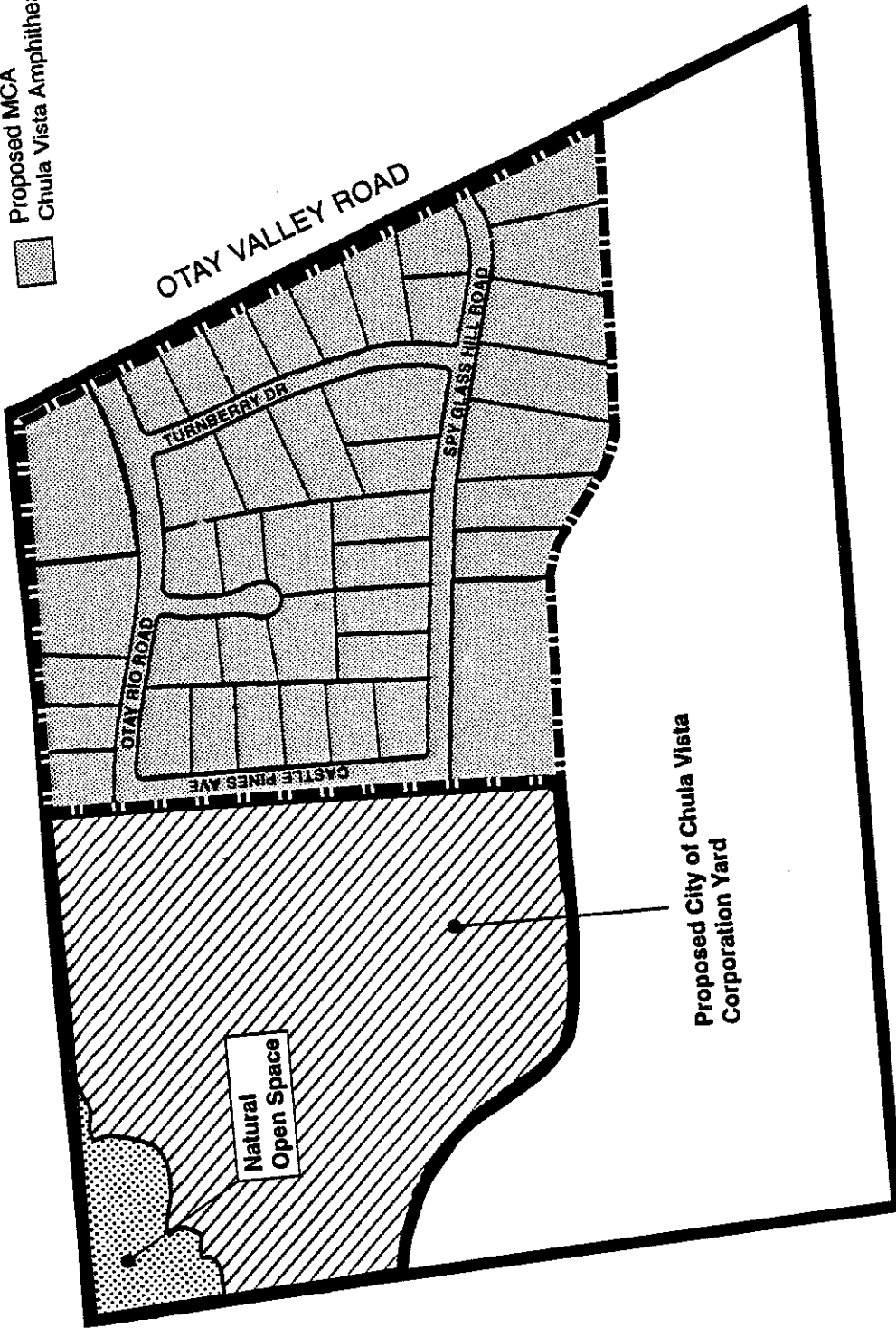
Residential, and Open Space (City of Chula Vista, Final EIR for Otay Rio Business Park). The zoning for the project site was designated Industrial - Research and Limited Manufacturing. The subdivision map divided the Otay Rio Business Park into 1- to 2-acre parcels. The Otay Rio Business Park (Phase I) has been developed with parcels and graded building pads, street improvements, utilities (electric, sewer, water), monument signs, and landscaped entrances. No buildings or industrial facilities have been constructed or operated onsite. The site and access roads have been utilized by unauthorized off-road vehicles and motorcycles to access the steep slopes and trails located to the west and south of the project site.

The proposed MCA Chula Vista Amphitheater would redevelop 72.5 acres of the 210-acre Otay Rio Business Park and convert the use from vacant graded parcels to a proposed amphitheater for entertainment and cultural events, utilized annually for 35-60 events. Portions of the amphitheater are proposed to be utilized as an open air market from Thursday through Sunday, 7 am to 4 pm. This EIR addresses the impacts associated with the development of the site as the MCA Chula Vista Amphitheater and open air market.

#### **RELATED PROJECT - CITY OF CHULA VISTA CORPORATION YARD**

A related project to the proposed amphitheater is an independent proposal by the City of Chula Vista to develop approximately 50 acres directly west of the proposed amphitheater site as the City of Chula Vista Corporation Yard (Figure 2.3-1). The Corporation Yard would be used as a municipal public works/public transit storage and service center. The City of Chula Vista has proposed to relocate these municipal services from its current operations center in downtown Chula Vista. The City of Chula Vista prepared a Negative Declaration (IS-95-02) dated December 16, 1994, which described the City of Chula Vista Corporation Yard as a phased project occupying the northerly 30 acres of the 50-acre site, which will include a building (146,500 square feet) with parking and outdoor storage of equipment and materials (including aggregate and chip seal). Additional service areas include underground fuel storage tanks,

Proposed MCA  
Chula Vista Amphitheater



Related Project Location Map

Figure 2.3-1



vehicle fueling, and wash areas. The activities to be housed at the new Corporation Yard would include Public Works Administration, Sewer Maintenance, Streets Maintenance, Tree Maintenance, Traffic Signal Street Lighting, Traffic Signs/Striping, Building Maintenance Services, Purchasing, Equipment Maintenance, Communications, Soil Testing, and Warehousing. In addition a portion of the site would be operated by Chula Vista Transit and would include areas for bus parking and vehicle maintenance.

The south 20 acres of the Chula Vista Corporation Yard have been included in the purchase by the City of Chula Vista, but have not been proposed for specific use at this time. However, the City of Chula Vista has indicated that discussions have been initiated with the Sweetwater Union High School District to consider the potential relocation of the School District's warehouse, transportation, and maintenance operations from its current location at Fifth Avenue in Chula Vista, to a portion of the Chula Vista Corporation Yard. The Sweetwater Union High School District activities proposed to be relocated include School District Maintenance, Planning and Maintenance Administration, and Purchasing. In addition the School District's transit operations, school transit employees, and school bus storage/maintenance operations are proposed for a portion of the Chula Vista Corporation Yard, potentially the south 20 acres.

The City of Chula Vista prepared a Negative Declaration (IS-95-02) dated December 16, 1994 which described the Corporation Yard project as consistent with the Industrial-Limited (I-L) General Plan designation and zoning for the site. The Negative Declaration was circulated for public review but not yet adopted by the Chula Vista City Council. The Corporation Yard would require a Conditional Use Permit (PCC-92-44) to accommodate the proposed uses. An Initial Study conducted by the City of Chula Vista determined that the proposed project would not have a significant environmental effect, and the preparation of an Environmental Impact Report would not be required. The Negative Declaration stated that the following impacts have been determined to be less than significant: development of agricultural areas, growth inducing impacts, geophysical impact, hydrologic impacts, air quality impacts, biological impacts,

hazards, noise impacts, aesthetic impacts, cultural resource impacts, paleontological impacts, recreation impacts, and cumulative impacts.

The Initial Study prepared for the Negative Declaration stated that the proposed Corporation Yard would increase traffic levels in the project area by 1,600 Average Daily Trips (ADT), but would replace approximately 30 acres of industrial uses that would generate approximately 3,600 trips. No new traffic impacts were addressed which would result from project implementation. Regarding air quality, the Initial Study noted that the proposed Corporation Yard does not represent a new use within the air basin, but rather a replacement of the existing Corporation Yard within the City of Chula Vista. The new facility is proposed in a location that is more centrally located to the future population base of the City than the current location in downtown Chula Vista, thereby increasing locational efficiencies in the long term. Vehicular emissions resulting from the project were not considered significant, either on an individual or cumulative basis. The Negative Declaration stated that the proposed Corporation Yard will not result in any significant or potentially significant environmental impacts; therefore, no project specific mitigation is required (City of Chula Vista, Negative Declaration, December 16, 1994). The Initial Study and Negative Declaration did not include in the project description or analysis the inclusion of the Sweetwater Union High School District use and operations at the proposed Corporation Yard since that use was not contemplated at the time the document was prepared.

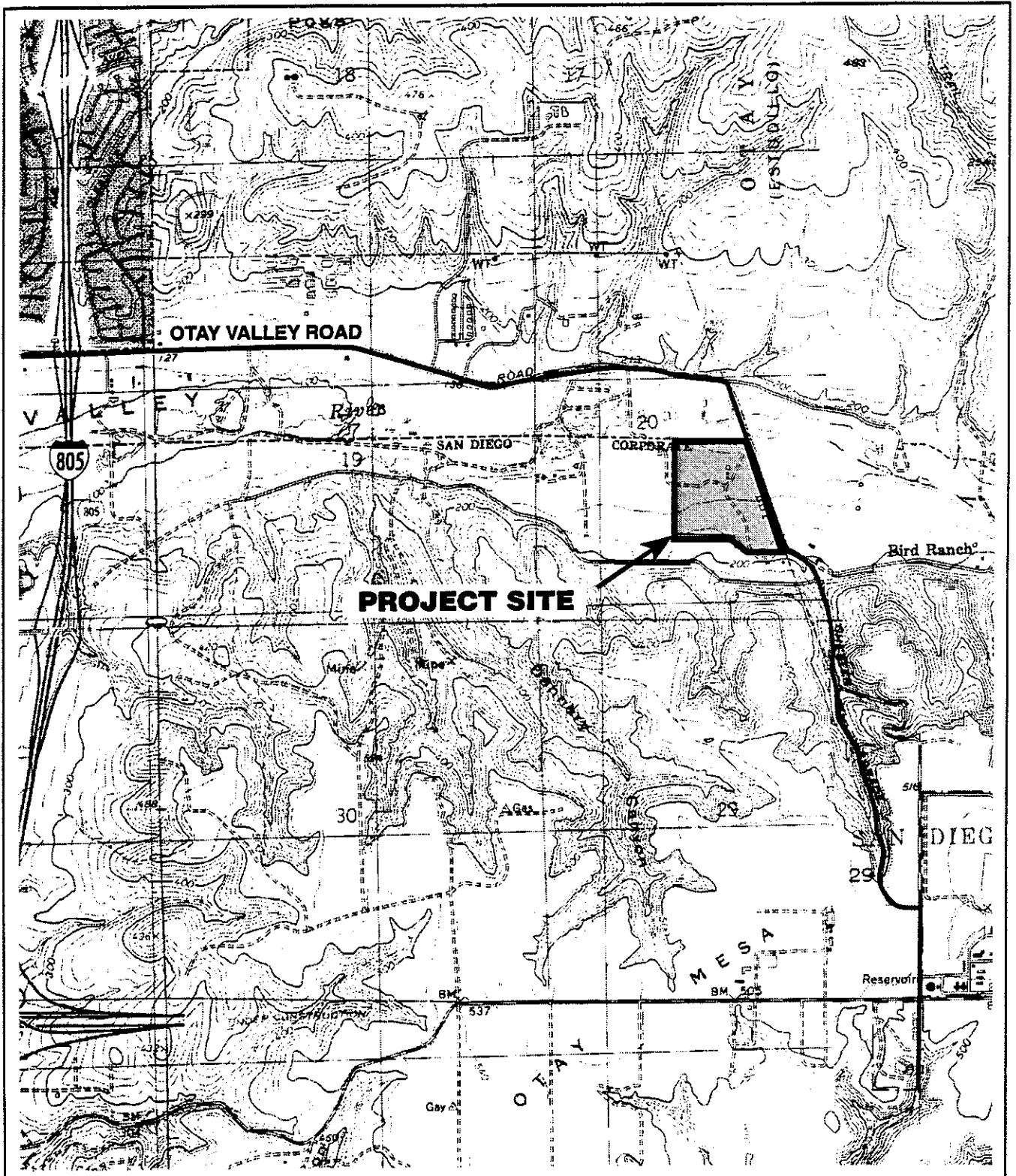
The City of Chula Vista Corporation Yard is a separate project from the proposed MCA Chula Vista Amphitheater and has undergone a separate analysis. However, both project sites were included in the analysis of the Final EIR for the Otay Rio Business Park, which encompassed approximately 210 acres. Due to the proximity to the proposed amphitheater, and the single access point presently proposed for both projects (Otay Valley Road), potential cumulative impacts may exist. Cumulative impacts are discussed in Section 5.4.



## **2.4 ENVIRONMENTAL SETTING**

The MCA Chula Vista Amphitheater project site is 72.5 acres and lies in the Otay River Valley located in the south portion of the City of Chula Vista, four miles north of the United State-Mexico International Border (Figure 2.4-1). The project site was developed as the Otay Rio Business Park - Phase I which includes graded building pads, landscaped entrances and embankments, street improvements, and utilities. The graded building pads are terraced descending from the south to the north; no buildings have been constructed at the project site.

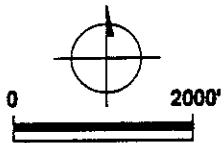
The surrounding properties are predominantly undeveloped land. To the north of the site is the Otay River which includes a natural floodway with disturbed and undisturbed vegetation. Directly to the northeast of the site is a small utility yard under private ownership. Further to the north of the Otay River is Otay Valley Road, with office and industrial uses further to the north. Further to the north is the Otay Landfill operated by the County of San Diego. To the east of the site is Otay Valley Road and undeveloped land, with the exception of a public trap/skeet shooting range with a resident employee. Further to the east is an aggregate mining operation. To the south of the site are steep, undeveloped hills which have been used by unauthorized off-road motorcycles and vehicles. Further to the south of the site are steep slopes and canyons rising to Otay Mesa. Areas to the south of the site are within the City of San Diego's Otay Mesa Precise Plan area and are generally proposed for residential uses and open space as a part of the Draft Multiple Species Conservation Program (MSCP). To the west of the site is undeveloped land, portions of which appeared to have used by unauthorized off-road motorcycles and vehicles. Further to the west, the Otay River trends to the southwest. Further to the northwest, commercial facilities, including industrial and commercial facilities were visible along Otay Valley Road. Other uses in the general area include existing and proposed industrial uses on the Otay Mesa and Interstate 905 to the south; residential uses in the City of Chula Vista to the far northwest; and Interstate 805 to the west.



Source: USGS 7.5' Quadrangles, Imperial Beach & Otay Mesa, photo revised 1975



TETRA TECH INC.



Topography

Figure 2.4-1

## **2.5 DISCRETIONARY ACTIONS**

The City of Chula Vista is the Lead Agency in the preparation and certification of this EIR, as defined by CEQA Guidelines, and would also be responsible for project approval. The discretionary actions associated with the development of the MCA Chula Vista Amphitheater are discussed below.

**Conditional Use Permits (CUPs)** - The proposed amphitheater and open air market would require separate Conditional Use Permits approved by the City of Chula Vista.

**Design Review** - The proposed amphitheater would require a Design Review by the City of Chula Vista.

**Lot Consolidations** - The project site is currently divided into 1- and 2-acre parcels designated for industrial - research and limited manufacturing uses. The proposed amphitheater would require consolidation of numerous small parcels into fewer large parcels.

**Street Vacations** - Development of the proposed amphitheater project would require the vacation of Castle Pines Avenue, Spyglass Hill Road, Glen Eagles Drive, and Turnberry Drive. Street vacations must be approved by the City of Chula Vista and may include the reservation of easements for public facilities located within these streets.

~~**Noise Ordinance Exception** - Pursuant to Section 19.68.070 of the Chula Vista Municipal Code, the applicant has applied for an Exception to the environmental noise provisions contained in Section 19.68 of the Code. The Chula Vista City Council may grant such an exception as a discretionary action.~~

**Noise Ordinance Amendment** - An amendment to Section 19.68.020 T.1 of the Municipal Code to clarify the definition of environmental noise as follows:

"Noise Disturbance -- Environmental. Those noise disturbances resulting from land use activity normally permitted under the land use code or permitted by a conditional use permit or variance, but which exceed the noise level limits set by this code for that particular land use. Environmental noise sources are specified in, but not limited by the list in Appendix A."

**Development Agreement** - It is anticipated that a Development Agreement would accompany project entitlements.

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### **3.0 ENVIRONMENTAL ANALYSIS**

#### **3.1 LAND USE**

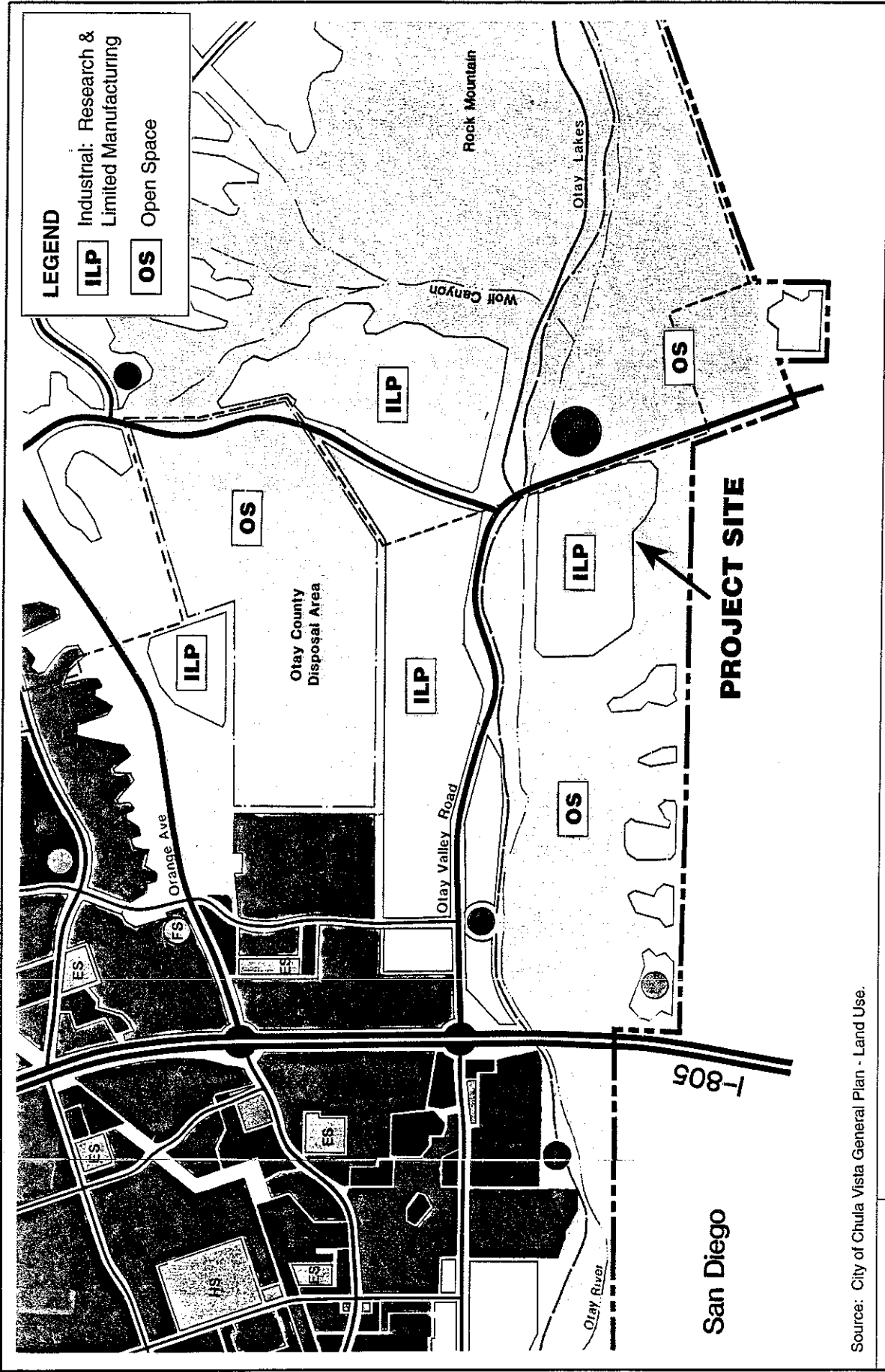
##### **EXISTING CONDITIONS**

The land use policies and regulations which guide the development of the MCA Chula Vista Amphitheater are the City of Chula Vista General Plan and the City of Chula Vista Municipal Code, Title 19, Zoning. In addition, the Otay Valley Regional Park Plan, (currently a draft "Concept Plan"), is a proposed, interconnected regional park boundary in portions of the County of San Diego, City of San Diego, and the City of Chula Vista. The project site also borders areas within the City of San Diego Draft Multiple Species Conservation Program Plan.

##### **Chula Vista General Plan**

The Chula Vista General Plan is a comprehensive long-term guide for physical development in the City of Chula Vista. It contains five area plans, and includes nine elements pursuant to Government Code Section 65302: Land Use; Circulation; Public Facilities; Housing; Growth Management; Conservation/Open Space; Parks/Recreation; Safety; and Noise.

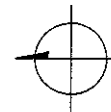
The Chula Vista General Plan, Land Use Element (Figure 3.1-1) is a policy plan, which contains goals, objectives, and policies to provide a long range guide for development and use of lands within the planning areas within the City. Goals and objectives are statements of value regarding the course of the city's development. Policies, together with land uses delineated on the maps, are the means of achieving the goals. The goals and objectives which are applicable to the entire general plan area are discussed in the Land Use element. Other goals and objectives which are specifically intended for a single planning area or element of the general plan are discussed in the appropriate area plan or element.



Source: City of Chula Vista General Plan - Land Use.



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No Scale

**General Plan Land Use**

Figure 3.1-1

### **Draft Otay Valley Regional Park Concept Plan**

A joint exercise of powers agreement between the County of San Diego, the City of San Diego, and the City of Chula Vista has been to create an interconnected regional park boundary within which is a core area containing environmentally sensitive open space, an interconnecting regional trail system, trail staging areas, recreational development areas, and nature interpretive centers. A preliminary concept plan has been prepared by the staffs of the three agencies and is under review (Figure 3.1-2).

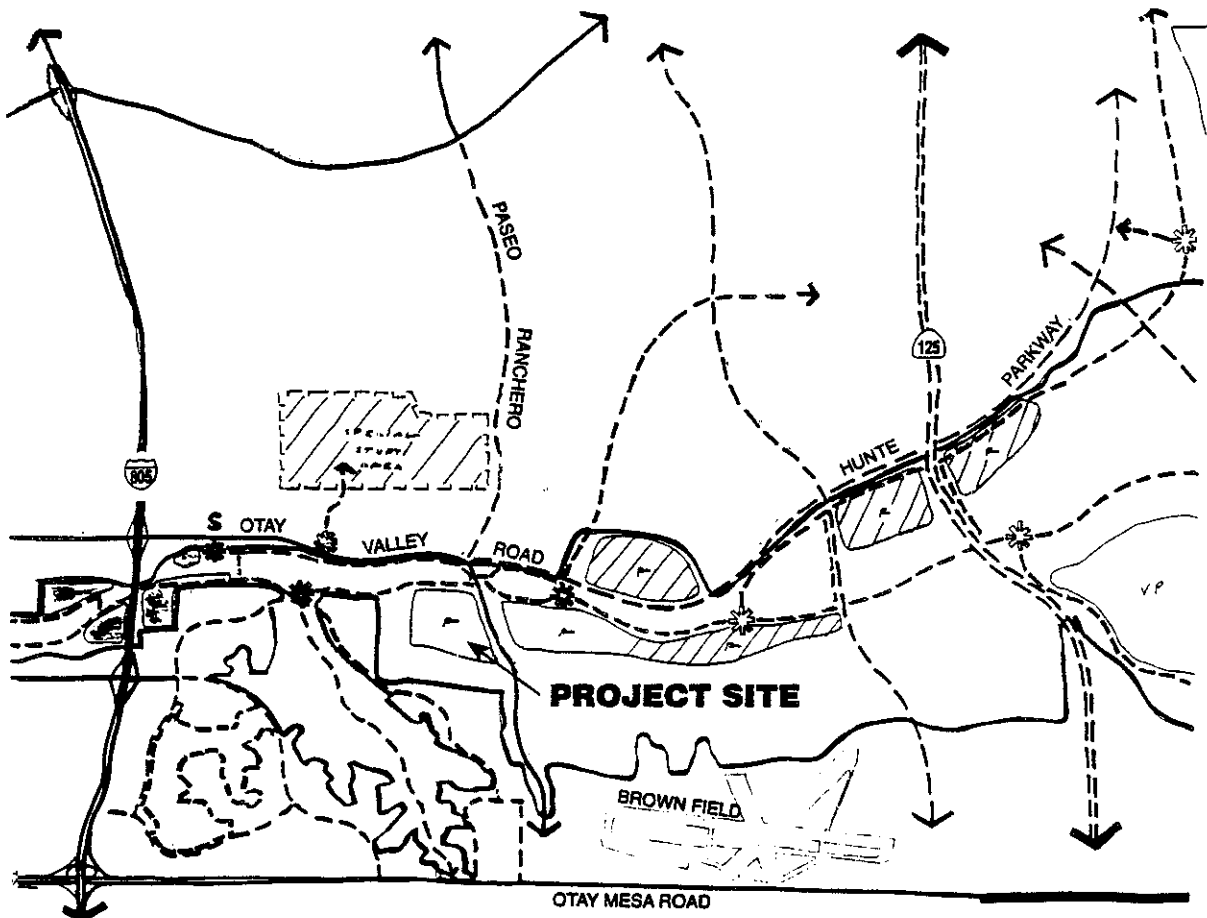
### **Draft Multiple Species Conservation Program Plan**

The Draft Multiple Species Conservation Program (MSCP) is a comprehensive habitat conservation planning program which addresses multiple species habitat needs and the preservation of natural communities for a 900-square mile area in southwestern San Diego County which includes the City of Chula Vista and the City of San Diego. The MSCP includes a Multi-Habitat Planning Area (MHPA) within which preserve planning is focused to implement a preserve system which conserves viable habitat and provides for wildlife use and movement. The City of San Diego Subarea Preserve Plan comprises of approximately 45,000 acres of the MHPA including approximately 37,000 acres within the City of San Diego jurisdiction and additional lands around San Vicente Reservoir, Otay Lakes, and Otay Mesa including lands within the City of Chula Vista. The Southern Subarea does not include the City of Chula Vista however, it does include Otay Mesa and areas within the Otay River Valley which border the project site to the south.

### **Land Use Designations**

The Chula Vista General Plan - Land Use Element designates the project site and adjacent land to the west as Industrial - Research and Limited Manufacturing. The Otay River to the north is designated as Open Space. Further to the north is Otay Valley Road and additional land uses



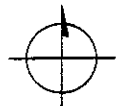


LEGEND			
	Proposed Park Boundary		Lake / Pond / Bay
	Alternative Park Boundary		Proposed Recreation
	Proposed Trail Corridor		Core Area
	Proposed Intersection / Node		Prep Station Special Study Area
	Proposed Staging Area		Park Boundary Special Study Area
	Proposed Interpretive Trail		

Source: Otay Valley Regional Park, April 1995.



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No Scale

# Preliminary Draft Otay Valley Regional Park Plan

Figure 3.1-2

designated as Industrial - Research and Limited Manufacturing, including an area designated for the Otay Landfill Disposal Area. Land uses, including the continuation of the Otay River to the east are designated as Open Space with a future community park designated directly east of Otay Valley Road. The extension of Otay Lakes Road into Otay Valley Road is proposed to the east of the project site. Land uses to the south are designated as Open Space to the southern corporate boundaries of the City of Chula Vista. Although located beyond the areas analyzed by the Chula Vista General Plan, the corporate boundaries of the City of San Diego are located further to the south, with land uses designated as future residential.

Unincorporated areas immediately east and northeast of the site are part of the Otay Ranch development project. A General Development Plan (GDP)/Subregional Plan has been approved for this area. The portion of Otay Ranch that is closest to the project is identified as Village 3, located to the north of the Otay River, to the west of Wolf Canyon and to the east of the Otay Landfill. The County's approved plan for this area shows residential development, while the City's GDP indicates industrial uses. A plan analyzing inclusion of these unincorporated areas in the City's Sphere of Influence was recently approved by the Chula Vista City Council. Final approval by the Local Agency Formation Commission (LAFCO) is pending. Any annexations of these lands would be subsequent to LAFCO's approval of the Sphere of Influence.

The Preliminary Draft Otay Valley Regional Park Concept Plan has designated the project site as a proposed "recreational development area". The "recreational development areas" identified on the Concept Plan include both existing and proposed active and passive recreation sites. These sites contain existing private development potential through zoning or development approvals and require additional land use analysis prior to adoption of a regional park master plan. Surrounding land uses to the north are designated for a proposed trail corridor along the Otay River. Further to the north, the Otay Landfill Disposal Area is identified as a "special study area". Land uses to the east are designated for proposed recreational area and the continuation of a proposed trail corridor along Otay River.

**Zoning**

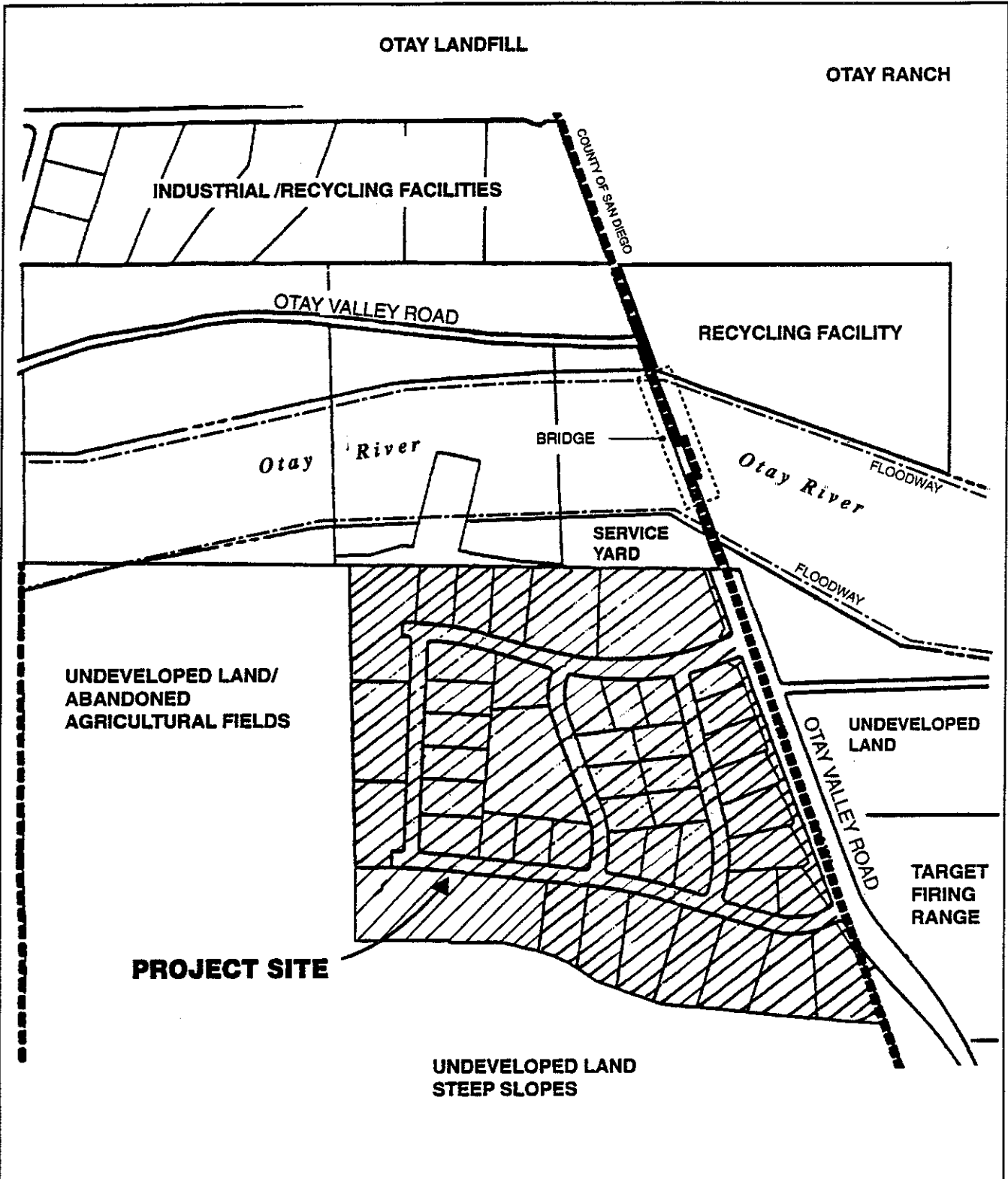
The project site is zoned Industrial - Limited Manufacturing and Research. Zoning of the site allows for unclassified uses, such as the project proposes, under a Conditional Use Permit.

**Existing Land Uses**

The entire project site has been developed with graded building pads, street improvements, lighting, public utilities (electric, water, sewer), monument signs, and landscaped entrances/embankments (Figure 3.1-3). The project site is not utilized for its designated and zoned land use. No industrial or manufacturing facilities or structures have been constructed at the site. Portions of the project site are utilized by unauthorized off-road vehicle access to the off-road trails located on the steep hillsides to the south and the adjoining properties to the west.

Land Uses to the North - The Otay River is located directly to the north of the site which includes a natural floodway with disturbed and undisturbed riparian vegetation. Also, directly to the northeast border of the site is a small utility yard. Further to the north of the Otay River is Otay Valley Road, with commercial recycling/auto recycling facilities further to the north. Further to the north is the Otay Landfill operated by the County of San Diego.

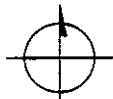
Land Uses to the East - Otay Valley Road extends along the east border of the site. This segment of the road is presently two lanes, but is planned to be upgraded to a four lane interim facility and ultimately to a major arterial road, with six lanes. Further to the east is vacant, undeveloped land, with the exception of a public trap/skeet shooting range. Further to the northeast is an aggregate mining operation (Nelson and Sloan rock quarry/rock crushing) located at the southwest base of Rock Mountain.



Source: City of Chula Vista Planning Department



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No Scale

**Existing Land Uses**

Figure 3.1-3

Land Uses to the South - Steep, undeveloped hills which have been used for unauthorized off-road motorcycles and vehicles are located to the south of the site. Further to the south of the site are steep slopes and canyons rising to Otay Mesa and the eastern portion of the Otay Mesa Precise Plan area in the City of San Diego. Brown Field is located further to the southwest.

Land Uses to the West - Undeveloped land, within the City of San Diego and designated for future residential uses, is located to the west of the site beyond the Phase II portion of the Otay Rio Business Park. The Otay River trends to the west. Industrial and commercial facilities are located further to the northwest along the north and south sides of Otay Valley Road. Further to the west is I-805.

## **IMPACTS**

The proposed project would require approval of Conditional Use Permits (CUPs) which would allow for the development of a 20,000 person capacity amphitheater on the project site and would allow for the open air market use. Presently, the entire site is graded and has street and utility improvements in place; no buildings or facilities have been constructed or operate at the site. Presently, the site is not utilized for industrial - research and limited manufacturing purposes.

An analysis of the relationship of the proposed project to the Chula Vista General Plan goals, objectives, and policies, and how the project would implement those goals and policies are presented in Table 3.1-1. The analysis includes comparison of the project plan to land use plan analysis (or "plan-to-plan" analysis) assessing conformance of the project with the goals and objectives of land use plans. The analysis also includes comparison of the project plan to existing and proposed land uses ("plan to ground" analysis) assessing the land use impacts of the project related to adjacent land uses.

The development of the site for the proposed MCA Chula Vista Amphitheater would require

approval of CUPs by the City of Chula Vista. The specific use of the project site for an amphitheater and open air market would be allowed with two separate CUPs for the designated land use and zoning of Industrial - Limited Manufacturing and Research. In addition, the City of Chula Vista would require Design Review including review of architectural guidelines and development standards for the proposed amphitheater and parking areas.

**Plan to Plan Analysis: Project Plan to Chula Vista General Plan**

The development of the project site with a use such as an amphitheater are not specifically addressed in the General Plan. Table 3.1-1 compares the proposed project with specific goals, objectives, and policies of the Chula Vista General Plan, Land Use Element and Eastern Territories Area Plan.

According to the Land Use Element, the project site is designated for Industrial - Research and Limited Industrial. This category includes research and development, light manufacturing, small scale warehousing, and flexible use buildings, which combine the above uses with office space (Chula Vista General Plan, Land Use Element, 4.3 Industrial). Presently, the project site is occupied with the graded building pads, street improvements, and utility improvements (electric, water, natural gas, sewer) for the Otay Rio Business Park. The project plan would include the development of the amphitheater and parking areas used for amphitheater events (35-60 events per year) occurring predominantly in the evenings and an open air market utilized four days per week (Thursday through Sunday, 7 am to 4 pm). The project plan is a less intensive use of the designated site from the standpoint of daily land use activity. Additional land designated for Industrial - Research and Limited Manufacturing is located along the north side of Otay Valley Road, directly south of the Otay Landfill and extending east towards Rock Mountain. Presently, some of the properties in these areas are undeveloped land, and are not utilized for Industrial - Research and Limited Manufacturing uses. The conditional use of the project site for an amphitheater would not remove a substantial portion of designated industrial land uses from the City of Chula Vista. The conditional use of the project site for an amphitheater would not create

significant compatibility impacts between the use of the project and the Chula Vista General Plan. The project plan with CUPs is consistent with the goals of the Land Use Element. The development of the proposed amphitheater could result in noise that would impact the surrounding land uses designated as open space, as well as potential future residential development to the west in the City of San Diego and future residential development in portions of the Otay Ranch planning area. A discussion of the analysis of noise is presented in Section 3.3.

The Eastern Territories Area Plan states that urban development will occur in the Eastern Territories over the next 20 to 30 years, and it is a goal of the city to accommodate and regulate such development, in ways which will protect the significant natural environment and create high quality urban environments for living and working (Chula Vista General Plan, Eastern Territories Area Plan, Section 3). The existing and proposed land uses of the Eastern Territories Area Plan are identified in Table 3.1-1. Existing industrial land uses utilize 222 acres within the eastern territories. Proposed industrial land uses are planned for 1,319 acres in the Eastern Territories Area Plan. The redesignation of 72.5 acres for conditional use as the MCA Chula Vista Amphitheater would not remove a substantial portion of planned industrial land uses from the City. The project plan is consistent with the goals of the Eastern Territories Area Plan. The project plan would not result in significant impacts as a result of incompatibility with the designated industrial land uses and the proposed amphitheater.

**Plan to Plan Analysis: Project Plan to Preliminary Draft Otay Valley Regional Park Plan**

The development of the project site with a use such as an amphitheater does not conform with the Concept Plan for the Otay Valley Regional Park which has depicted the project site as a potential recreational development area. This definition is only applicable if the site were not developed for urban use. The Concept Plan identifies the project site as a "recreational development area", which includes existing and proposed active and passive recreation sites. The Concept Plan recognizes that "recreation development areas" contain existing private

development potential through zoning or development approvals and will require additional land use analysis prior to adoption of a regional park master plan. The development of the project site with a use such as an amphitheater is a more similar land use to the "recreational development area" than the current land use and zoning designation of Industrial - Limited Manufacturing and Research. The proposed project would be more similar to the Otay Valley Regional Park Concept Plan than the industrial land use designated by the Chula Vista General Plan.

The entire project site is occupied with graded building pads, street improvements, utilities, and landscaped embankments/entrances. No undeveloped open space with undisturbed vegetation is located onsite. The boundaries of the proposed project would not be located within a wetland area, sensitive area subject to preservation and resource enhancement, or habitat linkages as identified in the Concept Plan. The proposed project would not be located within the Otay River or adjoining floodplain occupied with natural vegetation. The proposed project will not be located within or alter the proposed trail corridors of the Concept Plan. The proposed project will not be located within or alter the proposed intersections/nodes of the Concept Plan.

**Plan to Plan Analysis: Project Plan to Draft MSCP Plan**

The project site is located in the southeast portion of the City of Chula Vista. The City of San Diego Southern Subarea Preserve Plan is located directly south of the project site and includes Otay Mesa and areas in the Otay River Valley. Although the project site is not located within the jurisdictional boundaries of the MHPA, the project site's proximity merits an analysis to consider land use impacts of the proposed project. The Subarea Plan identifies buffers (measuring 180 feet) as important features to protect resources within the preserve from the edge effects of adjacent land uses. Buffers may be either inside or outside the preserve system, on private or public lands, as long as easements or other land use restrictions are imposed. The Draft MSCP states that "in areas with existing approved plans or existing development, the buffer will be contained entirely within the preserve" (City of San Diego, *MSCP Plan, Public*



Review Draft, Page 8-3).

The MSCP Plan, Section 4.2, Guidelines for Preserve Land Uses assesses compatibility of land uses with preserve areas and provides suggestions to reduce impacts. The Multi-Habitat Planning Area is depicted in the MSCP Plan, Figure 3-1. The project site is not located within the Multi-Habitat Planning Area. Portions of the MHPA are located to the north of the project site, along the Otay River, and are identified as Riparian/Wetlands, and to the south of the project site, identified as Disturbed Habitat. According to MSCP, Development, Section 4.2.3, "buffer areas may be outside or inside the MSCP preserve system and thus in either private or public hands. Furthermore, some of the preserve is located in already urbanized areas and in areas where project approvals have been made by local jurisdictions. In both cases, buffer width may be constrained by existing conditions. In general, buffer areas should be maintained at least 200 - 600 feet from the borders of the preserve, depending on the resources to be protected, type of adjacent land use, and existing development constraints (MSCP, Development, Section 4.2.3 - Page 4-6). The proposed project would be compatible with the MSCP. A buffer area would be established within the MHPA between the Otay River Riparian/Wetlands and the north border of the project site. Another buffer area would be established within the MHPA between the Disturbed Habitat to the south and the south border of the project site.

The jurisdictional boundary of the City of San Diego Southern Subarea - Otay Mesa and Otay River Valley, borders the project site to the south. The vegetation communities within the Southern Subarea Preserve Lands identified to the south of the site are depicted as "Disturbed Habitat" and "Developed Land" which extends along the entire south border of the site. Further to the west, southwest, and south in the City of San Diego, Otay Mesa Community, the vegetation communities are depicted as Disturbed Habitat, Grassland, and Coastal Sage Scrub (City of San Diego, *MSCP Plan, Public Review Draft*, Figure 8-1). ~~The boundaries of the proposed project would not be located adjacent to a sensitive preserve area or buffer area within the Draft MSCP.~~ The proposed project would not result in adverse impacts to land uses within the City of San Diego Southern Subarea Draft MSCP.

**Relationship of the Proposed Project to Existing Surrounding Land Uses**

The project site has been graded for industrial land uses but has not been utilized by industrial facilities. The project vicinity is partially developed with varying commercial and industrial land uses located adjacent to the Otay River and undeveloped open space areas. Existing land uses in the project vicinity include auto recycling/commercial recycling facilities, the Otay Landfill, a trap shooting firing range, and a rock quarry/rock crushing operation. The proposed project would be consistent with the existing surrounding land uses, and therefore, would not result in significant impacts to surrounding land uses.

**Open Space/Otay River** - The proposed amphitheater would not be located within an existing area of open space. The proposed amphitheater and open air market would be a less intensive use than the industrial land uses based on the projected frequency of uses of the amphitheater (35-60 events per year). The proposed project would have design features which would create buffers between the amphitheater and surrounding open space. However, due to its proximity to the Otay River, the proposed amphitheater may create adverse impacts to natural resources within the Otay River or designated Open Space due to noise and light/glare associated with the uses of the amphitheater for concerts with potential fireworks uses. A discussion of these impacts is presented in Section 3.3, Noise, and 3.5, Biology.

**Industrial - Research and Limited Manufacturing** - The proposed amphitheater and open air market would not create significant impacts to surrounding land uses used for industrial purposes. The project site would be utilized for 35-60 events per year, occurring primarily in evenings or on weekends, which would not impact surrounding industrial land uses. The proposed project may create significant impacts to transportation/circulation. A discussion of these impacts is presented in Section 3.2.

**Relationship of the Proposed Project to Proposed Surrounding Land Uses**

Proposed land uses on surrounding properties may include the City of Chula Vista Corporation Yard, proposed for the project directly west. In addition, proposed residential land uses may be located in the City of San Diego, south of the project site.

Chula Vista Corporation Yard - The proposed amphitheater and open air market would not create significant impacts to surrounding land uses used for the proposed Chula Vista Corporation Yard. The project site would be utilized for 35-60 events per year, occurring primarily in evenings or on weekends, which would not impact land uses at the Chula Vista Corporation Yard. The proposed project may create adverse impacts to transportation/circulation along existing streets located on the project site and Otay Valley Road. A discussion of these impacts is presented in Section 3.2. However, mitigation is provided to reduce these impacts to less than significant levels.

Proposed Residential Land Uses in the City of San Diego, Otay Mesa Community Plan - The proposed amphitheater and open air market would not create significant impacts to proposed residential land uses located to the south in the City of San Diego, Otay Mesa Community Plan (Figure 3.1-4). The proposed residential land uses are proposed for the upper mesas and canyons located to the south and southwest of the project site in the City of San Diego. The City of Chula Vista has designated Open Space to the south of the project site, between the project site and the corporate boundaries of the City of Chula Vista creating a land use buffer. The project site is located in the Otay Valley, at a lower surface elevation than residential land uses proposed for upper mesas located to the south and southwest. Based on surface topography, the project site is not located within proximity to the proposed residential land uses, and access is limited due to steep slopes and canyons located to the south of the project site. The proposed residential land uses would not utilize common access points from Otay Valley Road. The project site would be utilized for 35-60 events per year, occurring primarily in evenings or on weekends, which would not impact land uses of proposed residential land uses in the City of San Diego.

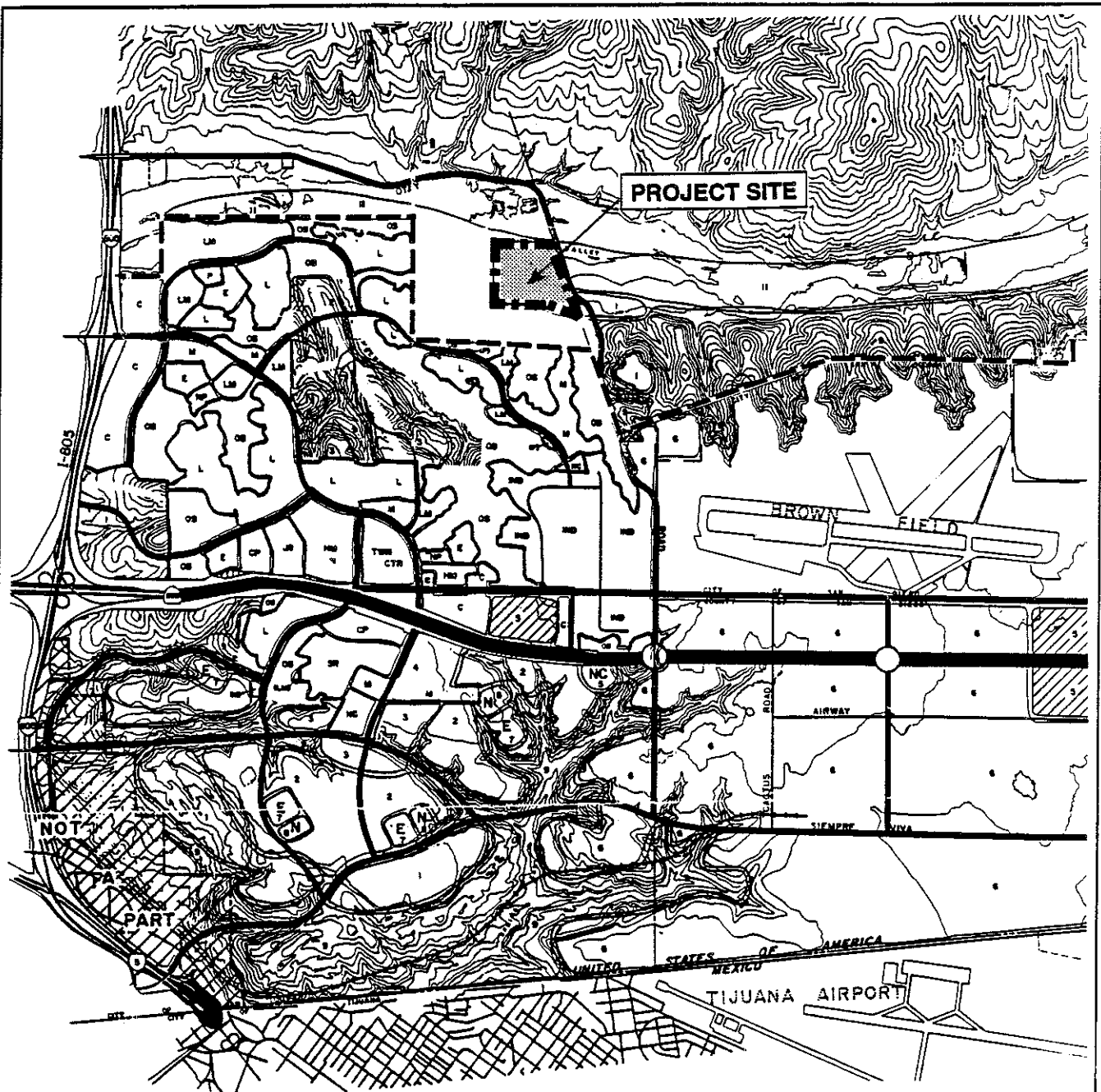
The proposed project may create significant impacts to transportation/circulation, noise, and visual quality to proposed residential land uses to the south. A discussion of these impacts is presented in Section 3.2, Transportation/Circulation; Section 3.3 Noise; and Section 3.9 Visual Quality.

#### **MITIGATION MEASURES**

No mitigation is required because no significant impacts to land use were identified.

#### **ANALYSIS OF SIGNIFICANCE**

The proposed MCA Chula Vista Amphitheater would have less than significant impacts to land use.



**LEGEND**

**RESIDENTIAL**

- 1 VL VERY LOW (0-5 DU/AC)
- 2 L LOW (5-10 DU/AC)
- 3 LM LOW MEDIUM (10-15 DU/AC)
- MH MEDIUM HIGH (30-45 DU/AC)

**COMMERCIAL**

- TC TOWN CENTER
- 5 C COMMERCIAL CENTER
- SPECIALIZED
- NC NEIGHBORHOOD
- 6 IND INDUSTRIAL

7 INSTITUTIONAL

**PARKS**

- 8 CP COMMUNITY
- 8 NP NEIGHBORHOOD
- (P) MINI PARK
- 9 OS OPEN SPACE

10 FUTURE GROWTH

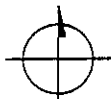
11 AGRICULTURE

--- CITY OF CHULA VISTA CORPORATE LIMITS

City of San Diego, Otay Mesa Community Plan, February 1995.



TETRA TECH INC.



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**City of San Diego  
Otay Mesa Community Plan**

Figure 3.1-4

**Table 3.1-1  
RELATIONSHIP OF PROPOSED PROJECT  
TO GENERAL PLAN GOALS, OBJECTIVES, AND POLICIES**

<b>CHULA VISTA GENERAL PLAN LAND USE ELEMENT</b>	<b>PROPOSED PROJECT</b>
<p><b>Goal 1 - Economic Base of the City:</b> To have a large and diversified economic base, while maintaining or increasing the existing sources of employment.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>● Identify potential areas for location of new light manufacturing and high technology businesses and facilitate their development.</li> <li>● Conduct and periodically update a fiscal impact analysis of anticipated future development in the general plan area.</li> </ul>	<p>The project would create a specific commercial venue which would contribute to a diverse economic base, and increase the sources of employment by providing an estimated 300 new employment positions.</p> <ul style="list-style-type: none"> <li>● The project would convert land areas designated for industrial uses to an amphitheater. Other undeveloped land areas north of Otay Valley Road are designated for industrial uses. The project would not result in a significant loss of land areas designated for industrial uses. The project is not in conflict with the objective to develop potential areas of industrial land uses as identified by the Chula Vista General Plan.</li> <li>● The project would increase the potential for fiscal growth in an area designated for future development by the Chula Vista General Plan.</li> </ul>
<p><b>Goal 2 - Retail Commercial Development:</b> To improve and increase the retail base of the city, making the city an attractive place to shop for comparison and durable goods.</p>	<p>The project is an amphitheater and open air market which would increase the retail base of the city by providing retail sales related to ticket sales, concessions, concert merchandise, as well as retail sales at the open air market. The project would increase the retail base of the city.</p>

CHULA VISTA GENERAL PLAN LAND USE ELEMENT	PROPOSED PROJECT
<p><b>Goal 5 - Open Space, Recreation, and Visual Quality:</b> To preserve the most important landforms and natural features as part of a recreation oriented open space network.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>● Plan and implement a continuous greenbelt, open space, and trail system around the city. The system should begin at the Chula Vista Bayfront, extend along Otay Valley to the Lower Otay Reservoir, and extend north in two corridors.... Additional open space within the general plan area should provide connections to community and neighborhood parks and schools.</li> <li>● Preserve to the extent feasible natural open space areas and corridors, particularly the major canyons and valleys, as integral and functional parts of the urban pattern. Particular emphasis is placed on the canyons, stream valleys and other corridors that connect to the greenbelt system and can help to extend the greenbelt and trail system into the community.</li> <li>● Refrain from development or landform alteration of the major natural features of the Otay Valley, Upper and Lower Otay Reservoirs, Mother Miguel Mountain, Sweetwater Reservoir, and immediately adjacent areas.</li> </ul>	<p>The project would be constructed on land areas previously graded for building pads. The project would not destroy or deteriorate an important landform or natural feature.</p> <ul style="list-style-type: none"> <li>● The project would not be developed within a proposed or designated greenbelt, open space, or trail system. The north borders of the project site may be integrated into the design of a recreation oriented open space network in Otay Valley. The project is not in conflict with the objective to plan and implement a continuous greenbelt, open space, and trail system around the city.</li> <li>● The project would not be developed within a proposed or designated natural open space area or corridor. The north borders of the project site may be integrated into the design of a greenbelt and trail system through the Otay Valley. The project is not in conflict with the objective to preserve natural open space areas and corridors.</li> <li>● The project would not alter a major natural feature of the Otay Valley or immediately adjacent areas. The project would be developed in an area previously graded for building pads and streets improvements. The project is not in conflict with the objective to refrain from landform alteration of major natural features.</li> </ul>

<p align="center"><b>CHULA VISTA GENERAL PLAN LAND USE ELEMENT</b></p>	<p align="center"><b>PROPOSED PROJECT</b></p>
<p><b>Goal 6 - Circulation and Land Use:</b> To realize a beneficial integration of transportation facilities such as freeways, street, and railroads, and offer accessibility and prevent potential barriers between land uses.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>● Focus regional traffic corridors traversing the general plan area to Interstate 5, Interstate 805, State Route 54, and the proposed State Route 125. Regional traffic, which has origins and destinations outside the general plan area, should not use city streets.</li> </ul>	<p>The project would integrate with transportation facilities.</p> <ul style="list-style-type: none"> <li>● The project would generate traffic with origins and destinations within the general plan area. The project would generate regional traffic which would use Otay Valley Road for freeway access to I-805 to the west of the project site, and I-905 to the south of the project site.</li> </ul> <p>See Section 3.2 for additional discussion related to transportation and circulation.</p>
<p><b>Goal 7 - Water Use and Reclamation:</b> To control the growth in demand for water and wastewater treatment.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>● Promote water conservation through increased efficiency in essential uses, and use of low water demand landscaping.</li> <li>● Encourage, where safe and feasible, wastewater reclamation and use of reclaimed water for irrigation and other uses.</li> </ul>	<p>The project would incorporate water conservation features and reclaimed water systems into the amphitheater facilities and landscape systems.</p> <ul style="list-style-type: none"> <li>● The project would incorporate water conservation features into the amphitheater facilities and landscape systems.</li> <li>● The project would provide for the use of reclaimed water for landscape uses should it become available.</li> </ul>



<p><b>CHULA VISTA GENERAL PLAN EASTERN TERRITORIES AREA PLAN</b></p>	<p><b>PROPOSED PROJECT</b></p>
<p><b>Goal 1 - Natural Environment:</b> To protect the most important environmental resources (primarily reservoirs, water courses, and principal hills and mountains) in the Eastern Territories Area from urban development and its potential, negative impacts.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>● 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.</li> <li>● Require thorough environmental reviews of all proposed conversions of vacant or agricultural land to urban uses.</li> <li>● Among the areas designated in the Eastern Territories for open space preservation, place the highest priority on preservation and improvement of those sections of the proposed Chula Vista Greenbelt which are located in the planning area. These are the Otay Valley, Salt Creek and associated canyons, Upper and Lower Otay Reservoirs and the adjacent drainage areas, Mother Miguel Mountain and the Sweetwater Reservoir and the adjacent drainage area.</li> </ul>	<p>The project is not proposed within an environmental resource; however the project is located directly south of the Otay River and bordering floodway which contain riparian habitats. The project design and implementation would contain landscaped berms and buffer zones to reduce the adverse impacts of noise to the surrounding environmental resources. The project would reduce the adverse impacts of noise to a level less than significant.</p> <ul style="list-style-type: none"> <li>● The project site is developed with graded building pads and street improvements. The project site does not contain any environmentally sensitive areas within its boundaries. The project would not result in adverse impacts to a flood plain, canyon, or steeply sloped area.</li> <li>● The project is developed with graded building pads and street improvements. The project site would not result in the conversion of vacant or agricultural land to urban uses.</li> <li>● The project is located within the Otay Valley. The project site is designated for industrial land uses; the project site is not designated for open space preservation. Surrounding properties are proposed for open space preservation in the Chula Vista Greenbelt.</li> </ul>

<p><b>CHULA VISTA GENERAL PLAN EASTERN TERRITORIES AREA PLAN</b></p>	<p><b>PROPOSED PROJECT</b></p>
<p><b>Goal 2 - New Urban Development:</b> To accommodate and regulate urban development in the Eastern Territories, in ways which will protect the significant natural environment and create high quality urban environments for living and working.</p> <ul style="list-style-type: none"> <li>● Create a balanced community of residential, commercial, and industrial uses. Provide for designations and future use of commercial and industrial land uses and encourage retention of vacant land for commercial and industrial uses.</li> <li>● Assure that all new developments are provided with acceptable levels of public services. Each development should include public facilities required to serve the development and also contribute toward construction of citywide facilities needed by the development.</li> <li>● Encourage orderly and compact patterns of development which will make maximum use of existing public facilities and avoid "leap frog" development. Encourage development phasing which will substantially build out drainage and hydrologic basins with existing public service facilities.</li> </ul>	<p>The project is an amphitheater and open air market located on property designated for industrial land uses. The project would design and implement site features which reduce the potential adverse impacts to the surrounding natural environment. The project would not conflict with the goal to protect the natural environment and create a high quality urban environment.</p> <ul style="list-style-type: none"> <li>● The project is developed with graded building pads and street improvements. The project site would not result in the conversion of vacant or agricultural land to urban uses.</li> <li>● The project site is presently developed with street improvements and utility improvements (electric, water, sewer). The project would be designed and implemented to provide acceptable levels of public services.</li> <li>● The project site is presently developed with street improvements and utility improvements (electric, water, sewer). The project would be designed and implemented to maximize use of existing public facilities.</li> </ul>

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### **3.2 TRANSPORTATION/CIRCULATION**

Information contained in this section is summarized from the *MCA Amphitheater Traffic Impact Study* (BRW, Inc., May 1995). The traffic analysis is included in Appendix B of this EIR.

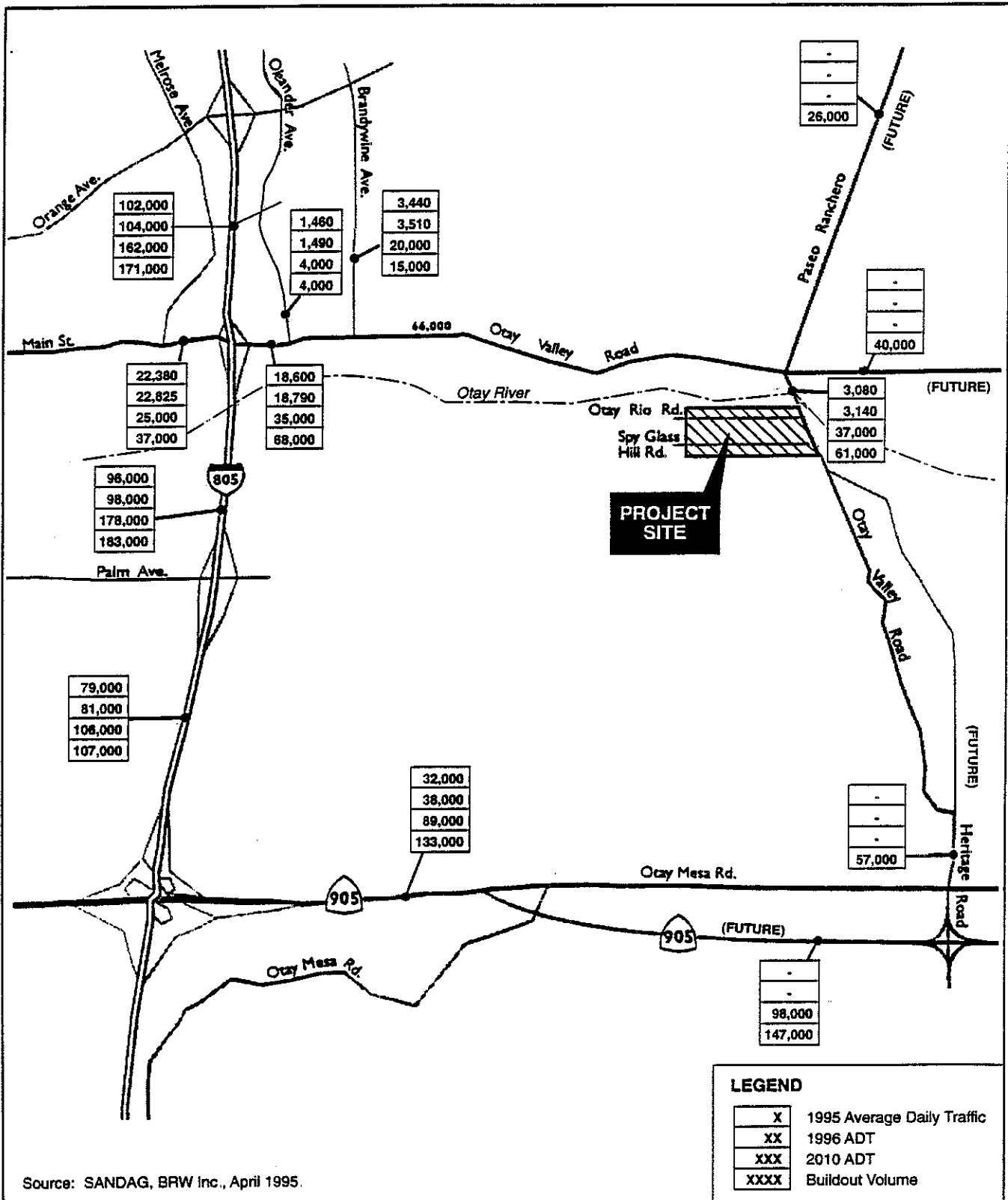
#### **EXISTING CONDITIONS**


##### **Street and Highway Network**

Regional access from the north to the site will be provided primarily by I-805 (Figure 3.2-1). This facility is an eight-lane interstate freeway with local interchanges at Otay Valley Road/Main Street, Palm Avenue to the south, and Orange Avenue to the north. Regional access is also provided from the south via SR-905, and Otay Mesa Road. SR-905 is an at-grade expressway of six lanes that extends from I-5 on the west to link with Otay Mesa Road on the east. Otay Mesa Road extends to Heritage Road and continues easterly to the Otay Mesa Border crossing with Mexico.

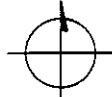
Otay Valley Road is currently under construction to be widened to a six-lane divided cross-section. The initial section of this widening project is underway from east of I-805 to Nirvana Avenue. A subsequent widening project is planned from Nirvana Avenue east to the Otay River crossing and is planned to provide two lanes in each direction separated by a barrier median. This cross-section is temporary until the ultimate street width of six lanes is needed.

North of the Otay River bridge, Otay Valley Road splits with a Y-type intersection to allow trucks accessing the aggregate mining operation (Nelson and Sloan quarry) to continue east. Otay Valley Road curves southerly at that point. South of the Otay River, Otay Valley Road becomes Heritage Road and intersects with Otay Mesa Road in the City of San Diego.





**TETRA TECH INC.**



No Scale

## Traffic Volumes

Figure 3.2-1

Otay Valley Road is intersected by two local collector streets, Oleander Avenue and Brandywine Avenue, between I-805 and the Otay River crossing. Each of these facilities extends north from Otay Valley Road before eventually connecting to Orange Avenue. Oleander Avenue provides direct access into residential areas, whereas Brandywine Avenue does not have fronting residential properties but serves as a collector for the area. Limited traffic is expected to access the site via these two facilities.

The project site itself is traversed by two streets, Otay Rio Road and Spyglass Hill Road. Otay Rio Road extends west from Otay Valley Road into the industrial subdivision. Spyglass Hill Road, which runs parallel to the south of Otay Rio Road, also extends into the industrial area.

### **Roadway Capacity Standards**

The City of Chula Vista employs roadway cross-section design standards for the circulation network. These threshold standards are based on projected volumes and a roadway segment Level Of Service (LOS) C. Level of service A indicates free flow traffic operations, while LOS F represents highly unstable, congested conditions. It should be noted that a lower level of service, LOS D, may be acceptable if detailed traffic analyses reveal that peak hour LOS D threshold standards are not exceeded.

### **Interstate 805 Access and Operations**

Caltrans is responsible for the operation and maintenance of the regional freeway system and freeway interchanges. I-805 currently has four lanes in each direction with local access provided at Main Street/Otay Valley Road in the form of a "tight diamond" interchange. The intersections of the freeway off-ramps and Otay Valley Road are presently controlled by all-way stop signs. Under a separate agreement between the City of Chula Vista and Caltrans, Caltrans will widen the off-ramps and construct signals at the on- and off-ramps. The planned improvements to the southbound off-ramp include the provision of a two-lane off-ramp

transitioning into three lanes near the intersection of Main Street/Otay Valley Road. A storage capacity of 300 feet will be provided for this three lane (two right, one left) approach. Construction is planned to commence in June 1995 and the signals will be in operation by Opening Day in 1996.

### Interstate 905

Access from points south of the project site is provided via Interstate 905 and Heritage Road.

### Otay Valley Road Access and Operations

Otay Valley Road is currently under construction to be widened to a six-lane prime arterial. The widening will include signals at Oleander Avenue, Brandywine Avenue and Nirvana Avenue. East of Nirvana Avenue, the roadway will be constructed with two westbound lanes, two eastbound lanes and a raised median to a point approximately 1,200 feet west of the Otay River Bridge. At this point the two eastbound travel lanes will be reduced to one lane. Westbound traffic will be reduced to two lanes and a painted median will be provided. From the Otay River Bridge to Otay Rio Road, one lane in each direction and a 22/24 foot wide two-way left turn painted median will be provided. These improvements are needed to mitigate Opening Day 1996 project traffic conditions. An additional eastbound and westbound lane will be added in the future when traffic volumes warrant the need for additional capacity. ~~This increase in capacity can provide the improvements necessary to meet project mitigation requirements.~~ In the future ~~addition to this widening project,~~ Otay Valley Road will be extended easterly to link with future SR-125 as a two-lane collector, and ultimately a four- or six-lane facility.

Land uses that are adjacent to Otay Valley Road in this area include the following:

- **Auto Mall** - A Southbay Auto Mall recently opened on the south side of Otay Valley Road with direct access at Brandywine Avenue. The first phase of the

Mall has been in operation for approximately two years with space for three dealerships. The retail space is not fully occupied at this time. A second phase is planned within the next ten years as demand grows. The Auto Mall operates until 9:00 or 10:00 p.m. on most evenings.

- **Residential Neighborhoods** - The land uses north of Otay Valley Road are predominately single-family and multi-family residential developments. These homes are accessed via Oleander Avenue which extends north from Otay Valley Road.
- **Otay Rio Industrial Park** - The amphitheater site sits within an industrial park, accessed by Otay Rio Road and Spyglass Hill Road, each of which leads from Otay Valley Road into the site. The City proposes the future relocation of its existing corporation yard to a fifty acre site immediately west of the proposed amphitheater site. On the west side of the site, the City has located a future Corporation Yard. This site will handle the maintenance and operations equipment and vehicles for the City. This will include the sanitary sewer services, street maintenance and the City transit services. These services require that 24-hour access to the Corporate Yard and other adjacent uses be maintained from Otay Valley Road via Otay Rio Road or Spyglass Hill Road. As stated previously, Spyglass Hill Road is planned as a private access drive with the construction of the amphitheater.
- **County Landfill** - The County operates a major refuse and landfill facility which is accessed off Otay Valley Road from Maxwell Road. The access point is just north of the Otay River crossing. Refuse trucks use Otay Valley Road south to/from Otay Mesa as well as from the west to/from I-805 for access to the landfill. Most operations are concluded by mid- to late-afternoon.



- **Industrial Uses** - There are also industrial uses north of Otay Valley Road and east of Brandywine Avenue. Most of these operations are concluded in the mid- to late-afternoon hours.

## **IMPACTS**

### **Amphitheater Traffic Operations**

#### **Site Access**

Site access operations will utilize the following procedure for a sell-out or near sell-out concert operations plan.

- Traffic control equipment and personnel would be set in place two hours before curtain.
- Patrons would begin arriving anywhere from about one to two hours before a typical 8:00 p.m. show.
- Off-duty police/sheriff officers or contracted traffic monitors would be dispersed to critical locations and used to control intersections at the I-805 ramps and along Otay Valley Road at Oleander and Brandywine Avenues as well as adjacent to and on the site.
- Southbound traffic on Otay Valley Road would access the site from three turning lanes onto Otay Rio Road. One lane would be available for outbound traffic.
- Northbound traffic on Otay Valley Road would access the site via Spyglass Hill Road, which is a public street which the applicant proposes to vacate for use as

a private street.

Once vehicles have accessed the site, the following procedure would be used to fill the parking areas:

- A parking charge will be collected from each vehicle using the parking lot. Money collectors will be staged on each driveway into the lot.
- The parking area closest to the amphitheater would be filled first.
- The parking areas would then be filled working west to Castle Pines Avenue which forms the west border of the site, then south to fill back towards Otay Valley Road, then finally north of Otay Rio Road east toward Otay Valley Road, filling in a counter-clockwise direction.

Departing traffic would be handled in the following fashion:

- Primary traffic flow out of the amphitheater will be oriented north and west to I-805. The inbound traffic control procedures across the Otay River bridge will be reversed to provide three northbound/westbound lanes and one eastbound/southbound lane. Appropriate signing and coning procedures will have to be developed.
- Most departures would be made to the north along Otay Valley Road. Three lanes northbound with one lane southbound will be maintained across the bridge and connect with the three westbound lanes at Otay Valley Road. Two lanes will extend from Spyglass Hill Road north to join three lanes from Otay Rio Road. The departing traffic would then be merged together at the Otay Rio Road/Otay Valley Road intersections.

- Two lanes will exit at Spyglass Hill Road with one turning north and the other to the south.
- Police officers and/or contracted traffic monitors would also be used for the exiting traffic control to and from the amphitheater and at intersections along Otay Valley Road to I-805 including at Oleander and Brandywine. If necessary, traffic officers would also be placed at the intersection of Heritage Road (Otay Valley Road) with Otay Mesa Road.

Amphitheater Trip Assignment/Distribution Assumptions

Trips were assigned to the surrounding network for three time periods according to Opening Day 1996, Interim Year 2010 and Buildout Condition trip distribution assumptions. The three time periods on a typical Friday are defined as follows:

<u>5:00 p.m. to 6:00 p.m.</u>	<u>Peak hour of the street system (from actual counts)</u>
<u>7:00 p.m. to 8:00 p.m.</u>	<u>For the Peak Hour before curtain</u>
<u>11:00 p.m. to 12:00 a.m.</u>	<u>For the Peak Exit Hour</u>

**Service Access**

Artist, truck, service and emergency vehicle ingress would access the site along Spyglass Hill Road to the back-of-house/stage drive entry and on-site security facilities. Artist and truck access, as well as bus traffic, would gain access to the project site from Otay Mesa Road to Heritage Road and Otay Valley Road, continuing north to Spyglass Hill Road.

**Management Plan**

On-site amphitheater management would coordinate on a regular basis with the City of Chula

Vista, Caltrans, the California Highway Patrol (CHP), and local home owners associations to update and augment the traffic and circulation management plans as well as encourage input and suggestions related to proposed parking scenarios.

### **Pay Point Locations for Parking**

Pay point locations for parking will fluctuate depending on concert size, concert type, and crowd characteristics. The pay points will be located inside the parking areas to prevent back-up onto public streets, particularly Otay Valley Road. Spyglass Hill Road (private), Castle Pines Avenue (private) and Otay Rio Road (public) will be used for multiple lane queuing and are expected to be adequate for the largest concerts.

### **Open-Air Market Operations**

The open-air market attendance will vary throughout the year. Typically, attendance is highest in the summer rather than the winter, but the largest attendance days of the year are recorded in the Christmas season.

San Diego area open-air markets experience the highest activity on Sundays. Activity for selected days is as follows:

- Sundays: 45 to 50% of weekly patrons and sellers
- Saturdays: 35 to 40% of weekly patrons and sellers
- Fridays: 8 to 10 % of weekly patrons and sellers
- Thursdays: 3 to 5% of weekly patrons and sellers

The entrance to the open-air market is expected to close at 4:00 p.m. after which no shoppers would be admitted. Vendors are usually directed to leave the lot within one hour of closing. All shoppers would be gone by this time as well. Management staff would be expected to leave

within the following hour by 6:00 p.m.

### **Threshold Policy**

A project will have a significant effect on the environment if it will cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. A traffic increase is considered a significant impact if LOS C cannot be achieved for the primary, secondary, and local arterials and/or the intersections impacted by the proposed project through the use of mitigation measures designed to address the specific use of the site.

The City of Chula Vista's Threshold Policy regarding traffic seeks to provide and maintain a safe and efficient street system within the City by establishing standards for all signalized intersections. Threshold policies for traffic include:

- Maintain LOS C or better at all intersections city-wide, with the exception that LOS D may occur at signalized intersections for a period not to exceed a total of two hours per day.
- Intersections west of I-805 may continue to operate at the current (1987) LOS, but shall not worsen.
- No intersection shall operate at LOS F as measured for the average weekday peak hour.

### **1996 Conditions**

Traffic volumes from previous studies which conducted counts on Otay Valley Road indicate that traffic volumes have been increasing at a rate of approximately 1.0 to 1.5 percent per year. Opening Day traffic volumes in the vicinity of the project site were developed by factoring the

existing counts to account for traffic growth between 1995 and 1996. This study assumes a 2.0 percent growth rate, which reflects a conservative approach.

**1996 Conditions with MCA Amphitheater (20,000 Attendance)**

The trips generated from the project site were added to the background volumes to determine the hours with the highest traffic volume totals. The combination of the background volumes with the project site volumes results in different levels of traffic during the different evening periods. The amphitheater facility type is such that the timing of the events results in the highest amount of site traffic occurring after the highest level of background traffic on the adjacent street system has past.

Adding the background traffic to the site traffic during the three previously defined periods (5:00-6:00 p.m.; 7:00-8:00 p.m.; 11:00-12:00 a.m.) shows the hour with the highest overall volume to be from 7:00 to 8:00 p.m. For this reason, this period was taken as the detailed analysis period for level of service calculations. The following sections present the level of service analysis for roadway segments, the I-805/Otay Valley Road interchange and selected intersections.

**Roadway Segment Level of Service**

Table 3.2-1 presents the results of the roadway level of service analysis based on the defined City standards for both the background (no project) and with project conditions on Opening Day. As indicated in Table 3.2-1, acceptable roadway levels of service would result with the facility in operation. No mitigation is necessary.

**TABLE 3.2-1  
ROADWAY SEGMENT LEVEL OF SERVICE  
OPENING DAY 1996 CONDITIONS**

Segment	Facility Type	Existing	Opening Day 1996 Background	Opening Day With Project
		LOS	LOS	LOS
<i>Otay Valley Road</i>				
Melrose to I-805 Southbound Ramps	4-Lane Major	A	B	B
I-805 Northbound Ramps to Oleander Avenue	6-Lane Prime	A	A	A
Brandywine Avenue to Nirvana Avenue	6-Lane Prime	A	A	A

**Freeway Segment Level of Service**

Level of service performance for I-805 and SR-905 are also presented to document existing conditions. These traffic volumes and corresponding level of service are shown in Table 3.2-2.

Adjacent freeway segments currently operate at an acceptable LOS, and are expected to continue to operate at an acceptable LOS under Opening Day 1996 with Project conditions.

**TABLE 3.2-2  
FREEWAY LEVELS OF SERVICE  
1995 EXISTING AND 1996 OPENING DAY CONDITIONS**

Facility/Segment	Existing	Opening Day 1996 Background	Opening Day with Project
	LOS	LOS	LOS
<i>I-805</i>			
Orange Avenue to Otay Valley Road	C	C	C
Otay Valley Road to Palm Avenue	B	B	C
Palm Avenue to SR-905	B	B	B
<i>SR-905</i>			
I-805 to Otay Mesa Road	B	B	B

**I-805/Otay Valley Road Interchange**

Since the I-805/Otay Valley Road interchange is the major point of access to the facility site for the majority of trips, each of the turning movements at the interchange was studied in detail. Table 3.2-3 shows the results of this analysis for Opening Day background with and without project conditions.



**TABLE 3.2-3  
I-805/OTAY VALLEY ROAD - MAIN STREET INTERCHANGE  
OPENING DAY 1996 LEVELS OF SERVICE  
(7:00 - 8:00 P.M.)**

Movement	Opening Day 1996 Background	Opening Day 1996 With Project
	LOS	LOS
<i>Northbound Ramps</i>		
Northbound Left/Through	B	C
Northbound Right	B	D
Eastbound Left	B	C
Eastbound Through	A	D
Westbound Right	B	B
Westbound Through	B	B
Intersection Total	B	D
<i>Southbound Ramps</i>		
Southbound Left/Through	B	F
Southbound Right	B	B
Eastbound Right	B	B
Eastbound Through	B	B
Westbound Left	C	C
Westbound Through	A	A
Intersection Total	B	F

NOTE: Bold type indicates movements (or intersection as a whole) operating at an unacceptable level of service.

As expected, the high southbound exit ramp movement to turn eastbound results in considerable delays for southbound traffic and a corresponding unacceptable level of service for the southbound ramp intersection (LOS F). The east portion of the interchange (northbound ramp intersection) does not drop below LOS D for any movement.

The Caltrans Project Study Report (PSR) prepared for the I-805/Otay Valley Road interchange improvements indicates that the southbound left-turn movement from the freeway will be shared with the through movement in a single lane. To examine the effect of a double left-turn lane for this movement, Table 3.2-4 was prepared and focuses on the southbound ramps. As indicated in Table 3.2-4, the southbound left-turn movement could be improved from LOS F to LOS B with the use of an exclusive left-turn lane and a shared left/through/right center lane. The double left-turn could be provided as mitigation by revising the planned geometric striping to provide for the exclusive left- turn lane and allowing left-turns, right-turns and through movements to be made from the center lane. These improvements will be required to be completed by opening day.

**TABLE 3.2-4  
I-805/OTAY VALLEY ROAD - MAIN STREET INTERCHANGE  
OPENING DAY 1996 CONDITION LEVELS OF SERVICE  
MITIGATED INTERSECTION GEOMETRICS  
(7:00 - 8:00 P.M.)**

<b>Movement</b>	<b>Opening Day 1996 With Project</b>	
	<b>Planned Geometrics</b>	<b>Mitigated Geometrics*</b>
	<b>LOS</b>	<b>LOS</b>
<i>Southbound Ramps</i>		
Southbound Left/Through Southbound Right	<b>F</b> <b>B</b>	<b>B</b>
Eastbound Right Eastbound Through	<b>B</b> <b>B</b>	<b>B</b> <b>C</b>
Westbound Left Westbound Through	<b>C</b> <b>A</b>	<b>C</b> <b>B</b>
Intersection Total	<b>F</b>	<b>B</b>

NOTES:      \* Mitigated geometrics include an exclusive southbound off-ramp left turn and right turn lane and a shared center left turn/right turn/through lane. The shared utilization of the center lane results in the level of service and delay reporting for all movements on the southbound approach.

Bold type indicates movements (or intersection as a whole) operating at an unacceptable level of service.

**Intersection Levels of Service**

Three other major intersections were studied for potential impacts to traffic operations. The intersections of Oleander and Brandywine Avenues with Otay Valley Road and the intersection of Heritage Road with Otay Mesa Road were examined. The results of these calculations are presented in Table 3.2-5. As indicated in Table 3.2-5, all intersections are expected to operate at an acceptable LOS C or better with the facility in operation. No mitigation is necessary.

**TABLE 3.2-5  
INTERSECTION LEVELS OF SERVICE  
OPENING DAY 1996 CONDITION  
(7:00 - 8:00 P.M.)**

Intersection	Opening Day 1996 Background	Opening Day 1996 With Project
	LOS	LOS
Oleander Avenue/Otay Valley Road	B	B
Brandywine Avenue/Otay Valley Road	B	C
Heritage Road/Otay Mesa Road	C	C

**Year 2010 Conditions with MCA Amphitheater (20,000 Attendance)**

The future year 2010 was selected as the interim analysis year because the street and highway network is still expected to be fairly limited in the area surrounding the MCA Amphitheater site. The year 2010 network is not expected to have any roadways connecting to the east or north from the project site by 2010 and is thus considered to result in a "worst-case" condition. One improvement in particular, the construction of Otay Valley Road/Heritage Road from Nirvana Avenue south to Otay Mesa Road as a four-lane major road, will better distribute site-related traffic during this interim condition.

The year 2010 site traffic for the highest hour associated with the facility was added to the background traffic volumes. As stated previously, the hour from 7:00 p.m. to 8:00 p.m. on Friday was selected for detailed analysis. Level of service analyses were performed for roadway segments, freeway segments, the I-805/Otay Valley Road interchange and selected intersections consistent with the analyses performed for Opening Day conditions.

### **Roadway Level of Service**

Table 3.2-6 presents the results of the roadway level of service analysis using the City standards. The table presents both the with and without project conditions.

The table indicates that acceptable roadway levels of service would result with the facility in operation. Only one segment falls below LOS C with the site in place. This segment is from the river to Otay Mesa Road along Heritage Road. The expected volumes exceed the threshold without the project. In order to examine the affect of the amphitheater site on Otay Valley Road/Heritage Road, the specific intersection operations along this segment must be examined. This is because the LOS value shown in Table 3.2-6 is based on a planning level screening analysis and is not intended to serve as an exact description of the actual operating level of service on the particular segment. The actual functional capacity of roadway facilities is based on the ability of arterial intersections to accommodate peak hour volumes. As indicated later in this section (see Table 3.2-10) intersections along this segment of Otay Mesa Road/Heritage Road are forecasted to operate at acceptable levels of service during the peak hours under Year 2010 with and without project conditions. Because peak hour intersection LOS provides a more precise indication of actual performance of the circulation system, the lower segment LOS for Otay Valley Road/Heritage Road is not considered a significant impact.

~~The table indicates that acceptable roadway levels of service would result with the facility in operation. No segments fall below LOS C with the site in place. No mitigation is necessary.~~

**TABLE 3.2-6  
ROADWAY SEGMENT LEVEL OF SERVICE  
INTERIM YEAR 2010 CONDITIONS**

Segment	Facility Type	Interim Year 2010 Background	Interim Year 2010 With Project
		LOS	LOS
<i>Otay Valley Road</i>			
Melrose to I-805 Southbound Ramps	4-Lane Major	B	C
I-805 Northbound Ramps to Oleander Avenue	6-Lane Prime	A	B
Brandywine Avenue to Nirvana Avenue	6-Lane Prime	B	C
<i>Otay Valley Road/Heritage Road</i>			
Nirvana Avenue to Otay Mesa Road	4-Lane Major	E	F

**Freeway Segment Level of Service**

Table 3.2-7 presents Interim Year 2010 freeway ADT volumes and future levels of service for I-805 and SR-905 both with and without the project. Level of Service remains the same under the "with project" conditions.

**TABLE 3.2-7  
FREEWAY LEVELS OF SERVICE  
YEAR 2010 INTERIM CONDITIONS**

Facility/Segment	Interim Year 2010 Background	Interim Year 2010 With Project
	LOS	LOS
<b>I-805</b>		
Orange Avenue to Otay Valley Road	F	F
Otay Valley Road to Palm Avenue	F	F
Palm Avenue to SR-905	C	C
<b>SR-905</b>		
I-805 to Heritage Road	D	D

**I-805/Otay Valley Road Interchange**

With the exception that Heritage Road/Otay Valley Road will be improved from a two-lane facility to at least a four-lane facility by Year 2010, trip patterns will remain largely unchanged between the Opening Day 1996 and Interim Year 2010 conditions. The primary difference will be an increase in northbound trips from the Otay Mesa area from Otay Mesa Road and continuing north via Heritage Road/Otay Valley Road. However, the I-805 interchange at Otay Valley Road will remain the major point of access to the facility for most trips. Similar to the Opening Day analysis, each of the turning movements at the interchange was studied in detail. Table 3.2-8 presents the results of this analysis.

**TABLE 3.2-8  
I-805/OTAY VALLEY ROAD - MAIN STREET INTERCHANGE  
INTERIM YEAR 2010 CONDITION LEVELS OF SERVICE  
(7:00 - 8:00 P.M.)**

Movement	Interim Year 2010 Background	Interim Year 2010 With Project
	LOS	LOS
<i>Northbound Ramps</i>		
Northbound Left/Through	C	E
Northbound Right	B	D
Eastbound Left	B	D
Eastbound Through	A	D
Westbound Right	B	B
Westbound Through	B	B
Intersection Total	B	D
<i>Southbound Ramps</i>		
Southbound Left/Through	B	F
Southbound Right	B	B
Eastbound Right	B	C
Eastbound Through	B	C
Westbound Left	C	C
Westbound Through	A	B
Intersection Total	B	F

As expected from the analysis of Opening Day, the high southbound exit ramp movement to turn eastbound or continue through continues to cause long delays for the southbound traffic and unacceptable levels of service for the southbound ramp intersection (LOS F). The northbound ramp intersection continues to operate at LOS D although the northbound left/through movement drops to an unacceptable LOS E.

The southbound left-turn from the freeway would still be a single lane in Year 2010. To examine the effect of a double-left turn lane for this movement, Table 3.2-9 was prepared focusing on the southbound ramps. The results in the table show that the southbound left-turn could be raised to LOS D from LOS F with the use of an exclusive left-turn lane and a shared left/through/right turn lane during the events.

**TABLE 3.2-9  
I-805/OTAY VALLEY ROAD - MAIN STREET INTERCHANGE  
INTERIM YEAR 2010 CONDITION LEVELS OF SERVICE  
MITIGATED INTERSECTION GEOMETRICS  
(7:00 - 8:00 P.M.)**

Movement	Interim Year 2010 With Project	
	Planned Geometrics	Mitigated Geometrics
	LOS	LOS
<i>Southbound Ramps</i>		
Southbound Left/Through	F	
Southbound Right	B	D
Eastbound Right	C	D
Eastbound Through	C	D
Westbound Left	C	D
Westbound Through	B	B
Intersection Total	F	D

The expected operations without the project (background with no project) would be at LOS F for the southbound left-turn which causes the entire intersection to operate at LOS F. With the double-left turn lane for southbound traffic, this movement and the entire intersection improves to LOS D. However, this improvement comes as a result of the degradation in operations for the following movements:



- Eastbound Right - From LOS C to LOS D
- Eastbound Through - From LOS C to LOS D
- Westbound Left - From LOS C to LOS D

Thus, although the overall intersection delay is improved, it comes at the expense of these other movements. Mitigation is necessary for the southbound ramps in the form of mitigated geometrics. Mitigation treatments in the form of traffic control during events will also need to be applied to mitigate the unacceptable LOS E expected at the northbound ramp for the left/through movement. These techniques are discussed in the Mitigation Measures/Section.

#### **Intersection Levels of Service**

Between Opening Day and the Year 2010, several network improvements will be made including:

- Otay Valley Road/Heritage Road - widen to four-lane major street from Nirvana Avenue to Otay Mesa Road (this street will be renamed Paseo Ranchero).
- Otay Mesa Road - widen to four-lane major street.
- SR-905 - Construct freeway.
- I-805/Otay Valley Road Interchange - upgrade intersections.

In addition to the I-805/Otay Valley Road interchange, three major intersections were studied for potential impacts to traffic operations. Similar to the Opening Day analysis, the intersections of Oleander and Brandywine Avenues with Otay Valley Road and the intersection of Heritage Road with Otay Mesa Road were examined. Intersection geometrics were assumed consistent with the SANDAG model. For example, the Otay Mesa/Heritage Road intersection is assumed to have been improved with the addition of turn lanes between the Opening Day and Year 2010 time periods. The results of these calculations are presented in Table 3.2-10.

**TABLE 3.2-10  
INTERSECTION LEVELS OF SERVICE  
INTERIM YEAR 2010 CONDITION  
(7:00 - 8:00 P.M.)**

Intersection	Interim Year 2010 Background	Interim Year 2010 With Project
	LOS	LOS
Oleander Avenue/Otay Valley Road	B	B
Brandywine Avenue/Otay Valley Road	B	D
Heritage Road/Otay Mesa Road	C	D

The above analysis indicates that none of the intersections are expected to operate below the acceptable level of service threshold (LOS D) when project traffic is added. Therefore, no impacts were found and no mitigation is necessary. It should be recognized that this analysis is based on planned geometrics at the Heritage Road/Otay Mesa Road intersection.

Summary of Impacts

Under full buildout of the Southbay, including the Otay Ranch project, the amphitheater will continue to function as a special event center 35 to 60 times per year. Buildout is expected sometime after Year 2015.

The background volumes for the Southbay region increase dramatically under Buildout conditions due to the significant amount of development to the north and east of the site. The special event characteristic of the facility will continue to add a substantial amount of traffic to the surrounding roadway network during the evening time periods. This project generated traffic, however, is concentrated in the two hours prior to an event which is after the peak hour of the surrounding street system and within two hours after the event.

Buildout traffic volumes forecasted by the SANDAG Series 8 Traffic Model (Version 1.0) are significantly higher than the Interim Year 2010 forecasted volumes due to substantial development in the Southbay area including but not limited to the full buildout of Otay Ranch and Otay Mesa.

Under Buildout conditions, a number of roadway network improvements have been made to accommodate the future development in this area. With these improvements, two new directions are available for event use:

- North into Otay Ranch via Paseo Ranchero
- East into Otay Ranch via Otay Valley Road, linking with SR-125

These two new directions serve to further distribute site traffic and will substantially reduce event volumes on I-805 and Otay Valley Road below those volumes expected in Year 2010. Traffic operations are expected to be acceptable under Buildout conditions. Furthermore, because of the mature network in the buildout timeframe (post-2015), event traffic will be easier to handle than under Interim Year 2010 conditions, which assumes a much more limited circulation network. Therefore, the Year 2010 Interim condition was determined to be more severe and was studied in detail as the most conservative approach to the traffic analysis.

### **Freeway Operations - Post Year 2015**

Although Caltrans utilizes Year 2015 as the transportation planning horizon year, BRW selected Year 2010 as it represents the "worst case" scenario. Interim Year 2010 reflects a limited circulation network without connections to the east and north from the project site and without future SR-125 in place.

By 2015, the major roadways in the Southbay area are planned to be in place. These include:

- SR-125 - Four-lane freeway
- Paseo Ranchero - Six-lane Prime Arterial
- Otay Valley Road - Six-lane Prime Arterial extended east to an interchange at SR-125

For informational purposes intended to complement Caltrans freeway planning efforts, Table 3.2-11 provides future Year 2015 ADT volumes and associated LOS for freeway segments in the vicinity of the project site. Although long-range planning efforts indicate that I-805 will eventually be a 10-lane facility, this analysis assumes I-805 will remain an 8-lane facility in Year 2015.

**TABLE 3.2-11  
FREEWAY LEVELS OF SERVICE  
YEAR 2015 CONDITIONS**

Facility/Segment	Year 2015 Background	Year 2015 With Project
	LOS	LOS
<i>I-805</i>		
Orange Avenue to Otay Valley Road	D	E
Otay Valley Road to Palm Avenue	E	E
Palm Avenue to SR-905	C	C
<i>SR-905</i>		
I-805 to Heritage Road	B	B

## MITIGATION MEASURES

The following mitigation measures are designed to accommodate the anticipated traffic impacts associated with the project.

1. Complete the widening of Otay Valley Road from I-805 to Nirvana Avenue to provide the ultimate six-lane cross-section and median or, as an interim measure,
2. Complete the widening of Otay Valley Road from I-805 to Otay Rio Road as currently planned by the City of Chula Vista.
  - a. From Nirvana to northwest of the Otay River crossing, modify the planned improvements to provide three westbound lanes and two eastbound lanes.
3. Between Otay Rio Road and approximately 1,200 feet northwest of the Otay River crossing, provide ~~pavement and channelization on Otay Valley Road to permit~~ the channelization/coning of traffic during events to provide three eastbound lanes (inbound) for arriving traffic while maintaining one westbound lane. For departing traffic, provide three westbound lanes and one eastbound lane on Otay Valley Road. This would be accomplished through use of traffic control on Otay Valley Road.
4. Ensure through adequate control, monitoring and enforcement that event patrons park on-site and not on surrounding streets including Otay Valley Road.
5. Modify the planned southbound I-805 off-ramp channelization at the Otay Valley Road interchange to provide exclusive left, left/through/right, and exclusive right turn lanes.

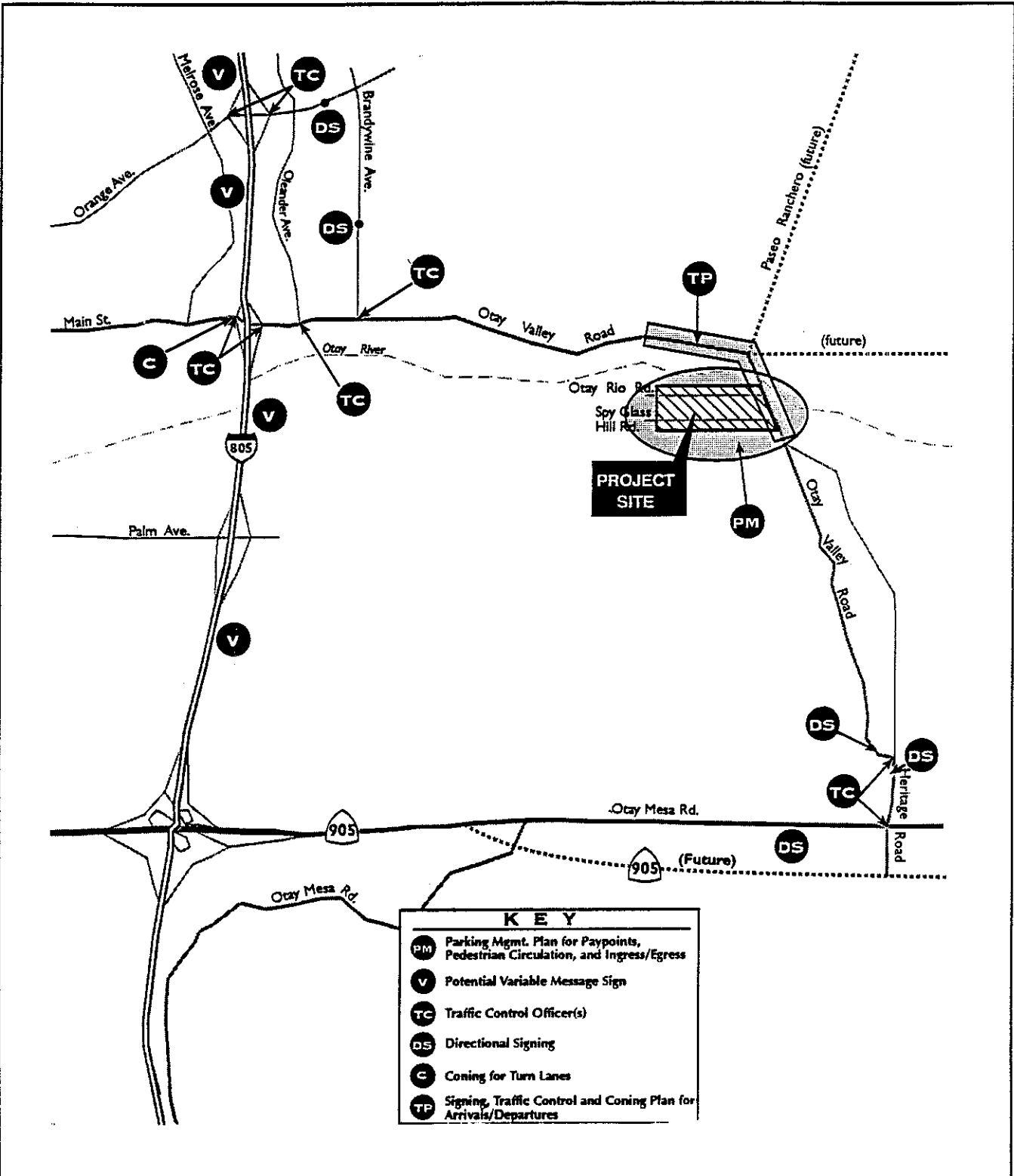
6. Provide one traffic signal at a location to be determined by the City (Otay Valley Road/Otay Rio Road or Otay Valley Road/Spy Glass Hill Road). If the signal is placed at Otay Rio Road, on-site circulation patterns and access control for non-event operations (i.e., industrial park, corporation yard and open-air market) would be dictated by the signal location. Under this scenario, open-air market traffic would enter at Spy Glass Hill Road and exit at Otay Rio Road. Under either scenario, the intersection of Otay Valley Road/Heritage Road at Spy Glass Hill road will require cleanup (grubbing, clearing and grading) on to the south to improve sight distance.
  
7. Develop and implement a management and mitigation monitoring program acceptable to the City of Chula Vista Traffic Engineer. The following measures shall be incorporated into the plan and implemented as mitigation, however, the City Traffic Engineer shall modify the plan as necessary to address any changes in traffic characteristics over time:
  - a. Establish a Management Team consisting of MCA Amphitheater management, City of Chula Vista, Caltrans, CHP and law enforcement personnel for oversight and continued surveillance of the facility and associated events.
  
  - b. The applicant, prior to Opening Day of the project, in concert with the Management Team will develop a Traffic Management Plan (TMP) to be used during the first year of operations. The plan will identify traffic control, directional signing, variable message signs, traffic control officers, coning, law enforcement and parking management procedures to be followed for the various size and types of concerts.

The plan will detail the manpower and equipment requirements. Also, the plan will necessitate securing an Encroachment Permit from Caltrans to implement the recommended procedures.

Figure 3.2-2 depicts the generalized traffic management techniques to be incorporated into the TMP.

- c. Prepare plans for directional signing to and from the amphitheater during events. These plans will need to be closely coordinated with the City of Chula Vista, Caltrans, and the City of San Diego. Event or temporary signing would be required on I-805, Otay Valley Road and Otay Mesa Road.
- d. Prepare and implement traffic control strategies and equipment requirements for the intersections along Otay Valley Road and at Otay Valley Road/Heritage Road. These strategies will need to address manpower and equipment requirements and determine the hours of operation.

Due to the heavy peak demands at the I-805/Otay Valley Road interchange, traffic control personnel will be assigned to assist in directing of traffic at the interchange as well as at signalized intersections along Otay Valley Road during full capacity events. Traffic control personnel and barricades will also be employed at Oleander Avenue and/or other local roadways as necessary to direct traffic and eliminate short-cut traffic through residential areas.



KEY	
PM	Parking Mgmt. Plan for Paypoints, Pedestrian Circulation, and Ingress/Egress
V	Potential Variable Message Sign
TC	Traffic Control Officer(s)
DS	Directional Signing
C	Coning for Turn Lanes
TP	Signage, Traffic Control and Coning Plan for Arrivals/Departures

Source: Damell & Associates, July 1995.



### Traffic Management Plan

Figure 3.2-2



- e. Develop and implement an onsite access plan to minimize conflicts with pedestrian traffic and vehicles, adequately place pay points, and determine procedures to fill the parking areas from Otay Valley Road via Otay Rio Road and Spyglass Hill Road. This dual ingress scheme may need to load both roads with inbound traffic simultaneously. The plan will need to include:
- Channelization/coning plans and traffic control personnel requirements;
  - Location and number of pay points;
  - Pedestrian control onsite and to limit pedestrians along Otay Valley Road;
  - Tow truck and emergency equipment for stalled and disabled vehicles; and,
  - A plan to maintain access to and from the City of Chula Vista Corporation Yard and other future adjacent uses during events. Due to the heavy traffic demand during arrival and departure periods, it may be necessary for amphitheater management personnel to make provisions for off-site facilities such as a separate driveway along the southern site boundary to Otay Valley Road to accommodate

emergency activities of the City. Specific provisions to maintain access to and from the corporation yard during events shall be developed to the satisfaction of the Director of Public Works and implemented prior to development of the corporation yard site.

- f. The applicant will be responsible for all costs associated with the development of and implementation of the TMP.
  
- g. After completion of the first year of operation, the applicant will work with the Traffic Management Team to refine the TMP for future years of operation.

**Recommended Event Monitoring Program (EMP)**

An event monitoring program (EMP) shall be developed as an additional mitigation measure for the proposed project. The standards to be achieved by the EMP are as follows:

- To ensure that area residents are allowed to travel to and from their homes to a destination outside the area with minimal delay;
  
- To provide unconstrained access for emergency vehicles to the area;
  
- To provide monitoring of traffic flow and parking on streets in residential areas during selected events and to provide for restricted access if necessary;
  
- To develop appropriate signage and advertising directing traffic to designated parking areas based on the nature of the event and anticipated attendance; and

- To demonstrate sensitivity to the timing of events, taking into account parking and traffic flows related to peak traffic periods, residential commuter patterns and anticipated attendance.

### **ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in significant impacts to traffic operations with the implementation of the mitigation measures.

### 3.3 NOISE

Appendix C contains technical studies used in the preparation of this analysis. It should be noted, however, that changes in the project and/or in proposed mitigation since the time of publication of those studies have occurred that affect the conclusion of the noise analysis. The discussion presented in this section represents the most accurate and current information available.

#### **METHODOLOGY**

The decibel (dB) scale is used to quantify sound intensity. One decibel is the lowest sound presumed detectable by a young person with good auditory acuity. Table 3.3-1 shows the range of environmental noise and the associated human response. Because hearing sensitivity covers a wide threshold of sound strength, the decibel scale is a logarithmic progression where each 10 dB increase represents a ten-fold change in sound level pressure. Auditory response is not linearly related to pressure. Each 10 dB increase in sound is subjectively perceived by people to be a doubling of sound strength.

Since the human ear is not equally sensitive to all sound frequencies within the entire spectrum, human response is factored into sound descriptions by weighing sounds within the range of maximum human auditory sensitivity more heavily (middle A and its higher harmonics) in a process called "A-weighting", written as dB(A). Any additional reference to decibels in this report written as "dB" should be understood to be "dB(A)" unless otherwise noted.

Time variations in noise exposure are typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called  $Leq$ ), or alternately, as a statistical description of the sound level that is exceeded over some stated fraction of a given observation period. Finally, because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, state law requires that, for planning purposes, an artificial dB

increment be added to quiet time noise levels in a 24-hour noise metric called the Community Noise Equivalent Level (CNEL).

The CNEL metric generally is used as a land-use decision guideline in approving a given type of land use within an existing or predicted future noise environment. It is most often applied to noise exposures from vehicular traffic, trains or other sources whose control is pre-empted by state or federal agencies. In recognizing that noise sensitivity varies among land uses, state and federal agencies have developed guidelines that govern land use siting within given ranges of noise exposure. Four classes of noise exposure are generally recognized as follows:

**Clearly Acceptable**—noise is not likely to interfere with proposed uses.

**Conditionally Acceptable**—noise may be excessive, but standard construction practice is likely to achieve an acceptable interior noise exposure even if the exterior is somewhat excessively noisy.

**Normally Unacceptable**—siting of noise-sensitive uses is not recommended within this range of noise exposure unless there are strongly overriding considerations in siting a proposed project.

**Clearly Unacceptable**—even within mitigation, the residual noise exposure probably will create a noise/land use conflict.

Under state law, an interior CNEL of 45 dB(A) is considered to be clearly acceptable for multiple family dwellings and single family dwelling units. Since typical noise attenuation within structures is about 15-20 dB, an exterior noise exposure of 65 dB CNEL is typically the clearly acceptable design exterior noise exposure for new residential dwellings, schools, or other noise-sensitive land uses in California. Because commercial or industrial uses are not occupied on a 24-hour basis, a less stringent noise/land use compatibility criterion is generally specified for these less noise sensitive land uses.

**TABLE 3.3-1**  
**Sound Levels and Human Response**

Human Response	Sound Level dBA	Environmental Noise
Physically Painful	140	Sonic Boom
-	130	-
Discomforting	120	Jet Takeoff at 200'
Very Annoying Hearing	110	Rock ' Roll Band
Very Loud	100	Garbage Truck
-	90	Food Blender, Pneumatic Drill at 50'
-	80	Freight Train at 50'
Telephone Use Difficult	70	Freeway Traffic at 50', Vacuum Cleaner at 10'
Intrusive	60	Air Conditioning Unit at 20'
Quiet	50	Typical Daytime Suburban Background
-	40	Bird Calls
Very Quiet	30	Soft Whisper at 15'
-	20	Broadcasting Studio
Just Audible	10	Leaves Rustling
Threshold of Hearing	0	-

Source: Adapted from William Bronson, "Ear Pollution," California Health (October, 1971), p. 29.

The City of Chula Vista, in the Noise Element of the General Plan, requires that noise exposure be considered in land use decisions, but does not have specific threshold levels in making that decision. For noise sensitive land uses, the City uses 65 dB CNEL as the criterion for acceptability, as do many jurisdictions in San Diego County.

CNEL is the appropriate standard for evaluating noise impacts to a receiving property from a source whose control is pre-empted by state or federal law. Non-mobile noise sources such as an amphitheater, however, may be regulated by the municipal code in its originating jurisdiction. This regulation is typically called the "Noise Ordinance".

In Chula Vista, a noise ordinance was adopted in 1985 as Ordinance No. 2101 adding Section 19.68 to the municipal code entitled "Performance Standards and Noise Control". In "Noise Sensitive Zones," the City standards are much more stringent for noise generating sources than the land use siting guidelines in the Noise Element of the General Plan.

The City of Chula Vista exterior noise limits as established in the Noise Ordinance are as follows:

<u>Receiving Land Use Category</u>	<u>Noise Level dB(A)</u>	
	<u>10 p.m. - 7 a.m.</u>	<u>7 a.m. - 10 p.m.</u>
All residential except MFA	45	55
Multiple Family Residential	50	60
Commercial	60	65
Light Industry	70	70
Heavy Industry	80	80

If the ambient level already exceeds any of these standards, the allowable level is equal to the ambient.

City Noise Ordinance standards distinguish between "environmental noise" versus "nuisance noise". Environmental noise results from land use activities normally permitted under the land use code. Sound generated by the proposed project thus would be regulated as "environmental noise". Nuisance noise is considered to be an unusual presence that is "annoying, obnoxious and unpleasant". The above standards are for one-hour averages (LEQ) if the noise is environmental, but never to be exceeded (Lmax) if the source is a nuisance source.

Because a portion of the receiving property near the proposed project site is within City of San Diego city limits, their noise ordinance should also be considered. San Diego's Noise Ordinance standards are as follows:

<u>Land Use Zone</u>	<u>Noise Level (1-Hour LEQ in dB)</u>		
	<u>7 AM - 7 PM</u>	<u>7 PM - 10 PM</u>	<u>10 PM - 7 AM</u>
R1	50	45	40
R2	55	50	45
R3, R4, other res.	60	55	50
Commercial	65	60	60
Industrial	75	75	75

The San Diego Noise Ordinance makes no allowance for already elevated ambient levels, but does modify its standards if the zoning on the sending and receiving land use are different. The arithmetic average becomes the performance standard for zoned uses which are not similar.

### **EXISTING CONDITIONS**

Existing noise levels at the amphitheater and its surrounding environs derive from a variety of sources. Vehicular traffic on Otay Valley Road, including trucks from aggregate operations, auto dismantling yards and other industrial uses, are most noticeable. Other sources observed during site visits included considerable helicopter activity, especially by the INS. Brown Field light aircraft usually take off westward toward the project site. Intermittent gunfire at the skeet range, industrial equipment such as back-up alarms and farm tractors were observed. The most common noise characteristic of the project vicinity is that it is normally quiet such that individual noise events seem more perceptible. Their cumulative contribution to the overall ambient noise level is therefore limited even if they are readily noticeable.



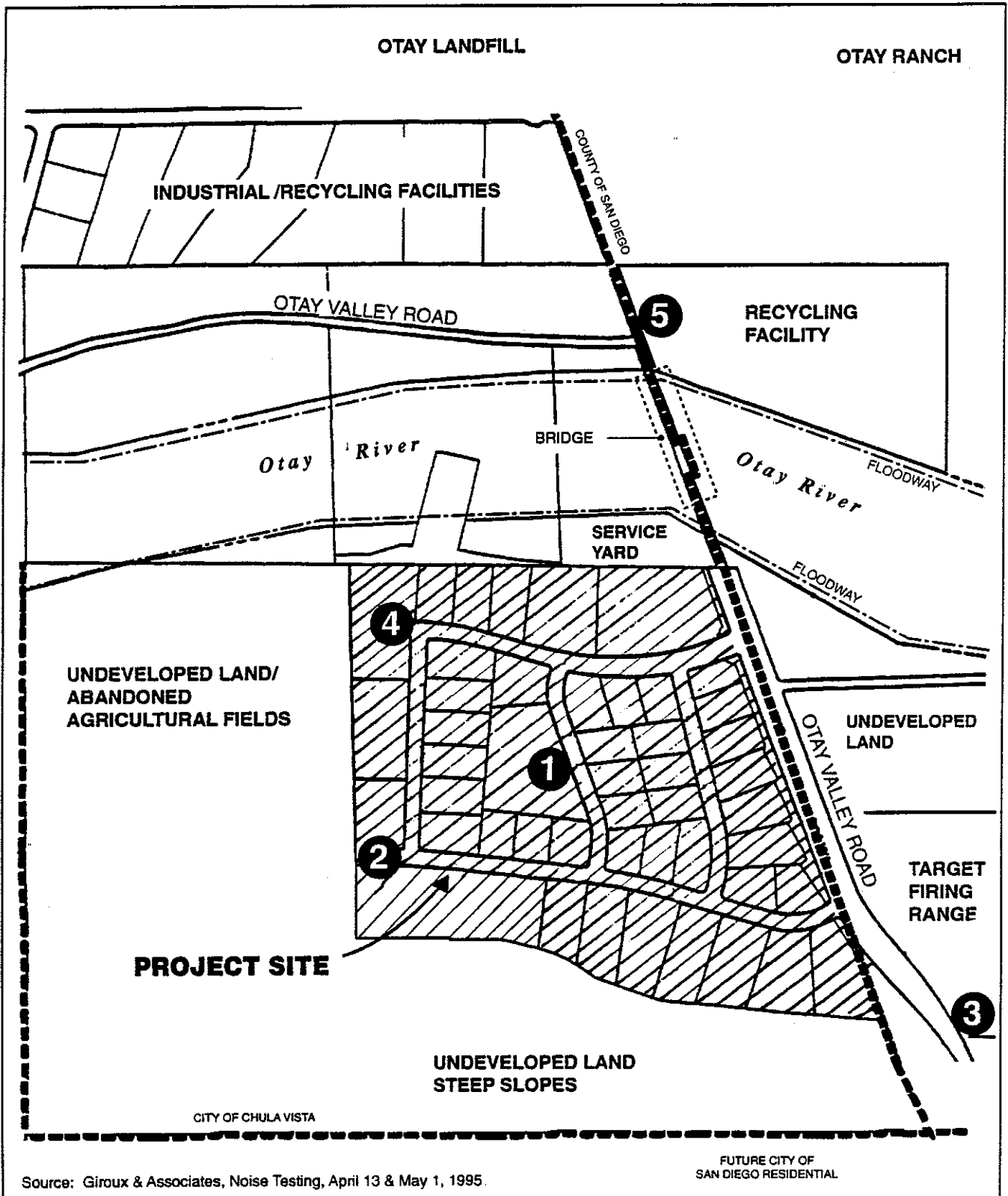
A test of project-area background noise testing was conducted on the evening of April 13, 1995. The test was repeated on May 1, 1995 to evaluate inter-day (night) differences. A fire on May 1 precluded revisiting one of the earlier measurement sites. The results of the measurements are summarized in Table 3.3-2 for the monitoring sites shown in Figure 3.3-1.

Except for minor sources of noise contamination, mainly close to Otay Valley Road, noise levels were very low. Background levels from mid- to late-evening, as defined by the L50 level (one-half the readings higher, one-half lower), are seen to range from 39-44 dB. Background LEQs ranged from 41-50 dB because single event "spikes" raised the integrated average. The general conclusion from these measurements is that the proposed site is a good choice for an amphitheater because background levels are so low.

**TABLE 3.3-2**  
**Project Vicinity Noise Monitoring Summary**  
**(Short-term readings in units of L10dBA)**

		Leq	LMax	LMin	L10	L33	L50	L90
Step #1								
04/13/95	2053-2123	43.6	64.0	40.0	44.0	43.5	43.0	41.0
05/01/95	2011-2039	44.6	64.0	38.0	40.5	39.0	39.0	38.5
Step #2								
04/13/95	2136-2206	47.9	73.0	40.0	45.5	43.5	42.5	41.0
05/01/95	2052-2122	48.6	66.5	38.5	50.5	48.0	44.0	39.5
Step #3								
04/13/95	2219-2249	46.6	69.0	40.0	44.5	42.5	42.0	41.5
05/01/95	2232-2302	44.4	69.0	38.5	41.5	39.5	39.0	38.5
Step #4								
05/01/95	2136-2206	41.3	59.0	38.0	40.5	39.5	39.0	38.5
Step #5								
04/13/95	2300-2330	49.5	68.0	39.0	46.0	42.0	41.0	39.5

Source: LDL Model 700 Integrating Noise Dosimeter.



Source: Giroux & Associates, Noise Testing, April 13 & May 1, 1995.

FUTURE CITY OF SAN DIEGO RESIDENTIAL



TETRA TECH INC.



No Scale

### Background Noise Testing Locations

Figure 3.3-1

## **IMPACTS**

Three types of noise impacts that were expected to possibly occur from project implementation were studied. These were:

1. Temporary construction activity noise impacts. The primary concern is for noise-sensitive avian habitats along the Otay River that might be impacted by construction equipment noise.
2. Concert activity noise impacts from amplified music or voice. The absence of noise sensitive uses in close proximity to the project minimizes the impact potential for the project on opening day. However, the concern was that areas planned for future residential development might be subjected to noise impacts that, if left unmitigated, could be above threshold standards for significance as established by Chula Vista's Noise Ordinance.
3. Project-generated traffic noise, especially those associated with late evening departures encompassing heavy traffic volumes during a noise-sensitive time period.

### **Standard of Significance**

A project will have a potentially significant noise impact if it substantially increases the noise levels near the site. A "substantial increase" is not defined in any guidelines with any uniformity. For purposes of this CEQA analysis, a substantial increase is defined as:

1. An increase that creates a potential violation of noise standards where standards are currently met, or,
2. An increase beyond ambient noise levels if ambient levels exceed standards.

The City of Chula Vista has no significance criteria for impacts on avian species. However, both the County and City of San Diego utilize a standard of 60 dB LEQ for gnatcatcher or vireo habitat impacts and this standard has been accepted by wildlife management agencies. A level of 60 dB LEQ is therefore an additional significance threshold used for construction activity impacts relative to nearby avian habitats.

### Construction Noise Impacts

Temporary construction noise impacts from land use development vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used and its activity level. Short-term construction noise impacts tend to occur in discrete phases dominated initially by large earth-moving sources, then by foundation and parking lot construction, and finally for finish construction. The large earth-moving sources are the noisiest with equipment noise typically ranging from 75 to 90 dB at 50 feet from the source.

Point sources of noise emissions are atmospherically attenuated by a factor of 6 dB per doubling of distance through geometrical spreading. The quieter noise sources will, thus, drop to a 60 dB noise level by about 400 feet from the source while the loudest could require over 1000 feet from the source to reduce the 90+ dB source strength to a 60 dB level considered as unobtrusive into river bottom bird habitats northeast of the site. The theoretical distance of the 60 dB contour from a single loud piece of construction equipment under direct line of sight conditions is around 1,000 feet. For a direct line sight, the riparian habitat area at 2,600 feet from the amphitheater would have an equipment noise level of around 53 dB (6 dB doubling loss + 1 dB absorption loss). This is well below the significance threshold, even if several pieces of equipment were operating simultaneously.

During project construction, breaks in the direct line of sight from source to receiver will be created by the natural elevation difference between the riparian habitat and the amphitheater site. The break will be enhanced by the berm to be construction around the parking perimeter and

the bowl to be constructed to accommodate the seating facing the stage. Noise level reductions from breaks in the line of sight range from near 10 dB for smaller barriers to 20+ dB for large intervening earthen berms. Given these noise level reductions, during minor grading of the parking lot, riparian habitat equipment noise will be near 45 dB, and during more intensive excavation of the amphitheater bowl, the habitat noise exposure will be in the mid-30 dB range, or essentially inaudible. Avian habitat noise impacts during construction are therefore less than significant.

Construction noise sources are not strictly relatable to a community noise standard because they occur only during selected times and the source strength varies sharply with time. The annoyance associated with noise disturbance during quiet hours usually leads to time limits on construction activities imposed as conditions on construction permits. Although construction noise is specifically exempt from the noise standards in the municipal Noise Ordinance, grading/construction permits are generally conditioned by City staff to allow heavy equipment operations only during hours of lesser sensitivity. Weekday hours are typically the allowed times for construction activities if there are occupied dwellings within a reasonable exposure zone surrounding the construction site. Given the distance and topography between the project site and off-site sensitive receivers, construction activities will have a less than significant noise impact.

### **Concert Activity Noise Impacts**

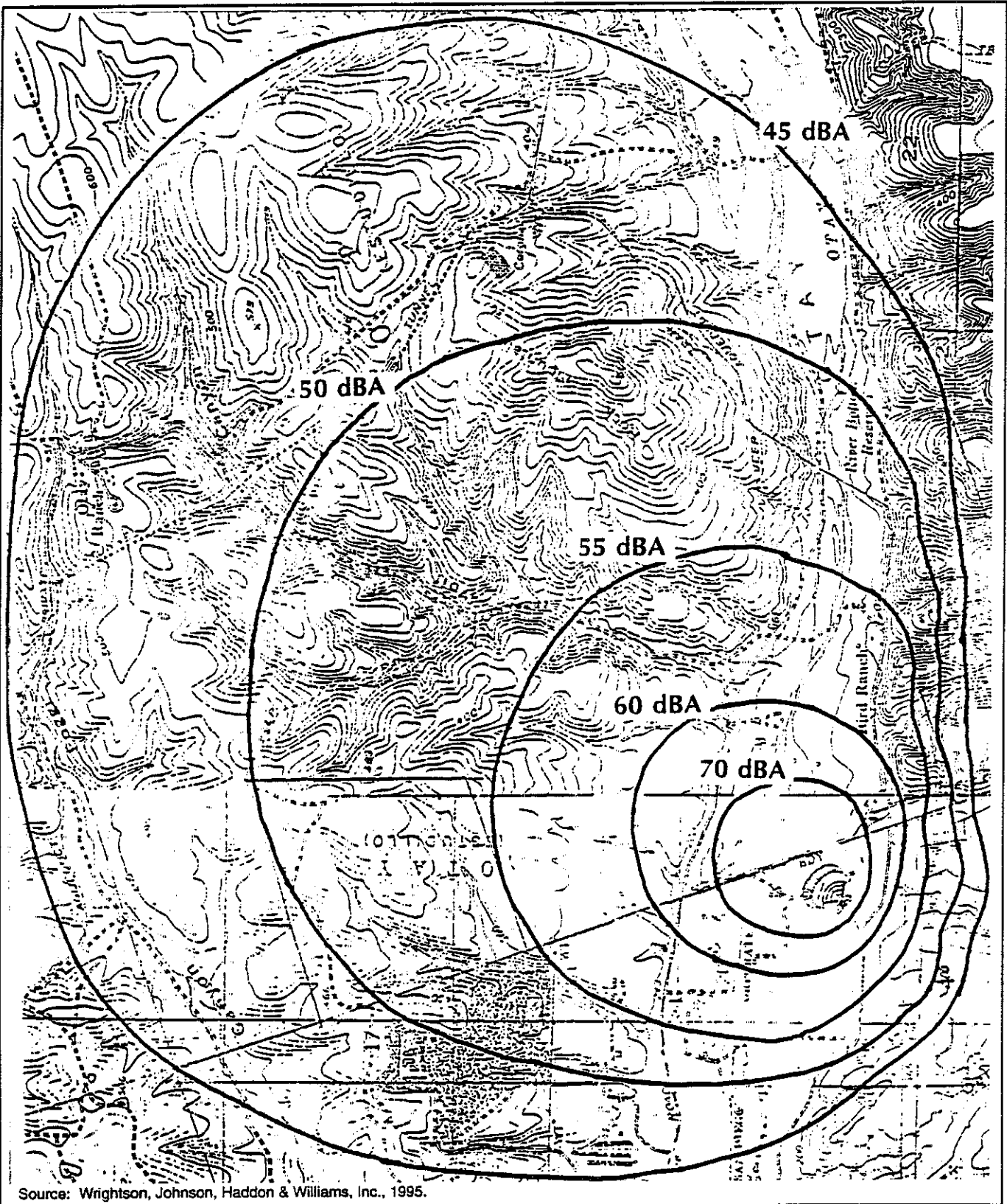
Amphitheatres and noise-sensitive land uses may have a noise conflict because loudness is an important factor in auditory response. The conflict can occur in either direction. Quiet movements in a symphony can be destroyed by airplanes, helicopters, sirens, car horns, trucks, etc. Similarly, the ability to sleep with one's windows open can be completely eliminated by nearby amplified music. Concert attenders and adjacent residential uses may thus have completely different reactions to the volume of noise generated by performance versus the background level.

A comprehensive acoustical study of the proposed amphitheater was conducted by Wrightson, Johnson, Haddon and Williams, Inc. This study simulated future noise exposure by playing rock-and-roll music through a large stack of speakers at the future stage location, and then measuring the noise levels at various locations in various directions from the facility. Two set of measurements were made prompted by a proposed eastward relocation of the amphitheater from its original site (Table 3.3-3). The simulation may not have been an exact representation in that:

1. The amphitheater bowl has not been dug. When dug, the bowl will deflect some sound upward, thereby decreasing the sound impacts of the amphitheater.
2. The second test was done in the daytime, when the meteorology that affects sound transmission may be different.
3. There were no spectators that absorb some sound, energy, but generate their own noise.
4. There was no compensation for increases in ambient noise levels, or for sound attenuation resulting from intervening structures and landscaping, that will naturally occur as presently undeveloped areas are developed in the future.

Figure 3.3-2 shows the results of the WJHW Noise Impact Evaluation (1995). The conclusions of their study were as follows:

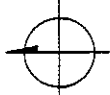
- Noise levels measured at existing Chula Vista residential areas meet the City of Chula Vista noise standards, as imposed by the Noise Ordinance.
- Impacts in presently undeveloped areas that are planned for future residential development exceed the Chula Vista Noise Ordinance standard, for noise sensitive uses.



Source: Wrightson, Johnson, Haddon & Williams, Inc., 1995.



TETRA TECH INC.



No Scale

### Predicted Amphitheater Noise Contours

Figure 3.3-2

**TABLE 3.3-3**  
**Concert Noise Simulation Study Results**

Location	07/24/94 Noise Level		Location	04/17/95 Noise Level
	Avg.	Peak		
Mix Position	105	105	Reference	95
200' behind speakers	68	68	1A	60
B	N/A	N/A	1B	45
C	N/A	N/A	2A	60
D	57	62	2B	47
E	N/A	N/A	2C	37
F	N/A	N/A	3A	45
G	43	N/A	4A	47
H	67	68	5A	N/A
X	52	56	6A	N/A
Y	58	62	7A	N/A
Z	66	68	7B	N/A
Houses	< 49	N/A	7C	53
Animal Shelter	< 49	N/A	7D	55
VOR	41	45		
Gun Club	61	70		
Bridge	66	74		
Bird Habitat	53	N/A		

Source: WJHW Report No. 94049-01, April 21, 1995  
N/A = not audible

Concert noise during the time between 10:00 p.m. and the conclusion of the concert event (approximately 11:00 - 11:30 p.m.) for performances generating the highest volumes of sound would not exceed standards set forth in the City of Chula Vista Noise Ordinance for existing land uses since land areas potentially affected by concert noise are largely undeveloped and have not been graded or constructed at this time. However, these same noise levels could, if left unmitigated, exceed the City of Chula Vista noise ordinance standards in some areas planned for future residential development which are proposed for annexation into the City before



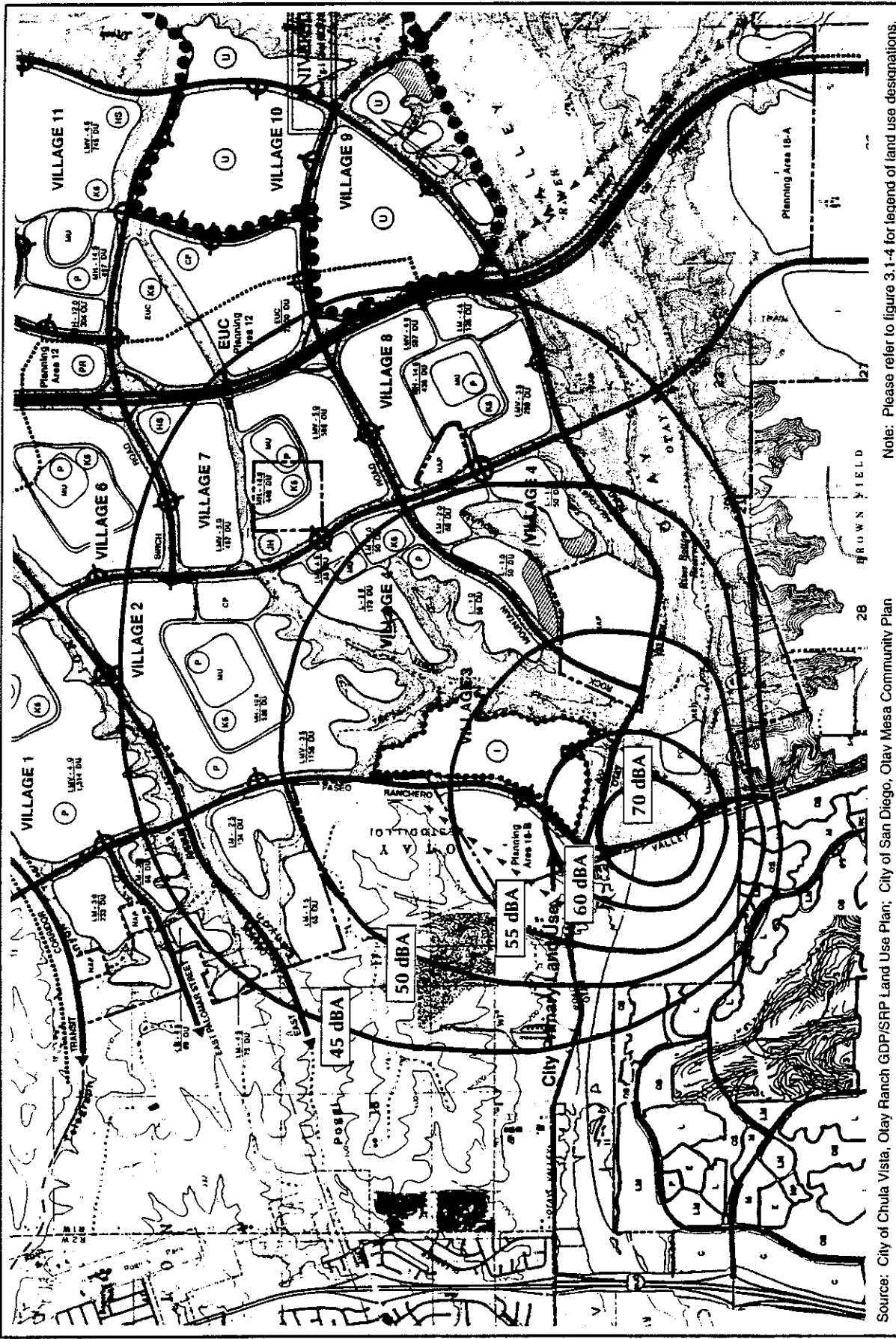
development would occur. Figure 3.3-3 depicts the predicted amphitheater noise contours and proposed land uses in the cities of Chula Vista and San Diego. These future residential areas are within the Otay Ranch General Development Plan area. Noise impacts could potentially affect portions of Villages 1, 2, 3, 4, 7 and 8 within this area. The areal extent of the impact has been estimated using a worst case analysis for the purposes of this EIR analysis. However, a precise assessment of impacts is not feasible at this time for several reasons, including the effect of the amphitheater bowl or berm in dampening or redirecting sound, as discussed above, the effect of specific configuration and grading of future residential developments within the Otay Ranch and probable increases in ambient noise levels that will result from development within the Otay Ranch.

Planned future residential uses in the City of San Diego would also be subject to noise impacts. Noise impact thresholds for these areas are based on the thresholds set forth in the City of San Diego noise ordinance, as discussed previously in the Existing Conditions section. Using the averaging technique established in that ordinance, the standard for these areas, during the most restrictive hours (10:00 p.m. to 7:00 a.m.) would be the average of the "R-1" residential standard (40 dB) and the standard for adjacent industrial uses (75 dB), resulting in a standard of 57.5 dB. Noise impacts from the worst case concert event would not exceed this standard.

Concert impacts to avian habitats may exceed tolerance thresholds set for some species, however, the duration of impacts and the timing of the impact (evening hours) would not result in significant impacts to nesting, breeding or foraging activities. Please refer to Section 3.5, Biology, for a more detailed analysis.

### Traffic Noise Impacts

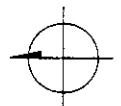
The combination of a daytime swap meet and major evening concerts may add as many as 15,320 daily trips to the area street system. Of these trips, 85 percent are forecast to use Otay Valley Road in the near term. Given that only 3,000 vehicles use Otay Valley Road each day



Source: City of Chula Vista, Otay Ranch GDP/SRP Land Use Plan; City of San Diego, Otay Mesa Community Plan  
 Note: Please refer to figure 3.1-4 for legend of land use designations.



TETRA TECH INC.



No Scale

**Predicted Amphitheater Noise Contours and Proposed Land Uses in Cities of Chula Vista and San Diego**  
 Figure 3.3-3

east of Nirvana Avenue, the project contribution is substantial. The project traffic study concludes that there is adequate capacity to accommodate project traffic without any adverse congestion effects. However, the increase in average daily traffic (ADT) will clearly affect the noise environment near Otay Valley Road.

The noise impact potential is exacerbated by the fact that most concert traffic will occur in the evening when the CNEL metric adds 5 dB to all traffic noise from 7 p.m. Every vehicle from 7 p.m. to 10 p.m. counts as 3 effective vehicles, and every vehicle from 10 p.m. to 7 a.m. counts as 10 vehicles. The traffic volume of 15,320 ADT associated with the project effectively counts as 80,000 ADT when the time-weighting penalty is applied to 30+ percent of project traffic from 7 to 10 p.m., and almost 40 percent which will occur after 10 p.m.

Traffic noise was calculated at two locations along Otay Valley Road where baseline ADT had been developed by the project traffic consultant. The Federal Highway Traffic Noise Prediction Model (FHWA-RD-77-108) with the California Vehicle Noise (CALVENO) modification was used for this analysis. Traffic noise levels for the no-project baseline were predicted, and the project impact was then superimposed upon the baseline. Table 3.3-4 shows the results of these calculations.

A change in ambient noise levels of 3 dB is the generally accepted threshold of a perceptible change in noise levels. A 10 dB increase is perceived to be twice as loud as before. For near-term conditions, traffic noise level increases will be perceptible near I-805, and twice as loud as without the project farther east along Otay Valley Road. As baseline traffic volumes increase, and other directional travel opportunities are developed along new area roadways, the project-related traffic noise impact will be masked by the rising baseline and diffused by the use of multiple access/egress roadways. At buildout, the project contribution of less than 1 dB to the total noise exposure will be indistinguishable from the background.

**TABLE 3.3-4**  
**Traffic Noise Impact Analysis**  
**(CNEL @ 100' to Otay Valley Road centerline)**

<b>I-805 to Oleander Ave.*</b>	<b>Background</b>	<b>w/Project.</b>	<b>Impact</b>
Opening Day	64.9	68.6	+ 3.7
2010 Interim	67.5	69.9	+ 2.4
Buildout	70.4	71.2	+ 0.8
<b>Brandywine Ave. to Nirvana Ave.</b>			
Opening Day	57.0	67.5	+ 10.5
2010 Interim	68.0	70.2	+ 2.2
Buildout	70.3	71.1	+ 0.8

Source: FHWA-RD-77-108 (Calveno mod.)

\* - without I-805 background noise.

Existing noise-sensitive land uses, except possibly for biotic species along the river or in coastal sage scrub habitat in the hills above Otay Valley Road, occur only in proximity to I-805 (north of Otay Valley Road, west of Oleander). The freeway background noise will mask most changes in traffic noise from Otay Valley Road. The noise level increase shown in Table 3.3-4 for the Otay Valley Road link from I-805 to Oleander will be less than the 3.7 dB change attributed to project site traffic. Thus, while the noise level increase would be substantial during early project years, the lack of a sensitive population potentially affected by the project makes this potential impact less than significant.

### MITIGATION MEASURES

No mitigation is required for traffic or construction noise since impacts are determined to be less than significant.

Mitigation for concert noise impacts is not required for opening day of the facility since no significant impacts to existing surrounding land uses have been identified. Concert noise impact mitigation will be required when and if it is determined that the standard operation of the facility results in a pattern of violation that exceeds the threshold standards set forth in the City of Chula

Vista Noise Ordinance. A pattern of violation shall be determined by the zoning administrator, in accordance with specific conditions placed on the Conditional Use Permit for the project. The method of mitigation would consist of proven feasible measures such as those listed below, any of which has the ability to feasibly mitigate impacts to less than significant levels, applied either individually or in combination:

1. Construction of additional vertical barriers around the audience area.
2. Modified lawn speaker system designs that better control sound energy radiating outside of seating areas.
3. Administrative controls over stage speaker sound levels to be applied if the reference level at the mixing booth exceeds a specified threshold that is correlated to impacts in the community.

## **ANALYSIS OF SIGNIFICANCE**

Construction noise impacts are considered less than significant.

Traffic noise impacts are considered less than significant.

Concert noise impacts are considered to be less than significant upon construction of the facility. Concert noise might become significant in the future, when and if planned residential development occurs, depending on future ambient noise levels and sound attenuation associated with that future development. Should such future concert-related noise impacts occur, implementation of the mitigation program identified above will reduce concert noise impacts to less than significant levels.

### 3.4 AIR QUALITY

#### **EXISTING CONDITIONS**

Ambient Air Quality Standards (AAQS): To gauge the significance of the air quality impacts of the proposed MCA Amphitheater project, those impacts, together with existing background air quality levels, were 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."

Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed. Recent research has shown, however, that chronic exposure to ozone at levels that just meet Federal AAQS may nevertheless have an adverse respiratory health impact. Meeting standards may not provide a sufficient health protection cushion for sensitive receptor populations.

National AAQS were established in 1971 for six pollution species with states retaining the option to add other pollutants, require more stringent compliance, or to include different exposure periods. The initial attainment deadline of 1977 was extended to 1987 for certain National AAQS, and that deadline passed with the San Diego Air Basin (SDAB) still far from attainment. A California Clean Air Act (AB-2595) and a new Federal Clean Air Act have both since been promulgated that establish more realistic implementation timeframes for airsheds with moderately degraded air quality such as SDAB. Because California had established AAQS several years before the Federal action and because of unique air quality problems introduced by the restrictive dispersion meteorology, there is considerable difference between State and Federal clean air standards. Those standards currently in effect in California are shown in Table 3.4-1.

**TABLE 3.4-1**  
**State of California Air Resources Board**  
**Ambient Air Quality Standards**

Pollutant	Averaging Time	California Standards		National Standards		
		Concentration	Methods	Primary	Secondary	Method
Ozone	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	0.12 ppm (235 µg/m <sup>3</sup> )	Same as Primary Std.	Ethylene Chemiluminescence
Carbon Monoxide	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	Non-dispersive infrared Spectroscopy (NDIR)	9 ppm (10 mg/m <sup>3</sup> )		Non-dispersive Infrared Spectroscopy (NDIR)
	1 Hour	20 ppm (23 mg/m <sup>3</sup> )		35 ppm (40 mg/m <sup>3</sup> )		
Nitrogen Dioxide	Annual Average	-	Gas Phase Chemilumin- escence	0.053 ppm (100 µg/m <sup>3</sup> )	Same as Primary Std.	Gas Phase Chemiluminescence
	1 Hour	0.25 ppm (470 µg/m <sup>3</sup> )				
Sulfur Dioxide	Annual Average	-	Ultraviolet Fluorescence	80 µg/m <sup>3</sup> (0.03 ppm)	-	Paraosoniline
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )		365 µg/m <sup>3</sup> (0.14 ppm)	-	
	3 Hour	-		-	1300 µg/m <sup>3</sup> (0.5 ppm)	
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )		-	-	
Suspended Particulate Matter (PM <sub>10</sub> )	Annual Geometric Mean	30 µg/m <sup>3</sup>	Size Selective Inlet High Volume Sampler and Gravimetric Analysis	-	-	Inertial Separation and Gravimetric Analysis
	24 Hour	50 µg/m <sup>3</sup>		150 µg/m <sup>3</sup>	Same as Primary Standard	
	Annual Arithmetic Mean	-		50 µg/m <sup>3</sup>		
Sulfates	24 Hour	25 µg/m <sup>3</sup>	Turbidimetric Barium Sulfate	-	-	-
Lead	30 day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	-	-	Atomic Absorption
		-		1.5 µg/m <sup>3</sup>	Same as Primary Std.	
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Cadmium Hydroxide Stractan	-	-	-
Vinyl Chloride (Chloroethane)	24 Hour	0.010 ppm (26 µg/m <sup>3</sup> )	Toddler Bag Collection, Gas Chromatography	-	-	-
Visibility Reducing Particles	8 Hour (10 am to 5 pm, PST)	In sufficient amount to produce an extinction coefficient of 0.23 per kilometer due to particles when the relative humidity is less than 70 percent. Measurement in accordance with ARB Method V.		-	-	-

**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, monitoring and enforcement in the SDAB. A monitoring station on Otay Mesa slightly closer to the project site than downtown Chula Vista was opened in 1991. This site, however, does not monitor the complete spectrum of pollutants and its monitoring history is too short to establish accurate trends. The downtown Chula Vista data are therefore used as a basis for characterizing the existing project site air quality environment.

Table 3.4-2 summarizes the last seven complete years (final 1994 data have not been officially published) of monitoring data from the Chula Vista (80 East J. Street) station. Progress toward cleaner air is seen in almost every pollution category in Table 3.4-2. The only federal clean air standard that was exceeded throughout the 6-year monitoring period was the hourly ozone standard which was exceeded an average of less than 4 times per year (once per year is allowable). The more stringent State standards for ozone and for 10-micron diameter respirable particulate matter (PM-10) were exceeded on a somewhat higher frequency; but, overall air quality in Chula Vista, as representative of the MCA Amphitheater project site, is nevertheless very good in comparison to other areas of the SDAB.

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 beyond the 1999 attainment target date despite Countywide 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 after the turn of the century.



**TABLE 3.4-2**  
**Chula Vista Area Air Quality Monitoring Summary**  
**(Days Standards Were Exceeded and Maxima For Periods Indicated)**

Pollutant/Standard	1987	1988	1989	1990	1991	1992	1993
<b>Ozone:</b>							
1-Hour > 0.09 ppm	15	17	21	21	13	14	12
1-Hour > 0.12 ppm	2	4	7	3	3	4	1
1-Hour $\geq$ 0.20 ppm	0	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)	0.16	0.22	0.16	0.15	0.15	0.15	0.13
<b>Carbon Monoxide:</b>							
1-Hour > 20. ppm	0	0	0	0	0	0	0
8-Hour > 9. ppm	0	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)	7	7	8	7	7	7	5
Max. 8-Hour Conc. (ppm)	3.4	3.6	4.7	4.8	3.9	3.8	3.5
<b>Nitrogen Dioxide:</b>							
1-Hour > 0.25 ppm	0	0	1	0	0	0	0
Max. 1-Hour Conc. (ppm)	0.15	0.21	0.16	0.13	0.12	0.15	0.09
<b>Total Suspended Particulate:</b>							
24-Hour $\geq$ 100 $\mu\text{g}/\text{m}^3$	1/30	4/46	3/57	1/61	2/50	0/30	0/23
24-Hour > 260 $\mu\text{g}/\text{m}^3$	0/30	0/46	0/57	0/61	0/50	0/30	0/23
Max. 24-Hour Conc. ( $\mu\text{g}/\text{m}^3$ )	100	109	111	163	110	79	98
<b>Particulate Sulfate:</b>							
24-Hour $\geq$ 25 $\mu\text{g}/\text{m}^3$	0/51	0/57	0/60	0/51	0/21	0/29	0/31
Max. 24-Hour Conc. ( $\mu\text{g}/\text{m}^3$ )	13.3	17.2	16.5	16.8	11.2	9.9	19.0
<b>Inhalable Particulates (PM-10):</b>							
24-Hour > 50 $\mu\text{g}/\text{m}^3$	5/61	3/56	7/61	7/62	7/60	2/60	2/60
24-Hour > 150 $\mu\text{g}/\text{m}^3$	0/61	0/56	0/61	0/62	0/60	0/60	0/60
Max. 24-Hour Conc. ( $\mu\text{g}/\text{m}^3$ )	68	58	69	67	73	54	56

Note: Standards for sulfur dioxide and particulate lead have been met with a wide margin of safety in 1987-93, and are, therefore, not shown. Data for total suspended particulates (TSP) shown for information only because there is no TSP air quality standard since 1987.

Source: California Air Resources Board, Summary of Air Quality Data, 1987-93. Chula Vista APCD Monitoring Station (except for some particulate data which are from San Diego APCD Downtown Station).

**Sources of Pollution:** Nitrogen oxides ( $\text{NO}_x$ ) and reactive organic gases (ROG) are the two precursors to photochemical smog formation. In San Diego County, 68% of the 310 tons per day of ROG emitted come from mobile (cars, ships, planes, heavy equipment, etc.) sources. For  $\text{NO}_x$ , 88% of the 240 tons emitted daily are from mobile sources. Computer modeling of smog formation has shown that a reduction of around 25% each of  $\text{NO}_x$  and ROG would allow

the San Diego Air Basin to meet the federal ozone standard on days when there is no substantial transport of pollution from the South Coast Air Basin.

**Air Quality Management Planning:** The continued violations of national AAQS in the SDAB, particularly those for ozone in inland foothill areas, requires that a plan be developed outlining the pollution controls that will be undertaken to improve air quality. In San Diego County, this attainment planning process is embodied in a regional air quality management plan developed jointly by the APCD and SANDAG. Several plans had been adopted in the late 1970's and early 1980's under the title Regional Air Quality Strategies (RAQS). Until recently, the 1982 RAQS was the last federally-approved (EPA) air quality plan for attainment of the federal ozone standard. More recent planning efforts have been modifications, improvements and updates of the earlier RAQS efforts.

The California Clean Air Act (AB-2595) required that a state clean air plan be developed to address meeting state standards as well as the often less stringent federal criteria. A basin plan was therefore developed and adopted in 1991 that predicts attainment of all national standards by the end of 1997 from pollution sources within the air basin, but little can be done about the problem of interbasin transport. Since the South Coast Air Basin is predicted to exceed the national ozone standard beyond the year 2000, the San Diego Air Basin, will also not experience completely healthful air for the next several decades.

A plan to meet the federal standard for ozone was developed in 1994 during the process of updating the 1991 state plan. This local plan was combined with those from all other California non-attainment areas with serious ozone problems to create the California State Implementation Plan (SIP). The SIP was adopted by the Air Resources Board (ARB) after public hearings on November 9-10, 1994, and forwarded to the U.S. EPA for their approval.

During the planning process and smog formation modeling, it was discovered that the SDAB can meet the federal ozone standard by the year 1999 without the creation of any new control

programs not already in progress. Airsheds demonstrating an ability to meet standards by 1999 (in the absence of transport from one basin to another) are classified as having a "serious" ozone problem instead of being classified as "severe". The SDAPCD requested that EPA reclassify the air basin from severe to serious. This request was subsequently approved.

All progress towards attainment, including offsetting the effects of growth, is expected to derive from existing local, state and federal rules and regulations. Controversial rules previously evaluated that were judged by some people as overly intrusive into personal lifestyles (mandatory trip reduction programs or minimum average vehicle occupancy goals) are not needed to predict attainment. Any violations of 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.

In general, commercial developments such as the proposed amphitheater are not emitters of air pollutants. Traffic-generating sources are called "indirect sources". Project consistency with any regional air quality planning is determined in terms of whether overall growth has been correctly anticipated in a given sub-region. An entertainment complex serves the general population, and will not cause automotive travel to be generated unless there is a perceived demand for such a venue. Commercial uses are growth-accommodating and not growth-inducing. Commercial uses are related to the air quality planning process. The rate of growth the commercial uses are accommodating by providing entertainment services is consistent with the air quality planning process.

## **IMPACTS**

The proposed project will impact air quality almost exclusively through the vehicular traffic generated by larger events held at the amphitheater. Mobile source impacts occur on two scales of motion. Regionally, site-related travel will add to regional trip generation and increase the vehicle miles traveled (VMT) within the local airshed. Locally, project traffic will be added to

the Chula Vista roadway system near the project site. If traffic occurs during periods of poor atmospheric ventilation, comprises a large number of vehicles "cold-started" at the conclusion of a major event and operating at pollution inefficient speeds, and occurs on roadways already crowded with non-project traffic, there is a potential for the formation of microscale air pollution "hot spots" in the area immediately around points of congested traffic.

Indirect project-related atmospheric impacts derive from a number of small, growth-connected emissions sources including temporary emissions of dusts and fumes during project construction, increased fossil-fuel combustion in power plants from greater lighting 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 so small in comparison to project-related automotive sources that their impact is less important. Emission points indicate growth which engenders increased air pollution emissions from a wide variety of sources, and thus further inhibits the near-term attainment of all clean air standards in the San Diego Air Basin (SDAB).

### **Standards of Significance**

CEQA guidelines define a potentially significant air quality impact as one that:

- a. creates violations of clean air standards,
- b. contributes measurably to an existing violation of standards, or
- c. exposes people to contaminants for which there are no presumed safe exposures.

For projects that create mainly 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 include the following:

<u>Agency</u>	<u>Significant Emissions (lb/day)</u>				
	<u>CO</u>	<u>ROC</u>	<u>NOx</u>	<u>SOx</u>	<u>PM-10</u>
SDAPCD Rule 20.2 (a)	550	100	100	100	100
SDAPCD Rule 20.3 (b)	550	250	250	250	250
City of San Diego (c)	550*	100**	---	---	---
South Coast AQMD (d)	550	55	55	150	150

- a = requires best available control
- b = requires ambient air quality analysis
- c = Significance Determination Guidelines (1991)
- d = SCAQMD CEQA Air Quality Handbook (1993)
  
- \* = in areas of congested traffic
- \*\* = in areas of free-flow traffic

Project-related vehicular emissions of carbon monoxide (CO), reactive organic compounds (ROC) and nitrogen oxides (NOx) for near-term development exceed the above threshold levels for any of the candidate significance criteria. Even for horizon years, CO emissions will exceed the 550-pound threshold by a wide margin. Since the 550-pound level is common to all four candidate criteria, the selection of any of the above four significance levels is immaterial. For purposes of analysis, the SDAPCD Rule 20.2 (BACT-trigger) is a reasonable compromise between the most stringent and most lenient of the four possible significance thresholds.

### Construction Impacts

Construction activities are generally divided into two phases. Phase I represents grading and site preparation activities while Phase II is the actual construction. Dominant emissions during Phase I are dust from surface disturbance and heavy equipment exhaust. Phase II emissions are dominated by trucks hauling building materials, by evaporative emissions from asphalt or surface coatings and from smaller on-site equipment.

The most significant source of air pollution from Phase I project construction will be the dust generated during excavation, grading and site preparation. Typical dust lofting rates from construction activities are usually assumed to average 1.2 tons of dust per month per acre disturbed in the absence of any dust control procedures.

The site has been graded for the Otay Rio Business Park such that grading activities for the parking lots will be minor. The most extensive construction activity will take place within the 20-acre site comprising the amphitheater itself. In the absence of any dust control, simultaneous disturbance of the 20-acre bowl would generate daily total PM-10 emissions of 1100 pounds if no mitigation measures are implemented. Implementation of vigorous dust control measures would reduce PM-10 associated with grading by 50-75 percent or in the range of 275-550 pounds per day. This generation of construction dust PM-10 emissions can be reduced to sub-threshold levels by reducing the area of disturbance and using a very aggressive dust control program. Assuming that an aggressive dust control program is implemented during construction, then with the temporary timeframe of such emissions and the generally good daytime ventilation conditions in the project vicinity, the impact from construction dust generation would be considered as individually less than significant.

Construction activity emission rates are substantial (especially NOx from diesel-fuel trucks and on-site vehicles) and well in excess of the threshold level of 100 pounds per day established for this project. Equipment exhaust emissions may temporarily result in a significant air quality

impact during the most intensive phase of construction. Locally, equipment emissions will be widely dispersed in space and time by the mobile nature of much of the equipment itself. Furthermore, daytime ventilation during much of the year in Chula Vista is usually more than adequate to disperse any local pollution accumulations near the project site. Any perceptible impacts from construction activity exhaust will, therefore, be confined to an occasional "whiff" of characteristic diesel exhaust odor, but not in sufficient concentration to expose any nearby receptors to air pollution levels above acceptable standards.

Construction activities are most noticeable in the immediate vicinity of the construction site. It is recognized that the grading for the site has been balanced; however, there is the potential for some "spill-over" into the surrounding community. Spillage may be physical such as dirt tracked onto public streets or dropped from trucks. Spill-over may also 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. Off-site effects may be controlled through housekeeping and proper construction management/scheduling. Management techniques are suggested in the mitigation discussion to reduce potential spill-over impacts.

#### **Long-Term Vehicular Emissions Impacts**

The greatest air quality concern from land use intensification usually derives from the mobile source emissions that result from project-related transportation.

The project traffic study estimates that site-related traffic will total 15,320 daily vehicle trips on a peak activity day with a daytime swap meet and an evening sold-out concert. This trip generation forecast was calculated to generate an additional 153,200 vehicle miles traveled (VMT) at an average trip length of approximately 10 miles. The daily mobile-source emissions for a peak event are shown in Table 3.4-3.

**TABLE 3.4-3  
Project-Related Vehicular Emissions  
(lbs/day)**

<b>Pollutant</b>	<b>1996</b>	<b>2000</b>	<b>2010</b>	<b>Significance Threshold</b>
ROC	604	382	179	100
NOx	396	287	201	100
CO	4685	3094	1523	550
PM-10	36	35	33	100
SOx	Negligible	Negligible	Negligible	100

Project-related new mobile source emissions substantially exceed the 100-pound per day new source threshold for smog-forming ROC and NOx for all years analyzed. Daily CO emissions similarly exceed the 550-pound per day level by a wide margin.

It should be noted that less than 60 events per year are projected for the amphitheater when fully operational. Not all events will be self-outs with maximum traffic. On an average daily basis, the emissions will be substantially less than those shown in Table 3.4-3. Further, most amphitheater events are expected to occur during evening hours. Since the excess ROC and NOx emissions primarily occur during the evening and nighttime hours, the formation of photochemical smog is limited because the vehicular emissions will be widely dispersed the next day when there is sunshine to drive the smog formation process. Smog precursor emissions above the threshold may therefore not necessarily have a significant impact.

Emissions have been assumed to be entirely "new" emissions. However, many event attendees will likely participate in other forms of entertainment involving driving for the other project alternatives. If a substantial fraction of attendees drove to other concert venues, or went to movies, clubs or other entertainment, if not to the amphitheater, the calculated "new" emissions would be offset by an almost similar regional contribution to the overall emissions burden.



These mitigating circumstances are somewhat speculative and are difficult to quantify. Conservatively, the regional air quality impact should be considered as significant. Because of the wide disparity between project-related emissions and the significance threshold, reducing the substantial excess to a level less than significant is unlikely. Mobile source emissions should therefore be considered to have a significant, and non-mitigable, regional air quality impact.

Increased traffic around the project site could create localized violations of ambient health standards. Anticipated CO concentrations were calculated to evaluate the potential for the formation of any air pollution "hot spots" at intersections near the proposed project site. Maximum simultaneous background and event traffic volumes projected by the project traffic study were used in the analysis. CO was used as the indicator pollutant to determine if there was any air pollution "hot spot" potential. Five (5) intersections were analyzed.

Projections indicate that even if the maximum levels occurred during the worst background conditions, CO standards would not be exceeded.

Therefore, project-related microscale air quality impacts will be less than significant, and project-related CO emissions will not contribute significantly to any unhealthful air quality in the project vicinity.

## **MITIGATION MEASURES**

Without mitigation, the proposed MCA Amphitheater project may create significant air quality impacts from dust and equipment exhaust during construction (short-term) and from long-term, travel-related emissions (vehicle exhaust and roadway dust). There are more opportunities to reduce short-term construction impacts to levels less than significant through mitigation than there are opportunities to reduce long-term impacts.

**Construction Operations**

The following mitigation measures will be placed as conditions on the grading permit for the proposed project:

1. Implement dust control measures to maintain adequate soil moisture, as well as remove soil spilled onto surrounding roads through site housekeeping procedures. For each of the three dust sources, the listed mitigation measure represents a reasonably available control measure (RACM).

<b><u>Source</u></b>	<b><u>Mitigation Measure</u></b>
Soil Piles	Enclose, cover, or water all soil piles, twice daily.
Exposed Surfaces	Water all exposed soil twice daily.
Truck Travel-Interval	Water all internal roads daily.

2. Implement construction operating procedures to reduce interference with existing traffic and prevent truck queuing on any public roads. Limit operations to daytime periods of better dispersion that minimizes localized pollution accumulation.
3. Restrict earth moving activities to 35 acres at any time, so that no more than half of the project site is under disturbance. Implementation of RACMs, in conjunction with limits on the size of the disturbance area, would reduce the air quality impact from dust to a level less than significant.

The primary mitigation measure for grading and other construction equipment (both mobile and stationary) is to maintain equipment in good working order:

4. Implement an equipment maintenance program to ensure that construction equipment is maintained in good working order.

Implementation of this mitigation measure has been conservatively estimated to result in a five percent (5%) reduction in equipment emissions.

### **Transportation Operations**

Since long-term impacts are primarily derived from traffic generation during sold-out or near capacity events, the following traffic-related mitigation measures will be made conditions of the CUPs:

5. Provide facilities to increase the use of public transit and alternative transportation methods. This would include access by buses and other multi-occupant vehicles during major events.
6. Provide satellite parking with shuttle services to reduce access/egress congestion and to alleviate parking space restrictions. Shuttle services will increase the ~~already positive~~ anticipated 3+ passenger per vehicle average vehicle ridership (AVR) for concert attendance.
7. Implement transportation demand management (TDM) procedures for major events to evaluate optimum access/egress routes and to encourage site access by alternatives to low occupancy vehicles. Procedures developed during the first few major events should be refined for subsequent facility use.

### **ANALYSIS OF SIGNIFICANCE**

Because nitrogen oxide (NOx) emissions associated with present construction activities are more

than three times the significance threshold of 100 pounds per day, the limited emissions reduction from maintaining equipment in good working order will not reduce NOx emissions below the significance threshold.

Implementation of these measures is estimated to provide a five percent (5%) reduction in trips generated, and a similar reduction in vehicular emissions. Even with this reduction, vehicular CO, ROC and NOx emissions for a sold-out or near capacity event are expected to exceed the significance threshold at least until about the year 2010. By then, vehicular emissions may be reduced to levels less than significant by the use of cleaner burning vehicles and fuels. Regional air quality impacts from vehicular emissions are thus judged to be significant and not mitigable to a level less than significant.

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### **3.5 BIOLOGY**

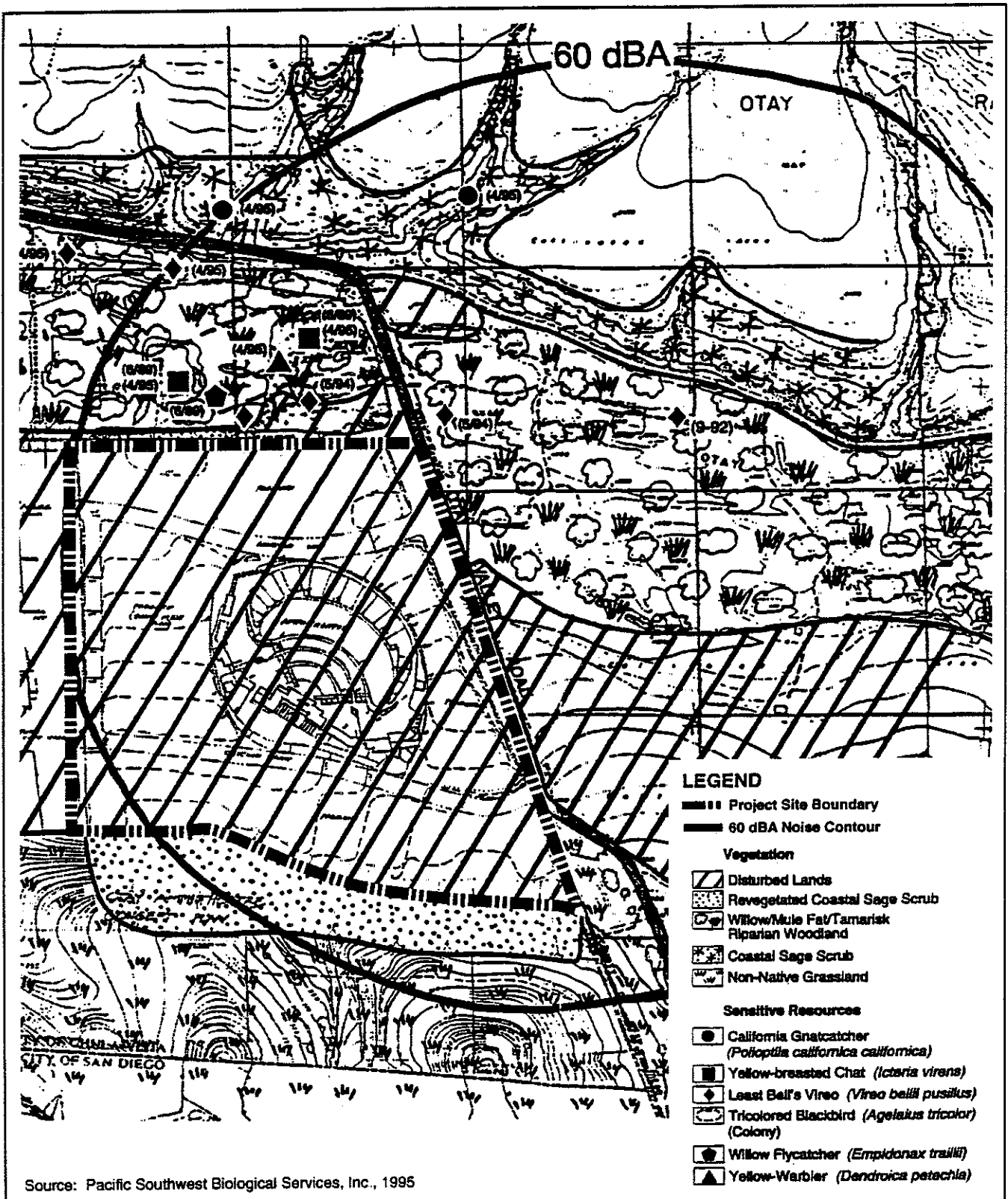
Information contained in this section is summarized from the *Biological Survey of the 72.5 Acre MCA Amphitheater Site* prepared by Pacific Southwest Biological Services (PSBS) dated May 3, 1995. The complete technical report is included as Appendix E of this EIR. A biological survey was conducted for the study area which includes the 72.5-acre project site and surrounding land, including riparian habitat located along the Otay River and lands located to the south of the proposed project site which were surveyed for coastal California gnatcatchers, a federally threatened species and the least Bells vireo, a federal and state endangered species (Figure 3.5-1). Neither the coastal California gnatcatchers nor the least Bell's vireo, were found at the project site but were found in the project vicinity.

#### **EXISTING CONDITIONS**

The project site was previously developed as the Otay Rio Business Park - Phase I which presently includes building pads, landscaped entrances and embankments, street improvements, and utilities. The graded building pads are terraced descending from the south to the north. No buildings have been constructed at the project site.

#### **Vegetation Communities**

The site's disturbed nature precluded the presence of diverse native vegetation. No sensitive plants were found on the 72.5-acre project site. A floral species list is provided in Appendix E of this EIR. The vegetation communities on the project site consist of two distinct vegetation associations: disturbed vegetation and planted/revegetated coastal sage scrub. The site is predominantly disturbed vegetation with a small area of planted/revegetated coastal sage scrub planted along the north portion of the site. A third vegetation association, non-native grasslands, was identified on land surrounding the site, particularly to the south and west.



### Biological Resources

Figure 3.5-1

### **Disturbed Vegetation**

Disturbed vegetation areas were most prevalent at the project site on building pads and other areas where the ground has been bladed or disturbed by heavy machinery. The vegetation is composed of non-native species such as fennel, garland chrysanthemum, wild lettuce, mustards, Russian thistle, bur clover, yellow sweet clover, and red-stemmed filaree. Larger woody plants such as tree tobacco, castor bean, and tamarisk are also present. Several tree species have been planted in landscape areas within the Business Park including Peruvian pepper tree, Chinese weeping elm, lilac melaleuca, and cajeput tree. Portions of the manufactured slopes have regenerated with non-native grassy species. These areas are not considered true grasslands but are the pioneer community of disturbed areas.

### **Revegetated Coastal Sage Scrub**

Revegetated coastal sage scrub was observed in a narrow strip along the north portion of the site. The revegetated coastal sage scrub species appeared to be planted as irrigation sprinklers were observed in this area.

### **Wildlife Species**

A complete list of wildlife species detected or expected in the study area is provided in Appendix E of this EIR.

No amphibian species were detected for the project site. Amphibian species, including western toad, Pacific chorus frog, and bullfrogs are known from the area (PSBS 1989). Because the site has been graded and since there is a lack of debris for amphibians to seek shelter under, few amphibians are expected to occur on-site.



One reptile species was detected on the project site: western fence lizard. Western whiptails, Orange-throated whiptails, and northern red diamond rattlesnakes (all sensitive species) are known from the area but were not observed onsite (PSBS 1989).

Approximately twenty-five bird species were identified at the project site, and an additional forty species were identified in the immediate vicinity and may be expected to use the project site. The disturbed vegetation provides cover and forage for a variety of birds including: mourning dove, red-winged blackbird, tricolored blackbird, western meadowlark, house finch, lesser goldfinch, California quail, bushtit, common yellowthroat, California towhee, song sparrow, and American goldfinch.

Four species of mammals were observed on-site. The California ground squirrel, black-tailed jackrabbit, desert cottontail, and Botta's pocket gopher are relatively common on-site. Although not observed the coyote, gray fox, raccoon, mice, and woodrats are known from the area (PSBS 1989).

### **Sensitive Biological Resources**

#### **Sensitive Plants**

No sensitive plants were found on the 72.5-acre amphitheater site. No rare, endangered, or threatened plant species were observed onsite.

#### **Sensitive Wildlife**

Sensitive wildlife species are those listed by United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG). USFWS officially lists sensitive species as either threatened or endangered and also lists other sensitive species as candidates for listing. CDFG also has compiled a list of species of "special concern". No rare, endangered, or

threatened wildlife species were identified at the project site. Sensitive animal species which were observed, or have a potential for occurring onsite, are listed in Appendix E of this EIR.

**Invertebrates:** No sensitive invertebrate species identified on the project site.

**Amphibians:** No sensitive amphibian species identified on the project site.

**Reptiles:** No sensitive reptile species identified on the project site.

**Birds:** Three sensitive bird species were observed on the project site. A Northern harrier (*Circus cyaneus*, CDFG Species of Special Concern) is a raptor which was observed soaring above the project site. A loggerhead shrike (*Lanius ludo vicianus*, CDFG Species of Special Concern) is a predatory songbird that was observed onsite in the planted trees. The shrike is an uncommon year-round resident which utilizes a variety of habitats throughout San Diego County. A probable breeding colony of approximately 100 to 200 pairs of tricolored blackbird (*Agelaius tricolor*, USFWS Category 2, CDFG Species of Special Concern) was located along the Otay River north of the site. Small flocks were observed flying back and forth over the project, to forage in non-native grassland.

**Mammals:** One sensitive mammal species, San Diego black-tailed jackrabbit (*Lepus californicus bennettii*, USFWS Category 2, CDFG Species of Special Concern) was observed in the disturbed portion of the project.

## **IMPACTS**

A significant impact would occur if implementation of the proposed project would result in a loss of rare or endangered plants or animals according to current agency regulations, or cause substantial interference with resident or migratory fish or wildlife species. The proposed project could produce potentially direct and indirect impacts. Direct impacts may be short-term or long-

term, and occur where biological resources are altered, removed, or destroyed by the proposed project. Indirect impacts may occur when project-related activities affect in an indirect manner the biological resources in the area. Noise, lighting, dust, and human activity/encroachment are potential indirect impacts related to the implementation and use of the proposed project site.

### **Direct Impacts**

No significant direct impacts to biological resources are anticipated from the construction and operation of the proposed MCA Chula Vista Amphitheater. The project site previously was graded and landscaped for the Otay Rio Business Park. The proposed project would not disturb or displace native habitat or sensitive plant or wildlife resources as a result of project implementation. Construction of the amphitheater, associated parking lots, and access roads would result in the loss of approximately 72.5 acres of primarily disturbed vegetation.

No direct impacts to plant or wildlife resources (including coastal sage scrub vegetation and California gnatcatchers, as well as riparian habitat and least Bell's vireo) on surrounding lands would occur with implementation of the proposed project. Based upon the conceptual site plan provided, this habitat is not expected to be affected by grading or construction of any off-site activities. A strip of planted coastal sage scrub is located along the north border of the project site as the result of a previous revegetation effort associated with the Otay Rio Business Park project. Based on the conceptual grading plan provided, construction and grading activities for the proposed project would not disturb or displace this strip of planted coastal sage scrub.

The proposed project would result in a loss of raptor, songbird, and small mammal foraging areas, as the project site would be covered with permanent structures, landscaped areas and unpaved parking areas. Large, open areas of lawn seating and landscaped areas would compensate for some of the potential foraging area loss, as these areas would attract the common small mammals and rodents typically sought out by predatory birds such as red-tailed hawks and kites. The loss of foraging habitat, however, is not considered important biologically as

abundant open-space lands exist in surrounding areas. Although two sensitive bird species (loggerhead shrike and tricolored blackbird) currently use the site on occasion, they are expected to remain in the area and continue using adjacent habitats following project implementation (PSBS 1995, p.27).

### **Indirect Impacts**

Indirect impacts are the effects of project construction or operation on biological resources, other than the direct loss of habitat, that are not directly removed by the proposed project. Indirect impacts may be caused by the interaction of several factors which can result in a loss of wildlife from an area.

Indirect impacts are disturbance factors such as noise, lighting, dust, and human activity/encroachment. Human activity due to operation and maintenance of the proposed MCA Chula Vista Amphitheater and associated activities (swap meet and fireworks displays) is expected to have the greatest potential for indirect impacts to sensitive resources in the project vicinity, particularly the riparian habitat of the Otay River Valley.

## Noise

Noise can adversely affect wildlife by repelling individuals, inhibiting communication, and impairing foraging success and predator detection. These effects are significant when they adversely affect the life-cycle of a sensitive species, or constrain wildlife movement through a wildlife corridor.

**Construction Noise:** Noise generated during construction of the proposed project would be a short-term impact. Construction noise would be generated at the center of the project site during grading and construction of the amphitheater earthen bowl and related structures. Grading and construction activities would be limited in the parking areas surrounding the amphitheater bowl. Construction noise would be minimal in the north portion of the project site which slopes down to the Otay River, located at a lower elevation than the project. Construction noise would not be a significant impact to the wildlife in the surrounding areas of the Otay River Valley.

**Amphitheater Noise:** The planned use of the MCA Chula Vista Amphitheater indicates that the peak noise levels would occur in the dusk and evening hours during concert events. The noise study conducted for the proposed project indicates that a portion of the Otay River Valley located to the north and northeast of the project site is located within a 60 dBA noise contour (Figure 3.5-1, Biological Resources). Short-term increased noise levels resulting from concerts are unlikely to have a significant impact on least Bell's vireo and California gnatcatchers in the project vicinity due to the proximity of suitable habitat to existing sources of high noise levels. This portion of the Otay River presently experiences high noise levels as a result of an adjacent public trap/skeet shooting range, vehicle activity along Otay Valley Road (including large vehicles hauling waste inroad to the Otay Landfill), auto wrecking/recycling facilities, rock quarry/crushing operation, and off-road vehicle activity on surrounding open space lands.

A review of previous studies suggests that birds can tolerate relatively high noise levels for prolonged periods (PSBS 1995, pg. 29/Appendix E-33). Indirect impacts due to short-term

periods of high noise level are unlikely to significantly affect least Bell's vireo nesting in the project vicinity because the principal activity time for least Bell's vireo during the early morning and daylight hours when mating, foraging, vocalization, and nest building activity occurs. The proposed concert events occurring at the MCA Chula Vista Amphitheater would occur in the afternoons and evenings. The project vicinity presently experiences high noise levels due to existing off-road vehicle activity occurring at the project site and surrounding facilities areas to the north (vehicle traffic on Otay Valley Road, auto-wrecking/recycling facilities), east (rock quarry/crushing operation), and south (public trap/skeet shooting range), it is unlikely the occasional increased noise levels generated by the project would significantly affect the least Bell's vireo utilizing this portion of the Otay River Valley (PSBS 1995, p. 31/Appendix E-35).

The U.S. Fish and Wildlife is generally utilizing a threshold for significant noise impacts to coastal California gnatcatchers as 60 dBA during the breeding season (February 1 to August 1), although several recent studies suggest that gnatcatchers are tolerant of higher noise levels. Anecdotal observations of gnatcatcher-occupied areas suggest that gnatcatchers may be somewhat less sensitive to noise than other songbirds (PSBS 1995 and RECON 1992, Ogden 1992b, Aubrey 1993 as cited in Poway Entertainment Center EIR, May 1995). Due to the intermittent frequency of disturbance by concert events at the MCA Chula Vista Amphitheater, (35-60 days per year) and timing of the events (evening hours), noise related impacts to wildlife activity are not expected to be significant.

### **Lighting**

Artificial lighting and glare entering the Otay River Valley adjacent to the site could be an adverse indirect impact on sensitive species. These impacts could be significant if bright lighting is present on a regular basis. The MCA Chula Vista Amphitheater would utilize design features and light shields to prevent excess lighting and glare from the top and sides of lighting fixtures. Stage lighting would be directed south towards the central stage, away from the Otay River Valley located to the north. All lighting for public access and parking areas would utilize shields

and direct lighting internally towards the project site. Concert events and other uses occurring at the MCA Chula Vista Amphitheater would be intermittent (35-60 days per year) and would not result in frequent displays of artificial lighting and glare. Based on the project implementation of lighting shields and directed lighting, artificial lighting and glare impacts to the Otay River Valley are not expected to be significant.

### **Human Activity/Encroachment**

Human activity and encroachment into open space areas could potentially impact surrounding biological resources. Impacts could include habitat encroachment, vegetation destruction, and fugitive trash. Riparian bird species living along and within the Otay River floodway are most susceptible to these disturbance factors and may abandon nest sites. The MCA Chula Vista Amphitheater would install a perimeter fence to restrict human and vehicle activity to the designated use of the project site. The perimeter fence would restrict human and vehicle activity to the project site and prevent habitat encroachment. Based on the implementation of these design features for the proposed project, the impacts of human activity/encroachment are not expected to be significant.

### **Fire**

Fires related to the proposed project may occur from fireworks or other pyrotechnic displays associated with the events at the amphitheater, smoking or other activities associated with the operation of the amphitheater. Firework displays are strictly controlled and supervised by the amphitheater operators and the Chula Vista Fire Department and, therefore would not pose a potential fire threat to the wildlife species or habitat. The risk of fire from firework displays at the MCA Chula Vista Amphitheater would not be a significant impact.

## MITIGATION MEASURES

No significant impacts associated with biological resources were identified onsite, therefore no mitigation is required under CEQA. However, the following design features will be incorporated into the Mitigation Monitoring and Reporting Program to ensure their implementation:

- Applicant shall be responsible for fencing along Otay Valley Road south of the facility and use all reasonable efforts in coordinating with the appropriate land owners to provide fencing along the top of the mesa to discourage access to these sensitive areas.
- The open space within the steep slopes south of the project site are currently owned by parties other than the project applicant. The applicant shall use all reasonable efforts to secure ~~shall be dedicated in fee or in~~ a conservation easement in favor of the California Department of Fish and Game.
- Any trails developed in the project vicinity as a part of the Otay Valley Regional Park ~~should~~ shall be closed during concert events. The applicant shall coordinate with the City of Chula Vista after such trails are developed for appropriate management.

## ANALYSIS OF SIGNIFICANCE

The proposed project would not result in significant, unmitigated impacts to biological resources onsite or offsite caused by direct or indirect impacts at the project site.



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### **3.6 HYDROLOGY**

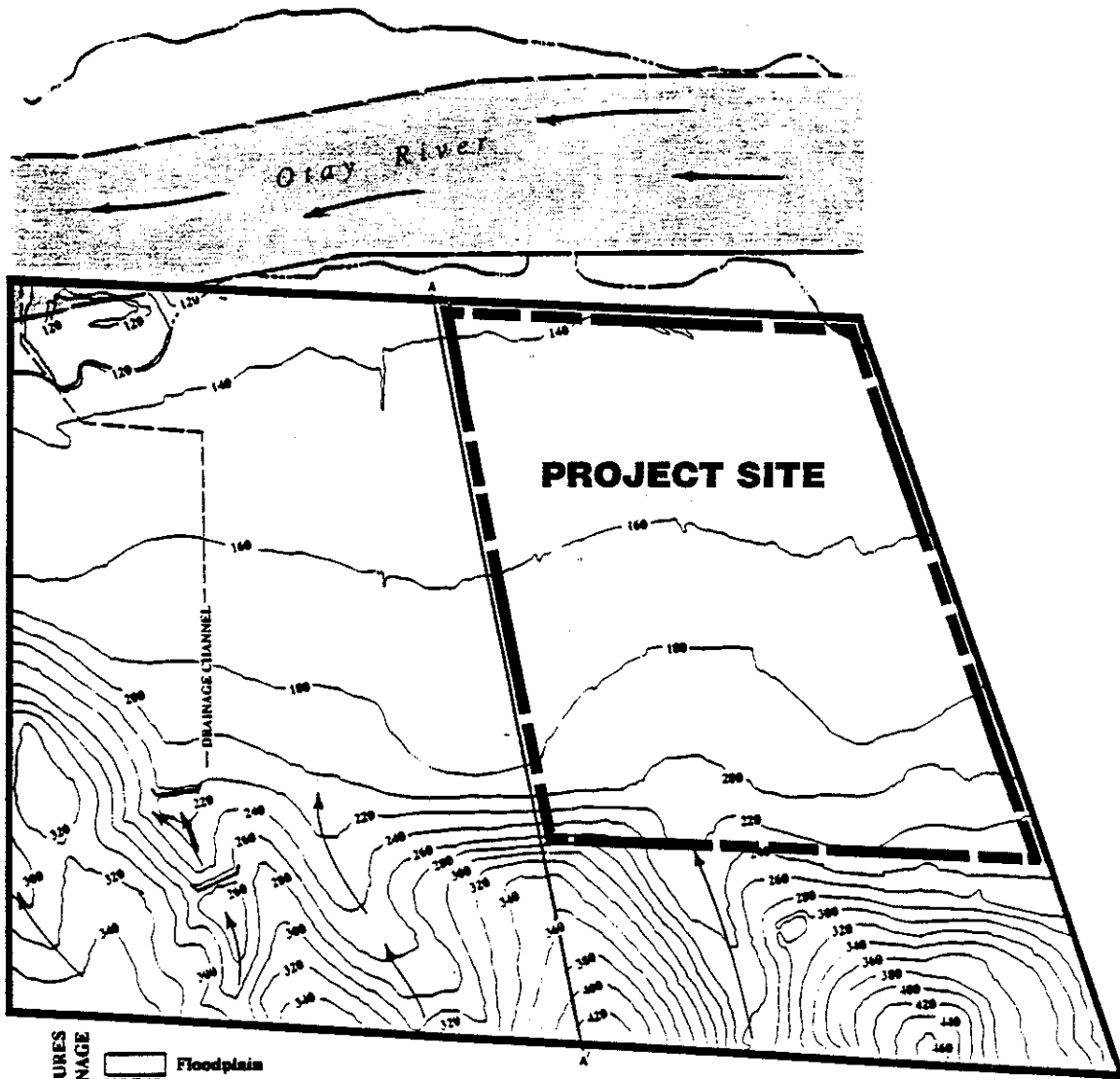
#### **EXISTING CONDITIONS**

The project site lies within the San Diego Coastal Province and the Otay Hydrographic Unit. The San Diego Coastal Province is approximately 3,900 square miles and includes all hydrographic basins which drain into the Pacific Ocean between Laguna Beach and the United States-Mexico international border. Eleven major hydrographic units make up the entire province. These units are further divided into subunits which are major tributaries or groundwater basins within each hydrographic unit. The project site lies within the Otay River Valley, a portion of the 145-square mile Otay Hydrographic Subunit.

Due to the topography of the South San Diego Bay region, major drainages, including the Otay Hydrographic Subunit, flow into San Diego Bay. The Otay River flows westward from the Upper and Lower Otay Reservoirs; these reservoirs are operated by the City of San Diego and control drainage from the inland areas. The Otay River is located directly north of both the project site and a service yard along the north border of the project site (Figure 3.6-1).

Surface water in the general vicinity of the project site drains north toward the Otay River, which flows toward the west through the Otay Valley. The project site is not located within a 100-year floodplain; the project site is designated by FEMA as Zone C - Area of Minimal Flooding (FEMA Community Panel 065021-0006E, April 5, 1988). The northern boundaries of adjoining properties to the west are located within the 100-year floodplain, which widens along the Otay River to the west.

The project site is developed with graded building pads, street improvements, landscaped embankments and utilities including public storm drains in the streets (Otay Rio Road, Castle Pines Avenue, Spyglass Hill Road, Glen Eagles Drive, and Turnberry Drive). The average graded slope of the site is two percent; the maximum graded slope of the site is 50 percent along

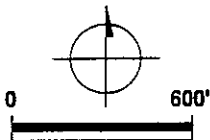


- LANDSCAPE FEATURES**
- Floodplain
  - Floodway
  - Contours-Elevation in Feet. 20' Interval
  - Natural Drainage
  - Earthen Dam

Source: Final EIR, Otay Rio Business Park, Chula Vista, June 1987



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## Drainage

Figure 3.6-1

landscaped embankments. Surface water on the project site drains to private desilting basins, which discharge to the public storm drain system in the public streets. Surface water runoff in public streets is collected by curb inlets which discharge into the storm drain system. Offsite surface runoff drains north toward the Otay River.

## **IMPACTS**

The proposed project requires the excavation of an earthen bowl for the amphitheater, which would require the abandonment of street improvements. The proposed project would result in impacts to existing drainage patterns and facilities. The proposed project would require modifications to the storm drain system along Glen Eagles Drive and Turnberry Drive. The abandonment of these storm drains would be conducted according to the specifications of the City of Chula Vista.

The proposed project requires the grading of raised earthen berms to form an earthen bowl for the amphitheater to provide fixed and lawn seating. The earthen berms will form the north, west, and east sides of the amphitheater. The surface interior of the amphitheater will slope down towards the main stage to the south. The berms will be covered with grass for lawn seating, or landscaped along the exterior sides. The amphitheater will be constructed to drain surface water from the earthen berms to private catchments which will discharge to the public storm drain system. The parking areas and streets will be graded to direct surface water to catchments and curb inlets which will discharge to the public storm drain system.

Development of the MCA Chula Vista Amphitheater project shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge and any regulations adopted by the City of Chula Vista thereto. Further, the applicant shall file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges

Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. In accordance with the requirements of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity, the SWPPP shall specify both construction and post-construction pollution prevention measures. The SWPPP shall also address operation and maintenance of post-construction pollution prevention measures, including short-term and long-term funding sources and the party or parties that will be responsible for the implementation of said measures.

The existing storm drain system is adequate to serve the anticipated surface water drainage from the proposed project. The proposed project would result in impacts less than significant to hydrology.

#### **MITIGATION MEASURES**

Although no significant impacts to hydrology have been identified, the following design requirements will be implemented for the proposed project as conditions of approval by the City of Chula Vista to ensure optimal site drainage.

- The proposed project would direct surface water toward private catchments and curb inlets, which discharge to the existing public storm drain system. The applicant shall obtain approval from the City of Chula Vista for street vacations and/or any modifications to the public storm drain system in Spyglass Hill Road, Castle Pines Avenue, Glen Eagles Drive, and Turnberry Drive. Street vacations may include the reservation of easements for the public facilities located within these streets.

#### **ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in significant impacts to hydrology.

### **3.7 HAZARDOUS WASTE**

This section of the environmental analysis addresses specific issues related to potential impacts at the project site from contaminated soil identified on adjoining property. Previous site investigations and correspondence reviewed for preparation of this section include: 1) *Phase I Property Site Assessment for Otay Rio Business Park*, dated January 1993, prepared for City of Chula Vista by TorStan Incorporated; 2) *Letter Report Qualitative Visual and Limited Soil Sampling Assessment for Otay Rio Business Park (Potential New Location of Chula Vista Public Works Facility)*, dated June 25, 1993, prepared for City of Chula Vista by TorStan Incorporated; 3) Correspondence from the County of San Diego, Environmental Health Services, Site Assessment and Mitigation regarding Otay Rio Business Park, 1904 Otay Valley Road, dated April 21, 1993, addressed to City of Chula Vista. Copies of these reports and correspondence are available at the City of Chula Vista Planning Department.

#### **EXISTING CONDITIONS**

In January 1993, a Phase I Property Site Assessment was conducted for the adjoining property to the west of the project site (described as west portions of the Otay Rio Business Park) under consideration for purchase by the City of Chula Vista for the related Chula Vista Corporation Yard. The investigation included a visual reconnaissance of surface conditions, review of available aerial photographs, review of hazardous waste databases maintained by lead regulatory agencies, a summary of previous site investigations, and limited sampling of soil piles stockpiled on the northwest border of the project site.

The results of the investigation indicated that past activities have contributed to the presence of contaminated soil on portions of the Otay Rio Business Park, and the subsequent stockpiling of contaminated soils along the northwest border of the project site. During grading operations for the Otay Rio Business Park in 1989, discolored, odorous soil was encountered on a parcel of land adjacent to the project site.

Based on a site visit conducted in 1995, four stockpiled soil areas were observed on adjoining property to the west to the project site. The stockpiled soil was observed to have been overgrown with vegetation and utilized by off-road vehicles and motorcycles. All contaminated soils encountered in development of Phase I of the Otay Rio Business Park were removed. No known contaminated materials have been identified for the parcels at the project site.

## **IMPACTS**

The proposed project is limited to 72.5 acres developed with graded building pads and street improvements. The stockpiled soils are located on adjoining property directly to the west of Castle Pines Avenue. The stockpiled soils are not located on the project site.

The proposed project would result in the grading of an estimated 500,000 cubic yards of soil to a maximum depth of 25 feet to construct an earthen bowl for the amphitheater. Because there are not contaminated soils on the project site, the proposed project would not result in adverse impacts from hazardous waste.

## **MITIGATION MEASURES**

To ensure that no indirect impacts from offsite sources of contamination, no grading or staging activities would be allowed on any parcels identified as containing contaminated materials, unless the contaminated soils were appropriately remediated.

## **ANALYSIS OF SIGNIFICANCE**

Sources of hazardous waste have not been identified for the project site and no significant impacts would result from project implementation.

### **3.8 PUBLIC SERVICES AND FACILITIES**

This section addresses the potential impacts of the proposed project on existing public services and facilities including police protection, fire protection, water, and sewer.

#### **3.8.1 POLICE PROTECTION**

##### **EXISTING CONDITIONS**

Law enforcement services are provided by the Chula Vista Police Department which provides police protection and investigates crime-related activities in the project vicinity. The Chula Vista Police Department operates from a single station located at 276 Fourth Avenue in downtown Chula Vista. The project site is located within Beat 24, designated by the Chula Vista Police Department, and covers the southeast perimeter of the City of Chula Vista. The boundaries of Beat 24 include I-805 to the west, Telegraph Canyon Road to the north, and the city limits which form the east and south boundaries. Beat 24 is patrolled by one police car driven by one police officer.

The City of Chula Vista's Threshold Standards Policy requires that police units must respond to 84 percent of Priority 1 calls within 7.0 minutes or less and maintain an average response time to all Priority 1 calls of 4.5 minutes or less. Police units must respond to 62 percent of Priority 2 calls within 7.0 minutes or less and maintain an average response time to all Priority 2 calls of 7.0 minutes or less (City of Chula Vista Threshold Standards).

The project site is located in grid area 79, an area which is not regularly patrolled by the Chula Vista Police Department. Five grid police service areas located in the southeast portion of the City of Chula Vista were evaluated to determine the average response times for Priority 1 and 2 calls. Those grid areas were 57, 58, 67, 68, and 78. Based on the five grid area, the estimated response times for Priority 1 calls to the project site would be 5 minutes, 40 seconds



average response time. The estimated response time for Priority 2 calls to the project site would be 7 minutes, 54 seconds average response time. According to the Chula Vista Police Department, the estimated response times are above the recommended thresholds by 70 seconds for Priority 1 calls and 54 seconds for Priority 2 calls (Diosdado, M., Plan Review Recommendations, 1995).

## **IMPACTS**

Implementation of the proposed MCA Chula Vista Amphitheater would result in increased demand for law enforcement services. According to the Chula Vista Police Department, the proposed project would affect police services to the project site area and would affect the ability of the Police Department to maintain Threshold Standards for police protection.

The proposed amphitheater has a 20,000 person capacity with parking areas available for 6,000 vehicles. The project site has two streets (Otay Rio Road and Spyglass Hill Road) to provide vehicle ingress/egress from the amphitheater parking area. Spyglass Hill Road has been designated as a private road to provide access to the stagehouse areas of the amphitheater for performers, equipment, and employees. Otay Rio Road is proposed as the single public road to provide site access. Based on the amphitheater capacity and the nature of particular events which may occur at the amphitheater, the proposed project would increase demand for police protection services at the project site. The proposed project may result in adverse impacts on police emergency access and emergency evacuation of the amphitheater. Potential impacts on Transportation/Circulation are discussed in Section 3.2.

The operators of the MCA Chula Vista Amphitheater would prepare an Operations Plan for each event planned for the amphitheater. The Operations Plan would assess the proposed nature of the event, the estimated attendance based on ticket sales, and include consultation with a designated liaison with the Chula Vista Police Department prior to the event to evaluate the potential demands for law enforcement services. The Operations Plan will be required as a

condition of approval by the City of Chula Vista. The operators of the MCA Chula Vista Amphitheater would provide unarmed security guards onsite at amphitheater events and during the operating times of the open air market.

The Operations Plan implemented to provide advance planning and the use of unarmed security guards for each amphitheater event would reduce the adverse impacts on police protection provided by the Chula Vista Police Department. The implementation of the proposed project would result in potentially significant, but mitigable impacts to police protection.

### **MITIGATION MEASURES**

Although no significant impacts have been identified, the following measures will be required to ensure acceptable operation of the facility:

- Preparation and implementation of an Operations Plan for each event by the operators of the MCA Chula Vista Amphitheater to facilitate advanced planning to assess the estimated attendance and nature of each amphitheater event. The elements of the Operations Plan would be reviewed and approved by an appointed liaison for special events with the Chula Police Department, to assess the demands on police protection services and determine those personnel or actions to be implemented at each amphitheater event to reduce the demand and adverse impacts on police protection services.
- The operators of the MCA Chula Vista Amphitheater would provide unarmed security guards at each amphitheater event and during the operations of the open air market (Thursday through Sunday, 7 am to 4 pm) to provide onsite protection services based on the attendance and nature of the amphitheater event.

**ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in significant impacts to police protection services provided by the Chula Vista Police Department.

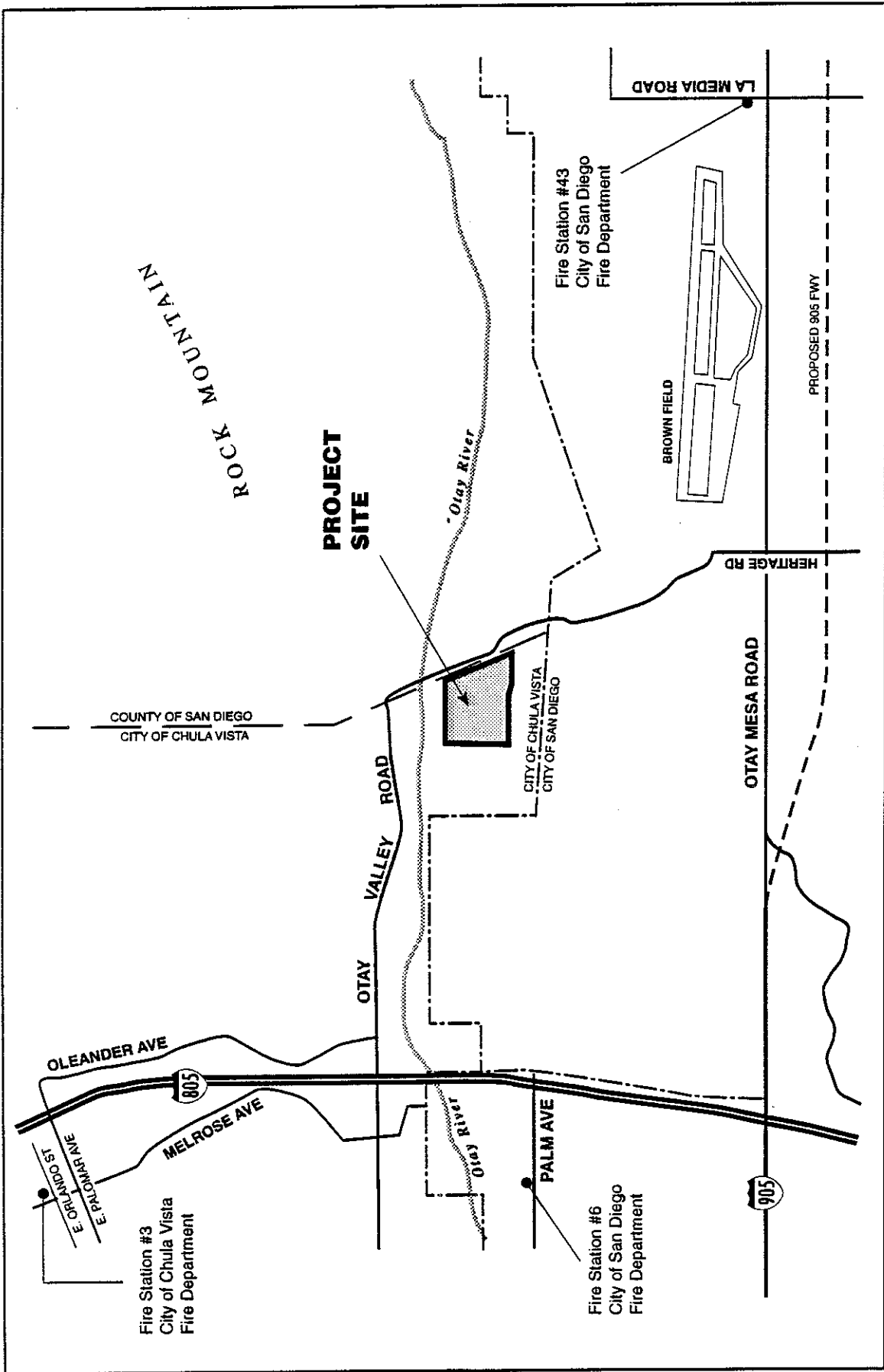
### **3.8.2 FIRE PROTECTION**

#### **EXISTING CONDITIONS**

The Chula Vista Fire Department provides fire protection for the project site and surrounding properties within the City of Chula Vista. Emergency fire response and emergency medical response (EMR) to the site is provided from Chula Vista Fire Station #3, located at 266 East Oneida, approximately 5.5 miles northwest of the project site (Figure 3.8.2-1). Additional fire response equipment is provided by Chula Vista Fire Station #1, located at 447 F Street in downtown Chula Vista. Fire equipment at Fire Station #1 includes a ladder truck engine.

The City of Chula Vista has an automatic aid agreement with the City of San Diego Fire Department to provide immediate fire and emergency response services. San Diego Fire Station #6 is located at Palm Avenue/Twining Avenue, approximately 3.5 miles west of the project site. San Diego Fire Station #43, located at 1590 La Media Road, approximately 3.5 miles southeast of the project site, near Brown Field is scheduled to open in July 1995. Fire equipment/vehicles at Fire Station #43 includes a ladder truck.

The City of Chula Vista Threshold/Standards Policy requires that fire and medical units must be able to respond to 85 percent of the calls within 7.0 minutes or less, and 75 percent of the calls within 5.0 minutes (Chula Vista Threshold/Standards Policy, Chula Vista Fire Department Master Plan). The estimated response time determined by the Chula Vista Fire Department for the project site is 12.0 minutes, approximately 5.0 minutes above the threshold standards.



**Fire Stations**

Figure 3.8.2-1



No Scale



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The project site is developed with existing street improvements and water utilities, including fire hydrant connectors. Water utilities at the site are provided by the Otay Water District, which confirmed that existing water utilities could provide a fire flow capacity of 5,000 gallons per minute (gpm) installed for the industrial businesses proposed for the Otay Rio Business Park. The water utilities include a 16-inch water line within Otay Rio Road and 12-inch water lines located within Castle Pines Avenue, Spyglass Hill Road, Glen Eagles Drive, and Turnberry Drive, which would provide adequate fire flow service and fire hydrant connectors to the project site.

## **IMPACTS**

The proposed project would result in the development of the site with a 20,000 person capacity amphitheater with outdoor permanent seating and lawn seating. The amphitheater structures would be limited to the main stage/stagehouse and one-story buildings for ticket sales, concessions, restrooms, first aid/medical station, and equipment storage. Fire response times in the project area exceed the recommended threshold standards for the City of Chula Vista from Fire Station #3. The City of Chula Vista has an automatic aid agreement with the San Diego Fire Department which includes San Diego Fire Stations #6 and #43 which are closer to the project site than Chula Vista Fire Station #3.

The proposed amphitheater would be constructed in the center of the project site. The proposed project includes the vacation and removal of street improvements, underground water mains, and fire hydrant connectors along Glen Eagles Drive and Turnberry Drive. The proposed project would require the relocation of water meters and fire hydrant connectors.

The proposed amphitheater has a 20,000 person capacity with parking areas available for 6,000 vehicles. The project site has two streets (Otay Rio Road and Spyglass Hill Road) to provide vehicle ingress/egress from the amphitheater parking area. Spyglass Hill Road has been designated as a private road to provide access to the stagehouse areas of the amphitheater for

performers, equipment, and employees. Based on the amphitheater capacity and the nature of particular events which may occur at the amphitheater, the proposed project would increase demand for fire protection and mobile emergency medical services at the project site. Access to the project site for emergency fire/medical vehicles would be provided by Otay Valley Road. Chula Vista Fire Station #3 and San Diego Fire Station #6 would access the site from the west via Otay Valley Road. San Diego Fire Station #43 would access the site from the southeast via Heritage Road/Otay Valley Road. The proposed project may result in adverse impacts on fire/medical emergency access and emergency evacuation of the amphitheater. Potential impacts on Transportation/Circulation are discussed in Section 3.2.

The proposed project would contribute to the existing response times and exceed recommended threshold standards. The City of Chula Vista is proposing to relocate Chula Vista Fire Station #3 to Orange Avenue/Oleander Avenue which would reduce the estimated response times. The utilization of the automatic aid between the City of Chula Vista/City of San Diego would also reduce the estimated response time. The relocation of Chula Vista Fire Station #3 closer to the project site, and the automatic aid agreement between the City of Chula Vista/City of San Diego would reduce the potential impacts to fire protection services to a less than significant level.

Project-specific requirements regarding the design specifications and the operations of the amphitheater would reduce the potential impacts to fire protection services to a less than significant level. The proposed amphitheater and all related buildings would be constructed according to the Uniform Fire Code of the City of Chula Vista Fire Department including the installation of an automatic fire sprinkler system, fire extinguishers, fixed fire suppression systems, and fire alarm system, as specified by the City of Chula Vista.

## **MITIGATION MEASURES**

Although no significant impacts have been identified, the following measures are required to ensure optimal fire safety:

- The water meters and fire hydrant connections would be relocated according to the engineering and construction standards of the City of Chula Vista and Otay Water District to maintain the existing capacity of 5,000 gpm for fire flow water demand to the proposed amphitheater.
- Preparation and implementation of an Operations Plan for each event by the operators of the MCA Chula Vista Amphitheater to facilitate advanced planning to assess the estimated attendance and nature of each amphitheater event. The elements of the Operations Plan would be reviewed and approved by an appointed liaison for special events with the Chula Vista Fire Department, to assess the demands on fire protection services and determine those personnel or actions to be implemented at each amphitheater event to reduce the demand and adverse impacts on fire protection services. Specific amphitheater events, including events accompanied by fireworks, would be assessed by the Fire Department to determine if standby fire personnel would be required.
- The proposed project would include a first aid/medical station to provide accessible first aid to amphitheater patrons. Based on the estimated attendance at amphitheater events, mobile emergency response personnel and ambulances would be provided at each amphitheater event to provide emergency medical or transport services. The amphitheater operators would prepare and implement an Operations Plan to include consultation with the Chula Vista Fire Department and local hospital representatives to facilitate advanced planning of mobile emergency fire/medical services.

## **ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in significant impacts to fire protection services provided by the Chula Vista Fire Department.



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### **3.8.3 WATER**

#### **EXISTING CONDITIONS**

San Diego is a semi-arid region with limited surface and groundwater supplies. The majority of the region's water supply (more than 90 percent) is imported; less than 10 percent of the region's water is provided from local sources. Imported water is provided to the Metropolitan Water District (MWD) from the Colorado River and the California Water Project (Feather River). The water is then made available for distribution to various agencies and water companies including the San Diego County Water Authority (CWA). The CWA has 24 local member agencies which store and distribute water, including the Otay Water District (OWD) which serves the proposed project area.

The Otay Water District (OWD) encompasses a 128-square mile area between the City of El Cajon and the International Border. The OWD's service area is bounded by I-805, the Otay River, the Lower Otay Reservoir, and Bonita. Water is provided to the area by the Second San Diego Aqueduct. The OWD does not own an open water reservoir.

The project site is developed for the Otay Rio Business Park which includes street improvements and utilities including water pipelines engineered to provide water demand capacities for the use of the project site for industrial facilities. The existing water pipelines include a 16-inch water pipeline in Otay Rio Road; and 12-inch water pipelines in Castle Pines Avenue, Spyglass Hill Road, Glen Eagles Drive, and Turnberry Drive. The water pipelines in the roads below the project site tie into a 16-inch main pipeline to the west of the intersection of Otay Rio Road and Castle Pines Avenue. The 16-inch main pipeline extends to the north, below the Otay River, to a main pipeline in Otay Valley Road. A secondary connection is provided to a 33-inch pipeline operated by the City of San Diego, located to the southwest of the intersection of Spyglass Hill Road and Castle Pines Avenue.

The demand for water at the Otay Rio Business Park was estimated to be 512,100 gallons per day for commercial, industrial, and residential uses (City of Chula Vista, Final EIR for Otay Rio Business Park, July 1987). The existing water utilities were engineered and installed to serve the industrial uses, domestic uses, landscape irrigation, and fire flow water demands of the Otay Rio Business Park. The existing OWD pipelines at the project site provide a water demand capacity of 5,000 gallons per minute (gpm), installed for the industrial land uses previously proposed for the Otay Rio Business Park. The demand for water for the proposed amphitheater would be less than the Otay Rio Business Park (Otay Water District, John Garcia April 24, 1995).

The City of Chula Vista's Threshold/Standards Policy requires that adequate storage, treatment, and transmission facilities are constructed concurrently with planned growth and that water quality standards are not jeopardized during growth and construction. The City of Chula Vista would require a service availability letter from the OWD prior to approval of the proposed project.

## **IMPACTS**

OWD estimated projections for water demand which indicate the proposed amphitheater use would require less water than the industrial uses previously designated for the project site (Otay Water District, John Garcia, April 24, 1995). The proposed project is estimated to require water for domestic uses and landscape irrigation, below the existing water capacity of 5,000 gpm. Existing OWD pipelines would provide water capacities to service the proposed amphitheater and lawn seating berms. Fire flow demands would be adequately served by the existing water capacity of 5,000 gpm (Chula Vista Fire Department, Captain Emmett Horsfall, April 11, 1995).

The proposed project would result in impacts less than significant to the OWD's ability to provide capacity water service to the project site and other properties within its service areas.

The proposed project requires the excavation of an earthen bowl for the amphitheater, which would require the abandonment and removal of the street improvements and water pipelines along Glen Eagles Drive and Turnberry Drive. The abandonment of these water pipelines would be conducted according to the specifications of the OWD. The OWD would require all necessary water system easements be conveyed to the OWD. The OWD would require approval of the water meters to serve the proposed amphitheater, related buildings, landscape systems, and fire flow systems including automatic fire sprinklers and fire hydrants. In addition, Castle Pines Avenue and Spyglass Hill Road are proposed to be conveyed as private roads; the OWD would require dedication of water easements for the existing water pipelines. Street vacations required for the proposed project would not impact the 16-inch main pipeline in Otay Rio Road or the 16-inch main and connection with the 33-inch City of San Diego pipeline.

The proposed project would result in impacts less than significant to water utilities provided by the OWD in the City of Chula Vista.

#### **MITIGATION MEASURES**

The proposed project would not result in significant impacts to water utilities. No mitigation measures are required.

#### **ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in a significant impact to water utilities and service.

### **3.8.4 SEWER**

#### **EXISTING CONDITIONS**

The project site is developed with street improvements and utilities including sewer lines in public streets (Otay Rio Road, Castle Pines Avenue, Spyglass Hill Road, Glen Eagles Drive, and Turnberry Drive). The sewer line capacities were engineered to provide water demand capacities for the use of the project site for industrial facilities. The industrial, commercial, and residential uses for the Otay Rio Business Park were estimated to generate 402,240 gallons per day (City of Chula Vista, Final EIR for Otay Rio Business Park, July 1987). Existing sewer lines within public streets discharge to a 27-inch trunk sewer line owned by the City of San Diego and the Otay International Center. The 27-inch trunk sewer line is located along the north boundary of the Otay Rio Business Park.

The City of Chula Vista and the City of San Diego have entered into a Sewage Transportation Agreement which grants the City of Chula Vista the right to discharge sewage from the Otay Rio Subdivision to the City of San Diego's 27-inch trunk sewer line at two metered locations. One of these locations is at the northwest corner of the project site and would serve the amphitheater and all or part of the fifty acre parcel to the west of the amphitheater site. The applicant shall pay all costs associated with the construction and ongoing maintenance of the sewage metering station serving the amphitheater project. Further, the applicant shall pay any and all fees established by the City of Chula Vista to cover the cost of sewage transportation charged by the City of San Diego for maintenance and operation of its 27-inch trunk sewer line. Fees shall be based upon the applicant's contribution to the total sewage flow to the 27-inch trunk sewer line from parcels within the City of Chula Vista's jurisdiction.

## **IMPACTS**

The proposed project is estimated to generate 100,000 gallons per day based on the maximum sewage generation rate (377 equivalent dwelling units) for theater facilities according to State of California guidelines (City of Chula Vista, Engineering Review, Roger Daoust, March 28, 1995). Therefore, the proposed amphitheater would generate less sewage than the previously designated uses of the project site for the Otay Rio Business Park which was estimated to generate 249,100 gallons per day. The existing sewer lines located on the project site and downstream are adequate to serve the proposed project. The proposed project would not exceed the existing sewer line capacity approved previously for industrial land uses at the Otay Rio Business Park.

The proposed project would not result in significant impacts to sewer utilities provided by the City of Chula Vista.

## **MITIGATION MEASURES**

The proposed project would not result in significant impacts to sewer utilities. No mitigation measures are required.

## **ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in significant impacts to sewer utilities and service.

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### **3.9 VISUAL QUALITY**

#### **EXISTING CONDITIONS**

##### **Landforms**

###### **General Area**

The project site lies within the Otay River Valley directly south of the Otay River and west of Otay Valley Road. The project site is bounded on the north by the Otay River floodplain which extends east to west through the Otay River Valley. The Otay River Valley begins at the Otay Reservoir to the east and continues west towards Interstate 805. The Otay River Valley slopes up from the river drainage creating steep hills and slopes along the north and south sides. The steep slopes along the south side of the Otay River Valley slope up to Otay Mesa.

###### **Project Site**

The project site encompasses 72.5 acres previously developed for the Otay Rio Business Park with graded building pads, street and lighting improvements, utilities, monument signs, and landscaped entrances. The site topography consists of terraced building pads descending from the south to the north; site elevations range from 140 to 160 feet mean sea level (msl). No buildings have been constructed onsite. Landscaped entrances and monument signs for the Otay Rio Business Park border Otay Valley Road to the east. Lands east and west of the project site continue at similar elevations through the Otay River Valley. Adjoining lands slope down to the Otay River to the north with elevations ranging from 100 to 120 msl at the bottom of the river floodplain. Lands further to the north include Otay Valley Road and slope steeply up to the north towards the Otay Landfill. Adjoining lands to the south slope up toward steep slopes rising to Otay Mesa with elevations ranging from 180 to 400 feet msl.



**Aesthetics**

**Viewsheds**

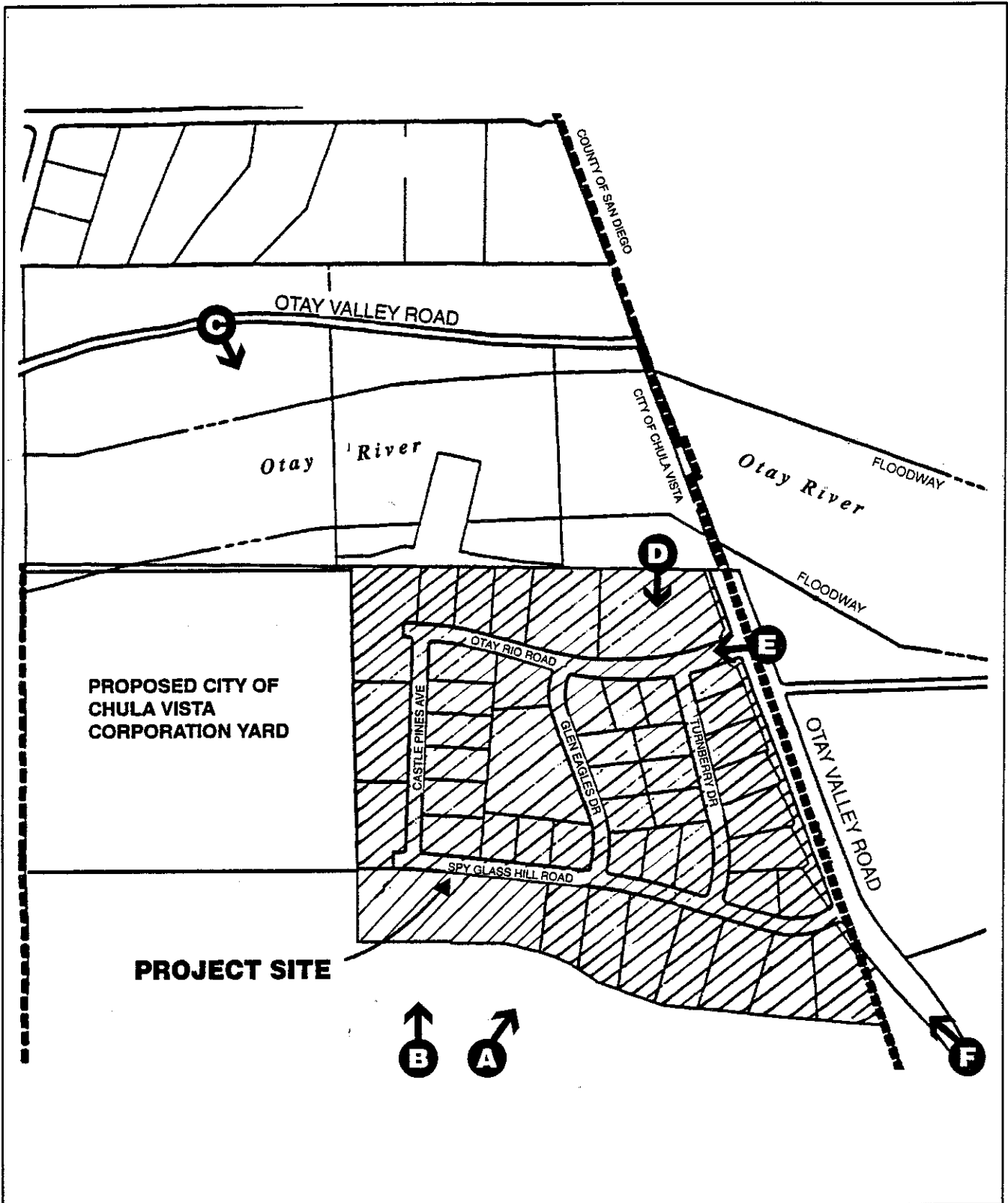
The project site is located along the south side of the Otay River. Viewsheds through the Otay River Valley are expansive east-west through the valley towards mountains to the east and I-805 to the west. The Otay River Valley width is narrow and views north-south from the valley are limited to steep slopes and canyons. Views to the north include industrial facilities and auto wrecking/recycling operations. Views further to the north include the graded slope cuts of the Otay Landfill. Views directly west of the project site include undeveloped grassland and riparian vegetation bordering the Otay River. Views further to the west include commercial and industrial facilities along Otay Valley Road and I-805. Views to the east include a rock crushing operation and the Otay River Valley. Views to the south are steep slopes and canyons rising to Otay Mesa. Electric lines and numerous unpaved roads/trails scar the steep slopes which rise directly south of the project site.

Views to the project site are limited to users of Otay Valley Road, industrial/commercial facilities located north of the project site, and residential uses further north and west. Views through the Otay River Valley are partially blocked by riparian vegetation/trees or landforms. Views east to the project site include eastbound users of Otay Valley Road beginning at the I-805. Northbound users descending into the river valley from Otay Valley Road encounter limited views to the northeast of the project site. The industrial/commercial facilities located along the north slopes of the Otay River Valley have views which include the project site and south slopes of the river valley. No facilities, residences, or public roads are located presently on the south slopes of the river valley or Otay Mesa. Views from the slopes and canyons directly south and southwest of the project site extend above and across the river valley to the north slopes which include the industrial facilities, auto wrecking facilities, and Otay Landfill located on the north slopes. Views of the project site are restricted to users standing on the edge of steep slopes directly above the project site.

Viewsheds to the project site are depicted in photographs taken from surrounding properties. Photograph locations are indicated on Figure 3.9-1. Site Photographs - Views A and B (Figure 3.9-2) depict views north towards the project site from the edge of the steep slope located directly south. No facilities, residences, or public roads are located presently above the project site. Views to the project site include graded building pads, streets, and landscaped embankments. The undeveloped land adjacent to the project site is the proposed location for the City of Chula Vista Corporation Yard. Vegetation along the Otay River floodplain is visible directly north of the project site. Otay Valley Road is visible to the north of the Otay River. Industrial and auto wrecking/recycling operations are visible further to the north along the slopes. Further to the north, large graded cuts and seeded slopes of the Otay Landfill are visible along the entire north ridge of the mesa.

Site Photographs - View C (Figure 3.9-3) depicts views southeast towards the project site from the eastbound lane of Otay Valley Road. Views include Otay River Valley and southern slopes. Views to the project site are shielded by riparian vegetation and landforms along those segments of Otay Valley Road closest to the project site, including views from the bridge which crosses the Otay River. Views from Otay Valley Road expand to mountains visible through the east end of the Otay River valley.

Site Photographs - View D (Figure 3.9-3) depicts a view south across the project site from its north border. Site Photographs - View E (Figure 3.9-4) depicts a view west toward the project site from Otay Valley Road. The view is restricted to the landscaped embankments and monument signs along the east border of the site. Steep slopes are visible further to the southwest. Site Photographs - View F (Figure 3.9-4) depicts the view northwest toward the project site from the northbound lane of Otay Valley Road as it descends into the Otay River Valley. Most views of the site from segments of Otay Valley Road located to the southeast are blocked by landforms.



**Photograph Locations**

Figure 3.9-1

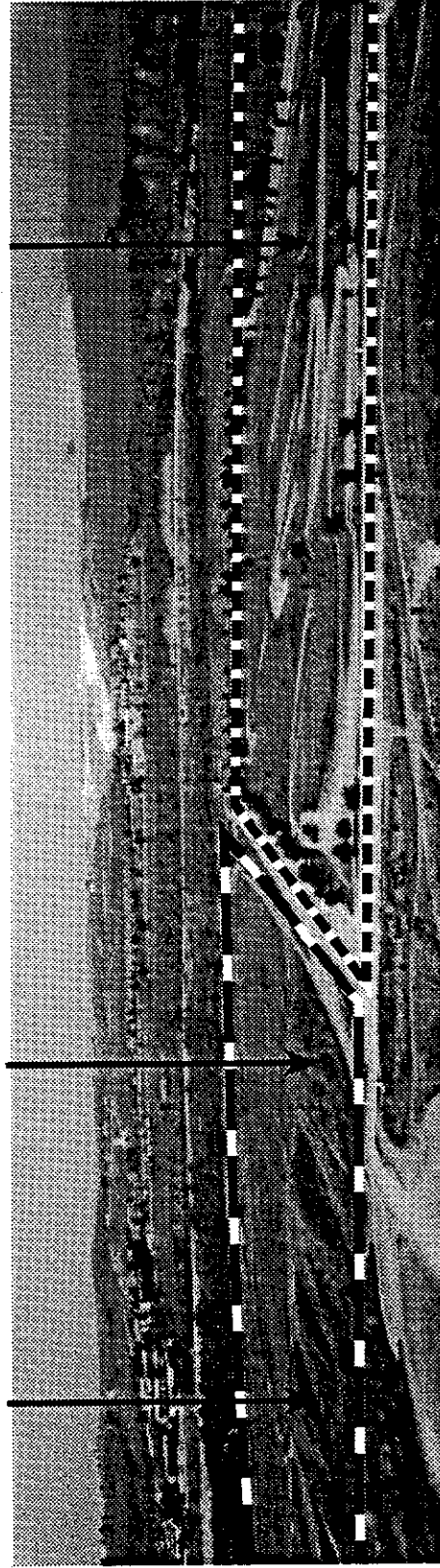
Proposed MCA Chula Vista Amphitheater



**VIEW A:** View north towards project site.

Proposed City of Chula Vista Corporation Yard

Proposed Amphitheater



**VIEW B:** Views north towards project site.



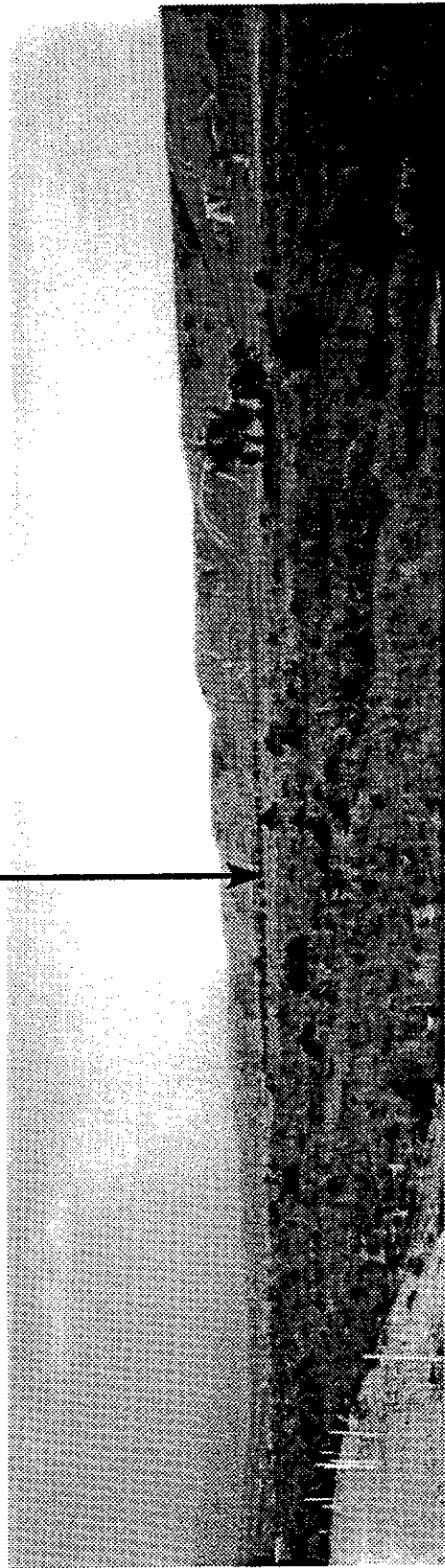
TETRA TECH INC.

Photograph Date: 1995

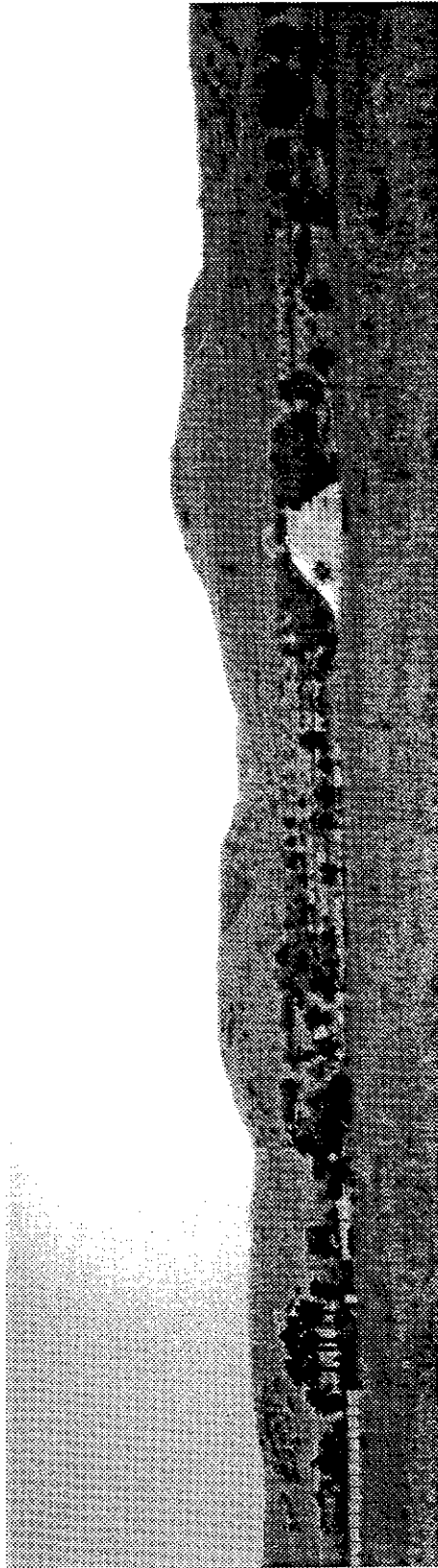
**Site Photographs - Views A and B**

**Figure 3.9-2**

Proposed Amphitheater



**VIEW C:** View southeast toward project site from Otay Valley Road.



**VIEW D:** Views south across project site.

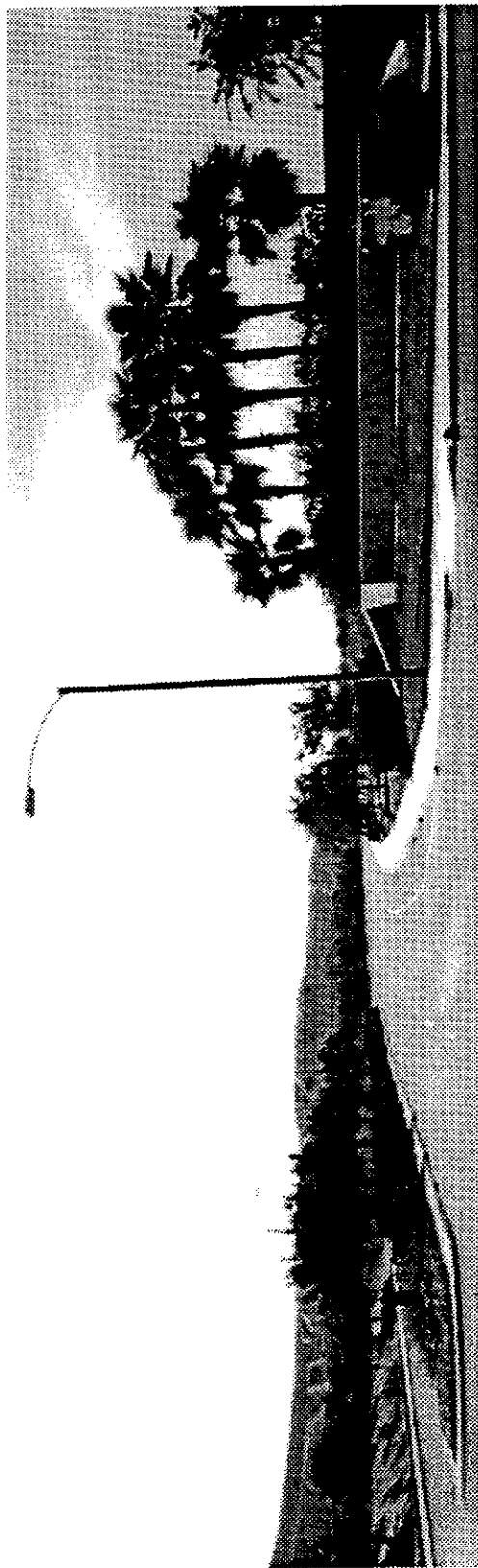


TETRA TECH INC.

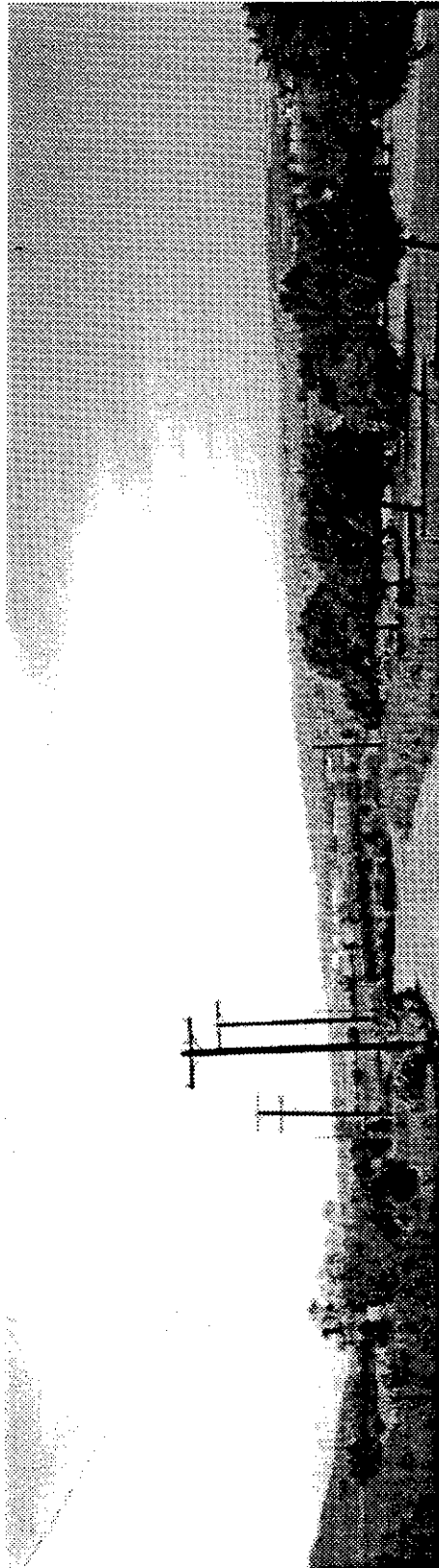
Photograph Date: 1995

**Site Photographs - Views C and D**

Figure 3.9-3



**VIEW E:** View west toward project site from Otay Valley Road.



**VIEW F:** Views northwest toward project site from Otay Valley Road.



TETRA TECH INC.

Photograph Date: 1995

**Site Photographs - Views E and F**

Figure 3.9-4

### **Lighting/Glare**

The project site does not include structures but presently includes street improvements with light fixtures. The project site is surrounded by varied land uses which emit minimal lighting and glare.

### **IMPACTS**

#### **Landform Alterations**

The terrain of the Otay River Valley has been altered by the terraced building pads and landscaped embankments graded for the Otay Rio Business Park. The proposed project would include the excavation of an earthen bowl to develop an outdoor amphitheater with landscaped berms. To create the earthen bowl, approximately 500,000 cubic yards of earth will be excavated and 500,000 cubic yards of fill will be placed with a maximum depth of cut of 25 feet (average depth of cut 8 feet), and a maximum depth of fill of 50 feet (average depth of fill 8 feet). The landform alteration will result in a seating berm of 50 feet above grade created in the north portion of the site, sloping down to the stage which will be located approximately 20 feet below existing grade. The main stage and stagehouse structure will be located at the south side of the amphitheater, with the audience seating berms facing southwest towards the stage. The stagehouse structure will be located 20 feet below surface grade, with a maximum height of structures of 85 feet. This will result in a structure extending 60 feet above surface grade.

The amphitheater bowl and seating berm would be developed in the center portion of the project site. No natural slopes or hillsides would be disturbed by the excavation of the earthen bowl. No natural or undisturbed slopes of the Otay River Valley would be graded or cut for the proposed project. Landform alterations for the amphitheater would not be considered a significant impact to visual quality.

## **Aesthetics**

### **Views**

Exterior views of the amphitheater would include the 50 foot seating berm which would be landscaped with trees and grass. A stagehouse structure would be visible extending 60 feet above surface grade. Views from Otay Valley Road and industrial facilities to the north would extend across the Otay River to the landscaped berm and stagehouse structure. Views of permanent one-story amphitheater structures including ticket sales, concessions, restrooms, and first aid/medical station would be shielded by portions of the landscaped berm. The landscaped berm and stagehouse structure would not block or inhibit expansive views east and west through the Otay River Valley. The landscaped seating berm and stagehouse structure would not block or inhibit views from the north and south slopes of the Otay River Valley towards opposite slopes as the amphitheater would be located at a lower elevation. Views from the slopes of Otay Mesa towards the amphitheater and stagehouse structure would be restricted to individuals standing on the steep slopes directly to the south of the project site. Because the proposed project would not result in the obstruction of a scenic vista or view open to the public, anticipated impacts to aesthetics would not be significant.

### **Lighting/Glare**

The proposed project would result in the introduction of lighting and short-term glare related to concert events at the MCA Chula Vista Amphitheater. Permanent lighting sources will be located in the amphitheater, entry plazas, and parking areas. Stage lighting and temporary lighting related to concert events would produce additional lighting and short-term glare at the project site which would illuminate surrounding properties.

The MCA Chula Vista Amphitheater would utilize design features and light shields to prevent excess lighting and glare from the top and sides of lighting fixtures. Stage lighting would be



directed south towards the central stage, away from the Otay River and Otay Valley Road to the north. All lighting for public access and parking areas would utilize shields and direct lighting internally towards the project site. Concert events and other uses occurring at the MCA Chula Vista Amphitheater would be short-term in duration during evening hours (3-4 hours) and would be intermittent (35-60 days per year). The MCA Chula Vista Amphitheater would not result in frequent displays of artificial lighting and glare. The slopes of the Otay River Valley would prevent direct lighting and glare from the amphitheater from extending north and south onto mesa tops, including Otay Mesa to the south. Based on the project implementation of lighting shields and directed lighting, artificial lighting and glare impacts would be restricted to south portions of the Otay River Valley and would not extend onto the mesa tops.

#### **MITIGATION MEASURES**

No significant impacts associated with visual quality were identified from the proposed project, therefore no mitigation is required under CEQA.

#### **ANALYSIS OF SIGNIFICANCE**

The proposed project would not result in significant impacts to visual quality at the project site or to surrounding land uses.

### **3.10 EFFECTS NOT FOUND TO BE SIGNIFICANT**

Based on a review of the Final EIR prepared for the Otay Rio Business Park (Keller Environmental Associates, *Final EIR - Otay Rio Business Park*, June 24, 1987), the Initial Study (City of Chula Vista, *Notice of Preparation/Initial Study*, March 22, 1995), and the City of Chula Vista environmental data base (i.e. relevant background studies, previous environmental documentation, staff input), it has been concluded that no substantial evidence exists which indicates the potential for significant environmental impacts associated with the following issues: geology and cultural resources. This section provides a brief discussion of each of these issues.

#### **3.10.1 GEOLOGY**

The potential geologic impacts of developing the project site were previously considered in the Otay Rio Business Park EIR. Redevelopment of the project site with the proposed MCA Chula Vista Amphitheater, rather than the buildings and facilities for an industrial - limited manufacturing and research business park, would result in the same, or less than the level of impacts that were previously considered. Subsequent to the preparation of the Final EIR for the Otay Rio Business Park, the project site has been developed with graded level building pads, public street improvements, and landscaped entrances/embankments. No industrial buildings or facilities have been constructed at the project site.

A geotechnical investigation was performed by Geocon Incorporated (1984) for the Otay Rio Business Park which encompassed 210 acres, including the 72.5 acres of the project site. Subsequent to the EIR, Geocon Incorporated prepared a report titled *Geotechnical Investigation for the Otay Rio Business Park* dated August 1987. The following presents a brief summary of the findings of the Geocon report.

The findings of the geotechnical analysis prepared for the Otay Rio Business Park indicate that the proposed project would not result in significant geological impacts. The site is underlain by

the Cenozoic Sweetwater Formation and by late Quaternary surficial deposits consisting of river terrace deposits, lagoonal sediments, alluvium, colluvium, landslide debris including debris flow materials, and undocumented fill (Geocon, *Geotechnical Investigation*, August 14, 1987). Groundwater associated with the Otay River Valley and perched groundwater conditions were encountered in borings excavated as part of the geotechnical study.

The geotechnical investigation concluded that the site was not located on any known fault traces, and no major landslides or other unstable geologic conditions were identified on the property. The closest mapped fault zone is the La Nacion Fault zone located approximately 1.5 miles to the west, which is considered to be potentially active by the California Division of Mines and Geology. The nearest known active faults are the Elsinore and San Miguel Fault zones which lie approximately 33 miles to the northeast and 24 miles to the south, respectively. The seismic risk at the project site was not considered to be significantly greater than that of the surrounding developments in the Otay Valley area. Based on the relatively high density of soils prevailing at the site, and the lack of a high groundwater table (in 1987), the risk for seismically induced liquefaction was identified as low. No geologic impacts for the project site would occur with the proposed project.

The City of Chula Vista will require preparation of site/project-specific geotechnical studies for the proposed amphitheater, and grading plans for the excavation of an earthen bowl and bermed areas, as conditions of approval for the Conditional Use Permit. Prior to final design and construction at the site, a site- and project-specific geotechnical investigation will be conducted by a geotechnical consultant. This study will address any adverse geotechnical conditions (including soil suitability, erosion, and subsidence), and provide specific recommendations to mitigate these conditions, if any. Mitigation measures would likely include remedial grading and the placement of drains to control groundwater conditions.

**3.10.2 CULTURAL RESOURCES**

Information contained in this section is summarized from the *Final Environmental Impact Report, Otay Rio Business Park* (Keller Environmental Associates, June 1987) available for review at the City of Chula Vista. Previous analysis conducted for the project site addressed potential archaeological resources, historical resources, and paleontological resources. No significant impacts to archaeological resources or historical resources were identified. Potential significant impacts to paleontological resources were assessed and determined to be reduced to a level less than significant by implementing mitigation measures. The project site was developed as the Otay Rio Business Park which presently includes graded building pads, landscape entrances and embankments, street improvements, and utilities. No undisturbed areas or historic structures presently exist at the project site. Therefore, no significant impacts to cultural resources are anticipated from the development of the proposed project.

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#### 4.0 ALTERNATIVES

The California Environmental Quality Act (CEQA) requires that an EIR contain discussions of reasonable project alternatives, including a "no project" alternative. This discussion will focus on alternatives "capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance" [CEQA: Section 15126 (d)(3)].

Court decisions have ruled that EIRs must evaluate alternative sites for a project, in addition to project alternatives located upon the same site. However, in the recent *Goleta Valley vs. Board of Supervisors of County of Santa Barbara* [1990:35], it was noted that CEQA "....does not require in-depth review of alternatives which cannot be realistically considered and successfully accomplished...". Alternatives are required that may be accomplished given the technological, environmental, and economic constraints of the proposed project.

The City of Chula Vista has determined that three amphitheater project sites, including the MCA Chula Vista Amphitheater, are undergoing consideration for development in the County of San Diego. Six alternatives to the proposed project are evaluated in this section. In accordance with CEQA, the No Project/No Development Alternative is analyzed (Section 4.1). The Designated Use Alternative (4.2) and the Environmentally Preferable Alternative - Reduced Capacity Amphitheater (4.3) are presented in an effort to determine if these alternatives would eliminate or reduce significant impacts associated with the proposed project to below a level of significance. Also the following alternative sites are evaluated: Alternative Site - Chula Vista Bayfront Amphitheater (4.4), Alternative Site - Poway Amphitheater (4.5), and Alternative Site - Otay Ranch (4.6). These alternative sites were identified by the City of Chula Vista and present a reasonable range of project alternatives, as required by CEQA.

The alternatives analysis includes a brief environmental assessment for each of the nine issues addressed in the body of this EIR. This analysis is limited in scope and is intended to provide a brief comparison of impacts associated with the project. For a detailed description of impacts and mitigation under the proposed project, refer to Section 3.0, Environmental Analysis.

**TABLE 4-1  
COMPARISON OF PROPOSED PROJECT AND ALTERNATIVES**

IMPACTS Will Project Result in	PROPOSED PROJECT	NO PROJECT/ NO DEVELOPMENT	DESIGNATED USE	REDUCED CAPACITY AMPHITHEATER	CHULA VISTA BAYFRONT AMPHITHEATER	POWAY AMPHITHEATER	OTAY RANCH AMPHITHEATER
<b>LAND USE</b>							
Potential Significant Impacts?	No	No	No	No	Yes	Yes	Yes
Mitigation Required?	No	No	No	No	Yes	Yes	Yes
Impacts After Mitigation	n/a	n/a	n/a	n/a	Less than significant.	Less than significant.	Less than significant.
<b>TRANSPORTATION/ CIRCULATION</b>							
Potential Significant Impacts?	Yes	No	Yes	Yes	Yes	Yes	Yes
Mitigation Required?	Yes	No	Yes	Yes	Yes	Yes	Yes
Impacts After Mitigation	Less than significant.	n/a	Less than significant.	Less than significant.	Less than significant.	Less than significant.	Less than significant.
<b>NOISE</b>							
Potential Significant Impacts?	Yes	No	Yes	Yes	Yes	Yes	Yes
Mitigation Required?	Yes	No	No	Yes	Yes	Yes	Yes
Impacts After Mitigation	Less than significant.	n/a	Less than significant.	Less than significant.	Significant. Not Fully Mitigable.	Significant. Not Fully Mitigable.	Significant. Not Fully Mitigable.
<b>AIR QUALITY</b>							
Potential Significant Impacts?	Yes	No	Yes	Yes	Yes	Yes	Yes
Mitigation Required?	Yes	No	Yes	Yes	Yes	Yes	Yes
Impacts After Mitigation	Significant. Not Fully Mitigable.	n/a	Significant Not Fully Mitigable.	Significant, Not Fully Mitigable.	Significant, Not Fully Mitigable.	Significant, Not Fully Mitigable.	Significant, Not Fully Mitigable.
<b>BIOLOGY</b>							
Potential Significant Impacts?	No.	No	No	No	Yes	Yes	Yes
Mitigation Required?	No.	No	No	No	Yes	Yes	Yes
Impacts After Mitigation	n/a	n/a	n/a	n/a	Less than significant.	Less than significant.	Less than significant.

n/a - No Mitigation Applied.

**TABLE 4-1  
COMPARISON OF PROPOSED PROJECT AND ALTERNATIVES**

<b>IMPACTS Will Project Result in</b>	<b>PROPOSED PROJECT</b>	<b>NO PROJECT/ NO DEVELOPMENT</b>	<b>DESIGNATED USE</b>	<b>REDUCED CAPACITY AMPHITHEATER</b>	<b>CHULA VISTA BAYFRONT AMPHITHEATER</b>	<b>POWAY AMPHITHEATER</b>	<b>OTAY RANCH AMPHITHEATER</b>
<b>HYDROLOGY</b>							
Potential Significant Impacts?	No.	No	No	No	Yes	Yes	Yes
Mitigation Required?	No.	No	No	No	Yes	Yes	Yes
Impacts After Mitigation	n/a	n/a	n/a	n/a	Less than significant.	Less than significant.	Less than significant.
<b>HAZARDOUS WASTE</b>							
Potential Significant Impacts?	No	No	No	No	No	No	No
Mitigation Required?	No	No	No	No	No	No	No
Impacts After Mitigation	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>PUBLIC SERVICES AND FACILITIES</b>							
Potential Significant Impacts?	No	No	No	No	Yes	Yes	Yes
Mitigation Required?	No	No	No	No	Yes	Yes	Yes
Impacts After Mitigation	n/a	n/a	n/a	n/a	Less than significant.	Less than significant.	Less than significant.
<b>VISUAL QUALITY</b>							
Potential Significant Impacts?	No	No	No	No	Yes	Yes	Yes
Mitigation Required?	No	No	No	No	Yes	Yes	Yes
Impacts After Mitigation	n/a	n/a	n/a	n/a	Less than significant.	Less than significant.	Less than significant.

n/a - No Mitigation Applied.



#### **4.1 NO PROJECT/NO DEVELOPMENT**

According to CEQA Section 15126(d)(2), the No Project/No Development alternative shall be evaluated along with the proposed project. Under the No Project/No Development alternative, the project site would remain unutilized with existing site improvements remaining in an unused state which presently includes graded building pads, street improvements (electric, sewer, water), landscaped embankments/entrances, and monument signs. The No Project/No Development alternative would prevent significant impacts to land use, biological resources, hydrology, hazardous waste, and visual quality from occurring. Under this alternative, operational impacts to transportation/circulation, noise, and air quality and increased demand on public service/facilities would not occur.

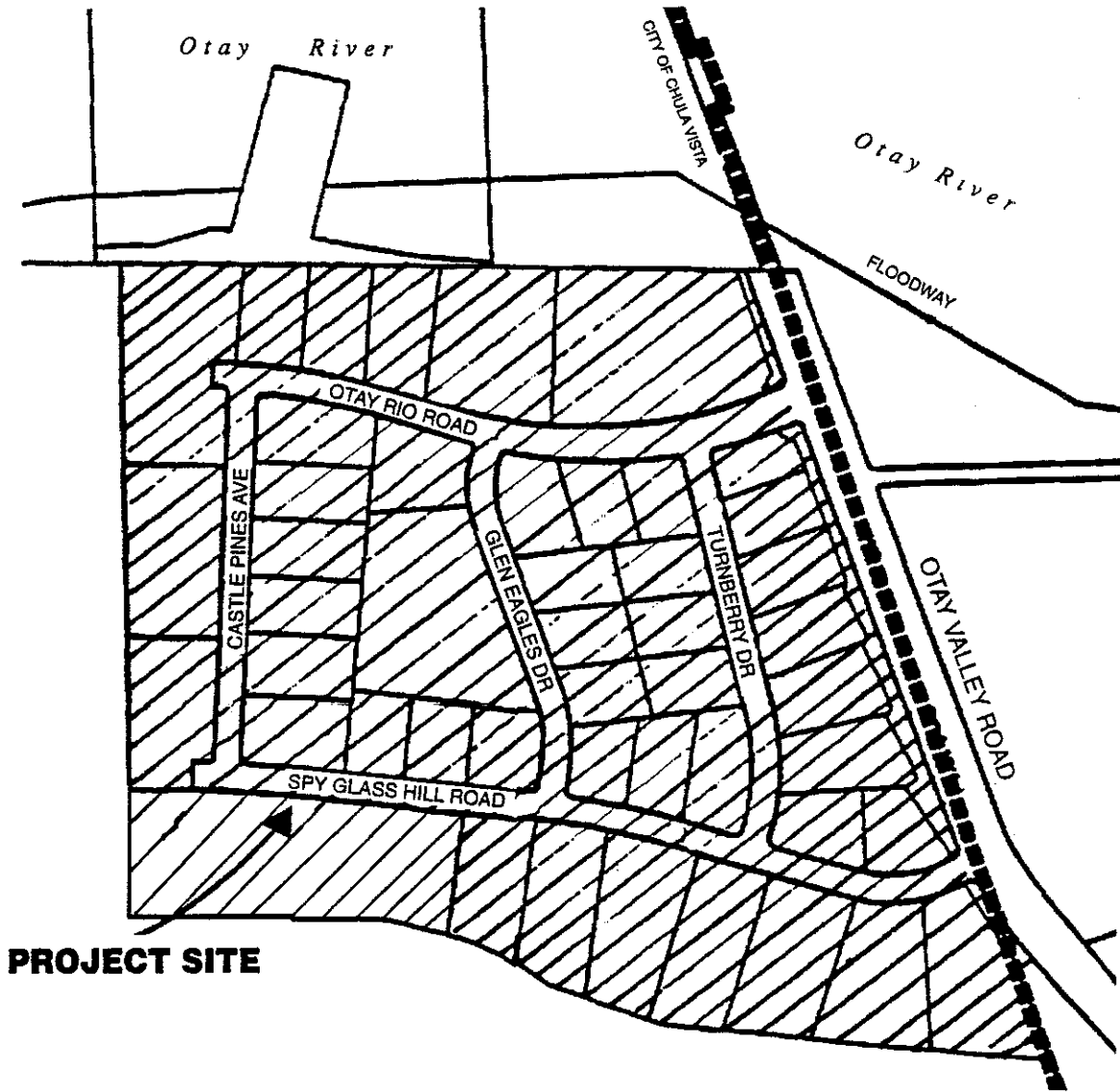
The No Project/No Development alternative would not result in new significant impacts at the project site. However, the No Project/No Development alternative is considered infeasible as the project site has been designated and zoned by the City of Chula Vista for development with Industrial - Limited Manufacturing and Research land uses and has been partially improved for that use, thereby reducing the site's utility as open space. This alternative does not meet the objectives of the proposed project.

#### **4.2 DESIGNATED USE ALTERNATIVE**

The Designated Use alternative assumes that the project site would be utilized for the Otay Rio Business Park in accordance with the designated use for Industrial - Limited Manufacturing and Research land uses (Figure 4.2-1). The project site presently is developed with graded building pads, street improvements, utilities, and landscaped embankments/entrances. The Designated Use alternative assumes that industrial facilities utilized for manufacturing and research land uses would be constructed on the 72.5 acres presently developed as Phase I of the Otay Rio Business Park. Buildout under the existing land use designations would utilize all 72.5 acres at the project site. A complete analysis of impacts associated with this alternative is contained in the

# Otay Rio Business Park

Zoning: Industrial - Research and Limited Manufacturing



Source: City of Chula Vista Planning Department



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No Scale

Alternative Project-  
Designated Land Use

Figure 4.2-1

*Final EIR - Otay Rio Business Park*, available for review at the City of Chula Vista, Planning Department.

### **Land Use**

This alternative would avoid land use impacts identified for the proposed project. The complete development of the Otay Rio Business Park would be consistent with existing land use designations and zoning for Industrial - Limited Manufacturing and Research land uses. No issues related to compatibility with surrounding land uses are anticipated.

### **Transportation/Circulation**

This alternative is anticipated to result in greater impacts than the proposed project. Traffic generated from industrial and manufacturing facilities would occur every day. Trips generated from the Industrial - Limited Manufacturing and Research land uses would occur during peak hours, as opposed to the off-peak hour trips generated from the proposed project. Additionally, project trips associated with full capacity events occurring at the MCA Chula Vista Amphitheater would not occur frequently, estimated from four to six times annually.

### **Noise**

This alternative would result in increased noise from industrial and manufacturing facilities occurring daily. In addition, increased traffic levels occurring on a daily basis would contribute to noise levels on streets and adjacent to the proposed project, including Otay Valley Road. This alternative would not result in noise associated with concert events which would occur at the MCA Chula Vista Amphitheater. Overall, this alternative would result in greater traffic-related noise impacts but would eliminate concert noise from the proposed project.

**Air Quality**

Development of the site under this alternative would result in significant impacts to air quality. The Otay Rio Business Park would generate emissions from industrial and manufacturing land uses related to continuous, daily activities after buildout of the Otay Rio Business Park with industrial facilities. This alternative would generate significant emissions from employee vehicle trips, and potential stationary emissions associated with industrial and manufacturing operations. Vehicle trips averaged over the course of a year based on yearly attendance at the MCA Chula Vista Amphitheater would be similar. The overall vehicle miles traveled for this alternative may be less than the proposed project, as the majority of trips to the project site would be employee-generated. It is assumed that employees of the Otay Rio Business Park would be located closer to the project site, as compared to patrons of the MCA Chula Vista Amphitheater and open air market which would draw from a regional county-wide population. Overall, impacts to air quality under this alternative would be similar to or greater than the proposed project.

**Biology**

Development of the project site would have similar biological impacts to the proposed project. This alternative would create potential indirect noise impacts and human activity/encroachment. However, the proposed project would create greater indirect impacts of noise and lighting/glare in the evening hours.

**Hydrology**

Development of the project site would have similar or greater impacts to hydrology than the proposed project because the quantity of impervious surfaces under this alternative would be greater than for the proposed project.

**Hazardous Waste**

No significant impacts to hazardous wastes are associated with the project site under any development scenario.

**Public Services and Facilities**

Development of the project site under this alternative would have similar or lesser impacts to public services and facilities than the proposed project. Water and sewer utilities presently exist at the project site. This alternative would require police and fire protection services. The demand placed on police and fire services would be different than the anticipated demand for the MCA Chula Vista Amphitheater and would occur at different times of the day. Overall, impacts to public services and facilities would be similar to or less than the proposed project.

**Visual Quality**

This alternative would avoid landform alterations as the project site has been developed with terraced building pads. Impacts related to visual quality of views would be of a different nature but similar in overall effect as this alternative would require the development of industrial and manufacturing facilities. This alternative would avoid impacts related to lighting and glare as the Otay Rio Business Park would be utilized primarily during the day. The proposed project would produce lighting and glare related to concert uses at the MCA Chula Vista Amphitheater. Overall, impacts to visual quality would not be significantly reduced by this alternative.

#### **4.3 REDUCED CAPACITY AMPHITHEATER**

This alternative assumes that the project site would be developed with a smaller amphitheater with an estimated seating capacity of 10,000 seats. The open air market operations (4 days per week) would remain unchanged under this alternative.

##### **Land Use**

The reduced capacity alternative would not avoid or reduce impacts associated with land uses and zoning. This alternative would require approval of the conditional use permit by the City of Chula Vista

##### **Transportation/Circulation**

This alternative would reduce the amount of traffic generated from the proposed project related to concert events at the MCA Chula Vista Amphitheater. Full capacity events of 10,000 would result in the generation of approximately 6,285 average daily traffic (ADT). This alternative would reduce traffic impacts by half as compared to the proposed project. This alternative would require similar traffic control plans, however road improvements for the proposed project may not be required.

##### **Noise**

This alternative would result in similar noise impacts of the proposed project associated with some concert events at the MCA Chula Vista Amphitheater. However, it is likely that a reduced size amphitheater would not attract the more popular acts that typically result in the greatest noise impact. Therefore, it can be assumed that noise levels would be decreased under this alternative.

**Air Quality**

This alternative would result in reduced impacts to air quality as compared to the proposed project. A reduced capacity amphitheater would reduce average daily trips generated, which would result in consequent reduction in air pollutant generation. The overall air quality impact under this alternative, however, is still anticipated to be above a level of significance.

**Biology**

This alternative would result in similar biological impacts as the proposed project. This alternative would create potential indirect impacts of noise, lighting/glare, and human activity/encroachment. The same mitigation measures would be required for this alternative (light shields, orientation of lights, security perimeter fence, etc.).

**Hydrology**

This alternative would have similar impacts to hydrology as the proposed project because the overall use and layout of structures and improvements would be the same.

**Hazardous Waste**

Neither the proposed project nor this alternative would have significant impacts to hazardous wastes at the proposed project.

**Public Services and Facilities**

This alternative would have fewer impacts to public services and facilities than the proposed project. Water and sewer utilities presently exist at the project site; however, demand would be reduced by a smaller capacity amphitheater. This alternative would require police and fire

protection services. The demand placed on police and fire services would be somewhat less than the proposed project based on the lower attendance capacity. Overall, impacts to public services and facilities would be less than the proposed project.

### Visual Quality

This alternative would have similar impacts to visual quality as the proposed project. This alternative would have similar landform alterations and impacts related to lighting and glare as the proposed project.

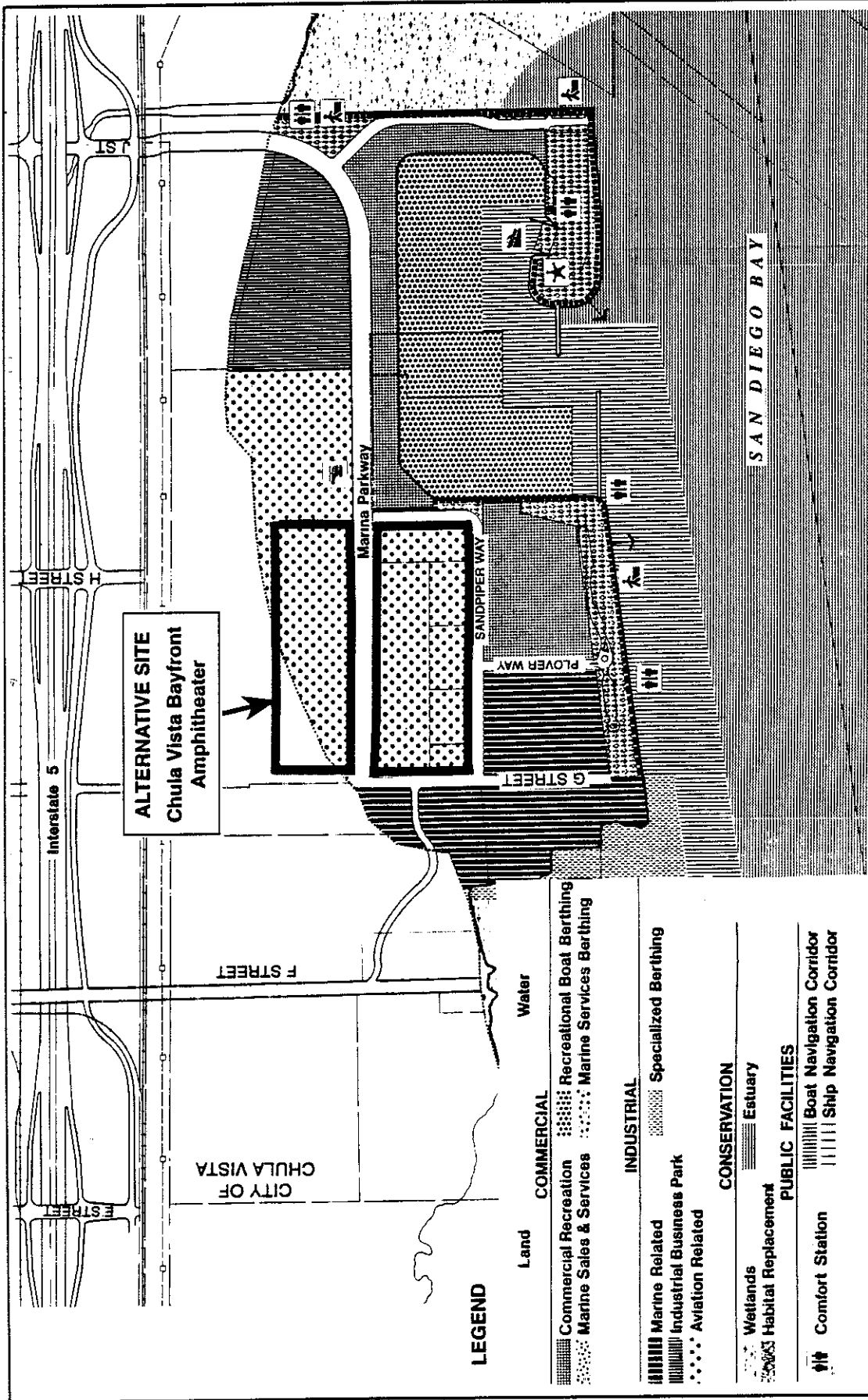
### Summary

Because of reduced overall environmental impacts, this alternative is considered to be environmentally superior to the proposed project. However, although many impacts are reduced, this alternative does not eliminate the significant impacts identified for the proposed project. In addition, this alternative does not meet the project objectives of providing a world-class entertainment facility. Many of the types of entertainment acts that are contemplated for the proposed project would not be willing to perform at a facility of lesser size than the proposed project.

#### **4.4 ALTERNATIVE SITE - CHULA VISTA BAYFRONT AMPHITHEATER**

The Chula Vista Bayfront Amphitheater is a 15,000 capacity facility proposed by the Nederlander Corporation along the Chula Vista Bayfront within an area under the jurisdiction of the San Diego Port District. No specific site for the Chula Vista Bayfront Amphitheater has been identified, however, according to consultation with the representatives of Nederlander, parcels along Marina Parkway owned by the San Diego Port District are the proposed locations for the Bayfront Amphitheater (Dick Farrell, Top Mark, Personal Communication, April 1995). Figure 4.4-1 indicates the sites under consideration for the Bayfront Amphitheater by the Nederlander Corporation.





Source: Port Master Plan, Chula Vista Bayfront Precise Plan, San Diego Unified Port District, June 1992.



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Alternative Site - Chula Vista Bayfront Amphitheater

Figure 4.4-1

### Land Use

Land use impacts associated with the Bayfront Amphitheater would be similar to those of the proposed project. The Bayfront Amphitheater is considered for sites located within the Chula Vista Bayfront Precise Plan (San Diego Unified Port District, *Port Master Plan*, June 1992). The land uses designated for this area include commercial recreation land uses surrounded by lands designated for marine related industrial business park land uses. Development of this alternative would require approval of the San Diego Port District for a conditional use of the lands for an amphitheater and related land uses. Surrounding land uses include marine-related commercial and industrial land uses, as well as conservation areas including wetlands and estuaries. Land use compatibility impacts of this alternative may be greater due to the adjacency of a recreational vehicle park and live-aboard marina residents in Chula Vista.

### Transportation/Circulation

The Chula Vista Bayfront Amphitheater would result in significant impacts to traffic. Traffic volumes generated by this alternative would be higher than those generated under the present land use. Additional average daily trips would be generated above that currently anticipated for commercial and industrial uses of the lands. Because of the urbanized character of this alternative location, mitigating traffic impacts to a less than significant level would be more difficult, although potentially feasible, in this location as compared to the proposed project site.

### Noise

The Chula Vista Bayfront Amphitheater would result in similar noise impacts to the proposed project as the surrounding land uses include commercial facilities and conservation areas. Impacts on surrounding areas for this alternative would be similar to or greater than at the proposed project site due to the adjacency of existing residents in Chula Vista and in Coronado.

**Noise**

This alternative would result in short-term construction related noise, and an increase in long-term noise levels due to concert events and traffic-generated noise similar to the proposed project location (City of Poway, *Poway Entertainment Center Draft EIR*, May 1995).

**Air Quality**

This alternative would result in an increase in air pollution emissions as a result of increased traffic and construction activities. This alternative would result in emissions that exceed thresholds established by the SCAQMD (City of Poway, *Poway Entertainment Center Draft EIR*, May 1995).

**Biology**

This alternative site is located on undeveloped land and would result in significant impacts to biological resources including coastal sage scrub habitat, oak woodland, Orcutt's brodiaea, Variegated dudleya, and coastal California gnatcatcher (Biological Resources, *Poway Entertainment Center Draft EIR*, May 1995). This alternative would result in direct and indirect impacts to biological resources. Development of the project at this alternative site would result in greater impacts to biological resources than the proposed project.

**Hydrology**

This alternative site is located on undeveloped land and would result in impacts to hydrology including an increase in siltation into Beeler Creek, increases in surface water runoff affecting drainage patterns, and modifications to existing 100-year flood limits (Hydrology, *Poway Entertainment Center Draft EIR*, May 1995). This alternative would result in greater impacts to hydrology than the proposed project.

**Air Quality**

Development of the project in the Chula Vista Bayfront would result in significant impacts to air quality, as the facility would generate vehicle emissions which would create significant cumulative impacts to air quality similar to the proposed project.

**Biology**

The Chula Vista Bayfront location alternative would result in potentially adverse impacts to biological resources located on surrounding conservation lands and wetlands along San Diego Bay. Indirect impacts of noise and lighting/glare would impact biological resources identified in surrounding wetlands and estuaries.

**Hydrology**

The Chula Vista Bayfront alternative would result in greater impacts to hydrology than the proposed project as surface conditions and drainage may impact surface water, groundwater, and waters of San Diego Bay.

**Hazardous Waste**

The Chula Vista Bayfront alternative would not result in significant impacts to hazardous waste.

**Public Services and Facilities**

The Chula Vista Bayfront alternative would result in similar impacts to public services and facilities. Existing water and sewer utilities would need to be expanded to accommodate the increased demand. Similar impacts to police and fire services would occur as the proposed project.

### Visual Quality

This alternative would have greater impacts to visual quality than the proposed project since the location is more highly visible. This alternative would have similar landform alterations and impacts related to lighting and glare as the proposed project.

#### **4.5 ALTERNATIVE SITE - POWAY AMPHITHEATER**

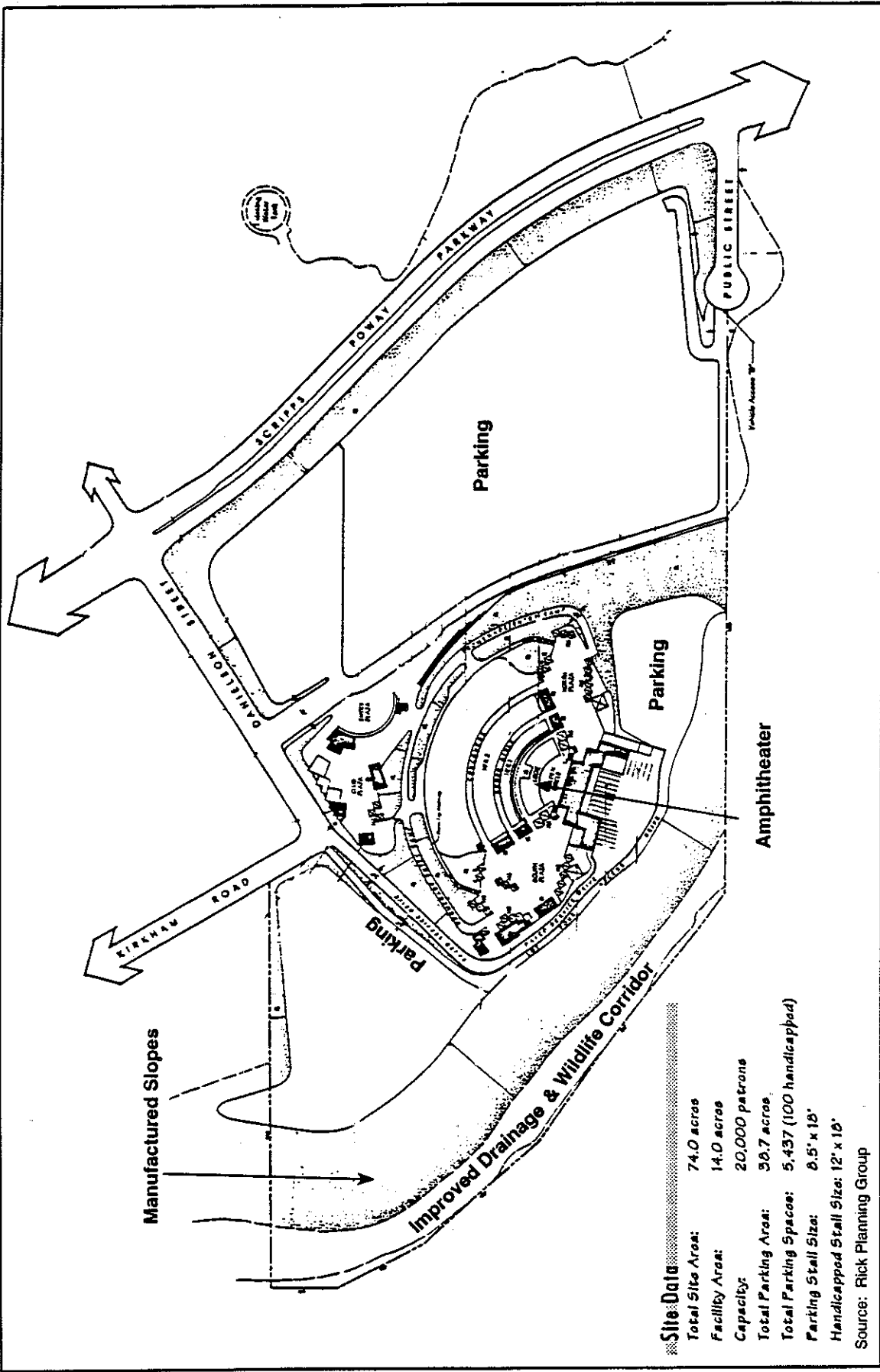
The Poway Amphitheater is a 20,000 capacity facility proposed by the Bill Silva Presents as the Poway Entertainment Center on 93.2 acres in the City of Poway. The Poway Amphitheater would consist of 10,000 fixed seats and 10,000 lawn seating with 5,437 parking spaces. The Poway Amphitheater is located in an undeveloped area south of Scripps Poway Parkway (Figure 4.5-1). The comparison of the proposed project to this alternative is based on the *Poway Entertainment Center Draft EIR* distributed by the City of Poway in May 1995 and incorporated by reference into this EIR. A copy of this EIR is available for review at the Chula Vista Planning Department.

### Land Use

This alternative would result in impacts to land use and zoning related to open space, a regional equestrian/hiking trail, and with NAS Miramar flight operations (City of Poway, *Poway Entertainment Center Draft EIR*, May 1995).

### Transportation/Circulation

This alternative would result traffic and congestion which will reduce intersection LOS with full capacity events. Intersection LOS may also be impacted in future years with this alternative (City of Poway, *Poway Entertainment Center Draft EIR*, May 1995). Mitigation measures are available to reduce these impacts to less than significant levels.



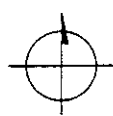
**Site Data**

Total Site Area:	74.0 acres
Facility Area:	14.0 acres
Capacity:	20,000 patrons
Total Parking Area:	50.7 acres
Total Parking Spaces:	5,437 (100 handicapped)
Parking Stall Size:	8.5' x 18'
Handicapped Stall Size:	12' x 18'

Source: Rick Planning Group



TETRA TECH INC.



No Scale

# Alternative Site - Poway Amphitheater

Figure 4.5-1

**Hazardous Waste**

The Poway Amphitheater would not result in significant impacts to hazardous waste.

**Public Services and Facilities**

The Poway Amphitheater would result in an increase in demand for public services and facilities from the City of Poway. Public services and utilities would be required to be extended and installed for the Poway Amphitheater to accommodate the increased demand. Similar impacts to police and fire services would occur as the proposed project location.

**Visual Quality**

This alternative would have similar impacts to visual quality as the proposed project. This alternative would have similar landform alterations and impacts related to lighting and glare as the proposed project.

**4.6 ALTERNATIVE SITE - OTAY RANCH AMPHITHEATER**

This alternative site is located approximately 1,000 feet to the east of the proposed location, within the Otay Ranch planning area. The site currently is within the County of San Diego, but is within the City of Chula Vista's Sphere of Influence, and is being considered for annexation into the City of Chula Vista. The approximately 50-acre site has a Chula Vista General Plan designation of Public/Quasi-Public. The Otay Ranch General Development Plan indicates the site's potential use as a water treatment facility. The site is currently undeveloped. The same type of uses and intensity would be proposed for the alternative site as those proposed at the project location.

**Land Use**

Development of the project in this location would require an amendment to the Otay Ranch General Development Plan and a Conditional Use Permit. Overall consistency of the use with surrounding uses would be similar due to its proximal location to the proposed site. The alternative location offers a greater separation from future residential uses on Otay Mesa but is closer to future residential uses within Otay Ranch. No substantial difference in land use impacts would result from implementation of the project in this location.

**Transportation/Circulation**

This alternative project site would require construction of an access road from Otay Valley Road. Impacts to the I-805 freeway ramps, Otay Mesa Road, Heritage Road and Otay Valley Road would be identical to the proposed project location. There is a potential for greater cumulative traffic impacts under this alternative compared to the proposed project because of the development potential for the Otay Rio Business Park. This alternative site would result in greater cumulative traffic ADTs than the designated use as a water treatment facility. The proposed project would generate fewer traffic ADTs than the existing designated use of the project site as the Otay Rio Business Park. Therefore, this alternative project site would result in greater traffic impacts than the proposed project. However, the alternative project site's location would facilitate loading of the facility better than the proposed location since it is located farther from Otay Valley Road. In addition, development of the project at this site would not result in any of the potential ingress/egress conflicts with proposed uses to the west of the currently proposed location. Impacts associated with this alternative could be mitigated to a less than significant level using the mitigation measures identified for the proposed location.

**Noise**

Development of the project at this alternative location has not been specifically tested for noise



impacts; however, noise impacts can be reasonably extrapolated from the analysis performed at the proposed location, due to the proximity of the alternative site. Configuration of the facility at the currently proposed location was designed to limit noise impacts to the fewest possible future residents by facing the stage to the northeast, where the noise impacts would be buffered by the Otay River, the Nelson and Sloan Quarry and land uses proposed for industrial development in the Chula Vista General Plan. It is anticipated that to achieve the same effect of limiting the number of future residents exposed to noise, the orientation of the amphitheater in the alternative location would be configured similarly. Based on these assumptions and design constraints, the alternative location would likely require the same type and level of mitigation as the proposed project location to reduce project impacts to a less than significant level. Mitigation of impacts to conform with the City's noise ordinance is considered to be achievable in either the proposed project location or this alternative location.

### **Air Quality**

Due to the proximity of the alternative location and the similarity in the construction and operational characteristics of the project, impacts to air quality identified for the proposed project would be identical in this location and would not be mitigable.

### **Biology**

The alternative site is in an area identified as agricultural and does not contain sensitive biological habitats. Impacts to biological resources would be similar to the proposed location, with the exception that indirect impacts might be slightly greater since this alternative site is located closer to the Otay River and, consequently, closer to resources within the river that might be impacted by noise, lighting and human disturbance. It is anticipated, however, that mitigation is available to reduce impacts in this location to less than significant levels.

### Hydrology

Impacts to drainage and hydrology would be similar for the project in this alternative location as for the proposed location. Similar quantities of impervious surfaces would be introduced and similar quantities of runoff would be directed to the Otay River. Development of the project in this location would require construction of storm drain facilities to convey runoff. No significant unmitigated impacts would result in either this alternative location, or the proposed location.

### Hazardous Waste

No hazardous wastes are known to exist in this alternative location. No significant impacts related to hazardous wastes are anticipated to result with this alternative.

### Public Services and Utilities

Project utility and service needs would be the same in this location as they would be in the proposed location. Current planning by the City of San Diego has indicated that the demand for the water treatment facility may be reduced because of current requirements for sewage treatment and reliance on the Point Loma Outfall Sewer Pipeline. Therefore, the elimination of this water treatment facility may not affect adversely the regional need for water treatment facilities (Michael Elling, City of San Diego, Personal Communication with Joseph Monaco, City of Chula Vista, June 15, 1995). The extension of utility infrastructure would be needed in this location, but no significant impacts are expected to result.

### Visual Quality

Development of the project in this alternative location would reduce the project's visibility from future residential areas on Otay Mesa. Overall visual and lighting impacts would remain the same and would not be considered significant, based on the current project design.

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## **5.0 OTHER CEQA MANDATED SECTIONS**

CEQA requires the discussion of unavoidable significant environmental impacts, significant irreversible impacts, growth inducing impacts, and cumulative impacts related to the developed of the proposed project.

### **5.1 UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS**

An analysis of environmental impacts caused by the proposed project has been conducted and is contained in Section 3.0. Unavoidable significant environmental impacts to ~~noise and air quality~~ were identified. ~~The proposed project would result in short-term unavoidable significant impacts to noise caused by periodic concert events at the MCA Chula Vista Amphitheater.~~ The proposed project would result in unavoidable significant impacts to air quality caused by the increased vehicle emissions caused by increased traffic to the proposed project.

### **5.2 IRREVERSIBLE OR IRRETRIEVABLE IMPACTS**

Construction and operation of the proposed project will result in consumption of water and nonrenewable energy resources and will require lumber, steel, sand, gravel, and other resources for building materials which will have a significant irreversible effect on such resources.

### **5.3 GROWTH INDUCING IMPACTS**

The proposed project will have minor growth-inducing impacts on the City of Chula Vista and the City of San Diego, Otay Mesa Community Area. The proposed project would result in an increase of county-wide employment opportunities related to the MCA Chula Vista Amphitheater and open air market. The creation of employment opportunities may result in an increase in employed individuals relocating to the cities of Chula Vista and San Diego. The employment opportunities would be limited and would not contribute to a significant amount of growth.

The proposed project will be located in an area planned and designated for future development. The proposed project would convert the land use designated for the project site (Industrial - Manufacturing and Research) to a commercial-related land use with fewer growth-inducing impacts for the cities of Chula Vista and San Diego.

#### **5.4 CUMULATIVE IMPACTS**

CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." The Guidelines further state that the individual effects can be the various changes related to a single project or the change involved in a number of other closely related past, present, and reasonable foreseeable future projects (Section 15355). The Guidelines allow for the use of two alternative methods to determine the scope of projects for the cumulative impact analysis:

- List Method - A list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency.
- General Plan Projection Method - A summary of projections contained in an adopted General Plan or related planning document which is designated to evaluate regional or area-wide conditions (Section 15130).

#### **Cumulative Projects List**

For the purposes of this EIR, the List Method has been utilized based on the following projects identified by the City of Chula Vista. Cumulative traffic impacts, however, were analyzed using regional long-range planning information from the San Diego Association of Governments as a more accurate assumption of future traffic levels (General Plan Method).

### **City of Chula Vista Corporation Yard**

This project proposes to develop approximately 50 acres directly west of the project site as the City of Chula Vista municipal public works/public transit storage and service center. In addition, the Sweetwater Union High School District is considering relocating school transit and maintenance operations to an additional 20 acres directly west of the project site. The City of Chula Vista prepared a Negative Declaration (IS-95-02) which identified no potential environmental impacts caused by the Chula Vista Corporation Yard.

### **Chula Vista Auto Park - Phases 2 and 3**

This project involves the continued development of the Chula Vista Auto Park with 6 - 8 new auto dealerships. Chula Vista Auto Park - Phases 2 and 3 are located on approximately 23 acres of land designated and zoned for industrial uses. The auto park facilities would include the construction of facilities (approximately 128,000 square feet) on disturbed lands formerly used for agriculture uses.

### **Chula Vista Trash Transfer Station/Materials Recovery Facility**

This project involves the development of the Chula Vista Trash Transfer Station and Materials Recovery Facility proposed to process non-hazardous municipal wastes generated within the City of Chula Vista. This facility would separate recyclable materials, and package non-recyclable wastes for long-haul disposal. This project is proposed for approximately 10 acres of developed land zoned for industrial land uses presently used as a construction storage yard.

### **Otay Ranch**

This project is a master planned residential and commercial development in the east portion of the City of Chula Vista encompassing 23,000 acres with a total of 23,483 residential units. The

project buildout of Otay Ranch would result in a population of approximately 68,027 over 30-50 years. Specific Plan Area 1 is presently planned for 5,891 residential units (*Final Otay Ranch Program EIR*, October 1993, and *Otay Ranch Project, Final CEQA Findings of Fact*, November 1993).

### **Cumulative Impacts**

#### **Land Use**

The development of the proposed project in conjunction with planned development in the area would be consistent with the City of Chula Vista General Plan land use designations and no significant cumulative impacts would occur with the approval of the Conditional Use Permit for the MCA Chula Vista Amphitheater.

#### **Transportation/Circulation**

The traffic analysis prepared for the proposed project was based on projections to year 2010 and buildout capacities. The conclusions of the traffic analysis indicated that project specific impacts can be mitigated to less than significant levels. The proposed project would not result in a significant contribution to cumulative traffic impacts.

#### **Biological Resources**

Continued urbanization in open space areas and undeveloped lands will contribute to the cumulative loss of biological resources in the Otay River Valley. The proposed project would not contribute to the loss of undeveloped lands. The proposed project would not result in significant impacts to biological resources which would contribute to a cumulative impact to biological resources.

## **Noise**

Noise levels would increase as development occurs throughout the Otay River Valley along Otay Valley Road. Proposed development would increase ambient and traffic-related noise levels in the project vicinity. The proposed City of Chula Vista Corporation Yard would generate both stationary operational noise and traffic-related noise levels due to the relocation of the Chula Vista Transit operations and the Sweetwater Union High School District transit operations to the adjoining property. Additional traffic generated by the proposed project along Otay Valley Road would generate traffic-related noise. The proposed project would result in an increase in ambient noise levels, which would result in a cumulative impact to noise levels.

## **Air Quality**

Buildout development in the City of Chula Vista would result in an incremental contribution of emissions for pollutants which exceed Federal and State standards in the San Diego Air Basin (SDAB) which is considered to be significant. The cumulative impacts of small sources leads to the continual, degraded air quality of the SDAB. Projected development will result in the generation of additional vehicle trips. The proposed project will increase traffic which will generate additional vehicle emissions. The proposed project would contribute to cumulative impacts to air quality which are considered to be significant and unavoidable.

## **Hydrology**

Alterations of the surface topography associated with regional development will increase the amount of impervious surfaces in the Otay River Valley. This condition will increase surface runoff and increase the flow rate in improved drainage systems which may contribute to cumulative impacts to hydrology in the region. However, future development would be subjected to mitigation that is part of standard drainage facility design that would result in less than significant cumulative impacts.



### **Hazardous Waste**

Regional development may generate and encounter hazardous waste contamination during buildout development. Remediation would be required on a case-by-case basis.

### **Public Services and Facilities**

Demand on public services and facilities will increase with regional development. Increased water consumption may contribute to significant impacts due to limited resources and potential drought conditions in southern California. Implementation of water conservation measures would reduce the impacts to less than significant. Sewage disposal will require expansion of the existing facilities and the development of new treatment plants, design of which is currently in progress. Demand on police and fire services will require expansion of city services to meet required response times. Preventative management plans would reduce the demands on police and fire services to reduce the impacts to less than significant.

### **Visual Quality**

Regional development of the Otay River Valley will result in a cumulative impact to visual quality in the region. New development would alter natural terrain, produce urbanized views, and limit views. Local planning related to preservation of visual/aesthetic resources would reduce the impacts of new development. The proposed project would contribute to a change in visual quality and cumulative landform alterations through the Otay River Valley but impacts would be mitigated through design review to less than significant levels.

**6.0 ORGANIZATIONS AND PERSONS CONSULTED**

Bill Bethman Architects

Bill Bethman, Project Architect

Bitterlin Starboard Development Partners

Chris Bitterlin, President

Garry Jackson, Vice President

City of Chula Vista

Community Development Department

Joseph Monaco, Environmental Projects Manager

Engineering Department

Elizabeth Chopps, Associate Civil Engineer

Roger Daoust, Senior Civil Engineer

Fire Department

Carol Gove, Fire Marshall

Jim Hardiman, Fire Chief

Emmett Horsfall, Fire Captain

Planning Department

Robert Leiter, Planning Director

Martin Miller, Associate Planner

Doug Reid, Environmental Review Coordinator

Police Department

Mary Jane Diosdado, Crime Prevention Unit

Herb Kelsey, Communications Systems

Jim Zoll, Captain - Patrol Division

Public Works Department

Lynne Center, Assistant Civil Engineer

Transit Department

Bill Gustafson, Transit Coordinator

City of Poway

Jim Nessel, Senior Project Planner

*Organizations and Persons Consulted*

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City of San Diego

Michael Elling, Civil Engineer  
Bill Levin, Senior Planner

Otay Water District

Michael Coleman, Environmental Specialist  
John Garcia, Associate Engineer

Port of San Diego

John Wehbring, Assistant Planning Director

Sweetwater Union High School District

Thomas Silva, Director of Planning

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## **8.0 LIST OF PREPARERS**

This Environmental Impact Report was prepared by Tetra Tech Incorporated. Members of Tetra Tech's professional staff and consultants to the City of Chula Vista contributing to the report are listed below.

### **Tetra Tech Incorporated - EIR Documentation**

Betty Dehoney, Director - Environmental Services

Ted Anasis, Environmental Planner

Elyssa Robertson, Biologist

Phil Rosenberg, Geologist

### **Consultants**

BRW - Transportation/Circulation Impact Analysis

Kay Bremer

Dan Marum

Richard Pilgrim

Giroux and Associates - Air Quality and Noise Impact Analysis

Hans Giroux

Pacific Southwest Biological Services (PSBS) - Biology

Z. Hunter Likins