

GARY L. PRYOR
DIRECTOR



County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

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NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

October 14, 2004

NOTICE IS HEREBY GIVEN that the County of San Diego, Department of Planning and Land Use will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following projects. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report. A Notice of Preparation document, which contains a description of the probable environmental effects of the project, can be reviewed on the World Wide Web at http://www.sdcdplu.org/dplu/ceqa_public_review.html, at the Department of Planning and Land Use (DPLU), Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California 92123 and at the public libraries listed below. Comments on the Notice of Preparation document must be sent to the DPLU address listed above and should reference the project number and name.

GPA 04-03/R04-009/SP 04-02/TM 5361, LOG NO. 04-19-005; OTAY RANCH PRESERVE AND RESORT COMMUNITY. The project proposes a combination of land uses including an 800-unit resort hotel, approximately 2100 residential units consisting of a mix of single- and multi-family residential neighborhoods, an elementary school, and open space, park and recreational facilities. Annexation to the Otay Water District, San Diego County Water Authority, and Metropolitan Water District are proposed for water and sewer service. The proposed project is located on the Proctor Valley Parcel of the Otay Subregional Plan area, northeast of the Lower Otay Reservoir and north of Otay Lakes Road, in the unincorporated area of the County of San Diego, California. Comments on this Notice of Preparation document must be received no later than November 15, 2004 at 4:00 p.m. (a 30 day public review period). This Notice of Preparation can also be reviewed at the Chula Vista Civic Center Library located at 365 F Street, Chula Vista, CA 91910; Eastlake Library located at 1120 Eastlake Parkway, Chula Vista, CA 91915; Southwestern College Library located at 900 Otay Lakes Road, Chula Vista, CA 91910; and, Cuyamaca College Library located at 900 Rancho San Diego Parkway, El Cajon, CA 92019. A Public Scoping Meeting will be held to solicit comments on the EIR. This meeting will be held on November 3, 2004 at the Chula Vista Civic Center, Conference Rooms #s 2 & 3, located at 276 Fourth Avenue, Chula Vista, CA 91910 from 6 p.m. to 8 p.m. For additional information, please contact Robert Hingtgen at (858) 694-3712 or by e-mail at robert.hingtgen@sdcounty.ca.gov.

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NOTICE OF PREPARATION DOCUMENTATION

DATE: October 14, 2004

PROJECT NAME: Otay Ranch Preserve and Resort Community

PROJECT NUMBER(S): GPA 04-03/R04-009/SP 04-02/TM 5361

PROJECT APPLICANT: Otay Ranch L.P., Attn: Rob Cameron, 610 West Ash Street, Suite 1500, San Diego, CA 92101

ENV. REVIEW NUMBER: 04-19-005

PROJECT DESCRIPTION:

The project proposes a combination of land uses: a resort hotel and associated facilities, a mix of single- and multi-family residential neighborhoods, an elementary school, fire station, open space, and park and recreational facilities.

The Resort Hotel Complex will be situated on 9.5 acres and will include a restaurant, guest rooms, and ancillary resort uses. An additional 38.7-acre site at the base of the hotel promontory completes the resort complex. The additional 38.7-acre area will include a conference center, specialty shops, additional resort units (total resort units is 800), restaurants, and recreational facilities. Within the 38.7-acre resort area, the project also includes a 3-acre commercial site that will provide neighborhood commercial opportunities to visitors of the resort and residents of the Specific Plan area. Buildings throughout the resort complex will be arranged in informal groupings within the site topography and will generally be one to three stories in height with an occasional four-story building. Recreation facilities such as tennis and swimming will be provided for the hotel visitors and potentially for permanent residents. A Major Use Permit is required to establish the hotel resort complex, but this has not yet been applied for. The 3-acre commercial area is not subject to the Major Use Permit.

Approximately 522 acres (27.5%) of the total project site are designated for residential use. Residential development potential on the project site is approximately 2,120 units and includes: single-family detached and multi-family attached (townhouses and patio

homes, garden apartments, stacked flats, and flats over commercial) homes. Of the 522 acres, approximately 501 are proposed for single-family SRP designations as Low and Low Medium Village Residential with lots ranging in area from 5000-7350 square feet, and about 21 acres are proposed for multi-family as SRP designation Medium High Residential, 11-18 du/acre. A total of 1,843 single-family detached and 277 multi-family attached units are anticipated.

A Village Commons Area is planned for the western portion of the plan area and will include: an elementary school (12.6 acres) and neighborhood park and recreational facilities (16.3 acres). The elementary school will have capacity for 700 children. The Village Commons will be linked with the residential areas through a system of pedestrian paths and trails. The neighborhood park will provide opportunities for active and passive recreation and will serve as a gathering spot for residents and visitors of the Otay Ranch Preserve and Resort.

Open space areas will provide pedestrian connections, and passive recreational and view opportunities. These areas will be dedicated as open space easements. A trail system is incorporated as mobility and recreation components of the Otay Ranch Resort. The largest component of open space in the overall Otay Ranch project is the Otay Ranch Preserve. The project will convey 1.188 acres of open space per one acre of development less the acreage of "common use lands" (neighborhood parks, schools, arterial roads, and other land designated as public use areas). The open space lands must conform to the MSCP South County Subarea Plan.

The project proposes to improve Otay Lakes Road to 4-Lane Major Arterial classification to the project's second access from the west.

The project proposes annexation to Otay Water District (OWD), San Diego County Water Authority (CWA), and Metropolitan Water District of Southern California (MWD) prior to receiving service. The OWD 980 zone would serve the Project. OWD 980 zone improvements within the project that are identified in the OWD Capital Improvement Plan include a new 980-4 reservoir with 10 million gallon capacity, and a 20-inch transmission line extension to project site. Use of reclaimed water is not permitted above a drinking water source (reservoir).

Project sewage generation is estimated at 0.73 million gallons per day (mgd). Four options for sewer service have been identified:

- Annexation to Spring Valley Sanitation District with physical connection to Proctor Valley Sewer and Spring Valley Sanitation facilities, or physical connection to Salt Creek Interceptor through agreement or contract with City of Chula Vista;
- Annexation to Otay Water District with same connections;

- Formation of new sanitation district or County Service Area with contract for service from City of Chula Vista or Spring Valley Sanitation District; and,
- No district formation or annexation, with an out of district agreement or contract for service from City of Chula Vista or Sweetwater Sanitation District.

PROJECT LOCATION:

The proposed project is located on the Proctor Valley Parcel of the Otay Subregional Plan area. The project is northeast of the Lower Otay Reservoir and north of Otay Lakes Road in the unincorporated area of the County of San Diego, California.

PROBABLE ENVIRONMENTAL EFFECTS:

The probable environmental effects associated with the project are detailed in the attached Environmental Initial Study. All questions answered "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" will be analyzed further in the Environmental Impact Report. All questions answered "Less than Significant Impact" or "Not Applicable" will not be analyzed further in the Environmental Impact Report.

PUBLIC SCOPING MEETING:

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments on the EIR. This meeting will be held on Wednesday, November 3, 2004, at the Chula Vista Civic Center, Conference Room #s 2 & 3, located at 276 Fourth Avenue, Chula Vista, CA 91910 from 6 p.m. to 8 p.m.

Attachments:

Project Regional Location Map
Project Detailed Location Map
Proposed Land Use Plan Exhibit
Environmental Initial Study

ND10-04\0419005-NOP

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CEQA Initial Study - Environmental Checklist Form **(Based on the State CEQA Guidelines, Appendix G Rev. 10/98)**

1. Project Number(s)/Environmental Log Number/Title:

GPA 04-03/R04-009/SP 04-02/TM 5361/Log No. 04-19-005/Otay Ranch Preserve and Resort Community

2. Lead agency name and address:

County of San Diego, Department of Planning and Land Use
5201 Ruffin Road, Suite B,
San Diego, CA 92123-1666

3. a. Contact Robert Hingtgen, Planner II
b. Phone number: (858) 694-3712
c. E-mail: Robert.hingtgen@sdcounty.ca.gov.

4. Project location:

The proposed project is located on the Proctor Valley Parcel of the Otay Subregional Plan area. (APN #595-090-03, 598-130-01, 598-130-03, 598-140-01, 647-020-08, 647-020-09, 647-020-12, and 647-030-05).

Thomas Guide Coordinates: Page 1312, Grids A3 & 4, B3, 4 & 5, C3, 4, 5 & 6, D3, 4, 5 & 6.

5. Project sponsor's name and address:

Otay Ranch L.P.
Attn: Rob Cameron
610 West Ash Street, Suite 1500
San Diego, CA 92101

6. General Plan Designation
Community Plan: Otay Subregional Plan
Land Use Designation: 21 – Specific Plan Area/24 – Impact Sensitive
Density: 21-Per Specific Plan; 24 - 4, 8, or 20 acres
(slope dependent)
7. Zoning
Use Regulation: S80 – Open Space/S88 –Specific Plan
Density: 3.19 du per 1 acre
Special Area Regulation: None
8. Description of project (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation):

The project includes the following permit approvals:

- General Plan Amendment. 1) To Amend the General Plan to modify the 21-Specific Plan and 24-Impact Sensitive boundaries to reflect the proposed land use plan; 2) to amend the General Plan to modify the boundaries of the Special Study Overlay (SSA) area to reflect the proposed land use plan and concurrently redesignate the modified SSA area to Current Urban Development Area (CUDA) to reflect the proposed annexation to the County Water Authority (CWA); 3) to amend the General Plan to modify the boundaries of the Environmentally Constrained Area (ECA) to reflect the proposed land use plan; and 4) to amend the SRP to modify Preserve area boundaries, road alignments, and SRP land use designations applied on-site.
- Specific Plan. To identify development patterns and criteria for the Otay Ranch Resort Community that will establish the zoning for the project site.
- Rezone. 1) To modify the S80 Open Space and S88 Specific Plan boundaries to reflect the proposed land use plan; and 2) to modify the S88 Specific Plan zoning standards to indicate that development in the project site is subject to the refined standards and regulations set forth in the Otay Ranch Preserve and Resort Community Specific Plan.
- Tentative Map. To create lots throughout the project site.
- Major Use Permit. To establish the resort hotel complex.
- MSCP Amendment. To modify the boundaries to reflect the proposed land use plan.
- RMP Amendment. To modify the boundaries to reflect the proposed land use plan and to modify the preserve conveyance schedule to allow for the conveyance of additional preserve lands.

- County Right-of-Way Permits. To approve development, circulation, infrastructure, and landscaping plans that affect County right-of-way through the project site.
- Grading Permit. To approve the grading plan proposed for the project.
- Annexation to a City or Special District. To annex to the County Water Authority (CWA), Metropolitan Water District (MWD), Otay Water District and possibly other special district(s) to provide water and sewer service to the project.
- Section 401 Water Quality Certification. General Construction Stormwater Permit, and National Pollutant Discharge Elimination (NPDES) Permit. To administer the National Pollutant Discharge Elimination System (NPDES) including establishing effluent limits and water quality standards in connection with issuance of permits for projects, and for providing water quality standards in connection with issuance of permits for projects, and for providing water quality regulation for dredge and fill activities throughout the development process.
- Section 404 Permit. Aggregate impacts to waters of the U.S. (defined as direct fill or indirect effects of fill) greater than 2-acres require a project-specific Clean Water Act 404 permit. If the proposed project impacts greater than two acres of "waters of the U.S." the project will require a 404 permit.
- Section 7 Consultation or Section 10a. If it is determined that the proposed project will affect a listed endangered or threatened species not currently covered by the MSCP, a formal consultation and approved habitat conservation program is required with USFWS in order to identify mitigation measures required to be added as a condition of project approval, as a pre-condition to issuance of an incidental take permit. The proposed project may involve consultation with the USFWS pursuant to Section 7 or 10(a) of the Endangered Species Act.
- Air Quality Permit to Construct. Project requires an Air Quality Permit to Construct.
- Water Service Approval. Project requires approval for water service by the Otay Water District.
- Sewer Service Approval. Project requires approval and/or agreement for sewer service from either Spring Valley Sanitation District, City of Chula Vista, Otay Water District, or Sweetwater Sanitation District.
- Section 1603 Streambed Alteration Agreement and Memorandum of Understanding. If the proposed project impacts wetlands or a state-listed threatened or endangered species, a streambed alteration agreement and a Memorandum of Understanding (MOU) will be required.

The project proposes a combination of land uses: a resort hotel and associated facilities, a mix of single- and multi-family residential neighborhoods, an elementary school, fire station, open space, and park and recreational facilities.

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- Formation of new sanitation district or County Service Area with contract for service from City of Chula Vista or Spring Valley Sanitation District; and,
- No district formation or annexation, with an out of district agreement or contract for service from City of Chula Vista or Sweetwater Sanitation District.

9. Surrounding land uses and setting (Briefly describe the project's surroundings):

The project site is currently vacant with vegetation consisting of Chamise chaparral, Diegan coastal sage scrub, Valley needlegrass grassland, Cismontane alkali marsh, Southern willow scrub, Non-native grassland, Chaparral, Southern riparian forest, and Freshwater. Riparian vegetation occurs in drainages located within the site. The topography of the site is characterized by broad mesas sloping to the south, broken by several steep canyons draining from north to south. Portions of the relatively flat mesa extend north into the Jamul Mountains, becoming part of steeper slopes. The project site elevations range from the low of approximately 500 feet above mean sea level (AMSL) at the southern end of the site to the high of approximately 900 feet AMSL in the northeastern portions of the site. The proposed project is upstream of Savage Dam, which creates Lower Otay Lake.

The project site is located at the interface of existing urban development and mostly undisturbed open spaces. Several different types of land uses surround the site. Otay Ranch Villages, East Lake Vistas residential community, and the U.S. Olympic Training Center are located to the west of the project site. Lower Otay Lake, a water and recreation reservoir and the Otay Valley Regional Park are located south of the site. Upper Otay Lake and the Birch Family Estate (currently envisioned for specialty conference center and low density residential uses in the existing SRP) are located northwest of the site. At the east end of the Lower Otay Lake is a temporary light gliding and parachute airport. An inactive quarry operation is also located east of the site.

Regional access is currently provided by I-805, which is located approximately six miles west of the project site. Future construction of State Route 125, approximately 3 miles west of the site, will provide additional north-south access for the traffic generated with build out of the south County areas including Otay Ranch and other portions of the Chula Vista Eastern Territories. Secondary north-south access is available on I-5, which is located approximately nine miles west of the project site. State Route 54 provides regional east-west circulation north of the project area, approximately five miles from the project site.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
General Plan Amendment	County of San Diego
Major Use Permit	County of San Diego
Rezone	County of San Diego
Specific Plan	County of San Diego
Tentative Map	County of San Diego
MSCP Amendment	County of San Diego
RMP Amendment	County of San Diego
County Right-of-Way Permits	County of San Diego
Grading Permit	County of San Diego
Annexation to a City or Special District	Local Agency Formation Commission (LAFCO)
401 Permit - Water Quality Certification	Regional Water Quality Control Board (RWQCB)
404 Permit	U.S. Army Corps of Engineers
1603 – Streambed Alteration Agreement	CA Department of Fish and Game (CDFG)
Section 7 - Consultation or Section 10a Permit – Incidental Take	US Fish and Wildlife Services (USFWS)
Air Quality Permit to Construct	Air Pollution Control District (APCD)
National Pollutant Discharge Elimination System (NPDES) Permit	RWQCB
General Construction Stormwater Permit	RWQCB
Water District Approval	Otay Water District
Sewer District Approval	Spring Valley Sanitation District, City of Chula Vista, Otay Water District, or Sweetwater Sanitation District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> <u>Aesthetics</u> | <input checked="" type="checkbox"/> <u>Agriculture Resources</u> | <input checked="" type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input checked="" type="checkbox"/> <u>Geology & Soils</u> |
| <input checked="" type="checkbox"/> <u>Hazards & Haz. Materials</u> | <input checked="" type="checkbox"/> <u>Hydrology & Water Quality</u> | <input checked="" type="checkbox"/> <u>Land Use & Planning</u> |
| <input checked="" type="checkbox"/> <u>Mineral Resources</u> | <input checked="" type="checkbox"/> <u>Noise</u> | <input checked="" type="checkbox"/> <u>Population & Housing</u> |
| <input checked="" type="checkbox"/> <u>Public Services</u> | <input checked="" type="checkbox"/> <u>Recreation</u> | <input checked="" type="checkbox"/> <u>Transportation/Traffic</u> |
| <input checked="" type="checkbox"/> <u>Utilities & Service Systems</u> | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, the Department of Planning and Land Use finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



Signature

October 14, 2004

Date

Robert Hingtgen

Printed Name

PLANNER II

Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: Scenic vistas are singular vantage points that offer unobstructed views of valued viewsheds, including areas designated as official scenic vistas along major highways or County designated visual resources. Based on a site visit completed by Stella Caldwell and Rob Hingtgen on April 19, 2004 the proposed project is located near, and is visible from, a scenic vista and will change the composition of an existing scenic vista. The project site is located at the interface of existing urban development and mostly undisturbed open spaces. Several different types of land uses surround the site. The Otay Ranch Villages, East Lake Vistas residential community, and the U.S. Olympic Training Center are located to the west and southwest of the project site. Lower Otay Lake, a water and recreation reservoir owned by the City of San Diego, and the Otay Valley Regional Park is located south of the site. Upper Otay Lake and the Birch Family Estate are located northwest of the site. At the east end of the Lower Otay Lake, on City of San Diego property, is a temporary ultra light gliding and parachuting airport. An inactive quarry operation is located to the east of the site. A visual impact analysis must be submitted and discussed within the context of the Draft EIR before effects on the existing scenic vista can be determined

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project site, Otay Ranch Preserve and Resort Community - Village 13, contains great scenic beauty and is highly visible from surrounding areas. The Village is also visible from the Olympic Training Center, Otay Lakes Road and the south side of the lake in some areas. From the project site there are views to the Jamul Mountains to the north, and to Lower Otay Lake and Otay Mountain to the south. Otay Lakes Road is a third Priority Scenic Route per the Scenic Highway Element of the General Plan, which has the goal of creating a network of scenic highway corridors and protecting and enhancing scenic, historical, and recreational resources in those corridors.

The Otay Subregional Plan Village 13 Policies require a visual analysis to be performed at the SPA level to assess visual impacts along Otay Lakes Road and to identify important view corridors from Otay Lakes and prominent natural features. This analysis should illustrate natural and proposed topography, together with

methods for protecting key view corridors and shall be consistent with the requirements set forth in the Overall Ranch Design Plan.

The proposed project, Otay Ranch Preserve and Resort, is a combination of land uses that include a resort hotel and associated facilities, a mix of single-family and multi-family residential neighborhoods, an elementary school, fire station, and park and recreational facilities. The residential component will be constructed on 522 acres and will contain 2,120 units. The resort component will be on about 48 acres and consist of a hotel, conference center, restaurant, specialty shops, and recreation facilities. The 48-acre area also includes a 3-acre commercial site, which will provide neighborhood retail opportunities for resort users and households located in the Specific Plan area. A visual analysis must be submitted and discussed within the context of the Draft EIR before compatibility with the existing visual environment's visual character and quality can be determined.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project site, Otay Ranch Preserve and Resort Community - Village 13, contains great scenic beauty and is highly visible from surrounding areas. The Village is also visible from the Olympic Training Center, Otay Lakes Road and the south side of the lake in some areas. From the project site there are views to the Jamul Mountains to the north, and to Lower Otay Lake and Otay Mountain to the south. Otay Lakes Road is a 3rd Priority Scenic Route per the Scenic Highway Element of the General Plan, which has the goal of creating a network of scenic highway corridors and protecting and enhancing scenic, historical, and recreational resources in those corridors.

The Otay Subregional Plan Village 13 Policies require a visual analysis to be performed at the SPA level to assess visual impacts along Otay Lakes Road and to identify important view corridors from Otay Lakes and prominent natural features. This analysis should illustrate natural and proposed topography, together with methods for protecting key view corridors and shall be consistent with the requirements set forth in the Overall Ranch Design Plan.

The proposed project, Otay Ranch Resort, is a combination of land uses that include a resort hotel and associated facilities, a mix of single-family and multi-family residential neighborhoods, an elementary school, fire station, and park and recreational facilities. The residential component will be constructed on 522 acres and will contain 2,120 units. The resort component will be on about 48 acres and consist of a hotel, conference center, restaurant, specialty shops and recreation facilities. The approximately 48-acre area also includes a 3-acre commercial site that will provide neighborhood commercial opportunities to visitors of the resort and

residents of the Specific Plan area. A visual analysis must be submitted and discussed within the context of the Draft EIR before compatibility with the existing visual environment's visual character and quality can be determined.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The proposed project will use outdoor lighting and is located within Zone B as identified by the San Diego County Light Pollution Code, approximately 30 miles from the Mount Laguna Observatory. However, it will not adversely affect nighttime views or astronomical observations, because the project will conform to the Light Pollution Code (Section 59.101-59.115), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights.

In addition, the proposed project will control outdoor lighting and sources of glare in the following ways:

1. The project will not install outdoor lighting that directly illuminates neighboring properties.
2. The project will not install outdoor lighting that would cast a direct beam angle towards a potential observer, such as a motorist, cyclist or pedestrian.
3. The project will not install outdoor lighting for vertical surfaces such as buildings, landscaping, or signs in a manner that would result in useful light or spill light being cast beyond the boundaries of intended area to be lit.
4. The project will not install any highly reflective surfaces such as glare-producing glass or high-gloss surface color that will be visible along roadways, pedestrian walkways, or in the line of sight of adjacent properties.

The project will not contribute to significant cumulative impacts on day or nighttime views because the project conforms to the Light Pollution Code. The Code was developed by the San Diego County Department of Planning and Land Use and Department of Public Works in cooperation with lighting engineers, astronomers, land use planners from San Diego Gas and Electric, Palomar and Mount Laguna observatories, and local community planning and sponsor groups to effectively address and minimize the impact of new sources light pollution on nighttime views. The standards in the Code are the result of this collaborative effort and establish an acceptable level for new lighting. Compliance with the Code is required prior to issuance of any building permit for any project. Mandatory compliance for all new building permits ensures that this project in combination with all past, present and future projects will not contribute to a cumulatively considerable impact. Moreover, the project's additional outdoor lighting and glare is controlled and limits light pollution to the project site or directly around the light source and will not contribute

to a cumulative impact. Therefore, compliance with the Code, in combination with the outdoor lighting and glare controls listed above ensure that the project will not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level.

II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project site is zoned S80 (Open Space) and S88 (Specific Planning Area), which are not considered to be an agricultural zone. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Historical agricultural uses in the project area include dry farming, as well as cattle grazing. Crop production was limited to dry farming or hay and grains due to limited water availability. The dry farming practiced in the project area may have involved the use of irrigation or chemical pesticides or fertilizers. The Final Program EIR for Otay Ranch indicates the project site was used for cattle grazing only, and according to the Soils Conservation Service data (1973) the project site is classified as Local Farmland of Importance.

The Final Program EIR for Otay Ranch determined that the loss of agricultural land and land suitable for the potential production of coastal-dependent crops would result in a significant impact, however, the loss of cattle and barley production was not considered to be a significant impact. The Final EIR requires an Agricultural Plan to be prepared that indicates the type of agricultural activity that will be allowed as an interim use and buffering guidelines to prevent land use interface impacts. The project is required to discuss this plan within the Draft Subsequent EIR.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Impact: The project will add approximately 25,000 average daily trips (ADT) to local roadways and grade some 16.5 million cubic yards of soil. Therefore the project has the potential to conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP). Therefore, the project is required to discuss the project's potential impacts to air quality in the context of the Draft EIR and an air quality analysis as appropriate.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: In general, air quality impacts from land use projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such projects. The San Diego County Air Pollution Control District (SDAPCD) has established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. For CEQA purposes, these screening-level criteria can be used as numeric methods to demonstrate that a project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the CEQA Air Quality Handbook for the South Coast Air Basin (SCAB), which has stricter standards for emissions of ROCs/VOCs than San Diego's, is appropriate. However, the eastern portions of the county have atmospheric conditions that are characteristic of the Southeast Desert Air Basin (SEDAB). SEDAB is not classified as an extreme non-attainment area for ozone and therefore has a less restrictive screening-level. Projects located in the eastern portions of the County can use the SEDAB screening-level threshold for VOCs.

The project will add approximately 25,000 average daily trips (ADT) to local roadways and grade some 16.5 million cubic yards of soil. Therefore the project has the potential to significantly contribute to the violation of any air quality standard or significantly contribute to an existing or projected air quality violation, primarily related to construction operations and diesel toxins. Therefore, the project is required to discuss the project's potential impacts to air quality in the context of the Draft EIR and an air quality analysis as appropriate.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O₃). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM₁₀) under the CAAQS. O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence

of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM₁₀ in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

Air quality emissions associated with the project include emissions of PM₁₀, NO_x and VOCs from construction/grading activities, and VOCs as the result of increase of traffic. The project will add approximately 25,000 average daily trips (ADT) to local roadways and grade some 16.5 million cubic yards of soil. The project has the potential to significantly contribute to a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). Therefore, the project is required to discuss the project's potential impacts to cumulative air quality in the context of the Draft EIR and an air quality analysis as appropriate.

d) Expose sensitive receptors to substantial pollutant concentrations?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality.

The project will introduce the following new "sensitive receptors" into the project area: elementary school. The project will add approximately 25,000 average daily trips (ADT) to local roadways and grade some 16.5 million cubic yards of soil. The project has the potential to expose sensitive receptors (elementary school) to substantial pollutant concentrations. Therefore, the project is required to discuss the project's potential impacts to air quality in the context of the Draft EIR and an air quality analysis as appropriate.

e) Create objectionable odors affecting a substantial number of people?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: No potential sources of objectionable odors have been identified in association with the proposed project. As such, no impact from odors is anticipated.

IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on an analysis of the County's Geographic Information System (GIS) records the County's Comprehensive Matrix of Sensitive Species, and a biological study prepared dated February 2004 prepared by Dudek & Associates, the site has the potential to sustain several sensitive habitats, which support and have the potential to support endangered, threatened, or rare plant or animal species. A preliminary listing of the site's sensitive habitat includes but is not limited to: Chamise chaparral, Diegan coastal sage scrub, Valley needlegrass grassland, Cismontane alkali marsh, Southern willow scrub, Non-native grassland, Chaparral, Mule fat scrub, Southern riparian forest, and Freshwater.

Pursuant to the CEQA, Otay Ranch Resource Management Plan, and state and federal laws, impacts to listed, or otherwise rare species must be minimized and often avoided entirely. In order to evaluate these impacts, focused surveys must be completed during the appropriate time period for sensitive plant and wildlife species by biologist(s) with demonstrable knowledge in field detection of the subject species (focused surveys for Federally listed species shall be in compliance with USFWS protocol, when such protocol exists, and must be done by a USFWS permitted biologist).

It has been determined that the project may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, based on the above information, all potentially significant adverse effects impacts, including noise from construction or the project, to endangered, threatened, or rare plant or animal species or their habitats must be addressed in the context of the biological technical study and within the Draft Subsequent EIR.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on an analysis of the County's Geographic Information System (GIS) records and the County's Comprehensive Matrix of Sensitive Species, the site has the potential to sustain several sensitive habitats, which support and have the potential to support endangered, threatened, or rare plant or animal species. It has been determined that the proposed project site contains riparian habitats of Cismontane alkali marsh, Mule fat scrub, Southern willow scrub, Southern riparian forest, and Freshwater within the project boundaries.

It has been determined that the project may have a substantial adverse effect, either directly or through habitat modifications, on riparian habitats. Therefore, based on the above information, all potentially significant adverse effects impacts, including noise from construction or the project, to endangered, threatened, or rare plant or animal species or their habitats must be addressed in the context of the biological technical study and within the Draft EIR.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project has the potential to support a number of extremely sensitive habitat lands that warrant special attention. These sensitive habitats may be significantly impacted by the proposed project and as proposed the project may not conform with the Otay Ranch Resource Management Plan. Therefore, conformance with the Otay Ranch Resource Management Plan must be demonstrated and discussed in the context of a biological technical study and the Draft EIR.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on an analysis of the County's Geographic Information System (GIS) records the County's Comprehensive Matrix of Sensitive Species, and a biological study prepared dated February 2004 prepared by Dudek & Associates it was determined that drainages, ridges, valley or linear-shaped patches of native vegetation that connect areas of native vegetation or natural open space are present on-site.

Identified habitat linkage and movement corridors through the project site occur east to west across the Jamul Mountains ridgeline in the northern portion of the site and north to south through the eastern portion of the project site. Proposed open space in the northern portion of the project site will preserve the east to west movement corridor and habitat linkage.

Although the principal movement and habitat connectivity from the Jamul Mountains to the San Ysidro Mountains likely occurs east of the project site within Dulzura Creek, opportunities for movement within upland areas in the eastern portion of the project site will be further limited by development of the major hilltop and gradual slopes to the east. Portions of the project site that are in proposed open space and contribute to the preservation of this corridor/linkage include the steeply sloped canyon west of the prominent hilltop, the south-face of the hilltop, and steep slopes along the northeast border of the project site.

The wildlife corridors may be vital in linking off-site open space preserves. The current project may potentially impact these corridors and may create additional indirect impacts through increased noise and activity. Impact to the corridors may be significant with the current project design. Therefore, any potentially significant impacts to wildlife dispersal corridors must be discussed in the biological technical study and the Draft EIR.

- e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project is exempt from the Biological Mitigation Ordinance (BMO) per Article III.A.4 of the BMO. However, the project's proposed Multiple Species Conservation Program (MSCP) amendments will need to be evaluated for conformance with the MSCP.

It has been determined that the project may conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources. Therefore, based on the above information, all potentially significant adverse effects impacts, including noise from construction or the project, to endangered, threatened, or rare plant or animal species or their habitats must be addressed in the context of the biological technical study and within the EIR.

V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: Based on an analysis of records and a survey of the property by a County of San Diego certified archaeologist, Brian Smith, it has been determined that there are one or more historical resources within the project site. These resources include the Thompson Homestead (CA-SDI-11,390H), a homesite (CA-SDI-11,391A), and a stacked rock pile (CA-SDI-12,354H). An historical resources report entitled, "An Archaeological/Historical Study for the Otay Ranch Village 13 Project", prepared by Brian Smith et al. of Brian F. Smith and Associates, dated November 6, 2002, evaluated the significance of the historical resources based on a review of historical records including land patents, Assessor's Building Records, previous investigations, an architectural evaluation, mapping and recording of all historic features, a sample collection of diagnostic artifacts, and subsurface excavation to qualitatively and quantitatively sample artifact deposits. Based on the results of this study, it has been determined that the historic resource(s) are not significant pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064.5. Moreover, if the resources are not considered significant historic resources pursuant to CEQA Section 15064.5, loss of these resources cannot contribute to a potentially significant cumulative impact.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project site has been surveyed by a County certified archaeologist, Brian Smith of Brian F. Smith & Associates, and it has been determined that there are one (or more) archaeological resources present. These resources include the following:

Area of Impact:

Lithic Production

SDI-12338	SDI-12,364	SDI-16,310	SDI-16,323	SDI-16,336
SDI-12,340	SDI-12,369	SDI-16,313	SDI-16,331	
SDI-12,362	SDI-12,370	SDI-16,319	SDI-16,334	

Lithic Production - Plant and/or Animal Resource Processing

SDI-222	SDI-11,407	SDI-12,355	SDI-12,372	SDI-16,329
SDI-11,389	SDI-12,336	SDI-12,356	SDI-16,305	SDI-16,330
SDI-11,391A	SDI-12,339A	SDI-12,357	SDI-16,306	SDI-16,333
SDI-11,391B	SDI-12,339B	SDI-12,365	SDI-16,316	SDI-16,335
SDI-11,404	SDI-12,342	SDI-12,366	SDI-16,327	Temp 36
SDI-11405	SDI-12-353	SDI-12,367	SDI-16,328	

Lithic Production – Temporary Camp

SDI-12,343	SDI-12,359	SDI-12,361		
SDI-12,358	SDI-12,360	SDI-12,363		

Quarry – Temporary Camp

SDI-11,388	SDI-11,409	SDI-12,371	SDI-16,312	
SDI-11,406	SDI-11,414	SDI-16,303	SDI-16,326	
SDI-11,408	SDI-12,368	SDI-16,309	SDI-16,332	

Temporary Camp

SDI-11,391C
SDI-12,341
Temp 35

The following sites are located outside the area of impact and are proposed to be placed in an open space easement:

SDI-16,304	SDI-16,311	SDI-16,317	SDI-16,321	SDI-16,325
SDI-16,307	SDI-16,314	SDI-16,318	SDI-16,322	
SDI-16,308	SDI-16,315	SDI-16,320	SDI-16,324	

An archaeological technical study entitled, "An Archaeological/Historical Study for the Otay Ranch Village 13 Project", prepared by Brian Smith et al. of Brian F. Smith and Associates, dated November 6, 2002, evaluated the significance of the archaeological resources based on subsurface testing, analysis of recovered artifacts, and other investigations and has determined that there are archaeological

resource(s) present that are significant pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064.5. The loss of these resources may be considered significant pursuant to CEQA Section 15064.5 and may contribute to a potentially significant cumulative impact.

A total of twenty-two (22) archaeological sites were identified as significant (SDI-11406, SDI-11409, SDI-12368, SDI-12371, SDI-16303, SDI-16304, SDI-16307, SDI-16308, SDI-16309, SDI-16311, SDI-16312, SDI-16314, SDI-16315, SDI-16317, SDI-16318, SDI-16320, SDI-16321, SDI-16322, SDI-16324, SDI-16325, SDI-16326, and SDI-16332). All sites (n=13) that are located outside of the development area will be placed in an open space easement (see table above). Direct impacts to the balance of sites (SDI-11406, SDI-11409, SDI-12368, SDI-12371, SDI-16303, SDI-16309, SDI-16312, SDI-16326, and SDI-16332) will be mitigated through data recovery.

Based on the above information, all potentially significant adverse impacts to cultural resources including cumulative impacts must be addressed in the context of the cultural resources technical study and within the Draft EIR.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: A review of the paleontological maps provided by the San Diego Museum of Natural History, combined with available data on San Diego County's geologic formations indicates that the project is located on geological formations that have high, moderate and marginal resource potential.

- *High* resource potential is assigned to geologic formations known to contain paleontological localities with rare, well-preserved, critical fossil materials for stratigraphic or paleoenvironmental interpretation, and fossils providing important information about the paleobiology and evolutionary history of animal and plant groups. In general, highly sensitive formations are considered to have the potential to produce vertebrate fossil remains.
- *Low* resource potential is assigned to geologic formations that, based on their relative young age and/or high-energy depositional history, are judged unlikely to produce important fossil remains. Typically, low sensitivity formations produce invertebrate fossil remains in low abundance.
- *Marginal* resource potential is assigned to geologic formations that are composed either of volcanic rocks or high-grade metasedimentary rocks, but which nevertheless have a limited probability for producing fossil remains from certain sedimentary lithologies at localized outcrops.

The geologic units designated as High resource potential (Otay and Sweetwater formations) are located in the western and southern portion of the project site, along the boundary with Lower Otay Lake. The Otay formation contains important Oligocene vertebrate fossil assemblages, and is considered the richest resource of these type of fossils in California. The Sweetwater formation contains similar vertebrate fossils as the Otay formation, but of late Eocene age. The Sweetwater formation underlays the Otay formation, and is found in a few areas immediately adjacent to the Lower Otay Reservoir. Marginal resource potential geologic units present at the project site consist of the Cretaceous Santiago Peak volcanics. Metasedimentary units within this formation may yield some marine invertebrate fossils; however, the occurrence of fossils is limited. Small pockets of Quaternary alluvium throughout the project site are assigned a low resource potential. The occurrence of fossils within these poorly consolidated sedimentary units is rare and not considered to be very likely in the project vicinity.

A potentially significant impact could occur as a result of the grading and development proposed for the project site. The most significant impact would occur in areas underlain by the Otay and Sweetwater formations. The grading volumes and depths of cut exceed the excavation guidelines for determination of significance of impact for all three resource potential levels present on the project site.

Additionally, the known location of fossils in the area of the proposed project indicates the high likelihood of fossil occurrences within the proposed excavation area for the project. Therefore, because the project will exceed the excavation guidelines, conditions on the project will require that a paleontological monitor be present on the grading site during the excavation of units that contain high, marginal and low probability resource potential.

It has also been determined that there is a low to moderate probability of unique geologic features within the project site. Further review, including a field survey for these resources will be required in order to determine the significance of impact.

All of these issues must be discussed in the context of the Draft EIR and revised Geologic/Geotechnical Report.

d) Disturb any human remains, including those interred outside of formal cemeteries?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The project site has been surveyed by a County certified archaeologist, Brian Smith of Brian F. Smith and Associates, and it has been determined that there is one or more archaeological resources present (see Question B above for details). An archaeological extended study entitled, "An Archaeological/Historical Study for the Otay Ranch Village 13 Project", prepared by Brian Smith et al. of Brian F. Smith and Associates, dated November 6, 2002,

included subsurface excavations. No human remains were discovered during the course of these excavations. As outlined in CEQA Guidelines Section 15064.5, in the event that human remains are discovered during grading or construction of the project, the County will work with the appropriate Native Americans as identified by the Native American Heritage Commission (NAHC) as provided in Public Resources Code Section 5097.98 to ensure that all human remains will be appropriately treated or disposed of, with appropriate dignity, the human remains and any items associated with native American burials with the appropriate native Americans as identified by the NAHC.

VI. GEOLOGY AND SOILS -- Would the project:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California. Also, staff geologist, Becky Cardoso has reviewed the project and has concluded that no other substantial evidence of recent (Holocene) fault activity is present within the project site. Therefore, there will be no impact from the exposure of people or structures to adverse effects from a known hazard zone as a result of this project.

- ii. Strong seismic ground shaking?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Preliminary review of the site's geology shows that it is relatively close to active and potentially active seismic areas of the La Nacion Fault Zone. Portions of the project will be developed on steep slopes that may become unstable in the event of seismic activity. The entire site is comprised of soils that are categorized by the Soil Survey of San Diego County as "Severely or Moderately Erodible", which if are disturbed and unprotected can result in an environment suitable for landsliding and rockfall. The project may result in significant adverse effects to people or structures from strong seismic ground

shaking as a result of this project. A Geotechnical Investigation must be completed in order to determine the potential impacts created by the exposure of people to hazards related to fault rupture (Alquist-Priolo Zone), seismic ground shaking, rockfall, or landslides. The results of the Geotechnical study must be discussed in the context of the Draft EIR.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Preliminary review of the site's geology shows that it is relatively close to active and potentially active seismic areas of the La Nacion Fault Zone. Alluvial deposits are dispersed through out drainages on the project site, and may result in significant adverse effects to people or structures from a known area susceptible to ground failure. A Geotechnical Evaluation must be completed in order to determine the potential impacts created by the exposure of people to hazards related to fault rupture (Alquist-Priolo Zone), seismic ground shaking, rockfall, or landslides. The results of the Geotechnical study must be discussed in the context of the Draft EIR.

iv. Landslides?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Preliminary review of the site's geology shows that it is relatively close to active and potentially active seismic areas of the County (namely the Elsinore Fault Zone). The project will be developed on steep slopes that may become unstable in the event of seismic activity. The project lies in an area mapped as low to moderate potential for landslides; however, there are several known and mapped landslide present on and near the project site. A Geotechnical Report shall be prepared for this project to determine if there is evidence of either pre-existing or potential conditions that could become unstable in the event of seismic activity. This determination must be completed in order to determine the potential impacts created by the exposure of people to hazards related to fault rupture (Alquist-Priolo Zone), seismic ground shaking, rockfall, or landslides. The results of the Geotechnical study must be discussed in the context of the Draft EIR.

2. Result in substantial soil erosion or the loss of topsoil?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: According to the Soil Survey of San Diego County, the soils on-site are identified as Friant rocky fine sandy loam, San Miguel-Exchequer rocky silt loams, Olivenhain cobbly loams, Diablo-Olivenhain complex, Redding cobbly loam that has a soil erodibility ratings of "moderate" and "severe" as indicated by the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. A Geotechnical Report shall be prepared for this project to determine if potential hazards exist due to erodible soils. The results of the Geotechnical study must be discussed in the context of the EIR. Additionally, the Stormwater Management Plan, Drainage Study and Landscape Plan shall be reviewed for avoidance of hazards due to soil erosion. Additionally, this project shall be analyzed to determine if a cumulative effect will occur as a result of the implementation of development in surrounding areas that would increase the severity of soil erosion impacts on the project site, or if the proposed project would contribute to soil erosion offsite.

3. Will the project produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: As discussed above in Section a) i-iv, the project may result in significant adverse effects to people or structures from a known area susceptible to landslides, lateral spreading, subsidence, or liquefaction. A Geotechnical Evaluation must be completed in order to determine the potential impacts. The results of the Geotechnical study must be discussed in the context of the Draft EIR.

4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project is located on expansive soils as defined within Table 18-1-B of the Uniform Building Code (1994). This was confirmed by staff review of the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. The expansive soils on-site are Diablo-Olivenhain complex, San Miguel-Exchequer, and Redding cobbly loam, and may have significant impacts to property. A Geotechnical Report will be necessary in order to determine whether these

conditions can be mitigated through site design and compliance with the Uniform Building Code, Division III – Design Standard for Design of Slab-On-Ground Foundations to Resist the Effects of Expansive Soils and Compressible Soils, which ensure suitable structure safety in areas with expansive soils. The results of the Geotechnical study must be discussed in the context of the Draft EIR.

5. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project will rely on public water and sewer for the disposal of wastewater. Several alternatives will be evaluated and discussed in the Draft EIR and Overview of Sewer Service for Otay Ranch Village 13. These alternatives include:

- a) Annexation to Spring Valley Sanitation District with physical connection to Proctor Valley Sewer and Spring Valley Sanitation facilities or physical connection to Salt Creek Interceptor through agreement or contract with City of Chula Vista;
- b) Annexation to Otay Water District with the same connections as a) above;
- c) Formation of new sanitation district or CSA with contract for service from City of Chula Vista or Spring Valley Sanitation District; and,
- d) No district formation or annexation, with an out of district agreement or contract for service from City of Chula Vista or Sweetwater Sanitation District.

Project sewage generation is estimated at 0.73 million gallons per day (mgd). If Salt Creek Interceptor is used, two permanent onsite lift stations and force mains and offsite improvements are required to convey flows to Otay Lakes Rd and Salt Creek. No septic tanks or alternative wastewater disposal systems are proposed.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporation | <input checked="" type="checkbox"/> No Impact |

No Impact: The project will not create a significant hazard to the public or the environment because it does not propose the storage, use, transport, emission, or disposal of Hazardous Substances, nor are Hazardous Substances proposed or known to be currently in use in the immediate vicinity.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

No Impact: The project site has the potential to contain hazardous materials (e.g., pesticides) associated with the historic agricultural use of the site. A Phase I Environmental Assessment is required to determine the presence or absence of hazardous materials on-site. Based on the findings of the Phase I Environmental Assessment, mitigation measures may be required to remediate the hazardous materials on-site.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: Although the project proposes an elementary school, the project does not propose the handling, storage, or transport of hazardous materials. Therefore, the project will not have any effect on an existing or proposed school.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project is not located on a site listed in the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports; or within two miles of a public airport. Also, the project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport. Therefore, the project will not constitute a safety hazard for people residing or working in the project area.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: An ultra gliding and parachuting airport is located east of the proposed project that may result in a safety hazard for people residing or working in the area. All potentially significant adverse effects impacts associated with safety hazards must be addressed in the context of the Draft Subsequent EIR.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN:

The Operational Area Emergency Plan is a framework document that provides direction to local jurisdictions to develop specific operational area of San Diego County. It provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The project will not interfere with this plan because it will not prohibit subsequent plans from being established.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY
RESPONSE PLAN

The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE
RESPONSE PLAN

The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

The Dam Evacuation Plan for will not be interfered with because the project is located outside a dam inundation zone.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Impact Unless Mitigation Incorporated: The proposed project site is located in a hazardous wildland fire area. The San Diego Rural Fire Protection District has requested a Fire Protection Plan that addresses fuel modification zones and any community built-in enhancements or features. The plan shall also demonstrate how the project will meet all requirements of Article 86, Section 8601 of the California Fire Code (Attachment X).

- i) Expose people to significant risk of injury or death involving vectors, including mosquitoes, rats or flies?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact Unless Mitigation Incorporated: The project site lies just north of Lower Otay Reservoir and will construct new drainage and stormwater management facilities. The potential for people to be exposed to vectors such as mosquitoes must be addressed in the project's Stormwater Management Plan and Drainage Study, and within the Draft Subsequent EIR.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any waste discharge requirements?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. Prior to construction and grading of the site, a Notice of Intent must be filed with the State Water Resources Control Board (SWRCB) for a General Construction Storm Water Permit. The project is also preparing an Urban Runoff Management Plan and Storm Water Management Plan to address urban and storm water runoff from the project site. These reports must address the requirements of the County of San Diego pursuant to RWQCB Order No. 2001, NPDES Permit No. CAS0108758. These reports will be included as technical appendices to the Draft Subsequent EIR and water quality issues must be discussed in the Draft Subsequent EIR.

- b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The entire potential development area of the proposed project lies in the Savage (910.31) Hydrologic Subarea, within the Dulzura Hydrologic Area (910.3) of the Otay Hydrologic Unit (910.00). The only impaired water body in the Otay Hydrologic Unit is the San Diego Bay Shoreline, Tidelands Park, impaired for

bacterial indicators (2002 CWA Section 303(d) List). The project site is not tributary to this impaired water body.

- c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact Unless Mitigation Incorporated: The Regional Water Quality Control Board has designated water quality objectives for waters of the San Diego Region as outlined in Chapter 3 of the Water Quality Control Plan (Plan). The water quality objectives are necessary to protect the existing and potential beneficial uses of each hydrologic unit as described in Chapter 2 of the Plan.

The entire potential development area of the proposed project lies in the Savage (910.31) Hydrologic Subarea, within the Dulzura Hydrologic Area (910.3) of the Otay Hydrologic Unit (910.00). The Savage Hydrologic Subarea includes Lower Otay Reservoir and below the reservoir lies the Otay Valley Hydrologic Area (910.2) which includes the Otay River and extends all the way to San Diego Bay. Beneficial uses for these water bodies are as follows:

Beneficial Uses	910.31	910.31 Lower Otay Reservoir	910.20 Otay River
Municipal and Domestic Supply	X	X	+
Agricultural Supply	X	X	X
Industrial Process Supply	X	X	O
Industrial Service Supply	X	X	
Contact Water Recreation	X	X ¹	O
Non-Contact Water Recreation	X	X	X
Warm Freshwater Habitat	X	X	X
Cold Freshwater Habitat		X	
Wildlife Habitat	X	X	X
Rare, Threatened, or Endangered Species Habitat	X		X

X – Existing Beneficial Use

+ - Excepted from Municipal and Domestic Supply

O – Potential Beneficial Use

¹ – Includes only fishing from shore or boat

The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project is preparing an Urban Runoff Management Plan and Storm Water Management Plan to address urban and storm water runoff from the project site. These reports must address evaluate all potential impacts to beneficial uses and water quality objectives. These reports will be included as technical appendices to the Draft Subsequent EIR and water quality issues must be discussed in the Draft Subsequent EIR.

- d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will obtain its water supply from the Otay Water District that obtains water from surface reservoirs or other imported water source. The project does not propose the use of groundwater for any purpose, including irrigation, domestic or commercial demands. However, the project's effects on groundwater recharge are not known at the present time, as the project will create a large amount of impervious surfaces. The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. This issue must be addressed in the Storm Water Management Plan. This report will be included as technical appendices to the Draft Subsequent EIR and water quality issues must be discussed in the Draft Subsequent EIR.

- e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project will create new drainage facilities as part of this development. This issue must be addressed in the project's Drainage Study. This report will be included, as a technical appendix to the Draft Subsequent EIR drainage issues must be discussed in the Draft Subsequent EIR.

- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project will create new drainage facilities and increased runoff may be expected from the increase in impervious surfaces associated with this development. These issues must be addressed in the project's Drainage Study. This report will be included as a technical appendix to the

Draft Subsequent EIR drainage issues must be discussed in the Draft Subsequent EIR.

- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project will create new drainage facilities and increased runoff may be expected from the increase in impervious surfaces associated with this development. These issues must be addressed in the project's Drainage Study. This report will be included as a technical appendix to the Draft Subsequent EIR drainage issues must be discussed in the Draft Subsequent EIR.

- h) Provide substantial additional sources of polluted runoff?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project is preparing an Urban Runoff Management Plan and Storm Water Management Plan to address urban and storm water runoff from the project site and all potential sources of polluted runoff. These reports will be included as technical appendices to the Draft Subsequent EIR and water quality issues must be discussed in the Draft Subsequent EIR.

- i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project will create new drainage facilities and increased runoff may be expected from the increase in impervious surfaces associated with this development. Potential flooding issues must be

addressed in the project's Drainage Study. This report will be included as a technical appendix to the Draft Subsequent EIR drainage issues must be discussed in the Draft Subsequent EIR.

- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project will create new drainage facilities and increased runoff may be expected from the increase in impervious surfaces associated with this development. Potential flooding issues must be addressed in the project's Drainage Study. This report will be included, as a technical appendix to the Draft Subsequent EIR drainage issues must be discussed in the Draft Subsequent EIR.

- k) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project will develop about 650 acres of undeveloped land with residential and commercial development immediately north of Lower Otay Reservoir. The project will create new drainage facilities and increased runoff may be expected from the increase in impervious surfaces associated with this development. Potential flooding issues must be addressed in the project's Drainage Study. This report will be included as a technical appendix to the Draft Subsequent EIR drainage issues must be discussed in the Draft Subsequent EIR.

- l) Inundation by seiche, tsunami, or mudflow?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

i. SEICHE

The project site is located on the north side of Lower Otay Lake, and is potentially susceptible to the hazards associated with a seiche. A Geotechnical Report shall be prepared for this project to determine if potential hazards exist due to seiche. The results of the Geotechnical study must be discussed in the context of the EIR.

ii. TSUNAMI

Tsunami – The project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. MUDFLOW

Preliminary review of the site's geology shows that it is relatively close to active and potentially active seismic areas of the County (namely the Elsinore Fault Zone). The project will be developed on steep slopes that may become unstable in the event of seismic activity. The project lies in an area mapped as low to moderate potential for landslides; however, there are several known and mapped landslides present on and near the project site. A Geotechnical Report shall be prepared for this project to determine if there is evidence of either pre-existing or potential conditions that could become unstable in the event of seismic activity. This determination must be completed in order to determine the potential impacts created by the exposure of people to hazards related to fault rupture (Alquist-Priolo Zone), seismic ground shaking, rockfall, or landslides. The results of the Geotechnical study must be discussed in the context of the Draft EIR.

IX. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The project proposes to introduce new infrastructure such as major roadways or water supply systems, or utilities to the area. However, the proposed project will not significantly disrupt or divide the established community because the project area will develop an approximately 1,900-acre vacant site with an integrated mixture of residential, commercial, resort, and public service and facilities uses. No surrounding communities will be divided by the proposed project.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The proposed project is currently subject to the Regional Land Use Element Policy 1.6, Environmentally Constrained Areas (ECA), 1.7 Special Study Area (SSA), and 1.1 Current Urban Development Area (CUDA) and General Plan Land Use Designations 21 (Specific Plan) and 24 (Impact Sensitive). The General Plan (21) parcel sizes are regulated by the Otay Subregional Plan that has designations of Low Medium (LM) Residential and Medium High (MH) Residential. Residential land use categories and densities are: Low Residential (1-3 dwelling units per acre); Low Medium Residential, Low Medium Village Residential (3-6 dwelling units per acre); Medium Residential (6-11 dwelling units per acre); Medium High Residential (11-18 dwelling units per acre). The project proposes single-family lots ranging in size from 5,000 to 7,350 square feet within the LM designation with an overall average density is 3.7 dwelling units per acre. Within the MH, townhomes, garden apartments and stacked flats over commercial are proposed with an average density of about 13 dwelling units per acre. The (24) Impact Sensitive designation requires 1 dwelling unit per 4, 8 & 20 acres.

The proposed project requires an amendment to the County of San Diego General Plan: 1) to modify the 21-Specific Plan and 24-Impact Sensitive boundaries to reflect the proposed land use plan; 2) to modify the boundaries of the Special Study Overlay (SSA) area to reflect the proposed land use plan and concurrently redesignate the modified SSA area to Current Urban Development Area (CUDA) to reflect the proposed annexation to the County Water Authority (CWA); 3) to modify the boundaries of the Environmentally Constrained Area (ECA) to reflect the proposed land use plan; and 4) to amend the SRP to modify Preserve area boundaries, road alignments, and SRP land use designations applied on-site.

The boundaries of the RMP must also be amended to reflect the proposed land use plan and the preserve conveyance schedule must be modified to allow for the conveyance of additional preserve lands. Since the project is not consistent with the existing General Plan and requires an amendment to the General Plan, a potentially significant impact associated with this issue would occur.

The Otay SRP, Volume 2 established the land use pattern for the overall Otay Ranch. The SRP established a series of villages with specific goals and objectives intended to guide the development of each individual community. The Specific Plan implements the overall goals and policies for the Otay SRP planning area. The SRP designates Village 13 as a specialty village composed of a hotel and related facilities, residential neighborhoods and neighborhood serving uses including an elementary school, park and recreational areas. The proposed project streets and buildings will be integrated into the natural topography on the hillsides. Neighborhood-serving land uses will be located within walking distance of most

residential neighborhoods and the hotel site will be located on a rock promontory as a community focal point. The project design is consistent with the character of the surrounding community, as the SRP has designated similar uses in the vicinity of the project site.

A Conceptual Tentative Map was submitted with the application. A Standard Tentative Map will be submitted for staff review before a determination of project consistency with the policies of the Otay Subregional Plan, Volume 2, the County Zoning Ordinance, and the County Subdivision Ordinance is made. An Illustrative Site Plan for the proposed condominiums will also be submitted to enable staff to make a determination of project consistency.

The current zones are S88, Specific Plan and S80 Open Space which requires a net minimum lot size of 3.19 dwelling unit per acre. The project proposes to modify the S80 Open Space and S88 Specific Plan boundaries to reflect the proposed land use plan and to modify the S88 Specific Plan zoning standards to indicate that development in the project site is subject to the refined standards and regulations set forth in the Otay Ranch Preserve and Resort Community Specific Plan.

X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The lands within the project site do not have a Mineral Land Classification from the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997); however, the project is located near areas of former mining and contains geologic units capable of producing bentonite (Otay formation) and aggregate (Santiago Peak Volcanics). Additionally, an inactive rock quarry exists east of the project boundary. Therefore, the project may result in the significant loss of availability of a known mineral resource to the region and the residents of the state, and may be impacted by potential mining activities off-site. Based on these circumstances, a Geologic Report will be prepared in order to determine whether the project will result in the loss of availability of a known mineral resource, and discussed within the context of the Draft Subsequent EIR.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: Although the project site is not within an Extractive Use Zone (S-82) and does not have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25), staff geologist Rebecca Cardoso has reviewed the site's geologic environment and has also evaluated the potential for non-economic value (i.e. an historical mining site). Additionally, the project has been placed in a Resource Conservation Area pursuant to the General Plan for mineral resources. Staff has determined that there is a potential for aggregate material and bentonite on the project site. Therefore, as discussed above in a), the project may result in the significant loss of availability of a known mineral resource and will need to be further evaluated within a Geologic Report and Draft Subsequent EIR.

XI. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project may expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project proposes noise sensitive components that include a resort complex (800 unit) and an elementary school. In addition, 2,120 residential units are proposed for development. Otay Lakes Road, a prime arterial road, is located adjacent to the southern boundary of the project site, and at the east end of Lower Otay Lake, a temporary ultra gliding and parachuting airport is in operation. Based on the above information, all potentially significant adverse effects impacts, including noise from construction or the project, must be addressed in the context of the acoustical technical study and within the Draft Subsequent EIR.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant Impact with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The project proposes residential and resort hotel land uses where low ambient vibration is essential for interior operation. However, these facilities are not located along any public road or transit Right-of-Way with projected noise contours of 65 dB or more; any property line for parcels zoned industrial or extractive use; or any permitted extractive uses. Also, the project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels and impact vibration sensitive uses in the surrounding area. Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise on a project or cumulative level.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: It has been determined that the project may have a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The project proposes a resort complex (800 units), fire station, elementary school, 2,120 residential units, and parks on an undeveloped project site. Based on the above information, all potentially significant adverse impacts, including noise from construction or the project, must be addressed in the context of the acoustical technical study and within the Draft Subsequent EIR.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: It has been determined that the project may have a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The project proposes a resort complex (800 units), elementary school, and 2,120 residential units, on an undeveloped project site. Construction activities required for the proposed development are likely to cause substantial temporary or periodic increases in the ambient noise levels in the project vicinity. Based on the above information, all potentially significant adverse effects impacts, including temporary or periodic increases in noise from construction or the project, must be addressed in the context of the acoustical technical study and within the Draft Subsequent EIR.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public airport or public use airport. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: It has been determined that the project is within the vicinity of a private airstrip, and may expose people residing or working in the project area to excessive noise levels. The project proposes a resort complex (800 units), elementary school, and 2,120 residential units that may be subject to noise from an ultra gliding and parachuting airport that is in operation at the east end of Lower Otay Lake. Based on the above information, all potentially significant adverse effects impacts, including noise from the operation of the private airstrip, must be addressed in the context of the acoustical technical study and within the Draft Subsequent EIR.

XII. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project proposes a large-scale residential development (2,120 units) including a resort complex (800 units). Extension of utilities including water and sewer, and new road improvements are components of the proposed project. In addition, annexation to the Otay Water District and possibly the Spring Valley Sanitation District will be required. Based on the above

information, the project may induce substantial population growth in an area, either directly or indirectly. Therefore, all potentially significant adverse effects impacts associated with growth must be addressed in the Draft Subsequent EIR.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project will not displace any existing housing since the site is currently vacant.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project will not displace a substantial number of people since the site is currently vacant.

XIII. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on the service availability forms received for the project, the proposed project will result in the need for significantly altered services or facilities. Service availability forms have been provided which indicate services are available to the project from the following agencies/districts:

- San Diego Rural Fire Protection District
- San Diego County Sheriff's Department
- Otay Water District
- Chula Vista Elementary School District
- Sweetwater Union High School

A Service Availability Letter was not provided for sewer. The project proposes to annex to the Spring Valley Sanitation District for service; however, proof of service availability must be provided.

Implementation of the project will result in the generation of wastewater that may exceed the wastewater treatment requirements of the Regional Water Quality Control Board. A potential significant impact associated with this issue could occur.

The project would result in the construction or expansion of existing water and wastewater facilities from areas adjacent to the project site in order to ensure sufficient supplies, capacity and service. Implementation of the proposed project would also require construction of new storm water drainage facilities. New (or expanded) entitlements may be needed to have sufficient water supplies to serve the project. A potential significant impact associated with this issue could occur.

The project related improvements would contribute to the need for future expansion and construction of landfills. A potential significant impact associated with this issue could occur.

The proposed project will place additional demand on existing police and fire protection which would require the provision of new or physically altered facilities. A fire station was included in the Otay Ranch SRP for inclusion in Otay Ranch Village 15 that would also serve Village 13. However, Village 15 was purchased by the State for open space late last year. Therefore, a fire station will need to be provided for Village 13. Potential impacts to police protection have not been addressed. A potential significant impact associated with this issue could occur.

Pursuant to the service availability forms, the following new and/or physically altered governmental facilities must be constructed as a part of the project in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services:

- Fire - facility, equipment and staffing
- Sheriff - facility and staffing
- Elementary School – participation in alternative financing mechanisms

- Water – annexation into the Otay Water District 's sphere of influence with LAFCo and Metropolitan approval. The service availability letter states that facilities are not available to serve this project. An updated service availability letter from the water district must be provided indicating adequate water resources and infrastructure to serve this project.

XIV. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The proposed project, Otay Ranch Preserve and Resort Community, is a combination of land uses that include a resort hotel and associated facilities, a mix of single-family and multi-family residential neighborhoods, an elementary school and park and recreational facilities. The proposed uses will increase the use of existing neighborhood and regional parks or other recreational facilities. To avoid substantial physical deterioration of local recreation facilities the project will be required to pay fees or dedicate land for local parks to the County pursuant to the Park Land Dedication Ordinance (PLDO). The Park Land Dedication Ordinance (PLDO) is the mechanism that enables the funding or dedication of local parkland in the County. The PLDO establishes several methods by which developers may satisfy their park requirements. Options include the payment of park fees, the dedication of a public park, the provision of private recreational facilities, or a combination of these methods. PLDO funds must be used for the acquisition, planning, and development of local parkland and recreation facilities. Local parks are intended to serve the recreational needs of the communities in which they are located. The proposed project includes 19.6 acres of neighborhood parks (as shown on GPA Exhibit 3) and has also opted to pay park in-lieu fees. Therefore, the project meets the requirements set forth by the PLDO for adequate parkland dedication and thereby reducing impacts, including cumulative impacts to local recreational facilities. The project will not result in significant cumulative impacts, because all past, present and future residential projects are required to comply with the requirements of PLDO. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

There is an existing surplus of County Regional Parks. Currently, there is over 21,765 acres of regional parkland owned by the County, which far exceeds the General Plan standard of 15 acres per 1,000 population. In addition, there are over one million acres of publicly owned land in San Diego County dedicated to parks or open space including Federal lands, State Parks, special districts, and regional river parks. Due to the extensive surplus of existing publicly owned lands that can be used for recreation the project will not result in substantial physical deterioration of

regional recreational facilities or accelerate the deterioration of regional parkland. Moreover, the project will not result any cumulatively considerable deterioration or accelerated deterioration of regional recreation facilities because even with all past, present and future residential projects a significant surplus of regional recreational facilities will remain.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project involves new recreational facilities. The new facilities include neighborhood parks, bike and pedestrian pathways, and a resort with tennis and swimming facilities for hotel visitors and permanent residents.

The Otay Ranch SRP, Village 13 requires trails within the proposed subdivision and preserve area with alignments connecting to neighboring community trails. The Recreation Element of the County's General Plan indicates that Regional Trails are to be multi-use non-motorized trails that would allow mountain biking, horseback riding and hiking. The language in the Otay Ranch SPA must be amended to specify multi-use non-motorized trails.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project proposes a resort hotel complex (800 units), recreation and park facilities, elementary school, and 2,120 residential units. The project is expected to generate approximately 25,000 ADT. All potentially significant impacts must be addressed in the context of the traffic impact assessment and within the Draft Subsequent EIR.

- b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project proposes a resort hotel complex (800 units), recreation and park facilities, elementary school, and 2,120 residential units. The project is expected to generate approximately 25,000 ADT. All potentially significant impacts must be addressed in the context of the traffic impact assessment and within the Draft Subsequent EIR.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: An ultra gliding and parachuting airport is located east of the proposed project that may result in a safety hazard for people residing or working in the area. All potentially significant adverse effects impacts associated with safety hazards must be addressed in the context of the Draft Subsequent EIR.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: The project proposes a resort hotel complex (800 units), recreation and park facilities, elementary school, and 2,120 residential units. The project is expected to generate approximately 25,000 ADT and will require road improvements to Otay Lakes Road and new roads within the proposed development. All potentially significant impacts must be addressed in the context of the traffic impact assessment and within the Draft Subsequent EIR.

- e) Result in inadequate emergency access?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The proposed project will not result in inadequate emergency access. The project is not served by a dead-end road that exceeds the maximum cumulative

length permitted by the Consolidated Fire Code for the 17 Fire Protection Districts in San Diego County; therefore, the project has adequate emergency access.

f) Result in inadequate parking capacity?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant: An Illustrative Site Plan for the proposed condominiums must be submitted before staff can determine compliance with the Zoning Ordinance Parking Schedules.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant: The project's Specific Plan will include a Non-Renewable Energy Conservation Plan that will address transit facilities and alternative transportation. These plans will address all potentially significant impacts and will be discussed in the Specific Plan and Draft Subsequent EIR.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: Project sewage generation is estimated at 0.73 mgd. Four options for sewer service have been identified:

- Annexation to Spring Valley Sanitation District with physical connection to Proctor Valley Sewer and Spring Valley Sanitation facilities, or physical connection to Salt Creek Interceptor through agreement or contract with City of Chula Vista;
- Annexation to Otay Water District with same connections;
- Formation of new sanitation district or County Service Area with contract for service from City of Chula Vista or Spring Valley Sanitation District; and,
- No district formation or annexation, with an out of district agreement or contract for service from City of Chula Vista or Sweetwater Sanitation District.

All proposed community sewer systems are permitted to operate by the Regional Water Quality Control Board (RWQCB). However, it is not known if this additional volume will exceed the wastewater treatment requirements of the RWQCB. The project is preparing an "overview of Sewer Service for Otay Ranch Village 13," which will be discussed in the context of the Draft Subsequent EIR.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: Implementation of the project will result in the new construction or expansion of existing water and wastewater facilities from areas to the west of the site to ensure sufficient supplies and service. Otay Water District (OWD) is proposed to supply water to the project site which would be served by the OWD 980 zone. OWD 980 zone improvements within the project that are identified in the OWD Capital Improvement Plan include a new 980-4 reservoir with 10 million gallon capacity, and a 20-inch transmission line extension to project site. Onsite sewer lines would include gravity lines of various diameters leading to both gravity 10" and force 8" and 10" lines along Otay Lakes Road. The construction of these facilities will be addressed in the technical studies regarding water and sewer service and in the Draft Subsequent EIR.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Unless Mitigation Incorporated: Implementation of the project will result in the new construction or expansion of existing stormwater drainage facilities to convey runoff through or around the project site. Potentially significant impacts could result from an increase of urban runoff reaching Lower Otay Lake Reservoir. These potentially significant impacts must be addressed in the project's Storm Water Management Plan, Urban Runoff Management Plan and Draft Subsequent EIR.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project is subject to Senate Bills 610 and 221 and amendments to the California Water Code which require a water use assessment of the project to provide adequate assurance of future water supply for the project. This assessment will be prepared by OWD and will become a technical addendum to the Draft Subsequent EIR.

- e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Four options for sewer service have been identified:

- Annexation to Spring Valley Sanitation District with physical connection to Proctor Valley Sewer and Spring Valley Sanitation facilities, or physical connection to Salt Creek Interceptor through agreement or contract with City of Chula Vista;
- Annexation to Otay Water District with same connections;
- Formation of new sanitation district or County Service Area with contract for service from City of Chula Vista or Spring Valley Sanitation District; and,
- No district formation or annexation, with an out of district agreement or contract for service from City of Chula Vista or Sweetwater Sanitation District.

The project is preparing an "Overview of Sewer Service for Otay Ranch Village 13," which will address whether the proposed providers will have adequate capacity to serve the project. This report will be included as a technical appendix to the Draft Subsequent EIR and be discussed in the Draft Subsequent EIR.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of

the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). The project will deposit all solid waste at a permitted solid waste facility and therefore, will comply with Federal, State, and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. As a result of this evaluation, the project was determined to have potential significant effects related to biological

and cultural resources. The project is required to prepare a Draft Subsequent EIR which shall address all direct, indirect, and cumulative impacts on biological and cultural resources.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project is required to prepare a Draft Subsequent EIR which shall address all direct and cumulative project impacts.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VII. Hazards and Hazardous Materials, VIII Hydrology and Water Quality XI. Noise, XII. Population and Housing, and XV. Transportation and Traffic. As a result of this evaluation, there were determined to be potentially significant effects related to all of these resource areas. The project is required to prepare a Draft Subsequent EIR which shall address all environmental effects which may cause adverse direct or indirect effects on humans.

XVIII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

AESTHETICS

California Street and Highways Code [California Street and Highways Code, Section 260-283.
(<http://www.leginfo.ca.gov/>)

California Scenic Highway Program, California Streets and Highways Code, Section 260-283.
(<http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm>)

County of San Diego, Department of Planning and Land Use. The Zoning Ordinance of San Diego County. Sections 5200-5299; 5700-5799; 5900-5910.
(www.co.san-diego.ca.us)

County of San Diego, Board Policy I-73: Hillside Development Policy. (www.co.san-diego.ca.us)

County of San Diego, Board Policy I-104: Policy and Procedures for Preparation of Community Design Guidelines, Section 396.10 of the County Administrative Code and Section 5750 et seq. of the County Zoning Ordinance. (www.co.san-diego.ca.us)

County of San Diego, General Plan, Scenic Highway Element VI and Scenic Highway Program. (ceres.ca.gov)

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RH



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EL CAJON OFFICE
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EL CAJON, CA 92020-3912
(619) 441-4030

November 23, 2004

Mr. Rob Cameron
Executive Vice President
The Otay Ranch Company
610 West Ash Street, Suite 1500
San Diego, CA 92101

**RE: OTAY RANCH PRESERVE AND RESORT COMMUNITY;
GPA 04-03, REZ 04-009, SP 04-02, TM5361, LOG NO. 04-19-005;
TRANSMITTAL OF NOTICE OF PREPARATION COMMENTS**

Dear Mr. Cameron:

The Department of Planning and Land Use (DPLU) circulated for public review a "Notice of Preparation" for the Environmental Impact Report (EIR) for your proposed project. Attached you will find the correspondence received. Comments were received from the Native American Heritage Commission, San Diego County Archaeological Society, SANDAG, Chula Vista Elementary School District, Caltrans, LAFCO, San Diego County Department of Public Works – Wastewater Management for Spring Valley Sanitation District, State of California Department of Toxic Substances Control, and City of Chula Vista – Planning and Building Department. A copy of the Notice of Preparation and the comments received must be included in the appendices of the EIR. A copy of this letter is being sent to your EIR consultant so that the salient comments raised can be addressed in the draft EIR.

Staff has reviewed this correspondence and has determined that there does not appear to be a change in the scope of the issues to be addressed in the EIR. However, detailed analysis will be necessary to address all issues commented on including annexation concerns, emergency services, fire and police protection, sewer service, biological resources, traffic, and consistency with the GDP/SRP.

If you have any specific questions regarding the above, please contact Robert Hinggen, Project Environmental Analyst at (858) 694-3712.

PROJECT SCHEDULE : Your project is slightly behind schedule. In addition, an extra 30 days has been added to the schedule so that the first screencheck Draft EIR is now due **January 24, 2005**. An updated copy of your project schedule is attached showing an estimated hearing/decision date of August 14, 2006. If possible, given staff workload and availability, the DPLU will attempt to shorten the remaining schedule as much as possible.

SUBMITTAL REQUIREMENTS/DATE: Please comply with the submittal requirements and due date as outlined in the "Request for Environmental Impact Report" letter from DPLU dated July 26, 2004.

If you have any questions regarding this request, please contact me at (858) 495-5375.

Sincerely,



STELLA CALDWELL, Project Manager
Regulatory Planning Division

WS:rh

Attachments:

Revised Schedule
Notice of Preparation Comments

cc: John Bridges/Yara Fisher, Cotton Bridges Associates, 8954 Rio San Diego Drive, Suite 610, San Diego, CA 92108
Barry Beech, Project Manager, Department of Public Works, M.S. 0336
Marette Esperance, Planning Manager, DPLU, M.S. 0650
Glenn Russell, Planning Manager, DPLU, M.S. 0650
Robert Hingtgen, Environmental Planner, DPLU, M.S. 0650
Mark Mead, Senior Deputy County Counsel, County Counsel, M.S. A-12
File

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov



October 25, 2004

Mr. Robert Hingtgen
 San Diego County Department of Planning and Land Use
 5201 Ruffin Road, Suite B
 San Diego, CA 92123-1666

Re: Otay Ranch Preserve and Resort Community DEIR
 SCH# 2004101058

Dear Mr. Hingtgen:

Thank you for the opportunity to comment on the above referenced project. The Commission was able to perform a record search of its Sacred Lands File for the project area. The record search indicates the presence of Native American cultural resources that may be impacted by the above-referenced project. The locations of Sacred Lands File sites are confidential. However, the following individual(s) may be able to provide you with information concerning sacred sites in the project area and assist in the development of mitigation measures.

Chairman Harlan Pinto (619)-445-6315	Ewiiiaaypaayp Tribal Office	P.O. Box 2250, Alpine, CA 91903
Clyde Woods (714) 234-8363	Wirth Associates	820 5th Ave., San Diego 92101

I have also enclosed a list of Native American individuals/organizations that may have knowledge of additional cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. The Commission makes no recommendation of a single individual or group over another. Please contact all those listed; if they cannot supply you with specific information, they may be able to recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If you have not received a response within two weeks' time, we recommend that you follow-up with a telephone call to make sure that the information was received.

If you learn of any change of address or telephone number from any of these individuals or groups, please notify me. With your assistance we will be able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-6251.

Sincerely,

Carol Gaubatz
 Program Analyst

Cc: State Clearinghouse

Native American Contacts

San Diego

October 26, 2004

Barona Group of the Capitan Grande
 Clifford LaChappa, Chairperson
 1095 Barona Road Diegueno
 Lakeside , CA 92040
 (619) 443-6612

Campo Band of Mission Indians
 Ralph Goff, Chairperson
 36190 Church Road, Suite 1 Kumeyaay
 Campo , CA 91906
 (619) 478-9046
 (619) 478-5818 Fax

Barona Group of the Capitan Grande
 Sue Thomas, Tribal Administrator
 1095 Barona Road Diegueno
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Ewiiapaayp EPA Office
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 4208 Willows Road Kumeyaay
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 michaelg@leaningrock.net
 (619) 445-6315 - voice
 (619) 445-9126 - fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Otay Ranch Preserve and Resort Community DEIR, SCH# 2004101058, San Diego County.

Native American Contacts

San Diego

October 26, 2004

Jamul Indian Village

Leon Acevedo, Chairperson

P.O. Box 612

Jamul, CA 91935

(619) 669-4785

Fax: (619) 669-4817

Diegueno/Kumeyaay

Kumeyaay Cultural Heritage Preservation

Paul Cuero

36190 Church Road, Suite 5

Campo, CA 91906

(619) 478-9046

(619) 478-9505

(619) 478-5818 Fax

Diegueno/ Kumeyaay

Kumeyaay Cultural Historic Committee

Ron Christman

56 Viejas Grade Road

Alpine, CA 92001

(619) 445-0385

Diegueno/Kumeyaay

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.95 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Otay Ranch Preserve and Resort Community DEIR, SCH# 2004101058, San Diego County.



San Diego County Archaeological Society, Inc.
Environmental Review Committee

16 October 2004

RECEIVED
OCT 19 2004

San Diego County
DEPT. OF PLANNING & LAND USE

To: Mr. Robert Hngtgen
Department of Planning and Land use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, California 92123-1666

Subject: Notice of Preparation of a Draft Environmental Impact Report
Otay Ranch Preserve and Resort Community
GPA 04-03, R04-009, SP 04-02, TM 5361, Log No. 04-19-005

Dear Mr. Hingtgen:

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

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

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

Sincerely,


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

cc: SDCAS President
File



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

October 22, 2004

RECEIVED
 OCT 28 2004

San Diego County
 DEPT. OF PLANNING & LAND USE

Robert Hingtgen
 San Diego County Department of Planning and Land Use
 5201 Ruffin Road, Suite B
 San Diego, CA 92123-1666

SUBJECT: NOP – Otay Ranch Preserve and Resort Community

MEMBER AGENCIES

- Cities of
- Carlsbad
- Chula Vista
- Coronado
- Del Mar
- El Cajon
- Encinitas
- Escondido
- Imperial Beach
- La Mesa
- Lemon Grove
- National City
- Oceanside
- Poway
- San Diego
- San Marcos
- Santee
- Solana Beach
- Vista
- and
- County of San Diego

Dear Mr. Hingtgen:

SANDAG would like the opportunity to comment on the above referenced project. As the Congestion Management Agency for the San Diego region, SANDAG is responsible for preparing and coordinating the implementation of a Congestion Management Program (CMP) for region. One of the requirements of the CMP is that local jurisdictions implement a CMP Land Use Analysis Program requiring enhanced CEQA reviews for large projects. A large project is defined as:

a project that upon completion would be expected to generate either an equivalent of 2,400 or more average daily vehicle or 200 or more peak-hour trips

Attached for your use are the most current CMP guidelines for implementing the Land Use Analysis Program, including the enhanced CEQA review. SANDAG would request that when preparing the EIR for the above referenced project, that you address the CMP requirements in the EIR scope.

The CMP also encourages the appropriate mitigation of significant project impacts so as to minimize future congestion on the CMP roadway system. In addition to traditional roadway and signal improvements strategies, the CMP also provides a broad range of other mitigation measures such as transit, pedestrian, and travel demand management strategies. These new strategies can be found in a report titled "Congestion Mitigation Strategies Research". This report can be downloaded from the SANDAG web site at:

http://www.sandag.org/uploads/projectid/projectid_13_2682.pdf

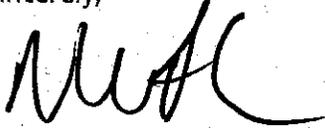
We encourage you to consider these strategies in the development and review of the project environmental document.

ADVISORY MEMBERS

- Imperial County
- California Department of Transportation
- Metropolitan Transit System
- North San Diego County Transit Development Board
- United States Department of Defense
- San Diego Unified Port District
- San Diego County Water Authority
- Baja California/Mexico

Should you have any questions concerning our request or the CMP, please contact me at (619) 699-1954 or mor@sandag.org. We look forward to reviewing a copy of the draft EIR upon completion.

Sincerely,

A handwritten signature in black ink, appearing to read 'MRO', with a long, sweeping underline.

MARIO R. OROPEZA
Project Manager

MO/dw

Attachment: CMP Land Use Analysis Program Excerpt

cc: John Duve, SANDAG

CHAPTER 6: LAND USE ANALYSIS PROGRAM

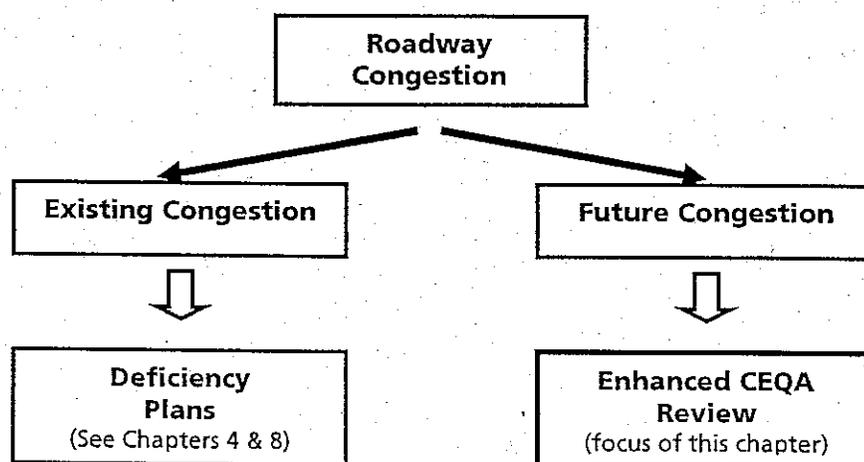
CHAPTER 6: LAND USE ANALYSIS PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all jurisdictions in the State of California evaluate the potential environmental impacts caused by new development or projects. If impacts are identified, then potential mitigation measures are evaluated and recommended. While cities and the County routinely examine and mitigate impacts to transportation services and facilities within their jurisdiction, this commitment often does not extend to the CMP system (as defined in Chapter 4). State statute highlights the responsibility of local jurisdictions to consider the impact of new development on the CMP system as part of their decision-making process.

The Land Use Analysis Program is an information sharing process that seeks to improve communication between public agencies, private entities and the general public, regarding the impact of new development on the CMP system. It provides a consistent methodology for examining CMP system impacts in an Environmental Impact Report (EIR). This will aid local jurisdictions in determining when mitigation is recommended, and what mitigation strategies are most appropriate.

As shown in the diagram below, the focus of this chapter is on strategies to identify and to address future congestion resulting from new development. Existing congestion is addressed through ongoing roadway monitoring and the preparation of Deficiency Plans as described in Chapters 4 (Transportation System Performance Evaluation) and 8 (Deficiency Plan).



LEGISLATIVE REQUIREMENTS

The requirements for the land use impact element of the CMP can be found in Section 65089(4) of the State of California Government Code (see Appendix F). Those requirements are paraphrased below.

- Develop a program to analyze the impacts of land use decisions made by local jurisdictions on the CMP system;
- Include an estimate of costs associated with mitigating those impacts;
- To the extent possible, use the Performance Element measures developed (see Chapter 4) to measure impacts to the CMP system;
- Exclude the costs of mitigating the impacts of interregional travel;
- Provide credit for local public and private contributions for improvements to the CMP system; and
- Incorporate the requirements and analysis under CEQA.

Related to the land use program requirements, the CMP statute also requires that SANDAG, in consultation with the cities and the County, develop a uniform database to assess traffic impacts of new development and to incorporate the results in a countywide transportation computer model. SANDAG also is to review and approve transportation computer models of specific areas within the region that will be used by local jurisdictions to determine the quantitative impacts of development on the circulation system. These models are to be based on a countywide model and be consistent with the modeling methodology and the databases used by SANDAG.

ISSUES

Under current CEQA practices, full project mitigation may not always be possible due to a number of reasons, including, but not limited to institutional considerations, infeasible nature of the proposed mitigation measures, or cost. Additionally, a project's contribution to cumulative traffic impacts on the CMP system may not be mitigated, which over time may result in unacceptable levels of service where no single project is responsible. Finally, local jurisdictions may make a finding of "overriding considerations" and approve a project without mitigating the project impacts. This unmitigated traffic becomes the responsibility of local jurisdictions or through SANDAG's Regional Transportation Plan. Given these considerations, a better means to maintain the link between new development project impacts and a project sponsor's mitigation responsibilities needs to be pursued.

As discussed in Chapter 5, Transportation Demand Management, SANDAG is working on a number of programs to define and promote "smart growth" as one means to better integrate land use and transportation decisions and to improve the quality of life in the region. Two of the smart growth strategies being investigated include locating higher development densities near transit stations and encouraging compatible mixed land uses. Whereas these strategies support the goals of smart growth, current CMP enhanced land use analysis requirements may discourage these types of development since smart growth developments often generate more peak hour trips within the focus areas than traditional development and thus may require increased project mitigation under the CMP. On the other hand, smart growth has the potential to reduce overall congestion on the larger, regional transportation system.

RECOMMENDED APPROACH

The SANDAG approach in meeting the CMP land use impact element requirements consists of four strategies: enhanced CEQA project review (land use analysis program), project mitigation resources, preparation and dissemination of project design guidelines, and regional modeling consistency. These strategies are further discussed below.

Enhanced CEQA Project Review

An enhanced CEQA review process has been established for use by local jurisdictions and/or project sponsors to conduct traffic impact studies and provide mitigation for new large project impacts on the CMP transportation system. Local agencies are required to adopt and continually implement this enhanced CEQA review process. The key features of this process include:

- A large project is defined as generating, upon its completion, an equivalent of 2,400 or more average daily vehicle trips or 200 or more peak-hour vehicle trips.
- The review is to include a traffic impact analysis (Traffic Impact Study - TIS) and mitigation for project impacts to the regional transportation system. Updated Traffic Impact Study guidelines have prepared and are incorporated into this update (refer to Appendix D).
- The traffic impact analysis must identify the project's impacts on the CMP transportation system, their associated costs, and appropriate mitigation.
- Early project coordination with affected public agencies and transportation operators is required.
- Local agencies are to coordinate with NCTD and/or MTDB to ensure that transit operators evaluate the impact of new development on CMP transit performance measures.

State regulation requires that all environmental documents prepared for projects in the San Diego region be submitted to the State Clearinghouse, and the State Clearinghouse in turn advises SANDAG of documents it has received. In many instances project sponsors also send a copy of environmental documents directly to SANDAG. Under its regional intergovernmental review program, SANDAG reviews and comments on environmental documents submitted by various agencies. As part of that process, the documents are reviewed to ensure that the enhanced CEQA review process is followed for large projects, and the results of the required traffic analyses and identified mitigation measures are adequate. Comments, when appropriate, are submitted to the lead agency for the environmental review.

2002 CMP Update Changes

The following changes in the Enhanced CEQA Project Review process are incorporated into this update.

Updated Traffic Impact Studies Guidelines - As noted earlier, updated Traffic Impact Studies (TIS) guidelines have been incorporated into the CMP (Appendix D). These guidelines were prepared jointly by the San Diego Traffic Engineer Council (SANTEC) and the Institute of Transportation Engineers (ITS – California Border Section) in 2000.

Project Mitigation Resources

Resources currently available to mitigate the impacts of new development include specific project mitigation negotiated between the project sponsor and local jurisdictions, local agency funding, and regional funding made available through the Regional Transportation Improvement Program process. Additional new resources and strategies identified this CMP update are discussed below.

2002 CMP Update Changes

The following changes in project mitigation resources are incorporated into this update.

Promote TDM Project Mitigation Strategies: Develop and disseminate information on alternative transportation strategies for local agency and private developer use in mitigating the impacts of development activity. This information would be based upon the "Toolbox of Mitigation Strategies" and "Model TDM Program/Ordinance" referenced in Chapter 5, Transportation Demand Management. These strategies also could be used in preparing Deficiency Plans (see Chapter 8).

Ensure Appropriate Mitigation of Significant Project Impacts: It is the goal of the CMP to ensure appropriate mitigation of significant new large project impacts on the CMP system through use of congestion management strategies (CMP roadway or transit improvements and/or non-traditional approaches, such as Transportation Demand Management) contained within the CMP, including specific strategies identified in adopted Deficiency Plans. For the purpose of meeting CMP requirements, these guidelines do not apply to mitigation which would necessitate construction of freeway improvements, including interchanges until such time that Deficiency Plans have been prepared and adopted identifying specific improvements necessary to bring the freeway segments into conformance with the CMP LOS standard. Mitigation of project impacts may include demand management strategies and/or fair share contributions toward future improvements to be identified with the Deficiency Plan. The Deficiency Plans will identify potential funding sources to implement the recommended improvements including, but not limited to federal, state, local, and private funding sources. The preceding restriction regarding freeway improvements applies only to the CMP project review process and is not intended to limit a local jurisdiction's responsibility under CEQA for ongoing review and mitigation for projects that would impact freeways.

The following guidelines are provided to assist in meeting this goal.

New Large Project – A new development project generating, upon its completion, an equivalent of 2,400 or more new average daily vehicle trips, or 200 or more new peak-hour vehicle trips.

Significant Impacts – An increase in traffic on the CMP system generated by the project that exceeds the standards summarized below which are provided in the Traffic Impact Studies Guidelines (See Table D-1 in Appendix D for a further explanation on how to use these standards).

Level of Service with Project	Allowable Change due to Project Impact					
	Freeways ¹		Roadway Segments		Intersections	Ramp Metering ¹
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (sec.)	Delay (min.)
D, E, & F (or ramp meter delays above 15 min.)	0.01	1	0.02	1	2	2
¹ These guidelines apply only to freeways with adopted Deficiency Plans.						

Project Mitigation – Actions necessary to reduce the project impacts on the CMP system below to or below the standards summarized above and provided in the Traffic Impact Studies Guidelines (Table D-1 in Appendix D).

Available Mitigation Measures - Measures available to mitigate project impacts include, but are not limited to, the measures listed below. The best mix of mitigation measures will vary based on the nature of the development project, nearby land uses and densities, and strategy availability.

- Traditional roadway and/or transit improvements
- Transportation Demand Management or Transportation System Management strategies
- Project Design Guidelines (discussed later in this chapter).
- Additional CMP Toolbox of Mitigation Strategies (to be prepared in 2003)
- Model TDM Program/Ordinance (to be prepared in 2003)

Local jurisdictions have sole responsibility for approving any specific mitigation measures, proposed funding, and/or implementation responsibilities resulting from the enhanced CEQA project review process.

Project Design Guidelines

In support of the CMP and other planning activities, project design guidelines to promote alternative travel modes including walking, bicycle, ridesharing, and public transit have been prepared. The available guidelines are listed below and are available for local agency use in mitigating the impacts of new development projects and in preparing CMP Deficiency Plans.

- "Designing for Transit" (Metropolitan Transit Development Board – July 1993)
- "Land Use Distribution Element of the Regional Growth Management Strategy" (San Diego Association of Governments – February 1995)
- "Tools for Reducing Vehicle Trips Through Land Use Design" (San Diego County Air Pollution Control District – January 1998)
- "Bikeway Planning and Design – California Highway Design Manual" (Caltrans – February 2001)
- "Regional Transit Vision" (San Diego Association of Governments, Metropolitan Transit Development Board, and North San Diego County Transit Development Board – November 2001)
- "Planning and Designing For Pedestrians" (San Diego Association of Governments – June 2002)

Regional Modeling

When evaluating the traffic impacts of any large project, it is SANDAG's goal that a common database and comparable traffic forecast models are used to ensure that all projects are evaluated on a uniform basis. This can be accomplished by local jurisdictions use the most current SANDAG regional or subarea traffic forecasting model, or any other local traffic analysis model that has been approved by SANDAG for use in CMP traffic analysis. Local jurisdictions also are required to use SANDAG's most recent Regional Growth Forecasts as the basic population and land use database.

In addition, local jurisdictions are to provide SANDAG, as part of each Regional Growth Forecast update, information regarding changes to general plan land use designations, major new development approvals, and smaller project information, for use in SANDAG's cumulative traffic forecast analysis. The information is to be provided in the manner, form, and schedule established as part of the Regional Growth Forecast update and review process for local agency information. This information is used to assess the cumulative impacts of all traffic impact analyses completed to date.

RECOMMENDED FOR FURTHER STUDY

In addition to the CMP changes previously noted, the following actions are recommended for further study and potential incorporation into the CMP at a later date:

Reexamine Traffic Impact Studies (TIS) Guidelines: Initiate a study to determine how to incorporate into the TIS guidelines: (1) CMP Performance Element measures; (2) trip generation and distribution rate adjustments for smart growth-supportive land uses; and (3) potential TDM mitigation strategies.

Evaluate Additional Land Use Analysis Program Modifications: Reexamine the CMP Land Use Analysis Program requirements in light of the efforts to develop a Regional Comprehensive Plan and changes in smart growth policies and strategies in the San Diego region. This evaluation would look at potential modifications to be consistent with smart growth including, but not limited to:

- Adjustments in trip generation rates;
- Adjustments in criteria for determining significant impacts;
- Alternative procedures for evaluating/mitigating smart growth projects under the CMP Enhanced CEQA Review

IMPLEMENTATION

Implementation of the preceding land use analyses program recommendations will be the joint responsibility of several agencies, including SANDAG, cities and County, Caltrans, MTDB, NCTD, and the San Diego Air Pollution Control District (APCD). Their respective responsibilities are summarized below in Table 6-1 below.

	SANDAG	Cities*/ County*	Caltrans	MTDB/ NCTD	APCD
Enhanced CEQA Review	D / M	R / A	R / M	R / M	R / M
Updated TIS Guidelines	D / M	D / R / A	R	R	R
Promote TDM Measures	D / M	R / A	R	R	R
Full Mitigation Goal	M	R / A	M	M	M
Regional Modeling	D / M	R / A	R	R	R
Project Design Guidelines	D / R	R / A	R	D / R / M	D / R / M
Future Program Modifications	D	R / A	R	R	R

*Including private developers

Key:

- D – Develop Initial Proposals
- R – Review and Comment
- A – Adopt or Implement
- M – Monitor



Stella Caldwell

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

November 1, 2004

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NOV 04 2004

BOARD OF EDUCATION

CHERYL S. COX, Ed.D.
LARRY CUNNINGHAM
PATRICK A. JUDD
BERTHA J. LÓPEZ
PAMELA B. SMITH

Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123-2960

San Diego County
DEPT. OF PLANNING & LAND USE

SUPERINTENDENT

LOWELL J. BILLINGS, Ed.D.

Re: Case No.: GPA04-03/R04-009/SP04-02/TM5361/LOG NO. 04-19-005
Project: Otay Ranch Preserve and Resort Community – Combination of Land Uses Including 800-Unit Resort Hotel, and 2,120 Residential Units
Location: Proctor Valley Parcel of Otay SPA, NE of Lower Otay Reservoir, N of Otay Lakes Road, in the Unincorporated Area of the County of San Diego

To Whom It May Concern:

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

The school site planned for this Otay Ranch Village will need to conform to and meet the California Department of Education's guidelines as well as approval by the Chula Vista Elementary School District Board of Education.

The District encourages developer participation in alternative financing mechanisms to help assure that facilities will be available to serve children generated by new construction. We are currently utilizing CFD's as one method to help fund this shortfall. Participation in a CFD is in lieu of developer fees, with school mitigation paid by the homeowner in the form of a special tax. An alternative financing mechanism, such as participation in, or annexation to, a CFD is highly recommended.

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

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

Sincerely,

Dee Peralta

Dee Peralta
Facilities and Planning Manager

DEPARTMENT OF TRANSPORTATION

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



*Flex your power!
 Be energy efficient!*

November 10, 2004

11-SD-125
 PM ~6 (est.)

Mr. Robert Hingtgen
 San Diego County
 Dept. of Planning & Land Use
 5201 Ruffin Road, Suite 'B'
 San Diego, CA 92123-1666

RE: Otay Ranch Resort Community project – NOP (GPA 04-03, SP 04-02, TM 5361)

Dear Mr. Hingtgen:

The California Department of Transportation (Department) appreciates the opportunity to review the Notice of Preparation (NOP) for the proposed Otay Ranch Resort Community project, to be located east of State Route 125 (SR-125) along Otay Lakes Road.

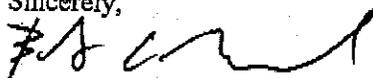
As currently submitted, the proposed development has the potential to generate some 28,000 Average Daily Trips (ADTs), significantly affecting local and State transportation facilities. A traffic impact study will be necessary to determine the project's near-term and long-term effects. The study should be prepared in accordance with the Caltrans *Guide for the Preparation of Traffic Impact Studies*, dated December 2002 (TIS guide). Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS Guide. The traffic impact study should determine where and what type of improvements might be needed to mitigate for future traffic generated by this development.

State-owned signalized intersections must be analyzed using the year 2030 traffic forecast and the Intersecting Lane Vehicle (ILV) procedure from the Caltrans *Highway Design Manual* Topic 406, page 400-21. The Department requires LOS "C" or better at State-owned facilities, including intersections. If an intersection is currently below LOS "C", any increase in delay from project-generated traffic must be analyzed and mitigated.

The Department supports the concept of "Fair Share Contributions" on the part of developers due to traffic impacts from proposed developments. For example, the developer may be asked to contribute "fair share" towards possible future improvements to the proposed SR-125 / Otay Lakes Road interchange or improvements at State Route 94 (SR-94) / Otay Lakes Road. Specific requirements will be addressed when the traffic study and environmental document are submitted to the Department for review.

The Department appreciates the opportunity to review this development proposal. For specific questions on SR-125, please contact Ramon Martinez at (619) 591-4200. For general questions regarding the Department's comments, please contact Brent McDonald at (619) 688-6819.

Sincerely,


 for MARIO H. ORSO, Chief
 Development Review Branch

"Caltrans improves mobility across California"



Chairwoman

November 9, 2004

Patty Davis
Councilmember
City of Chula Vista

TO: Gary L. Pryor, Director
Department of Planning and Land Use
Attention: Robert Hingtgen

Vice Chairman

Bud Pocklington
South Bay Irrigation District

FROM: San Diego Local Agency Formation Commission

Members

Donna Frye
Councilmember
City of San Diego

(Vacant)
Councilmember
City of

Bill Horn
County Board of
Supervisors

Dianne Jacob
County Board of
Supervisors

Andrew L. Vanderlaan
Public Member

Ronald W. Wootton
Vista Fire Protection District

Alternate Members

Greg Cox
County Board of
Supervisors

Harry Mathis
Public Member

Andrew J. Menshek
Padre Dam
Municipal Water District

Betty Rexford
Councilmember
City of Poway

(Vacant)
Councilmember
City of San Diego

Executive Officer

Michael D. Ott

Counsel

William D. Smith

SUBJECT: GPA 0403/R04-009/SP 04-02/TM 5321, LOG NO. 04-19-005;
Otay Ranch Preserve and Resort Community

Thank you for the opportunity to comment on the above-referenced project. The Local Agency Formation Commission (LAFCO) is required to evaluate environmental issues and impacts related to its responsibilities under the Cortese-Knox-Hertzberg Act of 2000 (Government Code § 56000 et seq.). Planned land uses for the proposed Otay Ranch Preserve and Resort Community indicate that a wide range of public services will be required and LAFCO approval of multiple jurisdictional changes may be necessary to obtain services.

General Comments:

- LAFCO is responsible for complying with CEQA when it considers an action that constitutes a "project" as defined by CEQA. Projects under LAFCO's jurisdiction are typically local agency boundary changes and spheres of influence actions. Accordingly, every LAFCO-related project under the proposed Otay Ranch Preserve and Resort Community should be listed in comprehensive inventories of required project approvals and thoroughly reviewed in the EIR. For example, the inventory of approvals on page 2 should include LAFCO approval for sphere of influence updates and LAFCO approval for contracts to extend public services beyond an agency's boundary. Moreover, all jurisdictional changes that will be proposed must be evaluated in the EIR. If a plan for providing services has not been finalized and alternatives are still under consideration—a thorough evaluation of each alternative must be included in the EIR to enable LAFCO to evaluate the impacts of the service alternative that is ultimately proposed.
- The NOP is unclear whether specific land use areas would need to be annexed to local jurisdictions for public services or whether the entire project area, including open space preserves, would be annexed to public service agencies. Acreages for each proposed jurisdictional change should be identified.

- A "Sweetwater Sanitation District" is mentioned throughout the NOP. Please be advised that no agency by this name exists in San Diego County and all references should be removed.

Specific Comments:

Sewer Service: Ten separate options or variation of options to provide public sewer service are indicated on page 47:

1. Annexation to Spring Valley Sanitation District (SD) with physical connection to Proctor Valley Sewer and Spring Valley SD facilities;
2. Annexation to Spring Valley SD with physical connection to Salt Creek Interceptor through agreement or contract with the City of Chula Vista;
3. Annexation to Otay Water District (WD) with physical connection to Proctor Valley Sewer and Spring Valley SD facilities;
4. Annexation to Otay WD with physical connection to Salt Creek Interceptor through agreement or contract with the City of Chula Vista;
5. Formation of a sanitation district with contract for service with the City of Chula Vista;
6. Formation of a sanitation district with contract for service with the Spring Valley SD;
7. Formation of a CSA with contract for service with the City of Chula Vista;
8. Formation of a CSA with contract for service with the Spring Valley Sanitation District;
9. Out of agency contract for service from the City of Chula Vista; and
10. Out of agency contract for service with the Sweetwater [sic] Sanitation District.

Each option is being offered without prejudice as a possible service choice; accordingly, the EIR must thoroughly review **each** option for providing sewer service. Of particular relevance to LAFCO evaluation are cumulative and regional impacts, growth inducement, the ability of agencies to provide services, and efficiencies of service delivery choices.

Ancillary actions to each jurisdictional change; for example, a sphere of influence update and possible preparation of a Municipal Service Review (MSR), should be identified and reviewed. Formation of a new agency, as suggested in options 7 and 8, would require approval of a sphere of influence—preceded by an MSR—plus determinations that neighboring jurisdictions are not already positioned to provide wastewater collection and treatment. LAFCO authorization is also required prior to the extension of services beyond a jurisdiction's boundary (options 9 and 10). Such authorization is granted in anticipation of

future annexation and elements such as growth induction and an agency's ability to serve must be reviewed in the EIR.

The Otay Water District is authorized to provide sewer services within its boundaries; however, District service is currently limited to the northeastern section of the District. The Spring Valley SD is the principle sewer service provider to unincorporated parcels within the Otay WD. The EIR must discuss whether proposed expansion of the Otay WD sewer service area (options 3 and 4) would produce overlapping sewer service providers with competing goals, duplicate infrastructure, and growth-inducing excess capacity.

Water Service: The Otay WD is listed as the water provider for this project [page 48, (b)]; however, the project area is not within the Otay WD boundary nor the Otay WD sphere of influence. It would be necessary for the Commission to complete an update of the Otay WD sphere and include the proposed project area within the District's sphere before annexation could be considered. An MSR, which must precede every sphere update, was approved for the Otay WD in February 2004. Extension of water service to the proposed site would also require annexation into the San Diego County Water Authority and the Metropolitan Water District of Southern California.

LAFCO must consider timely availability of water supplies adequate for projected needs as specified in SB 610 and SB 221 [Govt. Code § 56668 (k)]. Accordingly, the EIR should assess the adequacy of existing and planned water supplies to meet existing and future demands on water supplies. The NOP indicates that water availability assessment will appear only as a technical addendum to the Draft Subsequent EIR [page 49 (d)]. To facilitate LAFCO application of SB 610 and SB 221, an assessment of the issues related to adequate water supplies will need to be integrated into the body of the EIR.

Fire Service: The proposed Otay Ranch Preserve and Resort Community project is located approximately one-half mile east of the City of Chula Vista at the *"interface of existing urban development and mostly undisturbed open spaces."* The area is within a high fire hazard area; indeed, the project is totally within the footprint of the October 2003 Otay fire. The project is within the San Diego Rural Fire Protection District (Rural FPD) and annexation into a fire protection agency for structural fire protection is not being proposed. Nevertheless, LAFCO must evaluate extension of services to previously unserved areas [Govt. Code § 56434 (a)]. Since the project would significantly increase development along the urban-wildland interface and require structural fire protection services to be extended to previously unserved territory, an assessment of impacts to current and planned fire protection services is necessary.

Mutual and automatic aid agreements among fire protection agencies could result in the City of Chula Vista providing primary first responder service to the project area. The EIR should contain a discussion of impacts to the regional fire protection system. The ability of the regional system to adjust to increased demand, access, response times, and the nexus between resources and demand for fire protection should be evaluated.

Gary L. Pryor
Page 4
November 9, 2004

The fiscal impact of imposing significant additional fire protection responsibility upon the City of Chula Vista without remuneration is also relevant. CEQA does not require analysis of fiscal issues, however, discussion of potential degradation of fire protection services within the City of Chula Vista, which could result from increased first responder activity is appropriate.

Park and Recreation Services: County policy requires that all new park developments include a maintenance entity prior to acceptance by the Department of Parks and Recreation.¹ Proposed formation of a new agency or annexation into an existing jurisdiction that has the ability to provide park and recreation services must receive LAFCO approval. All LAFCO approvals must be listed and discussed in the EIR.

If you have any questions, or would like to discuss these comments further, please contact me at (619) 531-5400.



SHIRLEY ANDERSON
Chief, Policy Research

SA:jb

¹ County of San Diego, Park Lands Dedication Ordinance; Section 810.110



County of San Diego

DEPARTMENT OF PUBLIC WORKS

JOHN L. SNYDER
DIRECTOR

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November 15, 2004

TO: Robert Hingtgen, Land Use/Environmental Planner II
Department of Planning and Land Use (O650)

FROM: Marty Eslambolchi, LUEG Program Manager
Department of Public Works (O384)

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT: OTAY RANCH PRESERVE AND RESORT COMMUNITY

Department of Public Works, Wastewater Management (Spring Valley Sanitation District) has reviewed the Notice of Preparation of an Environmental Impact Report for Otay Ranch Preserve and Resort Community. Please note the following comments:

1. The Spring Valley Sanitation District sphere of influence, adopted in 1984 does not include the territory surrounding Otay Ranch Preserve and Resort Community. Annexation to the Spring Valley Sanitation District with a physical connection to Proctor Valley sewer within City of Chula Vista limits must be submitted to LAFCO for review to provide an annexation determination to Spring Valley Sanitation District.
2. Spring Valley Sanitation District does not consider the proposed option of annexation to Otay Water District to be a feasible and viable sewer service option.
3. Spring Valley Sanitation District cannot justify the feasibility and benefit of the formation of a new sanitation district or county service area, with contract for service from Spring Valley Sanitation District.
4. Spring Valley Sanitation District cannot support an out of district agreement, or contract for sewer service.

Mr. Hingtgen
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5. The proposed project sponsor's should consider the following option:
 - Create an independent Sanitation District with an on-site wastewater treatment plant or a sewer service agreement for offsite treatment disposal.
6. Spring Valley Sanitation District must review and approve a Sewer service (on-site and offsite) feasibility study.

Note: Spring Valley Sanitation District has received an overview of sewer service report for Otay Ranch Village 13. On March 30, 2004, Spring Valley Sanitation District requested a deposit of \$1200 to the District to review and process project submittals. To date, the applicant has not submitted the required deposit.

If you have any questions, please phone David Williams at 858/694-2678 or e-mail at Dave.Williams@sdcounty.ca.gov.



MARTY ESLAMBOLCHI, LUEG Program Manager
Department of Public Works
Wastewater Management

ME:DSW:jww

c: Shirley Anderson, 1600 Pacific Highway, Room 452, San Diego, CA 92101

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DEPARTMENT OF PLANNING
AND LAND USE

1:35pm



Department of Toxic Substances Control

5796 Corporate Avenue
Cypress, California 90630



Terry Tamminen
Agency Secretary
Cal/EPA

Arnold Schwarzenegger
Governor

November 16, 2004

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San Diego County
DEPT. OF PLANNING & LAND USE

Mr. Robert Hingtgen
Planner II
Planning and Land Use Department
County of San Diego
5201 Ruffin Road, Suite B
San Diego, California 92123

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE OTAY RANCH PRESERVE AND RESORT COMMUNITY (SCH#2004101058)

Dear Mr. Hingtgen:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. The following project description is stated in your document: "The project proposes a combination of land uses including an 800-unit resort hotel, approximately 2100 residential units consisting of a mix of single- and multi-family residential neighborhoods, an elementary school, and open space, park and recreational facilities. Annexation to the Otay Water District, San Diego County Water Authority, and Metropolitan Water District are proposed for water and sewer service." Based on the review of the submitted document DTSC has comments as follow:

- 1) The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances.
- 2) The EIR should identify any known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. A Phase I Assessment may be sufficient to identify these sites. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

- Site Mitigation Program Property Database (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control.
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state regulations and policies.

- 4) All environmental investigations, sampling and/or remediation should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous waste cleanup. The findings and sampling results from the subsequent report should be clearly summarized in the EIR.
- 5) Proper investigation, sampling and remedial actions overseen by a regulatory agency, if necessary, should be conducted at the site prior to the new development or any construction.
- 6) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a "Border Zone Property
- 7) If building structures, asphalt or concrete-paved surface areas or other structures are planned to be demolished, an investigation should be conducted for the presence of lead-based paints or products, mercury, and asbestos containing materials (ACMs). If lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 8) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 9) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

- 10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).
- 11) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (818) 551-2171 to initiate pre application discussions and determine the permitting process applicable to the facility.
- 12) If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- 13) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 14) If the project plans include discharging wastewater to storm drain, you may be required to obtain a wastewater discharge permit from the overseeing Regional Water Quality Control Board.
- 15) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 16) Since part of the site was used for agricultural activities or vacant land (weed abatement), onsite soils may contain pesticide, herbicides and agricultural chemical residue. Your document states that a Phase I Environmental Assessment will be conducted. If the site was used for dairy and cattle industry operations, the soil may contain related dairy, animal, or hazardous waste. If so, activities at the site may have contributed to soil and groundwater contamination. Proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.

Mr. Robert Hingtgen
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DTSC provides guidance for cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP, please visit DTSC's web site at www.dtsc.ca.gov.

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, at (714) 484-5477 or email at thom@dtsc.ca.gov.

Sincerely,



Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA #975



PLANNING AND BUILDING DEPARTMENT

November 22, 2004

Mr. Robert Hingtgen
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Subject: GPA 0403/R04-009/SP 04-02/TM 5321, LOG NO. 04-19-005; Otay Ranch Preserve and Resort Community

Dear Mr. Hingtgen:

Thank you for providing the City of Chula Vista (City) the opportunity to comment on the County of San Diego's Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the proposed Otay Ranch Preserve and Resort Community (Otay Ranch Village 13).

The 1,900-acre Otay Ranch Preserve and Resort Community project proposes the development of approximately 600 acres of residential (2,120 units), a resort hotel (800 units), school and park uses in unincorporated County territory, contiguous to the easterly edge of the City's sphere of influence, and almost immediately adjacent to the City's eastern jurisdictional boundary where the Otay Ranch master planned community is currently developing. The development of a project of this size, magnitude and intensity in an unincorporated area where public services are not available and is therefore dependent on a series of cooperative out-of-area agreements with the City and other agencies (Government Code Section 56133) for core public services (e.g., police, fire, sewer), raises critical public health and safety issues and is in direct conflict with the public policy direction set forth by the Cortese-Knox-Hertzberg Reorganization Act of 2000 (Government Code §56000 et seq.)

Based on the geographic proximity of the proposed project site to the City and the City's existing infrastructure and service capabilities, the City is the most logical, efficient and cost-effective provider of key municipal services to the project, including police, fire and sewer services. The project, however, proposes multiple alternative service providers and service delivery methods.

Emergency Services

- The EIR must comprehensively analyze the full range of alternative emergency service providers, service delivery methods and proposed anticipated levels of services to the

Otay Ranch Preserve and Resort Community

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proposed development. The analysis must fully analyze potential issues related to health and safety needs for future residents and visitors of the development due to potential unacceptable response times for police and fire protection services.

- The EIR must analyze the ability of each of the proposed service providers to implement that service and assess the potential degradation of current levels of service to existing users based on increased demand.
- Given that the project is totally within the footprint of the October 2003 Otay fire, the EIR must address the impacts to primary emergency access routes and response times to and from Jamul Valley during extreme emergency conditions. Otay Lakes Road represents the only way out of the Jamul-Dulzura Creek area, and there is a serious concern that a large volume of potential evacuees could potentially block emergency personnel from utilizing the primary access road to the proposed project area.
- The EIR must consider potential policy and service delivery issues resulting from overlapping and/or non-contiguous jurisdictional and service boundaries.

Fire Protection

- Based on the size of the project site, the single location of a proposed fire station, and the proposed occupancy types consisting of residential, commercial and mixed-use (up to four stories), there will be a need for multiple fire resources. The EIR must identify the extent of the resources needed to adequately serve the proposed project and the ability of the proposed single station to accommodate those anticipated demands.
- The EIR must identify the potential frequency to which the County will need to exercise automatic aid from the City for this project in order to provide residents with the best possible chance of surviving their medical, fire and other emergencies. Mutual and automatic aid agreements among fire protection agencies could result in the City providing first responder service to the project area. The EIR must contain a discussion of the potential for impacts associated with the overall regional response times within the City due to increased demands.
- The EIR must assess the potential impacts associated with the City's response to areas located in the eastern portion of the City during a worst-case condition whereby the County simultaneously requests auto-aid assistance from the City.
- The EIR must analyze the ability of the regional fire system to adjust to increased demand, access and response times.
- The EIR should consider potential impacts to fire services considering that the City's Fire Department does not currently have an automatic aid agreement with the Rural Fire District.

Otay Ranch Preserve and Resort Community

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Police Protection

- The EIR must address potential impacts on police services. Of primary concern is the potential degradation to the City's current mandated response times. A review of the policing strategies and resultant response times will need to be assessed in the EIR.
- The EIR must address the response time from the County for police services and which substation will be responsible for the policing activity. The analysis must factor into account the limited access points from either the east or the west to the proposed project site. The lack of roadways from the south makes access to this area from Chula Vista the primary point of attack for responding to calls for service.
- The EIR must assess impacts to police response times within the eastern portion of the City. This analysis must include a comparison of response times between the County Sheriffs Department and City's Police Department.

Sewer

- The analysis in the EIR regarding sewer service must consider that it is infeasible for sewer service to be provided to this site without annexation of the entire project area to the City of Chula Vista.
- The EIR must fully analyze the feasibility of each of the proposed sewer service options. The analysis should consider the efficiency of the prospective service provider given their proximity of existing infrastructure to service the project site, topographical constraints to providing future infrastructure, available capacity and the potential to result in duplicative and financially inefficient provision of services.
- The sewer service analysis must address the project's compliance with County Policies No. I-36 and I-107.
- A thorough evaluation of each alternative regarding wastewater treatment must be evaluated in the EIR. As stated in the NOP, the four options for providing the project's wastewater treatment requirements all involve a connection to the Metro system via the Spring Valley Trunkline or the Salt Creek Interceptor. With regards to the City's Salt Creek Interceptor, annexation and/or out-of-agency service by the City is addressed in City Policy No. 570-02, "Sewer Service to Property Not Within the City Boundary", which was adopted through Resolution No. 16598 and became effective on June 2, 1992. Except as stipulated in this policy, any property for which sanitary sewer service has been requested must first annex to the City.
- As part of the environmental review process, a detailed wastewater analysis must be performed in order to fully ascertain the proposed projects' impact to the City's existing wastewater system and its ability to accommodate the proposed increased demands.

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- Reference is made throughout the NOP and the associated Initial Study Checklist to a "Sweetwater Sanitation District". The City is unaware of any sanitation district by this name. Please clarify.

Public Services

- As stated on page 43 of the Initial Study Checklist, the proposed project would contribute to the need for future expansion and construction of landfills and as such potentially significant impacts could result. However, page 49, Section 16(f), states that the proposed project could be served by a landfill with sufficient permitted capacity and that impacts associated to solid waste disposal are considered less that significant. The EIR should provide a discussion clarifying these conflicting statements.

Water Quality

- The EIR needs to address how the proposed project will conform to the policies stated in the Urban Runoff Facilities section of the Otay Ranch SRP that call for the inclusion of storm water runoff diversion in the projects' Best Management Practices (BMP's).
- The EIR must address the potential for secondary impacts associated with the proposed projects' treatment and/or diversion of storm water runoff from the Lower Otay Reservoir watershed.
- The EIR needs to evaluate the potential for impacts to impaired water bodies resulting from the diversion of project runoff or effluent involving discharge to another subarea of the Otay Hydrologic Unit (HU).
- The EIR must assess the potential impacts to the areas' existing groundwater quality, supply and recharge resulting from the proposed increase in impervious development throughout the proposed project site.
- As discussed in the NOP, several of the alternatives for wastewater treatment propose a connection to the City's Salt Creek Interceptor located west of the proposed project site, across Lower Otay Reservoir. In order for the proposed project to connect into the City's system, a sewer main would need to be constructed across the narrow strip of land that divides the Lower and Upper Otay Reservoirs. The EIR must assess the potential impacts to water quality with the Otay Reservoirs should a sewer spill or leak take place within this pipeline segment.
- Page 47, Section 16(a) of the Initial Study Checklist states that potentially significant impacts (unless mitigated) could result from exceeding RWCQB wastewater treatment requirements. The EIR must disclose potential impacts if these requirements are exceeded and identify appropriate mitigation measures.

Otay Ranch Preserve and Resort Community

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- The Otay Ranch GDP/SRP requires the protection of the Lower Otay Lake. The explanation provided to Section 16(c) of the Initial Study Checklist implies that runoff would be directed to the Lower Otay Lake Reservoir, which conflicts with the policy statements contained in the Urban Facilities Section of the Otay Ranch SRP per the GDP/SRP. An Urban Runoff Plan is required to divert drainage from Village 13 around the lake.
- The GDP/SRP requires a 500-foot buffer from the Management Level Reservoir. The EIR needs to include this buffer in the analysis and identify any proposed development within this area and the associated impacts that may result.

Transportation

- The EIR will need to address potentially significant impacts due to increased traffic demand. The subsequent Traffic Impact Analysis should assess the direct and cumulative impacts to the City's circulation system in terms that correspond to the methodologies that have been used to date throughout the Otay Ranch SRP area. In particular, the City's Growth Management Oversight Committee (GMOC) thresholds of significance and City of Chula Vista Roadway Capacity Standards should be observed for the analysis of the City's intersection and arterial segments that will be impacted by the project.
- The project's only proposed access to the circulation network is through Otay Lakes Road. This limited access, combined with the proposed density, will likely generate direct, significant and unmitigable impacts on Otay Lakes Road within the City. The project should consider additional connections to the circulation network such as to Proctor Valley Road immediately north of Otay Lakes Road.
- The proposed project shall mitigate all cumulative traffic impacts within eastern Chula Vista by participating, on a fair share basis, in financing and constructing traffic related infrastructures.

Hazards and Hazardous Materials

- Based on the information provided by the NOP, it is unclear whether or not a specific operational plan has been, or will be, established for the Jamul Valley area. The "No Impact" explanation does not answer the question of whether the project is or is not consistent with an adopted emergency response or evacuation plan.
- The NOP does not state whether or not the project will comply with the Urban-Wildland Interface code in order to address potential impacts related to land uses that may expose people, structures and adjacent wildlands to hazardous materials. The EIR must adequately assess the potential for loss, injury and death involving wildfires.

Otay Ranch Preserve and Resort Community
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Biological Resources

- As stated in the NOP, the proposed project is not consistent with the established guidelines contained in the Otay Ranch Resource Management Plan (RMP). The EIR needs to clearly identify all proposed amendments to the RMP including, but not limited to, any proposed changes to the following: adopted RMP policies and guidelines, the preserve conveyance plan or changes to established preserve boundaries.
- Any amendment to the RMP preserve conveyance plan is considered a discretionary action and subject to joint City approval. The EIR analysis should address this issue.
- As stated in the RMP, the overall size of the preserve shall not be reduced by a preserve boundary modification unless the County Board of Supervisors and the Chula Vista City Council are satisfied that the biological standards and guidelines set forth in the RMP can be met and the preserve design is not adversely affected by a preserve boundary modification. The EIR must fully address compliance with this provision.
- As stated in the NOP, both the San Diego County MSCP and the Otay Ranch RMP will need to be amended to reflect the proposed land use plan and to modify the conveyance schedule to allow for the conveyance of additional preserve lands. As such, the EIR biological resources report will need to identify and quantify the biological resources contained within the areas affected by the proposed plan amendments.
- The biological resources report must include a policy analysis of the proposed preserve boundary modifications and the proposed conveyance plan amendment. This analysis should focus on those RMP policies, guidelines and criteria that pertain to preserve design and priority for preserve conveyance.
- The EIR should provide an estimate of the project's preserve conveyance obligation, as well as a tabulation and discussion as to how the conveyance obligation was determined.
- The EIR should fully address compliance with all applicable RMP policies. Specifically, the EIR analysis should assess potential impacts including, but not limited to, edge plan requirements, steep slope development, development within Sensitive Resource Study Areas, impacts to wildlife corridors, and compliance with the Range Management Plan.

Visual Quality/Aesthetics

- The EIR must consider potential impacts to residents within the City including the communities of EastLake and Otay Ranch.
- In order to reduce potential visual impacts associated with the development of the site, the EIR must evaluate landform-grading techniques and address the use of contour grading.

Otay Ranch Preserve and Resort Community
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- The EIR should also address the visual impacts associated with development in a visually sensitive area of hillsides adjacent to the Otay Lakes. The EIR should evaluate the need to implement architectural techniques associated with hillside development to reduce this impact.
- The EIR should include a discussion regarding scenic corridor setbacks along Otay Lakes Road including potential visual quality impacts associated with landform alteration.

Otay Ranch General Development Plan/Subregional Plan (GDP/SRP)

The EIR needs to address several inconsistencies between the proposed project, as described in the NOP, and the current adopted GDP/SRP. The EIR should analyze the difference in residential land use densities between the existing GDP/SRP and the proposed project as indicated in the following table:

	GDP/SRP	Proposed Project
Single-Family Units	658	1,843
Multi-Family Units	1,408	277
Village Core/Commercial	18 acres	3 acres

- An analysis showing consistency with the following GDP/SRP policies must be included in the EIR:
 1. The changes in the ratio between single-family and multi-family units and the reduction in commercial acres.
 2. Preservation of the north/south canyon near the eastern side of the village.
 3. The use of native plant materials and restoration and revegetation of habitat areas.
 4. Compliance with the Wildlife Corridor Study.
 5. Public access points for the bike/walkway along Otay Lakes Road.
- According to the Otay Ranch GDP/SRP, the proposed Otay Ranch Village 13 is required to provide a Community Purpose Facility (CPF) site. A location for a CPF site was not discussed in the NOP.
- The change in residential densities and reduction of commercial acres needs to be analyzed in the fiscal impacts section of the Public Facilities Financing and Phasing Plan (PFFPP). A PFFPP was not listed in the NOP as an approval for the proposed project.
- Landform grading policies of the Overall Design Plan need to be implemented in the SPA Plan and analyzed in the EIR.

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Growth Inducement

- o In accordance with State CEQA Guideline 15126.2(d) (Growth-Inducing Impact of the Proposed Project), the EIR must discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects and components that would remove obstacles to population growth such as expansion of infrastructure to serve the project site. Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The physical impacts of extending these services must also be analyzed in the EIR.

Alternatives

- o Based on the lack of information within the NOP regarding fire and police services, the EIR must provide detailed alternatives assessing which agency will be able to provide the best level of service in an emergency. A mutual aid protocol requires a public service agency response to a request in an emergency. Chula Vista Police Department would be either a first responder or the primary agency to assist should a need for additional emergency services be requested. When considering fire and ambulance responses, their strategies would require first response from Chula Vista Fire since they would be providing those first responder services. It would also make sense that the area be under the control of the City of Chula Vista so that first responder services would come from the Chula Vista Police Department.
- o The EIR must consider an alternative for the development of the entire project within the City of Chula Vista. Such an alternative would require the project description and discretionary actions to include: (1) annexation of the development site to the City of Chula Vista, (2) concurrent amendment of the City's sphere of influence, and (3) preparation and completion of a municipal service review, if determined necessary by the San Diego Local Agency Formation Commission (LAFCO).

As a responsible agency under CEQA for this project, the City appreciates the opportunity to comment on this NOP and looks forward to working with you during the preparation of the EIR and to reviewing the completed document. The City requests sufficient notification prior to any and all scheduled public meetings, hearings, and workshops, and availability of draft documents related to the proposed project. If you have any questions regarding the above comments, please contact the undersigned at (619) 585-5707.

Sincerely,



Marilyn R.F. Pongeggi,
Environmental Review Coordinator

Otay Ranch Preserve and Resort Community
November 22, 2004
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cc: Dave Rowlands, City Manager
George Krempl, Assistant City Manager
Alex Al-Agha, City Engineer
Jim Sandoval, Director of Planning & Building
Dave Byers, Director of Public Works Operation
Rick Emerson, Police Chief
Doug Perry, Fire Chief

