

Mitigated Negative Declaration

PROJECT NAME: An amendment to Rolling Hills Ranch Tentative Subdivision Map 92-02 Conditions of Approval 1 and 3 of Section 7 to grant an increase in the building cap from 1,137 dwelling units to a maximum of 1,665 equivalent dwelling units (EDU's) prior to the completion of SR-125.

PROJECT LOCATION: Rolling Hills Ranch, east of San Miguel Road, north and south of Proctor Valley Road

PROJECT APPLICANT: Pacific Bay Homes

CASE NO: IS-00-05

DATE: March 30, 2000

A. Project Setting

The project site is within the 1,197-acre Rolling Hills Ranch (AKA, Salt Creek Ranch) master planned community on the eastern urbanizing fringe of the City. The approved Sectional Planning Area plan (SPA) includes 2,095 single family, 61 single family attached, and 390 multiple family dwelling units. It also includes two elementary schools, a fire station, two community purpose facilities, two public parks, one private park, and natural open space.

The project is regionally located in the southern foothills of San Miguel Mountain, north of EastLake Business Center and northwest of Upper Otay Lake. The recently approved 738-acre San Miguel Ranch master planned community is located immediately northwest of the project site and the proposed State Route 125 (SR-125) toll road is planned approximately 2 miles east.

Much of the surrounding area is developed with single family homes. As of January 1, 2000 approximately 400 homes have been constructed in Rolling Hills Ranch as a part of Phase I. Terrain in the project area consists of gently rolling hills with historic agricultural uses. In general, the undeveloped portions of Rolling Hills Ranch consist of open sparsely vegetated areas with some areas disturbed by historic agricultural uses, recent discing and construction activity.

Based on the current phasing plan, if the building cap is increased the additional 528 EDU's would be constructed in portions of Neighborhoods 1, 4a, 7 a, 7b, and 8. Neighborhood 1 consists of 93.9 acres on the north side of Proctor Valley Road, west of Hunte Parkway. Neighborhood 4 consists of 18.7 acres located at the terminus of Mt. Miguel Road and south of McKenzie Creek Road.

Neighborhood 7a consists of 15.5 acres. Neighborhood 7b consists of 59.9 acres located on the north side of Proctor Valley Road east of Hunte Parkway; and Neighborhood 8 is 74.4 acres in size and is located immediately south of Neighborhoods 7a & 7b on the south side of Proctor Valley Road, east of Hunte Parkway.

B. Project Description

This Initial Study has been prepared to provide additional information and analysis of potential environmental impacts as a result of the proposed amendment to the Tentative Subdivision Map covered under the Salt Creek Ranch Annexation/ General Development Plan/ Pre-Zone Final Environmental Impact Report (FEIR-89-3) and the Salt Creek Ranch Sectional Planning Area (SPA) Plan Final Supplemental Environmental Impact Report (FSEIR-91-3).

The proposal is an amendment to Conditions of Approval 1 and 2 Section 7 of Tentative Subdivision Map 92-02. The condition, (identified as a mitigation measure) in FSEIR 91-3, limits development in phase I to 1,137 dwelling units prior to the construction of SR-125 in order to mitigate potential significant traffic impacts at the intersection of East "H" Street/Hidden Vista Drive. Specifically, Section 7, Item 1 specifies that the Public Facilities Financing Plan (PFFP) shall be modified to indicate a reduction in Phase I to 1,137 units. Section 7, Item 2 specifies the sequence of transportation improvements are required to correspond to any future eastern Chula Vista Transportation Phasing Plan, as amended by final SR-125 Financing Study (HNTB, May 1993). The PFFP will be amended to reflect the increase accordingly.

The proposed amendment will allow Rolling Hills Ranch to increase the limit on development by 528 EDU's and initiate construction of a portion of Phase II for a total of 1,665 EDU's. The 528 EDU's will be constructed in Neighborhoods 1, 4a, 7a, 7b, and 8 in accordance with the approved Tentative Subdivision Map. The amendment constitutes a change in the phasing of residential development and an amendment to a previous traffic mitigation measure and does not result in a net increase in the total number of approved dwelling units or density.

C. Compatibility with Zoning, General Plan, and Sectional Planning Area Plan

The subject property is currently zoned for residential uses. Neighborhoods 1 and 7a are zoned LM, Low Medium Residential. Neighborhood 4a is M, Medium Residential and Neighborhoods 7b & 8 are zoned L, Low Residential. The General Plan designation is LMR, Low Medium Residential. The proposed project is in compliance with the approved Sectional Area Plan zoning designations, and the General Plan

D. Identification of Environmental Effects

An Initial Study conducted by the City of Chula Vista (including an attached Environmental Checklist form) determined that the proposed project will not have a significant environmental effect, and the preparation of an Environmental Impact Report will not be required. This Mitigated Negative Declaration has been prepared in

accordance with Section 15070 of the State California Environmental Quality Act (CEQA) Guidelines.

1. TRANSPORTATION/ CIRCULATION/ TRAFFIC THRESHOLD STANDARD

The proposal would result in the amendment to a previous mitigation measure in FSEIR 91-3 (page 3-106, Scenario 2) that was required in order to reduce traffic impacts at the intersection of East "H" Street and Hidden Vista Drive to a level below significance. The mitigation measure in FSEIR 91-3 limits the amount of development in Rolling Hills Ranch to 1,137 dwelling units (Phase I) prior to the construction of SR-125.

According to the Engineering Division the basis for the requested amendment stems from the following:

1. The recent traffic studies are focused analysis which were done with actual counts for the existing conditions and growth rates from the various projects throughout the City based on historical data and a shorter projected future year scenario analysis, whereas the previous studies in the EIR were long range forecasts;
2. The uniform growth rate of development assumed over the last decade did not occur due to an economic slow down in the early 1990's resulting in a reserve of anticipated trips on the roadways;
3. The segment improvements to the City's circulation system have continued beyond those improvements anticipated in the original traffic study such as the widening of Bonita road at the interchange with I-805, Otay Lake Road and, Telegraph Canyon Road; and
4. Intersection improvements to add additional turn lanes and/or through lanes to the major intersections have also been completed, some of which are beyond what was originally anticipated to be constructed at build-out at:
 - East "H" Street at: Hilltop Drive, Hidden Vista Drive, Mount Miguel Road, Paseo Del Rey, and Tierra Del Rey.
 - Otay Lakes road at: Bonita Road, East H Street, EastLake Parkway, and Telegraph Canyon Road.
 - Telegraph Canyon Road at: Medical Center Drive, Paseo Ranchero and the almost completed improvements in the vicinity of the I-805 interchange with Halecrest Drive.

To determine how much capacity street capacity was available on East "H" the City required the applicant to enter into a 3-party agreement with the City to hire a traffic consultant to conduct a traffic study. Linscott, Law and Greenspan Engineers (LLG) prepared both a segment analysis and intersection analysis.

The City of Chula Vista Land Development Section of the Engineering Division reviewed and concurred with the findings and conclusions of the LLG traffic studies (Engineering Division memorandum dated March 29, 2000 on file in the Planning Division). The findings and conclusion of the East "H" Street Segment Analysis and Intersection Analysis conducted by LLG are discussed in more detail below:

East H Street Intersection Analysis, March 2000 (Intersection Analysis)

The initial building cap of 1,137 was established based upon an intersection analysis. Therefore, a focused intersection analysis was conducted to ensure that levels of service at the most critical intersections along East "H" Street will not deteriorate beyond the limits set by FSEIR 91-03. at the "East "H" Street Intersection Analysis Chula Vista, California", dated March 8, 2000, to determine the available traffic capacity at four intersections of East "H" Street. These intersections were at Hidden Vista Drive, Paseo Del Rey, Paseo Ranchero, and Otay Lakes Road. The most critical location found in the study was the intersection of East "H" Street/Hidden Vista Drive.

This study concluded that an additional 330 EDU's (Cumulative 1,467 EDU's) can be added by the project before a cumulative impact is indicated at the subject intersection. The study further concluded that if one of the following improvements is constructed the threshold limit can be increased by another 198 EDU's in addition to the above-noted 330 EDU's (Cumulative 1,665 EDU's):

1. Provide additional westbound thru lane at the East "H" Street/Hidden Vista Drive intersection; or
2. Ensure Olympic Parkway is extended eastward to at least East Palomar Street.

According to the Engineering Division the widening of East "H" Street has not been evaluated (scheduled) for improvement and therefore is not considered feasible at this time. The extension of Olympic Parkway to East Palomar Street is considered highly feasible and is currently underway and scheduled for completion by the end of December 2001.

Based on the constraints at the intersection of East "H" Street and Hidden Vista Drive no building permits will be approved beyond an initial 330 EDU's (project cumulative 1,467 EDU's) unless one of the two improvements noted-above in the Intersection Analysis is completed.

Mitigation:

- 1) Provided biological mitigation is complied with, the building cap shall be increased from 1,137 dwelling units to allow building permit issuance for up to 1,467 EDU's (an additional 330 EDU's) and Final Map approval up to 1,665 EDU's (an additional 528 EDU's).
- 2) Building permits shall be granted beyond 1,467 EDU's to a maximum of 1,665 EDU's with the completion of at least one of the following improvements:
 - a. Complete the extension of Olympic Parkway to East Palomar Street; or
 - b. Widen East "H" Street to provide an additional westbound thru lane at the East "H" Street/Hidden Vista Drive intersection.

East "H" Street Capacity Analysis 1999-2005, May 1999 (Segment Analysis)

The May 1999 report titled "East "H" Street Capacity Analysis 1999-2005" included conservative assumptions that all other projects in the City would also contribute their share of traffic to this corridor (Table 3 of Segment Analysis). The East "H" Street Capacity Analysis concluded that there is additional segment capacity based on the existing circulation element and the Traffic Monitoring Program (TMP) guidelines for the East "H" Street corridor to allow for a maximum of 1,665 EDU's prior to the completion of SR-125--an increase of 528 EDU's beyond the initial 1,137 dwelling units. At this time, the construction of SR-125 is considered feasible, but not under the direct control of the City. SR-125 is currently scheduled for construction to commence later this year and is anticipated to open by the end of December 2003.

Mitigation:

- 1) Final Map approval shall not exceed 1,665 EDU's without the completion of SR-125.

2. BIOLOGICAL RESOURCES

The habitats, biological resources, and sensitive species occurring onsite have been detailed in both FEIR-89-3 and FSEIR-91-3. Final EIR-89-3 evaluated the project's approved General Development Plan (GDP) and Final Subsequent EIR-91-3 addressed additional impacts to habitats from the Sectional Planning Area (SPA) plan. Since the preparation of these environmental documents, the Quino Checkerspot butterfly (*Euphydryas edita quino*) has been listed as Federally Endangered (1997); the Otay tarplant (*Hemizonia conjugens*) has been listed as State Endangered and Federally Threatened (1998); and the burrowing owl (*Speotyto cunicularia*) has been Federally listed as a Species of Special Concern. As a result, biological surveys were required to address these additional sensitive biological resources.

HELIX Environmental Planning, Inc. was retained by the applicant to identify any additional biologically sensitive resources and potential impacts to those resources (Attachment "A", HELIX, Letters summarizing survey findings, November 11, 1999, September 29, 1999 September 23, 1999). These surveys covered the majority of Neighborhoods 1, 7a, 7b, and 8. The boundaries of the survey area are identified in Attachment "B". Neighborhood 4a was not covered by the surveys since it was previously graded. Environmental Planning staff and the City's biologist have reviewed the above-noted surveys. The findings of these surveys, potential impacts to biological resources, and required mitigation to reduce potential impacts to a level below significance are discussed below.

NEIGHBORHOOD 1

Otay Tarplant

Surveyed Area

Twenty (20) individual Otay tarplants were observed in the mid-eastern portion of Neighborhood 1. The tarplants are surrounded on three sides by unconsolidated soil stockpiles and on the fourth side by a moderately traveled, hard packed, dirt road used to access the Otay Water District property to the north. Due to the presence of Otay tarplant take authorization is required by the California Department of Fish and Game and the U.S. Fish and Wildlife Service. Therefore, grading permits and Final Map approval shall not be approved by the City until the applicant has obtained take authorization for the identified Otay tarplants in Neighborhood 1.

The remainder of the surveyed portions of Neighborhood 1 is highly disturbed by decades of farming-related activities including discing, cultivation, and cattle grazing. The soil has been amended by adding sludge as fertilizer to improve the land for grazing and discing typically occurs three or more times a year. According Helix, the probability of Otay tarplant occurring in the remaining surveyed portions of neighborhood 1 is very low because 1) no Otay tarplant was observed during surveys conducted during the plant's flowering period (except for the 20 individual tarplants observed in the mid-eastern portion of Neighborhood 1); and 2) the long history of frequent agricultural activities has severely altered the potential habitat, likely rendering it unsuitable for the species.

Mitigation:

- 1) The approval of Final Maps and the issuance of grading permits for Neighborhood 1 shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant.

Unsurveyed Area

As shown on Attachment "B" the 1999 Spring Survey for Otay tarplant did not include all the areas within the boundaries of Neighborhood 1. According to the City's biologist, the unsurveyed area at the southeastern property line is highly disturbed and has a low potential for Otay tarplant. The unsurveyed area at the western property line has a high potential for Otay tarplant since in the past several years the City's biologist has observed Otay tarplant in this area. A rare plant survey shall be conducted for the unsurveyed areas of Neighborhood 1.

Mitigation:

Potential impacts to Otay tarplant will be mitigated to a level below significance by the following mitigation measures:

- 1) An Otay tarplant survey shall be conducted in the unsurveyed portions of Neighborhood 1 to determine the presence of Otay tarplant; and

- 2) The approval of Final Maps and the issuance of grading permits for Neighborhood 1 shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant.

Quino Checkerspot Butterfly Habitat

Surveyed Area

The spring survey for Quino habitat found that due to decades of agricultural operations and past stockpile activities, there is a low potential for Quino checkerspot habitat within the surveyed area of Neighborhood 1.

Mitigation:

The following mitigation measure will serve to reduce any potential impacts to Quino checkerspot butterfly and Quino checkerspot habitat to below a level of significance:

- 1) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhood 1.

Unsurveyed Area

The surveyed area of Neighborhood 1 contains open, sparsely vegetated areas, which may support moderate Quino checkerspot habitat. Due to the moderate potential for Quino checkerspot habitat, the City shall not authorize grading permits or Final Map approval for Neighborhood 1 until a survey is conducted for all areas within the boundaries of Neighborhood 1 to determine the presence of Quino checkerspot butterfly and Quino checkerspot habitat.

Mitigation:

Potential impacts to Quino checkerspot butterfly and Quino habitat in the unsurveyed portion of Neighborhood 1 will be reduced to below a level of significance by the following mitigation measure:

- 1) Prior to the approval of Final Maps and the issuance of grading permits for Neighborhood 1 the applicant shall be required to conduct a protocol level survey to determine the presence of Quino checkerspot butterfly and Quino checkerspot habitat.
- 2) In the event that biologically sensitive resources including Quino checkerspot butterfly and/or Quino checkerspot habitat is found, the approval of Final Maps and the issuance of grading permits shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.

Burrowing Owl

The 1999 Spring survey did not include Neighborhood 1. The applicant will be required to conduct a protocol level pre-construction survey in Neighborhood 1 to determine the presence of burrowing owl and active burrowing owl burrows.

Mitigation:

The following mitigation measure will serve to reduce potential impacts to burrowing owl to below a level of significance:

- 1) The applicant shall be required to conduct a protocol level survey of Neighborhood 1 to determine the presence of burrowing owl and active burrowing owl burrows.
- 2) In the event that biologically sensitive resources including burrowing owl and active burrowing owl burrows are found, the approval of Final Maps and the issuance of grading permits shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.
- 3) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhood 1.

NEIGHBORHOODS 7a, 7b, and 8

Otay Tarplant & Quino Checkerspot

Surveyed Area

In the surveyed portions of Neighborhoods 7a, 7b, and 8 the biological surveys did not find the presence of Otay tarplant, Quino checkerspot butterfly, or Quino habitat. The surveyed areas have been disturbed by decades of agricultural operations and past stockpile activities. Due to the low potential for Otay tarplant and Quino checkerspot to occur only in the surveyed portions of Neighborhoods 7a, 7b, and 8 grading will be allowed to occur in the surveyed areas based on compliance with the following mitigation measures.

Mitigation:

Grading shall be limited to the surveyed areas with the following mitigation measure which serve to reduce potential impacts to below a level of significance:

- 1) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhoods 7a, 7b, and 8.
- 2) Prior to the issuance of grading permits for the surveyed areas of Neighborhoods 7a, 7b, and 8 the applicant shall submit a fencing plan to the mitigation monitor for approval to protect the unsurveyed areas from disturbance;

- 3) Site preparation activities, specifically staging area operations and maintenance rows for heavy machinery shall be restricted to the surveyed areas of Neighborhoods 7a, 7b, and 8;
- 4) No clearing of brush shall be allowed in the adjacent unsurveyed sensitive habitat areas (as identified in Attachment "B") of Neighborhoods 7a, 7b, and 8 until a rare plant survey is conducted and the applicant has obtained necessary take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant, Quino checkerspot butterfly, or Quino habitat.

Unsurveyed Area

As shown on Attachment "B", the Spring Survey for Otay tarplant and Quino checkerspot did not cover several portions of Neighborhoods 7a, 7b, and 8. A small sliver of sparsely vegetated habitat that may support moderate Quino checkerspot habitat occurs along the eastern edge of Neighborhood 7a and 7b.

Mitigation:

The following mitigation measures will serve to reduce any potential impacts to the unsurveyed portions of Neighborhoods 7a, 7b, and 8 to below a level of significance:

- 1) Prior to the issuance of grading permits for the unsurveyed areas of Neighborhoods 7a, 7b, and 8, a rare plant survey shall be conducted for the unsurveyed areas of Neighborhoods 7a, 7b, and 8; and
- 2) In the event that sensitive biological resources including Otay tarplant, Quino checkerspot butterfly and Quino habitat is present in the unsurveyed areas of Neighborhoods 7a, 7b, and 8, grading permits for the affected areas shall not be issued until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant, Quino checkerspot butterfly, or Quino habitat.
- 3) Upon the issuance of grading permits, a qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhoods 7a, 7b, and 8.

Burrowing Owl

Surveyed Area

Neighborhoods 7a, 7b and 8 were surveyed for burrowing owl burrows. The survey efforts concentrated on the areas in each neighborhood that have the highest potential for burrows and that were not disturbed in approximately May 1999 by discing. No sign of burrowing owls or their burrows was observed in Neighborhoods 7a, 7b, and 8.

Mitigation:

The following mitigation measures shall serve to reduce potential impacts to the burrowing owl to below a level of significance:

- 1) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhoods 7a, 7b, and 8;
- 2) Prior to the issuance of grading permits the applicant shall submit an approved fencing plan to protect the unsurveyed areas from disturbance; and
- 3) Site preparation activities, specifically staging area operations and maintenance rows for heavy machinery shall be restricted to the surveyed areas of Neighborhoods 7a, 7b, and 8.

Unsurveyed Area

The 1999 Spring Survey Area boundary, as shown on "B", excludes some areas to the east and west of Neighborhoods 7a and 7b and also excludes the most eastern portion of Neighborhood 8. Therefore, there remains a potential for the presence of burrowing owl in the unsurveyed areas of Neighborhoods 7a, 7b, and 8. In order to address any potential impacts to burrowing owls or their burrows the City will not authorize grading in the unsurveyed areas of Neighborhoods 7a, 7b, and 8 until a protocol level pre-construction survey is conducted for burrowing owl and active burrows and any necessary take authorization is obtained from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.

Mitigation:

The following mitigation measures shall serve to reduce potential impacts to the burrowing owl to below a level of significance:

- 1) Prior to the issuance of grading permits for the areas outside the biological survey boundary the unsurveyed portions of Neighborhoods 7a, 7b, and 8 shall be surveyed for the presence of burrowing owl and active burrowing owl burrows;
- 2) In the event that sensitive biological resources including burrowing owl or active burrowing owl burrows are present in the unsurveyed areas of Neighborhoods 7a, 7b, and 8, grading permits for the affected areas shall not be issued until the applicant has obtained necessary take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.

E. **Mitigation Necessary to Avoid Significant Effects**

Specific project mitigation measures are required to reduce potential environmental impacts identified in the Initial Study to a level below significance. The mitigation measures will be made a condition of approval and shall be incorporated in the approved Mitigation Monitoring Program (Attachment "C")

TRAFFIC/CIRCULATION/TRAFFIC THRESHOLD STANDARD

- 1) Provided biological mitigation is complied with, the building cap shall be increased from 1,137 dwelling units to allow building permit issuance for up to 1,467 EDU's (an additional 330 EDU's) and Final Map approval up to 1,665 EDU's (an additional 528 EDU's).
- 2) Building permits shall be granted beyond 1,467 EDU's to a maximum of 1,665 EDU's with the completion of at least one of the following improvements:
 - a. Complete the extension of Olympic Parkway to East Palomar Street; or
 - b. Widen East "H" Street to provide an additional westbound thru lane at the East "H" Street/Hidden Vista Drive intersection.
- 3) Final Map approval shall not exceed 1,665 EDU's without the completion of SR-125.

BIOLOGICAL RESOURCES

- 1) The approval of Final Maps and the issuance of grading permits for Neighborhood 1 shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant.
- 2) An Otay tarplant survey shall be conducted in the unsurveyed portions of Neighborhood 1 to determine the presence of Otay tarplant; and
- 3) The approval of Final Maps and the issuance of grading permits for Neighborhood 1 shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant.
- 4) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhood 1.
- 5) Prior to the approval of Final Maps and the issuance of grading permits for Neighborhood 1 the applicant shall be required to conduct a protocol level survey to determine the presence of Quino checkerspot butterfly and Quino checkerspot habitat.
- 6) In the event that biologically sensitive resources including Quino checkerspot butterfly and/or Quino checkerspot habitat is found, the approval of Final Maps and the issuance of grading permits shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.
- 7) The applicant shall be required to conduct a protocol level survey of Neighborhood 1 to determine the presence of burrowing owl and active burrowing owl burrows.

- 8) In the event that biologically sensitive resources including burrowing owl and active burrowing owl burrows are found, the approval of Final Maps and the issuance of grading permits shall not be granted until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.
- 9) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhood 1.
- 10) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhoods 7a, 7b, and 8.
- 11) Prior to the issuance of grading permits for the surveyed areas of Neighborhoods 7a, 7b, and 8 the applicant shall submit a fencing plan to the mitigation monitor for approval to protect the unsurveyed areas from disturbance;
- 12) Site preparation activities, specifically staging area operations and maintenance rows for heavy machinery shall be restricted to the surveyed areas of Neighborhoods 7a, 7b, and 8;
- 13) No clearing of brush shall be allowed in the adjacent unsurveyed sensitive habitat areas (as identified in Attachment "B") of Neighborhoods 7a, 7b, and 8 until a rare plant survey is conducted and the applicant has obtained necessary take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant, Quino checkerspot butterfly, or Quino habitat.
- 14) Prior to the issuance of grading permits for the unsurveyed areas of Neighborhoods 7a, 7b, and 8, a rare plant survey shall be conducted for the unsurveyed areas of Neighborhoods 7a, 7b, and 8; and
- 15) In the event that sensitive biological resources including Otay tarplant, Quino checkerspot butterfly and Quino habitat is present in the unsurveyed areas of Neighborhoods 7a, 7b, and 8, grading permits for the affected areas shall not be issued until the applicant has obtained take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service for any identified biological sensitive resource including Otay tarplant, Quino checkerspot butterfly, or Quino habitat.
- 16) Upon the issuance of grading permits, a qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhoods 7a, 7b, and 8.
- 17) A qualified biologist shall be retained by the applicant to ensure that sensitive areas are not disturbed during the grading of Neighborhoods 7a, 7b, and 8;
- 18) Prior to the issuance of grading permits the applicant shall submit an approved fencing plan to protect the unsurveyed areas from disturbance; and

- 19) Site preparation activities, specifically staging area operations and maintenance rows for heavy machinery shall be restricted to the surveyed areas of Neighborhoods 7a, 7b, and 8.
- 20) Prior to the issuance of grading permits for the areas outside the biological survey boundary the unsurveyed portions of Neighborhoods 7a, 7b, and 8 shall be surveyed for the presence of burrowing owl and active burrowing owl burrows;
- 21) In the event that sensitive biological resources including burrowing owl or active burrowing owl burrows are present in the unsurveyed areas of Neighborhoods 7a, 7b, and 8, grading permits for the affected areas shall not be issued until the applicant has obtained necessary take authorization from the California Department of Fish and Game and the U.S. Fish and Wildlife Service.

F. Summary of Public Comments

A Notice of Initial Study was circulated on December 7, 1999 to all property owners within 300-foot radius. The comment period ended on December 16, 1999. The department received comments from a total of 4 property owners. Three owners verbally expressed their concerns with the additional traffic generated from the proposal prior to the completion of SR-125 and the timing of approved amenities for their respective neighborhoods. The traffic concerns were in regards to the impacts on Otay Lakes Road and Proctor Valley Road, and East "H" Street.

One owner provided written comments concerning traffic impacts and potential safety hazard on Bonita Road. The property owner was particularly concerned about the current heavy traffic volumes, which make it difficult to access Bonita Road from Dory Drive and the concern that the proposed project will exacerbate this current congestion. The property owner requests assurance from the review board that traffic volume will not increase as a result of this building project.

Consultation

1. Individuals and Organizations

City of Chula Vista:

Marilyn R.F. Pongeggi, Environmental Planning
 Stan Donn, Community Planning
 Luis Hernandez, Community Planning
 Anne Moore, City Attorney's Office
 Peggy McCarberg, City Attorney's Office
 George Krempel, City Manager's Office
 Frank Rivera, Land Development, Engineering
 Sohaib "Alex" Al-Agha, Land Development, Engineering
 Cliff Swanson, Engineering
 Ralph Leyva, Traffic Engineering
 Dave Kaplan, Land Development, Engineering
 Samir Nuhaily, Advance Planning/ Wastewater Engineering
 Beverly Blessent, Development Planning

Gary Williams, Development Planning
Rick Rosaler, Community Planning
Doug Perry, Fire Marshall
Richard Preuss, Police Crime Prevention
Brad Remp, Building
Duane Bazzel, Advance Planning

Chula Vista Elementary School District: Dr. Lowell Billings

Sweetwater Union High School District: Katy Wright

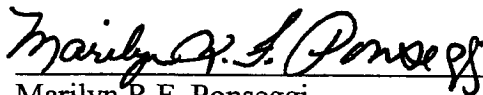
Applicant's Agent: Dave Gatzke, Rolling Hills Ranch
Kim Baranek, Helix Environmental

2. Documents

Chula Vista General Plan (1989)
Title 19, Chula Vista Municipal Code
Salt Creek Ranch Annexation/GDP/Pre-Zone FEIR-89-3 (1990)
Salt Creek Ranch SPA FSEIR-91-3 (1992)
Salt Creek Ranch SPA Mitigation Monitoring Program
East H Street Capacity Analysis 1999-2005 (Linscott, Law & Greenspan, May 17, 1999)
East H Street Intersection Analysis (Linscott, Law & Greenspan, March 8, 2000)
Results of Biological Surveys (HELIX, Letters dated 11/11/99, 9/29/99, and 9/23/99)

3. Initial Study

This environmental determination is based on the attached Initial Study, any comments received on the Initial Study and any comments received during the public review period for this Negative Declaration. The report reflects the independent judgement of the City of Chula Vista. Further information regarding the environmental review of this project is available from the Chula Vista Planning and Building Department, 276 Fourth Avenue, Chula Vista, CA 91910.



Marilyn R.F. Pongeggi
Environment Review Coordinator

Date: 3/28/00