

Memorandum

HELIX Environmental Planning, Inc.
7578 El Cajon Boulevard
Suite 200
La Mesa, CA 91942
BarryJ@helixepi.com
619.462.1515 tel
619.462.0552 fax
www.helixepi.com



To: Rob Hingtgen, County of San Diego PDS
Beth Ehsan, County of San Diego PDS
Date: November 6, 2012
From: Barry Jones
Subject: Minor Modifications to Otay Crossings TM 5405 RPL⁷

Message:

Summary of Project Description Modifications

The proposed project involves revisions to the approved Tentative Map (TM 5405 RPL⁷) and Preliminary Grading Plan for the 311.5-acre Otay Crossings Commerce Park property in the East Otay Mesa area, as well as revisions to the off-site roadway and utility improvements to support the project development.

The amount of area placed in open space easements (47.7 acres) would not change from the approved condition and would be located in the two northeast corners of the project site and along the southern boundary of the site on Lots 45 through 47 (formerly identified as Lots 57 through 59). Similar to the approved TM, a 100-foot-wide Limited Building Zone (LBZ) would be established on portions of Lots 11 through 17 and 44, which would be adjacent to proposed open space, pursuant to standard conditions required by DPLU when on-site biological open space is proposed.

The revised TM would modify the locations of several internal (non-Circulation Element) roads in order to accommodate the revised grading for the SR-11 ROW. In addition, the grade for Alta Road would be revised from an at-grade facility to an above-grade road to accommodate a future overpass over SR-11 (to be constructed by Caltrans). In terms of off-site improvement, the revised TM would no longer construct any segments of Airway Road west of the project site or the segment of Siempre Viva Road south of the project site. Instead, a segment of Siempre Viva Road linking Alta Road with the existing terminus of Siempre Viva Road east of Enrico Fermi Drive would be constructed. The revised TM would rely also on sewer service Option A described in the certified FEIR wherein wastewater flows generated by the project would be conveyed by gravity from on-site mains to a proposed off-site gravity trunk sewer located at the intersection of Airway and Alta roads. This would, in turn, convey flows southwesterly, via a proposed sewer main within the proposed extension of Siempre Viva Road west of Alta Road to the City's sewer main at Via de la Amistad and Enrico Fermi Drive. The regional sewer

pump station formerly approved on Lot 56 is no longer needed to service the project and adjacent properties.

Summary of Biological Resources Modifications

As a result of these project modifications, there would be a minor decrease in impacts to vegetation communities compared to those analyzed in the certified EIR, primarily as a result of the elimination of the offsite components of Airway Road and Siempre Viva Road. All of these impacts were also analyzed in the joint Biological Opinion (BO) issued by the U.S. Fish and Wildlife Service for the Otay Crossings, Otay Business Park and State Route (SR) 11 projects, and no net change in impacts from those analyzed in the BO would result from these proposed changes. Tables 6 and 7 from the Otay Crossings Biological Resources Report are attached with the changes resulting from the revised TM project shown in strikeout-underline.

Table 6 IMPACTS TO VEGETATION COMMUNITIES*				
VEGETATION COMMUNITY	EXISTING ON SITE	ON SITE IMPACTS	OFF SITE IMPACTS	TOTAL IMPACTS
Wetlands				
Tamarisk scrub	0.97	0.97	0.00	0.97
<u>Mulefat scrub</u>	<u>0.0</u>	<u>0.0</u>	<u>0.04</u>	<u>0.04</u>
Disturbed wetland	0.03	0.00	0.00	0.00
Tier I				
Native grassland	0.0	0.0	0.1 <u><0.1</u>	0.1 <u>0.0</u>
Tier II				
Diegan coastal sage scrub (including disturbed)	8.7	1.8	0.4 <u>0.0</u>	9.1 <u>1.8</u>
Tier III				
Non-native grassland	278.5	244.1	19.0 <u>11.3</u>	263.1 <u>255.4</u>
Tier IV				
Eucalyptus woodland	1.0	1.0	0.0	1.0
Agriculture	<0.1	<0.1	0.7 <u>0.0</u>	0.7 <u>0.0</u>
Disturbed habitat	22.2	15.6	5.0 <u>4.7</u>	20.6 <u>20.3</u>
Developed	<0.1	<0.1	5.7 <u>3.5</u>	5.7 <u>3.5</u>
TOTAL*	311.5	263.5	30.6 <u>19.5</u>	294.1 <u>283.0</u>

* All wetland areas are presented in acre(s) rounded to the nearest 0.01; upland areas are rounded to the nearest 0.1; thus totals reflect rounding.

**Table 7
IMPACTS TO JURISDICTIONAL AREAS***

JURISDICTIONAL AREA	CORPS		CDFG		COUNTY	
	<i>Existing on Site</i>	Impacts (On and off site)	<i>Existing on Site</i>	Impacts (On and off site)	<i>Existing on Site</i>	Impacts (On and off site)
Tamarisk scrub	0.00	0.00	0.73	0.73	0.00	0.00
Disturbed wetland	0.03	0.00	0.03	0.00	0.03	0.00
<u>Mulefat scrub</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.04</u>	<u>0.0</u>	<u>0.04</u>
Non-wetland Waters of the U.S./Streambed	0.31	0.200 <u>0.24</u>	0.36	0.24	0.00	0.00
TOTAL	0.34	0.200 <u>0.24</u>	1.12	0.971 <u>1.01</u>	0.03	0.000 <u>0.04</u>

*Areas are presented in acre(s) rounded to the nearest 0.01.

As you can see from revised Table 6, non-native grassland impacts decreased by 7.2 acres (on- and off-site impacts combined). Essentially, the majority of the decrease in non-native grassland impacts (7.7 acres) is the result of reduced offsite grading on the Otay Business Park project for the grading of Airway and Siempre Viva Roads, which have been adjusted to accommodate the latest engineering for SR-11. All of these additional off-site impacts were also assessed in the Otay Business Park EIR. Both project EIRs contemplated a “mitigation sharing” arrangement between the two projects depending on which project went forward first, and which alternative was ultimately selected for off-site improvements. Therefore, the 0.5:1 on-mesa mitigation obligation would occur at the Lonestar Ridge mitigation parcel regardless of whether the Otay Crossings Commerce Park project or Otay Business Park project created the impacts in this area. The minor increases in on-site impacts are the result of minor changes along the southern impact boundary in an area whose impacts were covered in the SR-11 EIR as well as the BO. Tables 8 and 9 from the Otay Crossings Biological Resources Report are attached with the changes resulting from the revised TM project shown in strikeout-underline.

There are no changes to impacts to sensitive species. Similar to impacts to vegetation communities, these impacts were also addressed in the Otay Business Park and SR-11 EIRs.

**Table 8
MITIGATION FOR IMPACTS TO SENSITIVE VEGETATION COMMUNITIES***

VEGETATION COMMUNITY	IMPACTS†	MITIGATION						
		Required		Proposed				
		Ratio	Area	Preservation		Creation	Restoration	Total
On Site	Off Site							
Wetlands								
Tamarisk scrub	0.73‡	1:1	0.73	0.00	0.00	0.73	0.00	0.73
Mulefat scrub	0.04	3:1	0.12	0.0	0.0	0.04	0.08	0.12
Disturbed wetland	0.00	--	0.00	0.03§	0.00	0.00	0.00	0.03
Tier I								
Native grassland	0.10 0	2:1	0.20 0	0.0	0.20 0	0.0	0.0	0.20 0
Tier II								
Diegan coastal sage scrub (including disturbed)	1.91 1.8	1.5:1	2.92 2.7	2.92 2.7**	0.0	0.0	0.0	2.92 7§
Tier III								
Non-native grassland	263.1 255.4	1:1 ⁺	263.1 255.4	44.74 50.4††	218.42 10.4	0.0	0.0	263.1 255.4
TOTAL	265.7257.97	--	266.9258.95	47.67	218.6210.4	0.730.77	0.000.08	266.9258.95

*All wetland areas are presented in acre(s) rounded to the nearest 0.01; upland areas are rounded to the nearest 0.1.

†Off-site impact acreage reflects proposed off-site road, water and storm-drain improvement footprints, as well as Sewer Option A footprint. ~~Off site grading impacts would increase to 35.0 acres if Sewer Option B 1 or B 2 is selected.~~

‡A total of 0.97 acre of tamarisk scrub would be impacted, of which only 0.73 is considered jurisdictional and would require mitigation.

§Not included in the mitigation total.

**Excess of ~~3.94~~0 acres of Diegan coastal sage scrub will be used to reduce non-native grassland mitigation by ~~3.94~~0 acres. May also be mitigated with higher tier habitats or fee-based program.

††Includes 34.4 acres of non-native grassland, 6.4 acres of disturbed habitat to be restored to grassland, and ~~3.94~~0 acres of excess Diegan coastal sage scrub.

⁺ A 1:1 ratio is required for burrowing owl occupied habitat.

**Table 9
MITIGATION FOR IMPACTS TO JURISDICTIONAL AREAS***

JURISDICTIONAL AREA	RATIO	CORPS		CDFG		COUNTY	
		Impacts	Mitigation	Impacts	Mitigation	Impacts	Mitigation
Tamarisk scrub	1:1	0.00	0.00	0.73	0.73	0.00	0.00
<u>Mulefat scrub</u>	<u>3:1</u>	<u>0.0</u>	<u>0.0</u>	<u>0.18</u>	<u>0.54</u>	<u>0.18</u>	<u>0.54</u>
Disturbed wetland	--	0.00	0.00	0.00	0.00	0.00	0.00
Non-wetland Waters of the U.S./Streambed	1:1	0.20	0.20	0.24	0.24	0.00	0.00
TOTAL	--	0.20	0.20	0.97 1.15	0.97 1.51	0.00 0.18	0.00 0.54

*Areas are presented in acre(s) rounded to the nearest 0.01.

If either Sewer Option B-1 or B-2 is implemented, impacts to 0.056 acre of vernal pools will be mitigated by creation of vernal pool habitat at Lonestar Ridge at a 3:1 ratio, resulting in creation of 0.168 of vernal pool surface area. Impacts to 0.012 acre of unvegetated Waters of the U.S./streambed will be mitigated by purchase of mitigation credits at the Rancho Jamul Mitigation Bank and creation of vernal pool habitat at Lonestar Ridge at a 1:1 ratio.

As shown in revisions to Table 9, the revised grading footprint results in 0.18 acre of off-site impact to disturbed mulefat scrub adjacent to Alta Road. The grading for the road was revised to accommodate the future Alta Road overpass over the future extension of SR-11 (to be constructed by Caltrans). The disturbed mulefat scrub lies entirely within the footprint of the approved SR-11 alignment. Therefore, the impacts were addressed in the EIR/EIS prepared for SR-11 and no net change in impacts to this resource would result from the revised grading footprint. Additionally, although the mulefat scrub is considered a County jurisdictional wetland, because the impacts are the result of a County Circulation Element Road (Alta Road), these impacts are allowed under the Resource Protection Ordinance, and additional CEQA review would not alter the impact footprint or mitigation obligations for these impacts.

Mitigation for the decreased impacts to 7.2 acres of non-native grassland would still be mitigated at a 1:1 mitigation ratio, whether the impacts occur within the Otay Crossings project or the Otay Business Park project, with 0.5:1 of the mitigation occurring on the Lonestar Ridge mitigation parcel based on the mitigation sharing agreement between the projects as noted in the FEIR. The remaining 0.5:1 mitigation obligation would be met at an offsite mitigation location acceptable to the County. For this portion of the mitigation obligation, the Otay Crossings project would utilize mitigation available at the Ramona Conservation Bank, as already provided for in the certified FEIR for the Otay Crossings project. Mulefat scrub impacts would be mitigated consistent with mitigation currently being proposed for impacts to tamarisk scrub and streambed: a 1:1 mitigation ratio for acquisition of credits at the Rancho Jamul Mitigation Bank, with remaining mitigation obligations being met through vernal pool restoration at the Lonestar Ridge mitigation parcel.

We would support the County's determination that an addendum is the appropriate CEQA document for the revised TM because:

- There is a net decrease in impacts, with minor increases in impacts to mulefat scrub occurring off-site within areas already approved for development by other projects (i.e., Otay Business Park and SR-11). Increases in on-site impacts are primarily the result of slight changes in the

impact limits in the southern portion of the site that were addressed in the SR-11 EIR and BO as fully impacted.

- All impacts would be mitigated at the same level and in the same locations as contemplated under all three projects
- The Otay Crossings FEIR contemplated a mitigation sharing scenario between the project and Otay Business Park consistent with what would be implemented to meet the modified mitigation obligations for the Otay Crossings Commerce Park project
- The joint BO for the 3 projects addressed all of the additional impacts within the context of the 3 projects, and no additional impacts beyond those contemplated in the BO will result from the proposed changes

Please let us know if you need additional information or if you have any questions.