

DAHVIA LYNCH DIRECTOR

PLANNING & DEVELOPMENT SERVICES

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October 21, 2022

TO: Planning Commission

FROM: Dahvia Lynch, Director

Planning & Development Services

SUBJECT: Notice of Preliminary Decision by the Director of Planning & Development

Services and Final Notice of Action by the Planning Commission Approving

a Revised Tentative Map for Hawano 5566R2 (District: 1)

REVISED TENTATIVE MAP INFORMATIONAL ITEM G-1

PURPOSE

The purpose of this informational report is to provide the Planning Commission notice of a decision by the Director of Planning & Development Services to approve revisions to Hawano Tentative Map and the project's conditions. The applicant is requesting a Revised Tentative Map to consolidate 24 lots into 9 lots, comprised of 8 lots for industrial uses and 1 lot dedicated as the on-site water quality basin, in the East Otay Mesa Business Park Specific Plan area.

The Director's decision will become final and effective unless the Planning Commission takes action to schedule the Revised Tentative Map for the Planning Commission's consideration at a noticed hearing. If the Planning Commission schedules the matter for a public hearing, the Planning Commission will be the decision-making authority for the Revised Tentative Map.

BACKGROUND

TM-5566 was approved by the Planning Commission on December 13, 2013, for three years with an expiration date of December 13, 2016. The TM proposed to subdivide 79.7 gross acres into 24 lots ranging in size from 1 to 5.4 acres at the southwest corner of Airway Road and Alta Road in the East Otay Mesa Specific Plan Area. On July 14, 2017, the Planning Commission approved a six-year time extension for TM-5566, extending the expiration date from December 13, 2016 to December 13, 2022. Approval of the Revised Tentative Map will not change the expiration date.

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A Revised Map (TM-5566R1) was approved by the Planning Commission on February 8, 2019. The Revised Map proposed to remove and revise several of the original conditions, including a condition regarding maintenance of specified stormwater facilities, and those that required offsite improvements to specific segments of roads. Some of the conditions were no longer required because previously analyzed traffic impacts of the project would no longer occur, primarily due to completion of a segment of SR-11. This approval did not extend the expiration date of TM 5566. The Revised Tentative Map consisted of 24 lots, which were developable as industrial uses under the Specific Plan.

The applicant filed an application for a second Revised Map (TM-5566R2) on April 23, 2021. On April 23, 2021, as required by the County of San Diego Subdivision Ordinance, properties within 1,400 feet of the exterior boundaries of the project site were notified that an application for a Revised Tentative Map for TM-5505R2 was filed. The Revised Tentative Map proposed to consolidate the 24 lots into 8 for industrial development and associated on-site water quality basin area. The proposed revisions reflect changes in market demands, and to the configuration of internal roads. Additionally, property to be developed as the future port of entry has been removed from the boundary of the map. The Revised Map area is approximately 79.7 acres, with 69.2 developable acres and remaining 13.5 acres dedicated to roads and a water quality detention basin. The current map (TM 5566R) is approved with 24 lots totaling 79.7 acres; with 67.9 developable acres and 11.8 acres dedicated to road and a water quality detention basin. The Revised Map would result in an incremental increase in the size of lots proposed for industrial development from 67.9 acres to 69.2 acres (1.3-acre increase) due to reconfiguration of roads and water quality detention basin. as compared to the first Revised Tentative Map (TM-5566R1) project.

The Director reviewed the Revised Tentative Map application and evaluated the following requirements: conformance with all federal, State, and County regulations, including the County General Plan, East Otay Mesa Business Park Specific Plan, Zoning Ordinance, Subdivision Ordinance, and California Environmental Quality Act (CEQA). The project is consistent with the General Plan and East Otay Mesa Business Park Specific Plan. No significant changes were found to density, zoning, or CEQA requirements. The project is required to comply with all updated requirements such as the municipal separate storm sewer system (MS4) stormwater regulations. The Revised Tentative Map will not introduce new impacts or a change in circumstances that that will require major revisions to the previous Environmental Impact Report (EIR) due to significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Therefore, the previously adopted EIR is adequate upon completion of an Addendum, which has been prepared.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the October 11, 2022 Notice of Preliminary Decision of the Director of Planning & Development Services to Approve Revised Tentative Map PDS2021-TM-5566R2 (Attachment B) has been issued and filed with the Planning Commission as an

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Administrative Item. If the Planning Commission so chooses, it can take action to schedule the Revised Tentative Map for the Planning Commission's consideration at a noticed hearing. If the Planning Commission schedules the matter for a public hearing, the Planning Commission will be the decision-making authority for Revised Tentative Map.

COMMUNITY PLANNING/SPONSOR GROUP AND PUBLIC INPUT

Because there is no Community Planning or Sponsor Group in the Otay Mesa Community Plan Area, no recommendation is available for consideration. No comments were received as a result of the public notification on April 23, 2021.

ATTACHMENTS:

Attachment A – Planning Documentation and Original Map and Resolution (TM 5566)

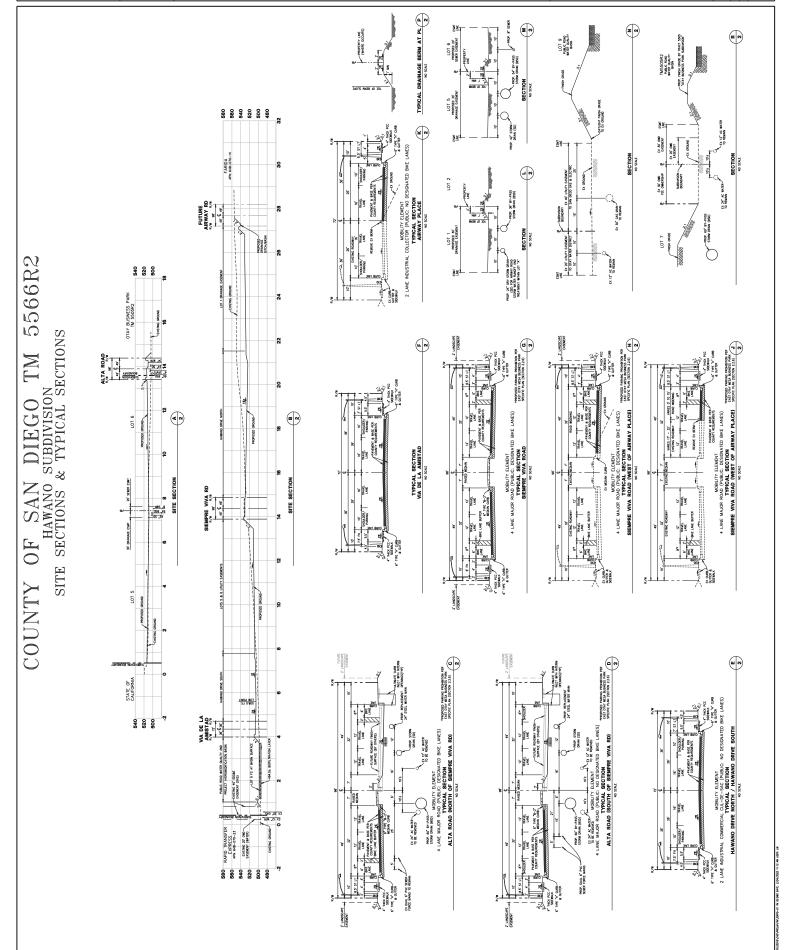
Attachment B – Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a Revised Tentative Map for PDS2021-TM-5566R2

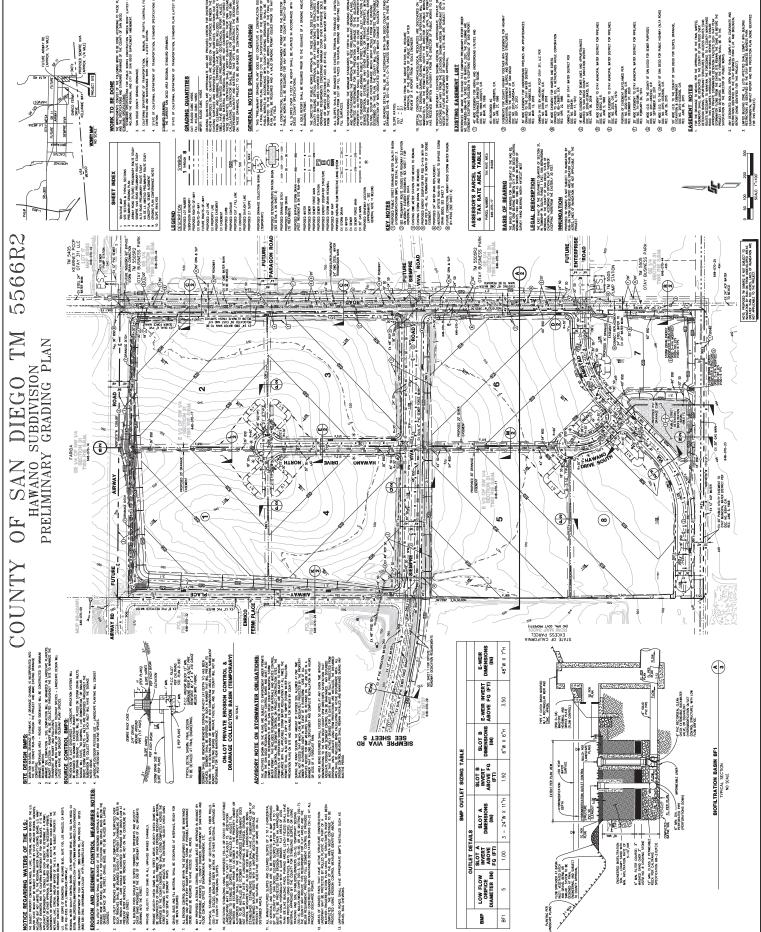
Attachment C – Environmental Documentation

Attachment D – Ownership Disclosure

Attachment A – Planning Documentation Tentative Map, Original Tentative Map, and Resolution

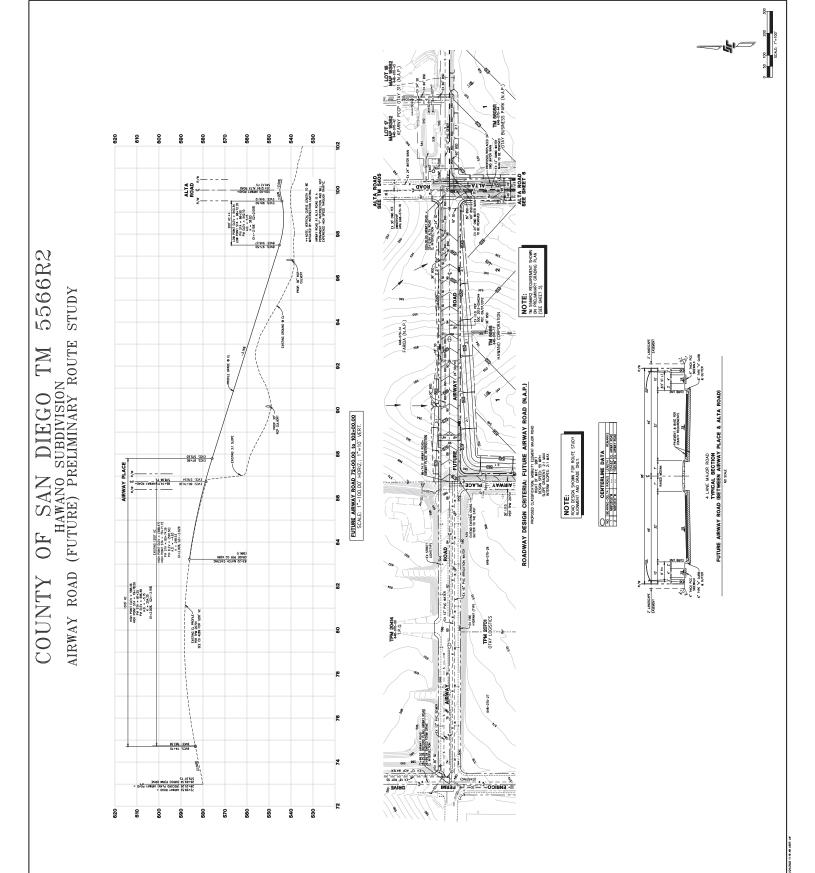
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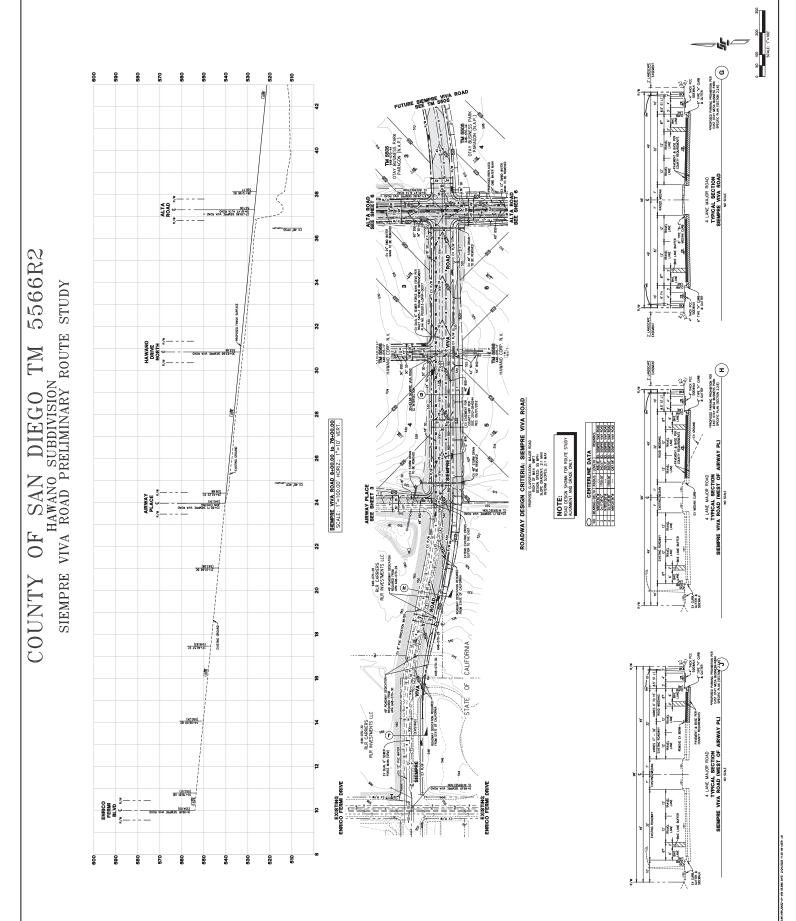


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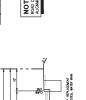


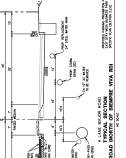


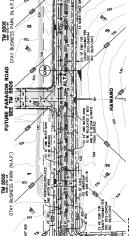


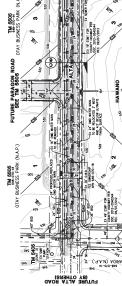


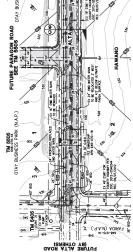












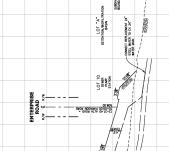


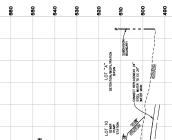


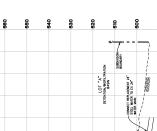


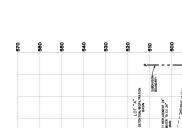












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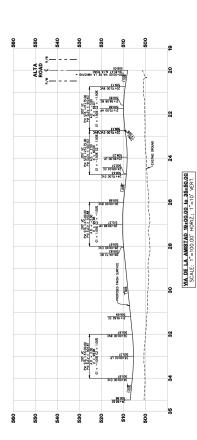


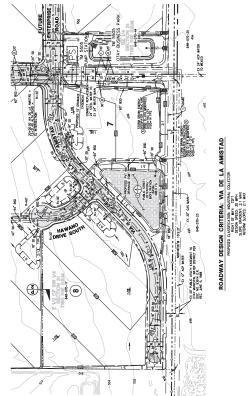


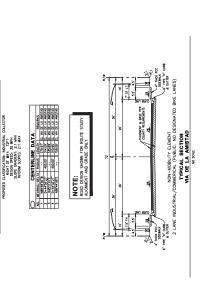
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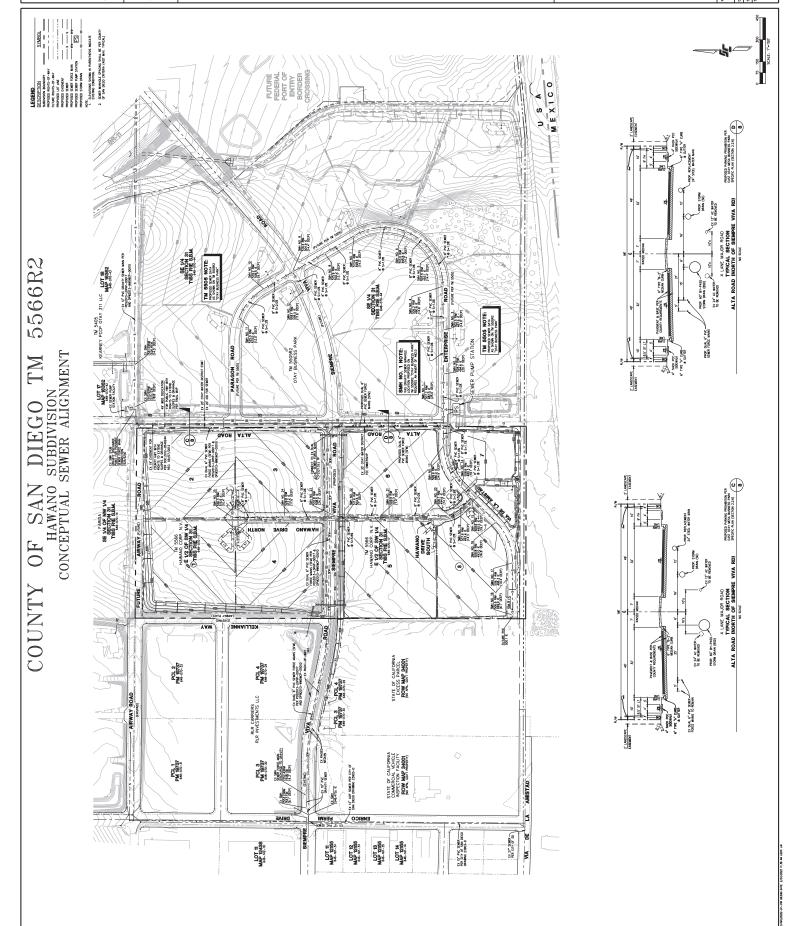


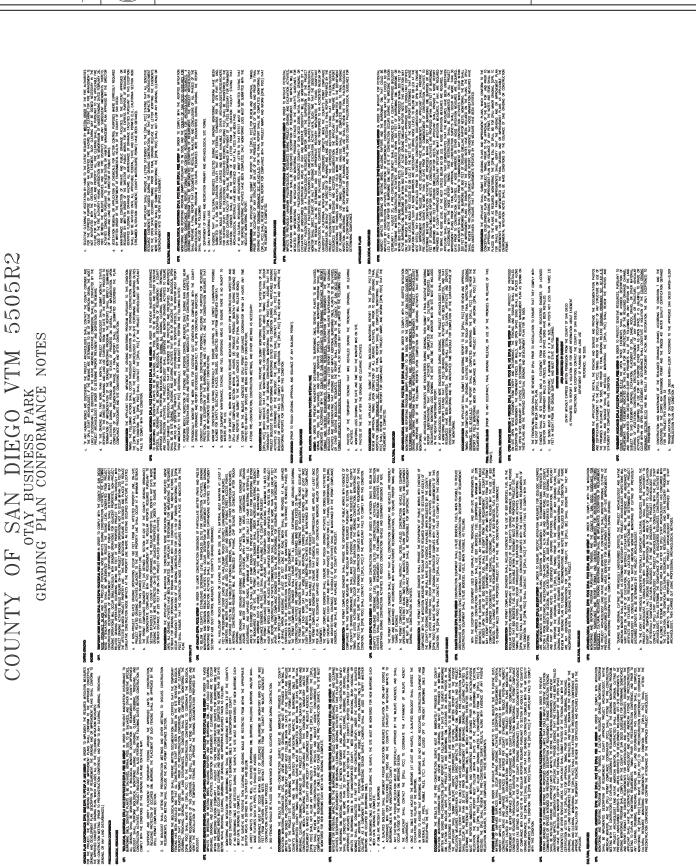


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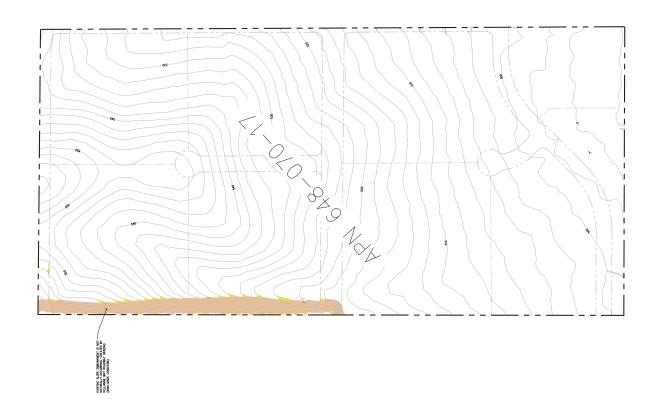
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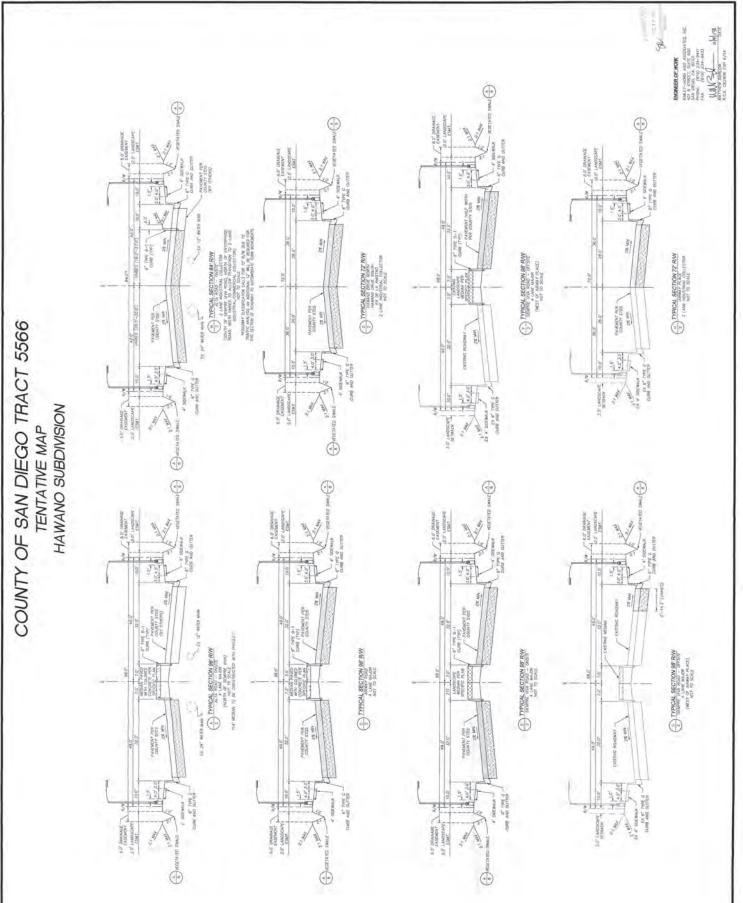


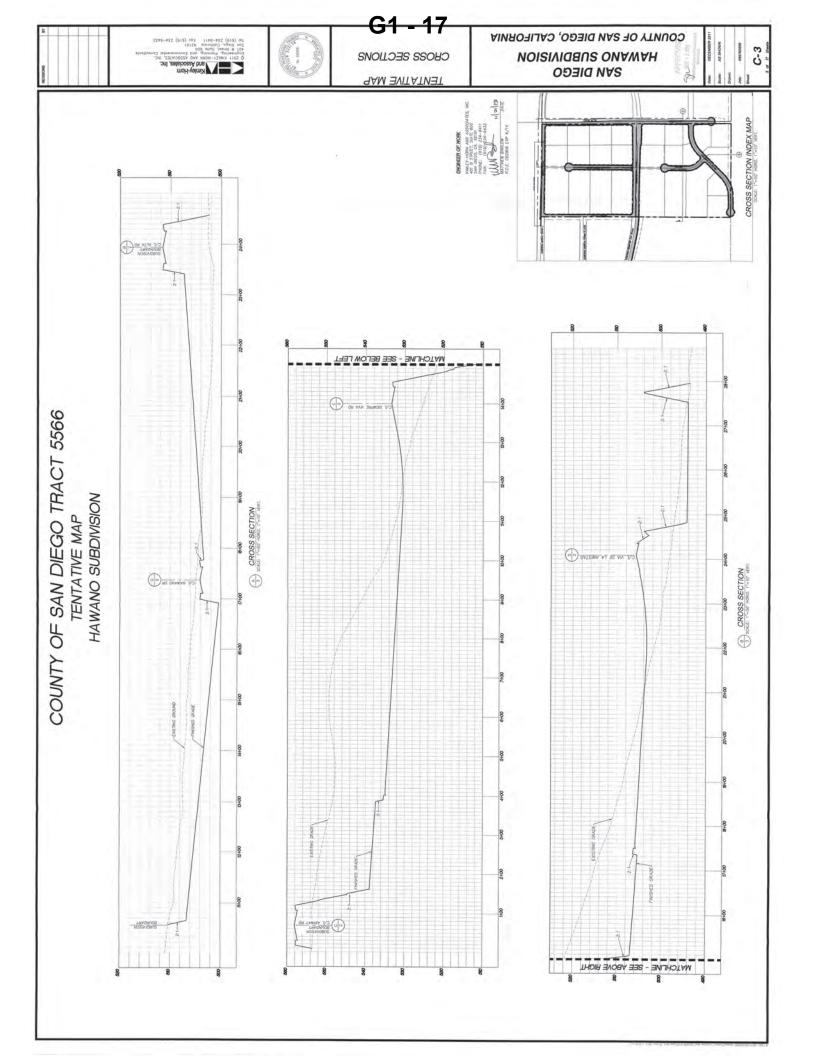


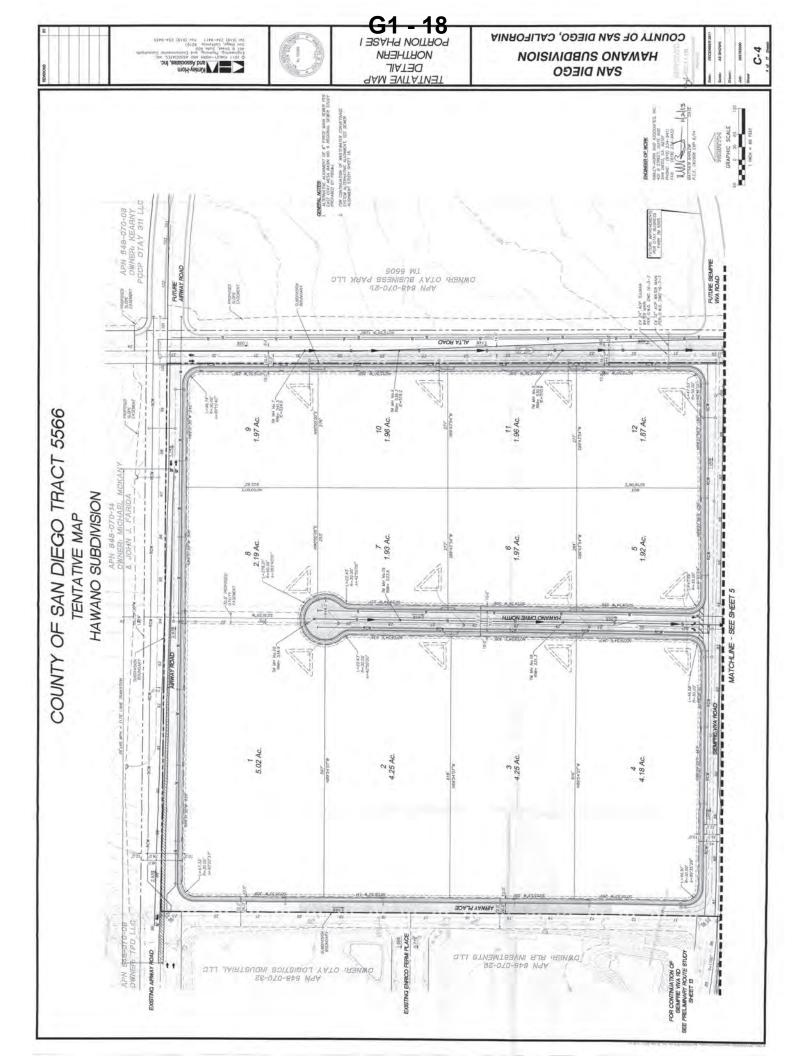
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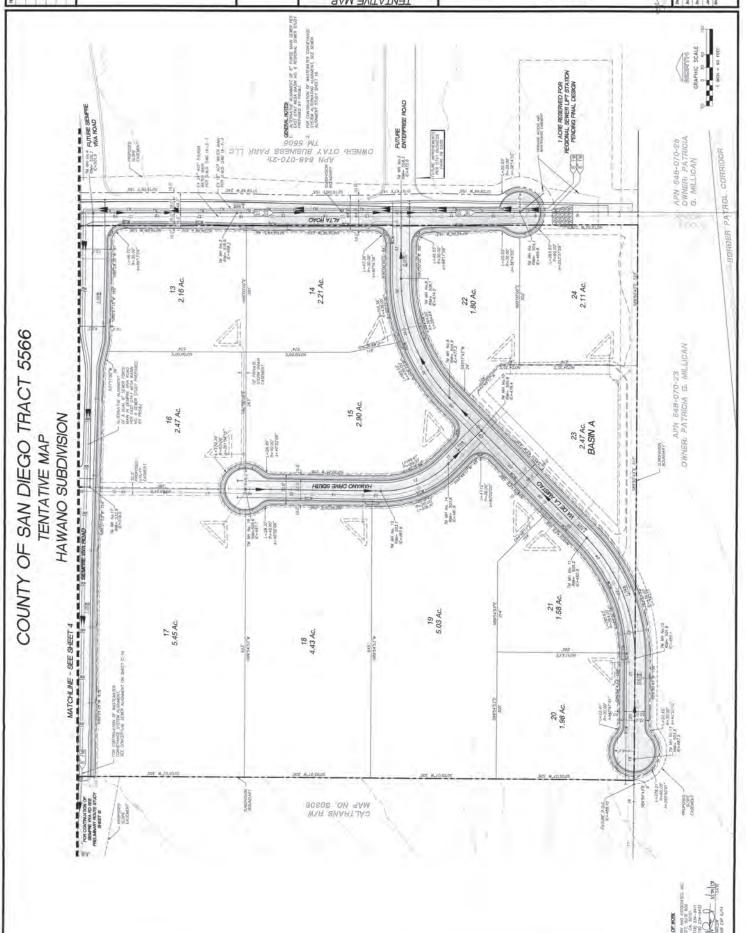




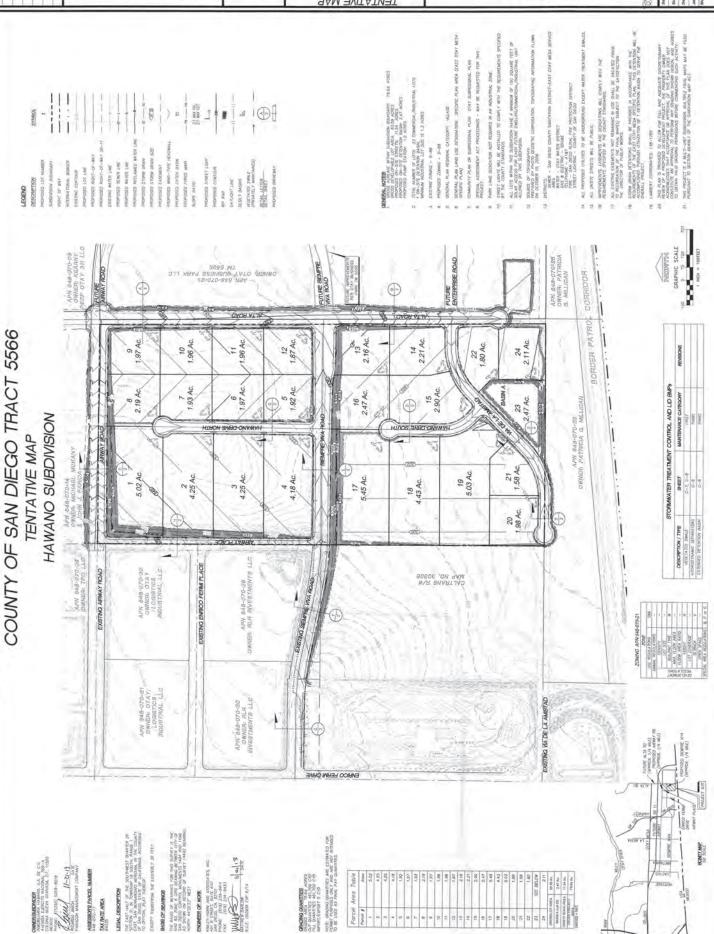
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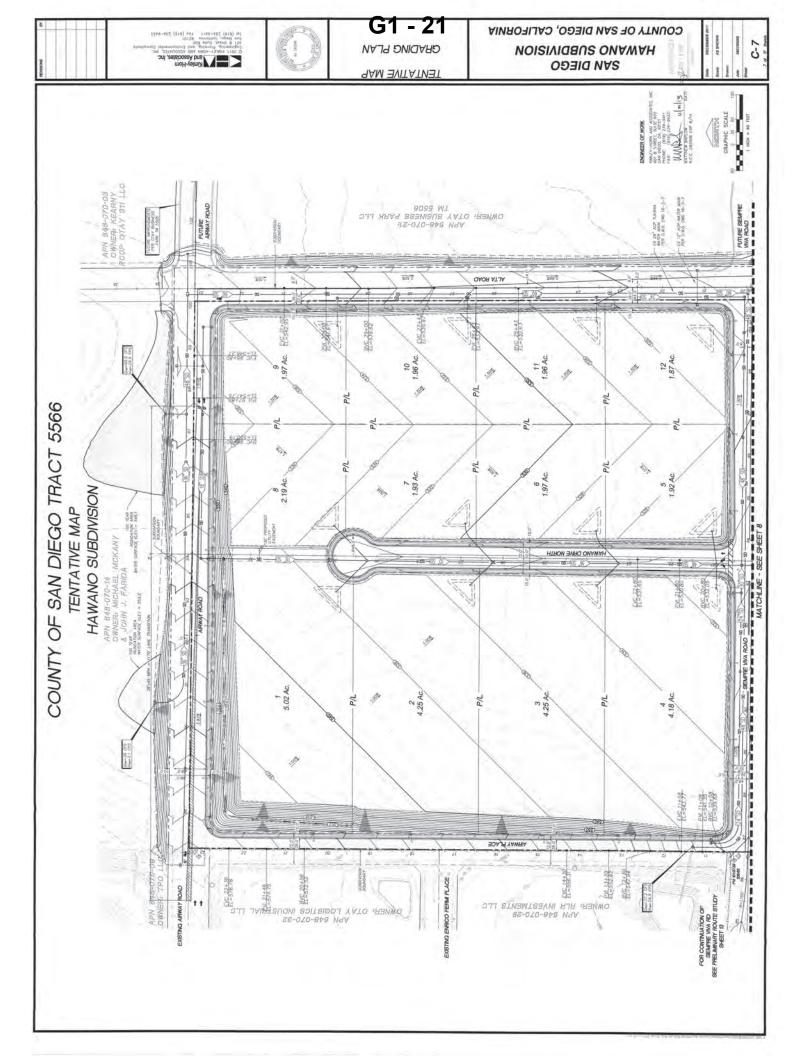
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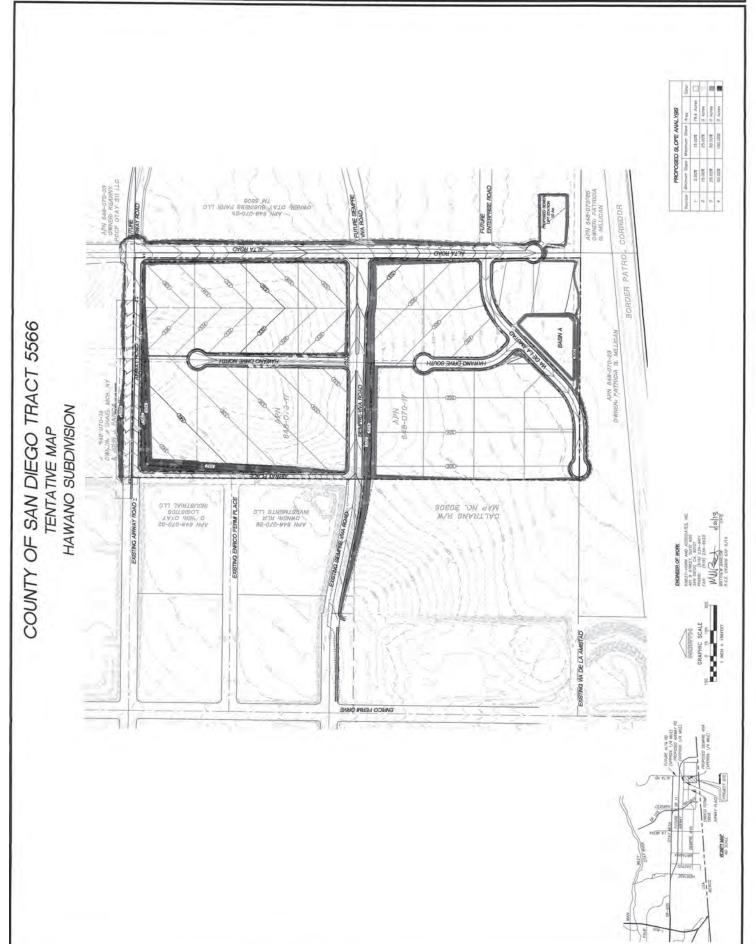
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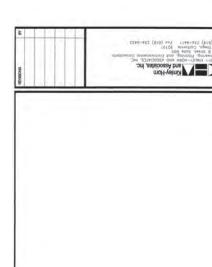
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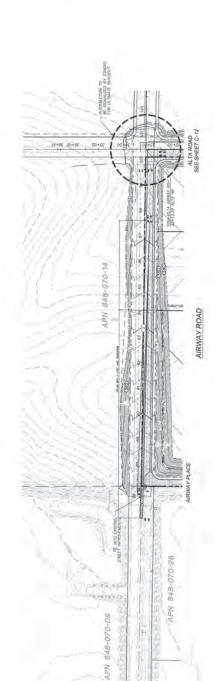
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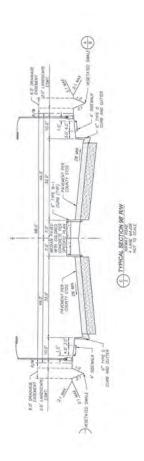
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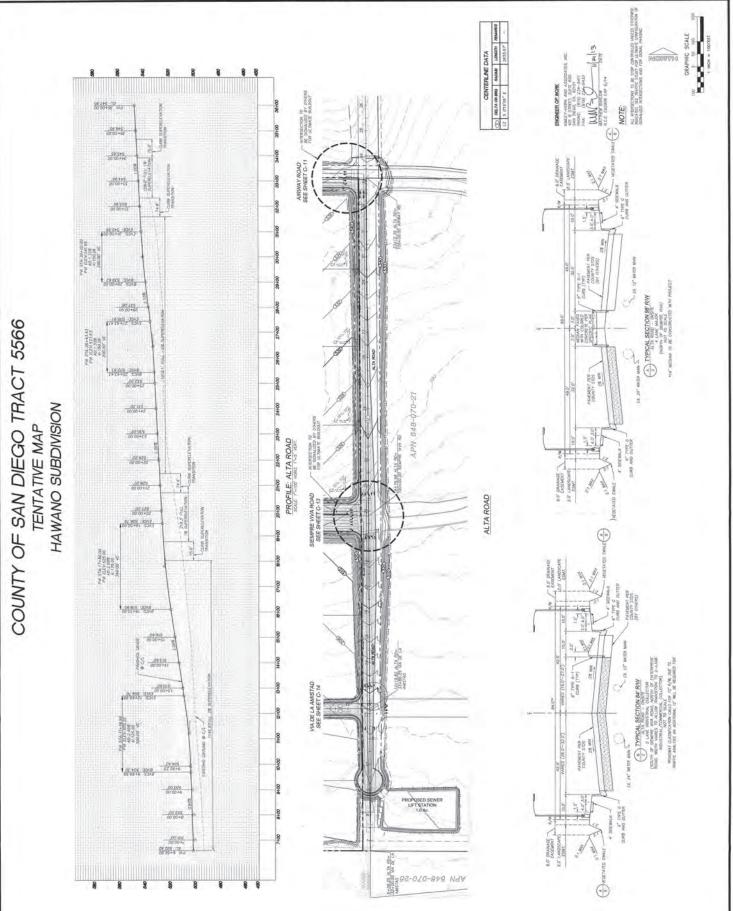
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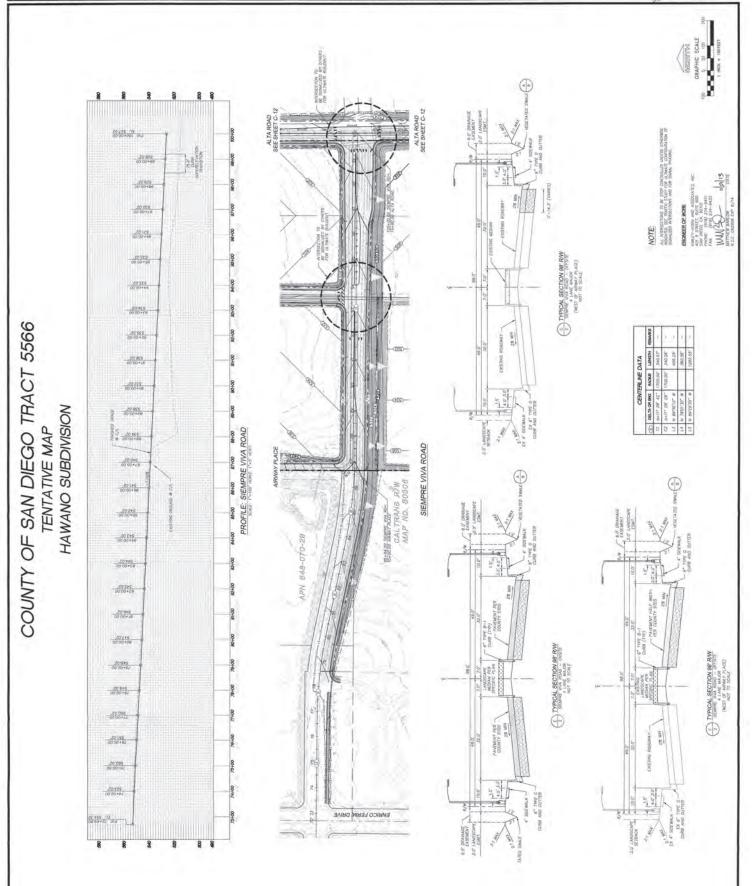


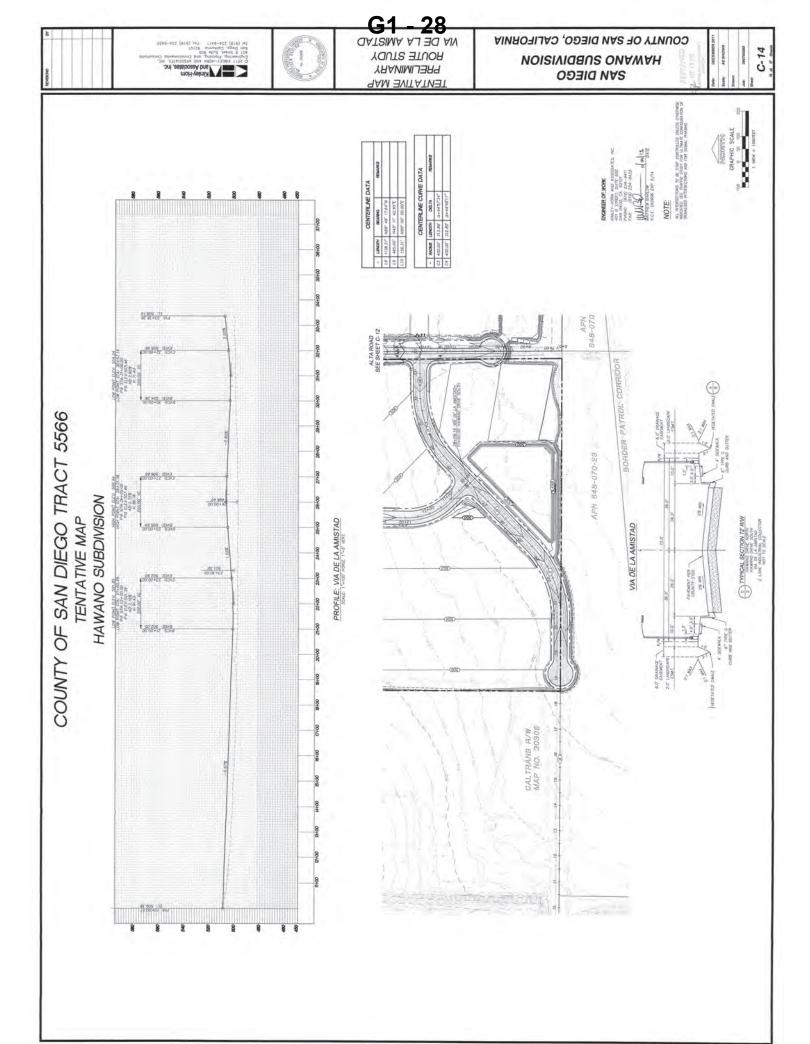


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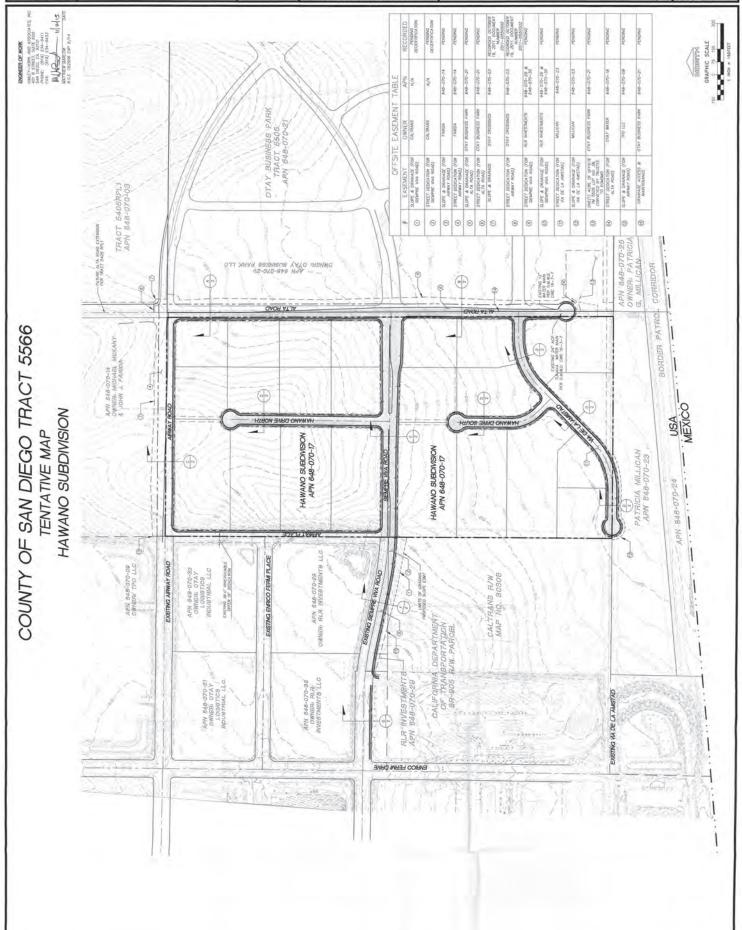
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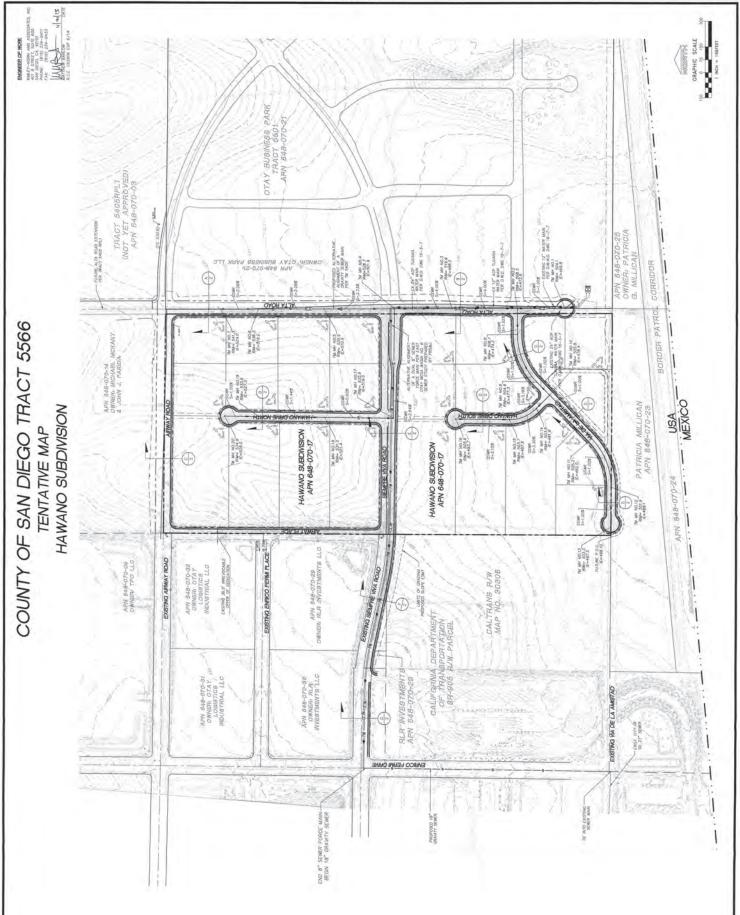


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MANAGER OF MORY

FINAL NOTICE OF ACTION APPROVING A REVISED MAP FOR TENTATIVE MAP 5566R2

On December 13, 2013, the Planning Commission adopted a decision approving a Tentative Map 5566. On July 14, 2017, the Planning Commission adopted the Final Notice of Action for a Time Extension Tentative Map 5566TE. On February 8, 2019, the Board of Supervisors adopted a decision approving a Revised Tentative Map 5566R.

THE FOLLOWING CONDITIONS COMPLETELY SUPERCEDE ALL CONDITIONS IMPOSED BY THE PREVIOUS RESOLUTION OF APPROVAL, EXCEPT THAT THE EXPIRATION DATE REMAINS UNCHANGED.

The approval of this Revised Tentative Map expires (December 13, 2022) at 4:00 P.M. There are no remaining opportunities for a Time Extension as provided by <u>Section 81.618</u> of the County Subdivision Ordinance.

STANDARD CONDITIONS: The "Standard Conditions (1-29) for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk, as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only the following exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized. The following Standard Subdivision Conditions are here by waived:

- (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification requires use of high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories (in which case fixtures shall use a low pressure sodium vapor light source) pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].
- (2) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (3) Standard Condition 19(e): Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (4) Standard Condition 20: Said condition pertains to an affirmative fair housing marketing plan. This project proposes an Industrial Commercial development.
- (5) Standard Condition 22: Said condition pertains to private subsurface sewage disposal systems. This project proposes a public sewer system.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map hereby adopts the Preliminary Grading Plan dated January 26, 2022 consisting of ten (10) sheets

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(Attached Herein as Exhibit A) pursuant to <u>Section 81.305 of the County Subdivision Ordinance</u>. In accordance with the <u>Section 87.207 of the County Grading Ordinance</u>, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to <u>County of San Diego Grading Ordinance (Sec 87.701 et. al.)</u>

APPROVAL OF MAP: THE FOLLOWING <u>SPECIFIC CONDITIONS</u> SHALL BE COMPLIED BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

1-29. The "Standard Conditions (1-29) for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, with the exception of those "Standard Conditions" waived above.

PRIOR TO APPROVAL OF FINAL MAP (The following actions shall occur prior to approval of Final Map).

- 30. ROADS#1-PUBLIC ROAD IMPROVEMENTS: [PDS, LDR], [DPR, TC] [MA] Intent:In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404 and the East Otay Mesa Business Park Specific Plan; all the public road segments and intersections as indicated below shall be improved. Description of requirement: Improve or agree to improve and provide security for all the public road segments and intersections as indicated below to the satisfaction of the Director of Public Works:
 - a. Siempre Viva Road (SC 2360), from Airway Place (end of improvements per CG 4289) to Alta Road (SA 1112) in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Gateway Road/Mobility Element Major Road plus bike lanes with Parking Restriction, and a two-foot (2') landscape easement, to a graded width of one hundred two feet (102') from centerline and to a minimum improved width of seventy-eight feet (78') from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, detached sidewalk, raised median, and street lights. Face of curb shall be at a minimum of thirty-nine feet (39') from centerline. The width of detached sidewalk shall be five feet (5') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Construct a fourteen foot (14') wide raised median with the concrete curb and gutter at seven

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feet (7') from centerline on both sides. Median shall provide an opening to allow for eastbound left turn to Hawano Drive North. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equal) and stamped with a Dry Creek Bed pattern or similar; five—foot by five-foot tree grates shall be set flush with the concrete (per San Diego Area regional Standard Drawing L-4) around each tree located down the center of the median; the design of the median shall be such as to prevent irrigation waters from flowing onto the traveled lanes in dry weather Tree spacing shall be per the East Otay Mesa Business Park Specific Plan. Provide all traffic striping, asphalt concrete dike tapers, and transitions to exiting pavement.

If a Design Exception Request is processed to the satisfaction of DPW and PDS that demonstrates that the future ADT in Siempre Viva Road does not require a median, the median can be removed from Siempre Viva Road.

- <u>b.</u> Widen offsite Siempre Viva Road (SC 2360), from Enrico Fermi Drive to Airway Place in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Gateway Road/Mobility Element Major Road plus bike lanes with Parking Restriction, and a two-foot (2') landscape easement,, to a one half graded width of fifty-one feet (51') and to a one half improved width of thirty-nine feet (39') on the south side of the centerline, with asphalt concrete pavement over approved base. Provide all traffic striping, and transitions to existing pavement. Traffic Study References: Section VIII, Phase 1 Construction Impacts Recommended Improvements [EIR M-TR-3]
 - c. Via De La Amistad from the westerly project boundary to Alta Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road (Industrial/Commercial) with Parking Restriction, to a graded width of seventy-two feet (72') [thirty-six feet (36') from centerline] and to an improved width of fifty-two feet (52') [twenty-six feet (26') from centerline] with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, contiguous sidewalk, and street lights. The face of curb shall be at twenty-six feet (26') from both sides of centerline. Via De La Amistad shall terminate with a temporary cul-desac and barricade to the satisfaction of the Department of Public Works Director.
- d. Alta Road (SA 1112), from Airway Road (SC 2300) to Via De La Amistad along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Mobility Element Major Road with Bike Lanes, Parking Restriction, and a two-foot (2') landscape easement, to a graded width of fifty-one feet (51') from centerline and to an improved width of thirty-nine feet (39') from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, detached sidewalk, and street lights. Face of curb shall be at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be five feet (5') and the distance between face

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of curb and edge of sidewalk shall be three feet (3'). If Alta Road is already improved east of the centerline, construct a fourteen foot (14') wide raised median with the concrete curbs and gutters at seven feet (7') from both sides of centerline. Median shall be paved with sandstone colored concrete (Davis Sandstone or equal) and stamped with a Dry Creek Bed pattern or similar. Provide all traffic striping and smooth connection to existing pavement. Provide necessary traffic restriping, transitions, asphaltic concrete dike tapers and striped median onsite and offsite in order to provide for one (1) travel lane in each direction. NOTE: If Site Implementation Agreements are allowed at time of final map recordation and improvement of the east side of Alta Road has not occurred, the applicant will be required to construct the portion of the raised median on the west side of the centerline. This will be required when construction of Alta Road adjacent to the east side occurs. If a Design Exception Request is processed to the satisfaction of DPW and PDS that demonstrates that the future ADT in Alta Road does not require a median, the median can be removed from Alta Road.

- e. **Hawano Drive South** in accordance with Public Road Standards for an Industrial/Commercial Cul-De-Sac Road, to a graded width of seventy-two feet (72') [thirty-six feet (36') from centerline] and to an improved width of fifty-two feet (52') [twenty-six feet (26') from centerline] with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, contiguous sidewalk, and street lights, with face of curb at twenty-six feet (26') from centerline.
- f. Hawano Drive South shall terminate with a cul-de-sac graded to a radius of sixty feet (60') and surfaced to a radius of fifty feet (50') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk with face of curb at sixty-five feet (65') from the radius point to the satisfaction of the Rural Fire Protection District and San Diego County Fire Authority.
- g. Airway Place, from Airway Road to Siempre Viva Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road (Industrial/Commercial), to a graded width of thirty-six feet (36') from the centerline and to an improved width of twenty-six feet (26') from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, detached sidewalk, and street lights. Face of curb shall be at twenty-six feet (26') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be five feet (5').—The temporary AC dike shall be removed and all distressed sections shall be replaced. NOTE: Airway Place is not shown as a Specific Plan Road in the East Otay Mesa Business Park Specific Plan but the westerly half was constructed with a detached sidewalk per Improvement Plan CG 4289 and therefore the east half is required to be constructed with a detached sidewalk as well.

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- h. Hawano Drive North in accordance with Public Road Standards for an Industrial/Commercial Cul-De-Sac Road, to a graded width of seventy-two feet (72') [thirty-six feet (36') from centerline] and to an improved width of fifty-two feet (52') [twenty-six feet (26') from centerline] with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, contiguous sidewalk, and street lights, with face of curb at twenty-six feet (26') from centerline. The following requirements are based on a Design Exception Request recommended by PDS on October 7, 2011:
 - 1) The length of the cul-de-sac shall be a maximum of seven hundred fifty feet (750') from centerline intersection of Siempre Viva Road to radius point of cul-de-sac
 - 2) Provide a fifty-foot (50') long no-parking/red curb restriction at the northwest corner of the Siempre Viva Road/Hawano Drive North intersection in order to accommodate the truck turning movements.
- i. Hawano Drive North shall terminate with a cul-de-sac graded to a radius of sixty feet (60') and surfaced to a radius of fifty feet (50') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk with face of curb at sixty-five feet (65') from the radius point to the satisfaction of the Rural Fire Protection District and San Diego County Fire Authority.
- Construct a traffic signal at the intersection of Siempre Viva Road and Hawano į. Drive North. The timing and need for installation and operation of the traffic signal will be identified based on a Design Exception Request to be filled and approved by PDS prior to completion and acceptance of roadway improvements by the County of San Diego.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the DPW Land Development Improvement Plan Checking Manual and the East Otay Mesa Business Park Specific Plan. The improvements shall be completed within 24 months from the approval of the Design Exception and recommended installation date for the traffic signal, improvement plans, execution of the agreements, and acceptance of the securities. **Documentation:** The applicant shall complete the following:

- 1) One (1) eastbound left turn lane
- 2) Two (2) eastbound through lanes
- 3) One (1) westbound through lane
- 4) One (1) westbound shared through-right lane
- 5) One (1) southbound shared left/right turn lane

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Include tapers and transitions as necessary.

- <u>k</u>. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above. Provide Landscape Plans that are consistent with Improvements Plans.
- I. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.407 through 81.408.
- m. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- n. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

Timing: Prior to the approval of the map as indicated above, the plans, agreements, and securities shall be approved. **Monitoring:** The [PDS, LDR] and [DPR, TC, PP] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

31. ROADS#2-SIGHT DISTANCE: [PDS, LDR] [MA]

Intent: In order to comply with the Design Standards of Section 6.1(E) of the <u>County of San Diego Public Road Standards</u>, an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **Description of requirement:** Have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide certified signed statements with the following information:

- a. Physically, there is a minimum unobstructed sight distance in both directions along **Via De La Amistad** with the following intersections:
 - 1) Alta Road (SA 1112)
 - 2) Hawano Drive South

For the design speed on Via De La Amistad per the Design Standards of Section 6.1.F of the County of San Diego Public Road Standards (approved March 3, 2010). If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

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- b. Physically, there is a minimum unobstructed sight distance in both directions along **Siempre Viva Road** (SC 2360) with the following intersections:
 - 3) Alta Road (SA 1112)
 - 4) Airway Place
 - 5) Hawano Drive North

For the design speed on Siempre Viva Road (SC 2360) per the Design Standards of Section 6.1.F of the County of San Diego Public Road Standards (approved March 3, 2010). If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

- c. Physically, there is a minimum unobstructed sight distance in both directions along **Alta Road** (SA 1112) with the following intersections:
 - 6) Siempre Viva Road (SC 2360)
 - 7) Via De La Amistad

For the design speed on Alta Road (SA 1112) per the Design Standards of Section 6.1.F of the County of San Diego Public Road Standards (approved March 3, 2010)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

Documentation: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **Timing:** Prior to the approval of the final map the sight distance shall be verified. **Monitoring:** The [PDS, LDR] shall verify the sight distance certifications.

32. ROADS#3–ROAD DEDICATION (ON&OFFSITE): [PDS, LDR] [DGS, RP] [MA] Intent: In order to improve the quality of the roads, promote orderly development, and to comply with the <u>Subdivision Ordinance Sec. 81.402</u>, road right of way shall be dedicated to the County. **Description of requirement:** Dedicate onsite with the map or grant by separate document to the County of San Diego an easement for road purposes that provides right-of-way along the road segments listed below in accordance with County of San Diego Public Road Standards for all the road classifications listed below to a ultimate right-of-way widthas indicated below together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.

- a. Dedicate or cause to be granted the project half of **Alta Road** (SA 1112) along the project frontage, from **Airway Road** to **Via De La Amistad** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Gateway Road/Mobility Element Major Road with Bike Lanes and Parking Restriction, right-of-way width of nineteen feet (19') to the project boundary, together with right to construct and maintain slopes and drainage facilities.
- b. Dedicate off-site and cause to be granted the southern half of **Siempre Viva Road** (SC 2360) from **Enrico Fermi Drive** to **Airway Place** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Gateway Road/Mobility Element Major Road with Bike Lanes and Parking Restriction, right-of-way width of forty-nine feet (49'), together with right to construct and maintain slopes and drainage facilities.
- c. Dedicate on-site and cause to be granted **Siempre Viva Road** (SC 2360) from **Airway Place** to **Alta Road** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Gateway Road/Mobility Element Major Road with Bike Lanes and Parking Restriction, right-of-way width of ninety-eight feet (98'), together with right to construct and maintain slopes and drainage facilities.
- d. Dedicate on-site or cause to be granted the project half of **Airway Place** along the project frontage in accordance with Public Road Standards for an Industrial/Commercial Road, a half right-of-way width of thirty-six feet (36'), to include thirty-foot (30') radius corner roundings at road intersections.
- e. Dedicate on-site and cause to be granted **Hawano Drive North** in accordance with Public Road Standards for an Industrial/Commercial Cul-De-Sac Road, right-of-way width of seventy-two feet (72') [thirty-six feet (36') from centerline] to include thirty-foot (30') radius corner roundings at road intersections. Hawano Drive North shall terminate with a minimum sixty-foot (60') property line radius.
- f. Dedicate onsite and cause to be granted **Via De La Amistad**, from westerly boundary to Alta Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road (Industrial/Commercial), a right-of-way width of seventy-two feet (72').
- g. Dedicate onsite and cause to be granted **Hawano Drive South** in accordance with Public Road Standards for an Industrial/Commercial Cul-

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De-Sac Road, minimum right-of-way width of seventy-two feet (72') to include thirty-foot (30') radius corner roundings at road intersection. Hawano Drive South shall terminate with a minimum sixty-foot (60') property line radius.

- h. With the approval of the Final Map, dedicate the on-site Public Roads. Grant to the County of San Diego any necessary off-site right-of-ways for public roads.
- i. With the approval of the Final Map, dedicate on-site and grant off-site drainage easements to County of San Diego.
- j. With the approval of the Final Map, dedicate a two-foot (2') wide landscape easement along Mobility Element and Specific Plan Major public roads, including Siempre Viva Road and Alta Road and within the landscaped setback in order to provide adequate space for street trees in accordance with the East Otay Mesa Business Park Specific Plan.
- k. With the approval of the Final Map, for the drainage to Mexico, easements shall be dedicated to the County of San Diego over detention basins, appurtenant structures and access routes (said routes necessary to maintain the foregoing) to a County maintained road. This requires hydrologic and hydraulic reports to ensure appropriate private stormwater detention facilities such that peak stormwater flows from the site remain the same as before the project was developed. This requirement applies to all property as shown on the approved project.
- I. With the approval of the Final Map, provide a one-foot (1') wide strip placed at the end of all proposed public streets that "stub out" at the subdivision boundary; the one-foot (1') wide strips to be made a portion of the adjacent lots and designated as "reserved for future streets" on the face of the map; access rights in and to the proposed streets shall be granted to the County.
- m. With the approval of the Final Map, cause the centerline of all on-site roads to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-10 Regional Standard Drawings when the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is not at ultimate line and grade.

The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works. NOTE: Dedication along Airway Road, Alta Road, and Siempre Viva Road along the project frontage has been granted to

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the County of San Diego by Easement for County Highway, Document No. 2012-0540244, recorded September 7, 2012.

Documentation: The applicant shall dedicate the easement for the road segment on the map and show it as indicated above. For the off-site portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. For dedications which require review, approval and/or action by Caltrans, this condition will be considered satisfied at such a time that the location of property to be dedicated to the County is shown on the map as "PROPOSED FUTURE DEDICATION", to satisfaction of Caltrans and the Directors of PDS and DPW. Upon Recordation of the easements, the applicant shall provide copies of the easement documents to the [PDS, LDR] for review. Timing: Prior to the approval of the map as indicated above, the onsite dedication and the offsite granting shall be provided for roads with the recordation of the map. **Monitoring:** The [PDS, LDR shall verify that the dedication is indicated on the map as indicated above. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review that the off-site granting complies with this condition.

33. ROADS#4-JOINT USE AGREEMENT: [PDS, LDR] [DGS, RP] [MA]

Intent: In order for the County and Otay Water District to properly document the use of the same strip of land along Alta Road, a Joint Use Agreement shall be executed. **Description of requirement:** Preparation and execution of a Joint Use Agreement for the portion of the 30' strip of land along Alta Road (APN 648-070-18) that is required for the project. **Documentation:** The applicant shall provide a Preliminary Title Report, legal descriptions and plats of the 30' strip of land along Alta Road to [DGS, RP] for review and pay all applicable fees associated with the preparation of the documents. [DGS, RP] shall prepare the Joint Use Agreement and obtain signatures from Otay Water District and the County. Upon Recordation of the Joint Use Agreement, [DGS, RP] shall provide copies of the Joint Use Agreement documents to [PDS, LDR]. **Timing:** Prior to the approval of the map, the Joint Use Agreement shall be executed. **Monitoring:** The [DGS, RP] shall prepare, approve the Joint Use Agreement for recordation, and forward the recorded copies to [PDS, LDR]. The [PDS, LDR] shall review that the off-site granting complies with this condition.

34. ROADS#5-CENTERLINE LOCATION: [PDS, LDR] [MA].

Intent: In order to promote orderly development and to comply with the <u>Subdivision Ordinance</u>, <u>Sec 81.507</u>, the centerline of the following roads shall be shown on the subdivision map. **Description of requirement:** The desired location of the centerline for the following roads shall be determined:

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- a. Alta Road along the project frontage, which is shown on the Mobility Element of the General Plan as a Major Road.
- b. Siempre Viva Road along the project frontage, which is shown on the Mobility Element of the General Plan as a Major Road.

The following shall be shown on the Final Map:

a. The centerline location as approved by the Department of Public Works.

Documentation: The applicant shall indicate the centerlines on the map for the road segment as indicated above. Timing: Prior to the approval of the final map for the road segment as indicated above, the centerlines shall be indicated on the map. Monitoring: The [PDS, LDR] shall verify that the centerlines are indicated on the map.

35. ROADS#6-RELINQUISH ACCESS: [PDS, LDR] [DGS, RP] [MA]

Intent: In order to promote orderly development and to comply with the Mobility Element of the General Plan, access shall be relinquished. Description of requirement: Relinquish access rights onto the public roads as listed below as shown on the Tentative Map. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. Only the access points listed below are permitted.

- a. Relinquish access rights onto Mobility Element Alta Road along the project frontage except for an opening for Airway Road, Siempre Viva Road, and Via De La Amistad.
- b. Relinquish access rights onto Mobility Element Siempre Viva Road, except for an opening for Airway Place, Hawano Drive North, and Alta Road.

Documentation: The applicant shall show the relinquishment of access rights on the final map and show it as indicated above. **Timing:** Prior to the approval of the map indicated above, the access shall be relinquished. **Monitoring:** The [PDS, LDR] shall verify that the relinquishment of access rights is properly shown on the final map.

36. ROADS#8-PUBLIC ROAD IMPROVEMENTS OR FAIR SHARE FOR AIRWAY ROAD/SANYO AVENUE INTERSECTION WITHIN THE CITY OF SAN DIEGO: [PDS, LDR] [MA]

Intent: To mitigate significant impacts to the intersection of Airway Road/Sanyo Avenue that would occur in the Cumulative (2020) with SR-905 Phases 1A and

1B conditions. **Description of Requirement:** The Project applicant shall improve or agree to improve and provide security for the intersection of **Airway Road/Sanyo Avenue** as recommended by the Traffic Impact Study and in consultation with the City of San Diego and to the satisfaction of the Director of Public Works **OR** provide a fair share payment in the form of cash or letter of credit for a percentage to be determined of the cost of design and installation of those same road improvements. Improvements required for the intersection of Airway Road/Sanyo Avenue shall include signalization of the intersection and the following, or any other configuration acceptable to the City of San Diego and the County of San Diego and that achieves an acceptable level of service:

- 1) One (1) eastbound shared left-through-right lane
- 2) One (1) westbound left turn lane
- 3) One (1) westbound through lane
- 4) One (1) westbound right turn lane
- 5) One (1) northbound left turn lane
- 6) One (1) northbound shared through-right turn lane
- 7) One (1) southbound left-through turn lane
- 8) One (1) southbound right turn lane

Prior to the recordation of the Final Map, the County will require the applicant to seek a written agreement with the City of San Diego authorizing the required improvements. If this written agreement with the City is not issued, then the Project applicant would be required to provide a letter documenting the City's objection to the improvements and would be allowed to proceed with recordation of a Final Map without the required improvements. If the City of San Diego issues such a written agreement, then the Project Applicant would be required to implement the necessary improvements (or a subset thereof, as approved by the City of San Diego) prior to the recordation of a Final Map. **Documentation:** The project applicant shall submit documentation from the City of San Diego demonstrating the requirements of this condition have been completed. Timing: The improvements shall be fully constructed OR fair share paid to the satisfaction of the City of San Diego and the Director of Public Works prior to recordation of the Final Map. Monitoring: The Director of Planning & Development Services shall review the evidence provided by the applicant for compliance with this mitigation measure. Following review, the Director of Planning & Development Services shall provide the applicant with a letter of release. Traffic Study References: Section VIII and Figure 40 [EIR M-TR-10].

37. ROADS#9-PUBLIC ROAD IMPROVEMENTS OR FAIR SHARE FOR SIEMPRE VIVA ROAD/MICHAEL FARADAY DRIVE INTERSECTION WITHIN THE CITY OF SAN DIEGO: [PDS, LDR] [MA]

Intent: To mitigate significant impacts to the intersection of Siempre Viva Road/Michael Faraday Drive that would occur in the Cumulative (2020) with SR-

905 Phases 1A and 1B conditions. **Description of Requirement:** The Project applicant shall improve or agree to improve and provide security for the intersection of **Siempre Viva Road/Michael Faraday Drive** as recommended by the Traffic Impact Study and in consultation with the City of San Diego and to the satisfaction of the Director of Public Works **OR** provide a fair share payment in the form of cash or letter of credit for a percentage to be determined of the cost of design and installation of those same road improvements. Improvements required for the intersection of Siempre Viva Road/Michael Faraday Drive shall include signalization of the intersection and the following, or any other configuration acceptable to the City of San Diego and the County of San Diego and that achieves an acceptable level of service:

- 1) One (1) eastbound left turn lane
- 2) One (1) eastbound through lane
- 3) One (1) eastbound shared through-right lane
- 4) One (1) westbound left turn lane
- 5) One (1) westbound through lane
- 6) One (1) westbound shared through-right lane
- 7) One (1) northbound left turn lane
- 8) One (1) northbound through lane
- 9) One (1) northbound shared through-right lane
- 10) One (1) southbound left turn lane
- 11) One (1) southbound through lane
- 12) One (1) southbound shared through-right lane

Include tapers and transitions as necessary. The ultimate intersection lane configuration is subject to change per the approval of the Directors of DPW and PDS.

Prior to the recordation of the Final Map, the County will require the applicant to seek a written agreement with the City of San Diego authorizing the required improvements. If this written agreement with the City is not issued, then the Project applicant would be required to provide a letter documenting the City's objection to the improvements and would be allowed to proceed with recordation of a Final Map without the required improvements. If the City of San Diego issues such a written agreement, then the Project Applicant would be required to implement the necessary improvements (or a subset thereof, as approved by the City of San Diego) prior to the recordation of a Final Map. Documentation: The project applicant shall submit documentation from the City of San Diego demonstrating the requirements of this condition have been completed. Timing: The improvements shall be fully constructed OR fair share paid to the satisfaction of the City of San Diego and the Director of Public Works prior to recordation of the Final Map. Monitoring: The Director of Planning & Development Services shall review the evidence provided by the applicant for compliance with this mitigation measure. Following review, the Director of Planning & Development Services shall provide the applicant with a letter of release. **Traffic Study References:** Section VIII and Figure 40 [EIR M-TR-12].

38. UTILITIES#1-PUBLIC SEWER IMPROVEMENT: [PDS, LDR] [DPW, WWM] [SDCSD] [MA].

Intent: In order to promote orderly development by providing public sewer to the parcels, and to comply with the Subdivision Ordinance Sec. 81.703 through Section 81.707 and East Otay Mesa Business Park Specific Plan the sewer shall be dedicated and installed or agree to install. **Description of Requirement:** A sewer system, which is to be public sewer shall be shown within dedicated right-of-way on the map, and dedicated by separate instrument if located off-site, and the portion of the sewer system which is to be public shall be installed as shown on the approved plans and specifications, to the satisfaction of the San Diego County Sanitation District [SDCSD]. A graded access road to maintain any public sewer constructed within easements shall be required.

- a. Prepare and submit a Sewer System Management Plan to the satisfaction of SDCSD for the interim operation of the sewer collection system and to establish the design and construction schedule for the pump station, including the minimum sewer flow rate for the SDCSD to accept the sewer pump station.
- b. Plans, specifications and calculations for:
 - 1. Pump station (if not previously installed by others) including, but not limited to hydraulic calculations, a dual force main, emergency six (6) hour storage provisions, power supply and permanent generator and downstream mitigation measures to control potential increased odors and corrosion effects from pumping operations. The pump station shall be designed per Hydraulic Institute Standards and the design shall be approved by [DPW, WWM]. The pump station site shall encumber at a minimum lot size acceptable to efficiently operate and safely maintain the facility [DPW,WWM] [SDCSD].
 - 2. The construction of an on-site subdivision sewer collection system serving each lot to the satisfaction of the [DPW, WWM].

Note: No sewer lateral connections will be allowed on mains that exceed 20 feet in depth. Engineer-of- Work will provide adequate sewer design justifications for any proposed deep manhole depths.

3. Proposed wastewater facility plan options (on-site and off-site) shall comply with all regional [SDCSD] plan updates including, but not limited to the most current EOM Sewer Master Plan and EOM

Basin No. 6 Regional Sewer Study (approved January 2019), as directed by DPW Wastewater Management and the Director of Public Works. Phased construction of the pumps and emergency power supply will be subject to approval of the Director of Public Works and [SDCSD]. All other required facilities, at a minimum but not limited to, electrical supply, wet well, dry well, emergency storage and all associated buildings shall be designed for the ultimate flow based on [SDCSD]'s most current approved Sewer Master Plan and/or required sewer study. This shall occur as determined by the County accepted Sewer System Management Plan prior to approval of the public improvement plans.

- 4. Developer shall be responsible for contracting out the interim disposal of the Developments Wastewater discharge flow by means and methods according to Federal, State and local agency regulations and guidelines. This shall continue until DPW[WWM][SDCSD] determines sufficient flows to operate and accept the Wastewater Pump Station as determined by an accepted Private Interim Operational Agreement and Sewer System Management Plan [DPW,WWM][SDCSD].
- c. If not previously installed by others, the developer shall cause the proposed onsite pump station and Lot 10 of Tentative Map PDS2021-TM-5505R2, components of the facilities and respective access easements to be conveyed by the Developer to the [SDCSD]. The developer shall assure the availability of City sewer services to serve a proposed development by means of one of the following methods. The project drains to the City's existing temporary sewer pump station 23 (PS 23T) at Siempre Viva Road and Cactus Road. The [DPW, SDCSD] will accept the findings and recommendations of the City's Sewer Pump Station 23 Sewer Basin Study (SPS 23 Study) (current Draft March 2021) for all proposed public sewer facilities associated with Pump Station 23T upgrades and conveyance facilities to the Otay Valley and San Ysidro Trunk Sewers. Once the SPS 23 Study is accepted by the City, the Developer will be responsible to contribute a fair share portion via the construction of a regional sewer improvement or, if applicable, through payment of a fair share costs at timing of building permit.
- d. The developer shall dedicate to the [SDCSD] all necessary easements along with that portion of the sewer collection system that is to be public sewer and all required facility components thereof, to the satisfaction of [DPW, WWM]. The developer may be required to grade and pave additional roads for access to maintain public sewers constructed within inaccessible easements. The developer may also be required to dedicate additional roads as sewer access easements to the public sewer lines.

- e. If not previously installed by others, enter into agreement with the [SDCSD] for planning, designing, financing, constructing, operating, and maintaining the proposed regional on-site sewer pump station and force mains, to the satisfaction of the [DPW, WWM]. The agreement shall include an interim sewer service plan, outlined in the Sewer System Management Plan, and the purchase of maintenance and emergency response equipment, and other equipment as deemed necessary by the [DPW, WWM] to operate and maintain the proposed pump station and associated facilities.
- f. Submit an engineer's construction cost estimate for all proposed on-site and offsite sewer facilities to the County for review and approval to the satisfaction of [DPW, WWM].

Documentation: The applicant shall dedicate the sewer easement on the final map and dedicate by separate instrument the off-site portions, provide improvement plans for the sewer system construction to the [DPW, LDR] and the [DPW, WWM] [SDCSD] for review and approval, and demonstrate to the [DPW, LDR, WWM] that all required improvements, dedications, Sewer System Management plans, or agreements have been satisfied. **Timing:** Prior to approval of the map, the off-site sewer facilities (if not previously installed by others) and onsite sewer facilities shall be agreed to be installed, agreements signed, and any applicable fees paid. **Monitoring:** The [DPW, LDR] shall review the final map to ensure that the sewer easement has been dedicated. The [DPW, LDR] shall review the improvement plans to ensure compliance with this condition.

39. UTILITIES#2- SEWER PUMP STATION NOISE COMPLIANCE: [PDS, LDR] [DPW, WWM] [SDCSD] [MA].

Intent: In order to ensure that the sewer pump station does not have significant noise impacts. **Description of Requirements:** The sewer pump station installed on Lot 10 of Tentative Map PDS2021-TM-5505R2 shall consist of a submersible duplex sewer pump station, in a wet well, and a permanent generator. An alternative configuration for the pump stations may be proposed, provided it can be demonstrated that noise levels associated with the pump station would not exceed the 75 dBA exterior noise limit specified in Section 6310(d) of the San Diego County Zoning Ordinance. Documentation: The developer shall provide either 1) copies of plans matching the above description or 2) revised plans with subsequent noise analysis showing Zoning Ordinance compliance, to the satisfaction of the Director of PDS. Timing: A Private Interim Operational Agreement and Sewer System Management Plan (SSMP) will be required prior to first occupancy to address the construction and timing for the Wastewater Pump Station and the minimum sewer flow rate for the facility to be operationally accepted by the SDCSD. The Private Interim Operational Agreement and SSMP will identify any interim operational measures such as temporary pumping and

maintenance of the proposed sewer system. **Monitoring:** The [PDS, PCC] shall review the pump station plans and/or noise analysis for compliance with this condition.

- 40. CULT#1-DATA RECOVERY PROGRAM: [PDS, PCC] [MA, GP, IP] [PDS, FEE] Intent: In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.0 of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. Description of Requirement: Implement the research design detailed in the archaeological extended study "A Phase I Archaeological Survey and Phase II Cultural Resources Evaluation for the Hawano Project" prepared by Brian F. Smith of Brian F. Smith and Associates, dated March 10, 2011. The implementation of the research design constitutes mitigation for the proposed destruction of archaeological site CA-SDI-8081. The data recovery program shall include the following:
 - a. **Phase One:** The data recovery program shall comply with research design and performance standards that are in the approved data recovery program in the report referenced above.
 - b. **Phase One:** Upon completion a letter report shall be prepared, which evaluates the issues of site integrity, data redundancy, spatial and temporal patterning, features, and other relevant topics in order to assess the adequacy of the initial 3% percent sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations. If no artifacts are found, then a phase two data recovery program is not required.
 - c. **Phase Two:** Implement Phase Two fieldwork as necessary. For artifacts are found during the phase one and phase two data recovery referenced above, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, assemblage, and radiocarbon dating as referenced in the report above.
 - d. Curation: All archaeological materials recovered during both the survey, significance testing, and data recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

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Documentation: Upon completion of the <u>phase one</u> data recovery referenced above, the applicant shall submit the letter report to the [*PDS*, *PCC*] for review and approval. If a <u>phase two</u> data recovery program is required, the applicant shall provide a Final Technical Report from the Principal Investigator to the [*PDS*, *PCC*]. The final report shall include a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. **Timing:** Prior to the approval of any plan, issuance of any permit and prior to approval of any map, the data recovery program shall be completed. **Monitoring:** The [*PDS*, *PCC*] shall review the <u>phase one</u> letter from the project archaeologist (PI) for compliance with this condition. If a <u>phase two</u> data recovery program is required, the [*PDS*, *PCC*] shall review the final data recovery program report for compliance with this condition.

41. CULT#2-ARTIFACT CURATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE]

Intent: In order to ensure that all cultural resource artifacts that were discovered during the survey, testing and evaluation phase are curated for future research and study, the artifacts shall be curated in a County approved curation facility. **Description of Requirement:** All archaeological materials recovered by Brian F. Smith and Associates during the work reported in: "A Phase I Archaeological Survey and Phase II Cultural Resources Evaluation for the Hawano Project" dated March 10, 2011, have been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. **Documentation:** The applicant shall provide a letter from the curation facility, which identifies that the archaeological materials referenced in the final report have been received and that all fees have been paid. **Timing:** Prior to the approval of any plan, issuance of any permit, and prior to approval of any map, the artifacts shall be curated. **Monitoring:** The [PDS, PCC] shall review the letter from the curation facility for compliance with this condition.

42. GEN#1–COST RECOVERY: [PDS, DPW, DEH, DPR], [GP, CP, BP, UO] Intent: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. Description of Requirement: The applicant shall pay off all existing deficit accounts associated with processing this permit. Documentation: The applicant shall provide a receipt to the Department of Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. Timing: Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and discretionary deposit accounts shall be paid. Monitoring: The PDS Zoning

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Counter shall review the receipts and verify that all PDS, DPW, DEH, and DPR deposit accounts have been paid.

43. BIO-1 NON-NATIVEGRASSLANDMITIGATION:[DPW] [GRADING PERMITS, FINAL GRADING INSPECTION]

Intent: In order to mitigate for impacts to 66.8 acres of non-native grassland habitat, which is a sensitive biological resource pursuant to the BMO, off-site mitigation shall be acquired. **Description of Requirement:** Impacts to 66.8 acres of non-native grassland shall be mitigated at a ratio of 1:1, for a total of 66.8 acres. The mitigation requirement will be met through a combination of on-mesa preservation at the Marathon site (APNs 64608020 and 64608021; 33.1 acres) and purchase of credits off-mesa in the Ramona Grasslands mitigation bank (33.7 acres). An open space easement shall be placed over the land to be preserved and dedicated to the County of San Diego, or like agency, to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

Documentation: The applicant shall provide the PDS with evidence that the 66.8-acre non-native grassland mitigation requirement has been met. Documentation of land preservation shall include a copy of the purchase agreement and evidence that the Open Space easement has been recorded. Documentation of the purchase of mitigation credits shall include a copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased. An accounting of the status of the mitigation bank with the total amount of credits available at the bank, the amount required by this project, and the amount remaining after utilization by this project also shall be provided. **Timing:** Prior to the approval of the Final Map and prior to the approval of any grading or improvement plan and issuance of any permit, the mitigation shall be completed. **Monitoring:** The [PDS, PCC] shall review the provided evidence for compliance with this condition. The land and/or credits shall be purchased or secured before the requirement can be completed.

44. BIO#2-LONG-TERM HABITAT MANAGEMENT PLAN (MARATHON)

Intent: In order to provide for the long-term management of the proposed Marathon open space preserve, a Long-Term Habitat Management Plan shall be prepared and implemented. **Description of Requirement:** Submit to and receive approval from the Director of the Department of Planning & Development Services, a Long-Term Habitat Management Plan. The Long-Term Habitat Management Plan shall be for the perpetual management of all preserved biological resources on the site. The Long-Term Habitat Management Plan shall be prepared and approved following the format and structure of the Johnson Canyon/Lonestar Long-term Management Plan prepared by Caltrans in June 2021. The final Long-Term Habitat Management Plan cannot be approved until the following has been

completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved following the format and structure of the Johnson Canyon/Lonestar Long-term Management Plan prepared by Caltrans in June 2021.
- b. The habitat land to be managed shall be completely purchased and/or secured.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The Long-Term Habitat Management Plan funding mechanism shall be identified and approved by the County to fund annual costs for basic stewardship.
- f. A contract between applicant and County shall be executed for the implementation of the Long-Term Habitat Management Plan.

Documentation: The applicant shall prepare the Long-Term Habitat Management Plan and submit it to the [PDS, ZONING] and pay all applicable review fees. **Timing:** Prior to the approval of the Final Map and prior to the approval of any grading or improvement plan and issuance of any permit, the Long-Term Habitat Management Plan shall be approved. **Monitoring:** The [PDS, PPD] shall review the Long-Term Habitat Management Plan for compliance with the content guidelines and this condition.

45. BIO#3-FAIRY SHRIMP CRITICAL HABITAT MITIGATION: [DPW] [GRADING PERMITS, FINAL GRADING INSPECTION]

Intent: In order to fulfill Minor Amendment conditions of concurrence for fairy shrimp critical habitat. **Description of Requirement:** In order to offset the loss of 26.3 acres of San Diego fairy shrimp critical habitat on the project site, implementation of all the following conservation measures shall occur:

- a. The project proponent will purchase 8.5 credits of tier IIIB habitat from the Marron Valley Cornerstone Mitigation Bank (Cornerstone Bank).
- b. The project proponent will provide the bank manager with the standard endowment funding for 8.5 credits.
- c. The project proponent will prepare a work plan describing the following habitat enhancement activities with the goal of improving

San Diego fairy shrimp critical habitat primary constituent elements (PCEs) at the Cornerstone Bank.

- 1) Approximately 6.6 acres of uplands within the watershed area identified in Figure 2 of the Minor Amendment Concurrence Letter dated August 19, 2013 and 0.1 acre of basin area will be enhanced (i.e., dethatch, weed control, and seeding).
- 2) The enhancement site will be maintained for 4 years (12 maintenance visits total).
 - i. Four visits will be conducted in Year 1, three in years 2 and 3, and two in year 4.
 - ii. Each maintenance visit will consist of a four-person crew for a single day.
 - iii. Dethatching is most appropriately performed in the winter season, prior to the bird breeding season (February 15), with follow-up visits during the spring and summer to apply herbicide and other weed control measures.
- iv. Visits will be conducted each year from December through April to coincide with rainy season and peak weed growth; however, the timing of the work will vary each year to year due to changes in rainfall patterns, site conditions, and number of scheduled visits. The timing of the work will be based on the germination and development of the nonnative target species at the site.
- v. Maintenance will include trash removal and control of nonnative plant species. Line trimmers and focused (spot spray) herbicide will be used in the upland areas and hand weeding will be used within the pool basins.
- 3) Four years of biological monitoring and reporting (two visits per year) will be implemented.
 - Each regular monitoring visit will be conducted by a biologist with at least 3 years of vernal pool restoration experience and approved by the Service. Pool ponding (depth and extent) and floristic data will be collected during each regularly scheduled visit.

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- ii. During each visit the amount and extent of weed species will be recorded and maintenance crews will be given direction for necessary remedial work.
- A brief letter report will be produced each year summarizing the results of the maintenance and annual monitoring. These reports will be provided to the Wildlife Agencies and bank manager.
- iv. Performance Standards will be as follows:
 - a. No Cal-IPC high or moderate category weed species (excluding nonnative grasses) within the pools and buffer area.
 - b. Overall cover of all other weed species within the upland buffer should be no more than 25 percent.
 - d. The project proponent will either carry out the restoration work at the Cornerstone Bank or provide the bank manager with adequate funding to carry out the work plan tasks. If the bank manager is provided funding, the project proponent and the bank manager will enter into a formal agreement (e.g., Memorandum of Agreement) to assure the work is implemented.

Documentation: The applicant shall provide PDS with a letter from the U.S. Fish and Wildlife Service indicating the above listed conservation measures have been completed to their satisfaction. **Timing:** Prior to the approval of the Final Map and prior to the approval of any grading or improvement plan and issuance of any permit. Monitoring: The PDS shall review the letter provided by the applicant to ensure that the conservation measures have been completed.

46. BIOLOGICAL MONITORING: [PDS, PCC] [PDS, LDR] [GP, IP, MA] [PDS, FEE X2].

Intent: In order to prevent inadvertent disturbance to burrowing owls and other sensitive species, all grading shall be monitored by a biologist. Description of Requirement: A County approved biologist "Project Biologist" shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:

The Biologist shall perform the monitoring duties before, during a. and after construction pursuant to the most current version of the County of San Diego Biological Report Format and - 23 -

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Requirement Guidelines and Grading Plan note M-BI-4b. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with Planning & Development Services.

Documentation: The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the *[PDS, PCC]*. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **Timing:** Prior to the approval of any plan, issuance of any permit, and prior to approval of the Final Map, the requirement shall be completed. **Monitoring:** The [PDS, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [DPW, Project Manager], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs.

- 47. CULT#3-ARCHAEOLOGICAL GRADING MONITORING: [PDS, PCC] [DPW, ESU] [MA, GP, IP] [PDS, FEE X 2] Intent: In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, a grading monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and CEQA Section 15064.5 an 15064.7. Description of Requirement: A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:
 - a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources, and this map. The contract provided to the County shall include an agreement that the grading monitoring will be completed between the Project Archaeologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

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- b. The Project Archeologist shall provide evidence that a Qualified Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning & Development Services.

Documentation: The applicant shall provide a copy of the Grading Monitoring Contract, cost estimate to the *[PDS, PCC]*. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **Monitoring:** The *[PDS, PCC]* shall review the contract and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to *[PDS, LDR]*, for inclusion in the grading bond cost estimate, and grading bonds. The *[DPW, PC]* shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

- 48. CULT#4–CULTURAL RESOURCES REPORT: [PDS, PCC] [UO, FG] [PDS, FEE X2]. Intent: In order to ensure that the Grading Monitoring occurred during the grading phase of the project pursuant to condition 55, a final report shall be prepared. Description of Requirement: A final Grading Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.
 - b. Daily Monitoring Logs
 - c. Evidence that all cultural resources collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility in San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

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d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

Documentation: The applicant's archaeologist shall prepare the final report and submit it to the *[PDS, PCC]* for approval. **Timing:** Prior to any occupancy or final grading release, the final report shall be prepared. **Monitoring:** The *[PDS, PCC]* shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, *[PDS, PCC]* shall inform *[PDS, LDR]* and *[DPW, PDCI]*, that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then *[PDS, PCC]* shall inform *[PDS, FISCAL]* to release the bond back to the applicant.

49. PALEO#1-PALEO GRADING MONITORING: [PDS, PCC] [PDS, LDR] [GP, IP, MA] [PDS, FEE X 2]

Intent: In order to mitigate for potential impacts to paleontological resources on the project site, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
Description of Requirement: A County approved Paleontological Resources.
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- a. A County approved Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County of <u>San Diego Guidelines for Determining Significance for Paleontological Resources</u>, and this permit. The contract provided to the county shall include an agreement that the grading/ trenching/excavation monitoring will be completed between the approved Paleontologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with Planning & Development Services.

Documentation: The applicant shall provide a copy of the Grading Monitoring Contract, cost estimate to the *[PDS, PCC]*. Additionally, the cost amount of the

monitoring work shall be added to the grading bond cost estimate. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **Monitoring:** The *[PDS, PCC]* shall review the contract and cost estimate or separate bonds for compliance with this condition. The cost estimate shall be forwarded to *[PDS, LDR]*, for inclusion in the grading bond cost estimate, and grading bonds. The *[DPW, PC]* shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

- 50. ROADS#16-PUBLIC ROAD IMPROVEMENTS: [PDS, LDR], [DPR, TC] [MA] Intent: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and the East Otay Mesa Business Park Specific Plan; all the public road segments and intersections shall be improved as indicated below. Description of requirement: All the public road segments and intersections as indicated below shall be improved according to the following criteria:
 - a. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.
 - b. Where height of downsloping bank for a two-to-one (2:1) slope is greater than twelve feet (12'); or where height of downsloping bank for a one-and-a-half-to-one (1.5:1) slope is greater than ten feet (10'), guardrail shall be installed per CALTRANS standards.
 - c. Unless stated otherwise, improve roads or agree to improve and provide security for them, with the recordation of the final map.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the DPW Land Development Improvement Plan Checking Manual and the East Otay Mesa Business Park Specific Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.
- b. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.407 through 81.408

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- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

Timing: Prior to the approval of the map, the plans, agreements, and securities shall be approved. **Monitoring:** The [*PDS, LDR*] and [DPR, TC, PP] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [*PDS, LDR*] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

51. LNDSCP#1-LANDSCAPE MAINTENANCE: [PDS, LDR] [MA] Intent: In order to ensure that landscape improvements per the East Otay Mesa Business Park Specific Plan are maintained, a Landscape Maintenance Agreement shall be executed. **Description of Requirement:** An Encroachment Maintenance and Removal Agreement for any and all proposed landscaping within the Public Road Right-of-Way shall be executed with the County of San Diego. A copy of the agreement shall be submitted to the [PDS, LDR] in addition to obtaining an Encroachment Permit; OR contribute or agree to contribute the project's fair share to a Community Facilities District (CFD), approved by the County, established for the purpose of maintaining the landscape improvements within the Public Road Right-of-Way in addition to an Encroachment Permit to the satisfaction of the Director of [PDS, LDR]. Documentation: The applicant shall execute an Encroachment Maintenance and Removal Agreement in addition to an Encroachment Permit **OR** provide proof of Payment into the CFD, to the [PDS, LDR] in addition to an Encroachment Permit. Timing: Prior to approval of the map execution of the Encroachment Maintenance and Removal Agreement **OR** payment into the CFD must be made. **Monitoring:** The [PDS, LDR] shall review the Encroachment Maintenance and Removal Agreement OR proof of payment into the CFD shall be reviewed for compliance with this condition.

52. DRNG#1-DRAINAGEANDSTORMWATERFACILITIES MAINTENANCE AGREEMENTS: [PDS, LDR], [MA]

Intent: In order to promote orderly development and to comply with the <u>County Flood Damage Prevention Ordinance (Title 8, Division 11)</u>, <u>County Watershed Protection Ordinance (WPO) No. 10096, County Code Section 67.801 et. seq.</u>, the maintenance agreements shall be completed. **Description of requirement:**

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- a. If there is a private storm drain system, it shall be maintained by a maintenance mechanism such as a business owners association or other private entity to the satisfaction of the Director of Public Works.
- b. The project includes Category 2 post-construction BMPs. The applicant will be required to establish a maintenance agreement / mechanism (to include easements) to assure maintenance of these BMP's and to provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works; OR provide evidence of formation of a Category 3 Stormwater Maintenance District.

Documentation: The applicant shall process the agreement forms with *[PDS, LDR]* and pay the deposit and applicable review fees. **Timing:** 39 the approval of the map, execution of the agreements and securities shall be executed **OR** proof of payment into the Stormwater Maintenance District shall be made. **Monitoring:** The *[PDS, LDR]* shall review the agreements/mechanisms for consistency with the condition and County Standards.

53. AIR#1-AIR QUALITY: [PDS, PCC] [DGS, RP] [MA, GP, IP] [PDS, FEE]

Intent: In order to mitigate long-term operational impacts to off-site sensitive receptors due to diesel exhaust emissions, the Project shall incorporate design measures to reduce the incremental carcinogenic risk associated with Project implementation. **Description of Requirement:** For buildings with truck yards or loading docks, the County PDS shall ensure that the Site Plans require the placement of signs at all truck parking and loading bay areas to identify applicable California Air Resources Board (CARB) anti-idling regulations. Each sign shall include the text "Extended Idling of Truck Engines is not Permitted," and give directions to truck parking spaces with electrical hookups. **Documentation:** The applicant shall prepare the Site Plan(s) pursuant to this mitigation measure and in accordance with PDS Form #506, Applicant's Guide to Site Plan. The applicant shall submit the Site Plans to the Department of Planning & Development Services, along with all applicable review fees and deposits. Timing: Pursuant to Section 3.3.1 of the EOMSP, review for compliance with this mitigation measure shall occur prior to approval of future Site Plans for the site. Evidence of sign installation shall occur prior to issuance of a certificate of occupancy. Monitoring: The Department of Planning & Development Services shall review the Site Plans for conformance with this mitigation measure. In addition, evidence of sign installation shall be provided to the County PDS prior to the issuance of a certificate of occupancy.

54. AIR#2-AIR QUALITY: [PDS, PCC] [DGS, RP] [MA, GP, IP] [PDS, FEE] Intent: In order to mitigate long-term operational impacts to off-site sensitive receptors due to diesel exhaust emissions, the Project shall incorporate design

measures to reduce the incremental carcinogenic risk associated with Project implementation. **Description of Requirement:** For buildings with truck yards and/or loading docks, the County PDS shall review the parking lot striping and security gating plan to ensure that the site design allows for adequate truck stacking at gates and allows for trucks to park overnight on the site to prevent queuing of trucks outside the facility. **Documentation:** The applicant shall prepare the Site Plan(s) pursuant to this mitigation measure and in accordance with PDS Form #506, *Applicant's Guide to Site Plan*. The applicant shall submit the Site Plans to the Department of Planning & Development Services, along with all applicable review fees and deposits. **Timing:** Pursuant to Section 3.3.1 of the EOMSP, review for compliance with this mitigation measure shall occur prior to approval of future Site Plans for the site. **Monitoring:** The Department of Planning & Development Services shall review the Site Plans for conformance with this mitigation measure.

55. AIR#3-AIR QUALITY: [PDS, PCC] [DGS, RP] [MA, GP, IP] [PDS, FEE]

Intent: In order to mitigate long-term operational impacts to off-site sensitive receptors due to diesel exhaust emissions, the Project shall incorporate design measures to reduce the incremental carcinogenic risk associated with Project implementation. **Description of Requirement:** Any buildings that would receive shipping container refrigerator units (RUs) shall provide electrical hookups at all loading dock door positions. The locations of the electrical hookups shall be indicated on construction drawings and building plans and shall be subject to approval by the County PDS. **Documentation:** The applicant shall prepare the Site Plan(s) pursuant to this mitigation measure and in accordance with PDS Form #506, Applicant's Guide to Site Plan. The applicant shall submit the Site Plans to the Department of Planning & Development Services, along with all applicable review fees and deposits. Timing: Pursuant to Section 3.3.1 of the EOMSP, review for compliance with this mitigation measure shall occur prior to approval of future Site Plans for the site. Evidence of installed electrical hookups shall occur prior to issuance of a certificate of occupancy. Monitoring: The Department of Planning & Development Services shall review the Site Plans for conformance with this mitigation measure. In addition, evidence of installed electrical hookups shall be provided to the County PDS prior to the issuance of a certificate of occupancy.

56. GHG#1-CLIMATE CHANGE: [PDS, PCC] [DGS, RP] [MA, GP, IP] [PDS, FEE] Intent: In order to mitigate for impacts related to the proposed Project's GHG emissions, design measures shall be incorporated into future site plans to achieve the objectives of AB 32. Description of Requirement: Prior to the approval of future Site Plans for any lots within TM5566, the Project applicant shall prepare a Title 24 Compliance Report to identify measures incorporated into the Site Plan's design to reduce emissions of area-source Greenhouse Gases. The report shall identify measures that are physically and economically feasible to implement in the Site Plan design in order to achieve a performance

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standard of at least a 33% reduction of energy use and Greenhouse Gas emissions as compared to the 2005 Title 24 requirements. The Title 24 Compliance Report shall cite references that estimate Greenhouse Gas emissions reductions associated with Site Plan design features, and shall provide emission reduction credits for those design features that result in quantifiable reductions in energy consumption. Examples of measures that would serve to assist in achieving the 33% GHG reduction target/performance standard may include, but shall not be limited to, the following (it being understood that certain of the measures described in the bullets below may be adopted by the Project applicant, to the extent such measures are found to be physically and economically feasible, in order to achieve the reductions specified above, and that not all or any such measures need to be adopted, and that other feasible measures not listed below may be adopted, as long as the above performance standard is met):

- a. Design buildings to use natural systems to reduce energy use. Locate and orient buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.
- b. Design buildings to maximize water efficiency and reduce water use (excluding irrigation) beyond the Energy Policy Act of 1992 guidelines for fixture performance.
- c. Provide interior and exterior collection and storage areas for recyclables and green waste, in locations that are easily accessible to employees and visitors. The location of such storage areas shall be clearly labeled on future Site Plans. This will reduce the amount of waste generated by building occupants and hauled to and disposed of in landfills.
- d. For site lighting, the project's power density shall be more efficient than required by Title 24 as specified by LEED Energy & Atmosphere Credit 1. The amount of GHG reductions shall be calculated for the specific site lighting elements proposed as a part of future site plans pursuant to this standard, and shall be documented in the Title 24 Compliance Report.
- e. For warehouse lighting, use T5HO lighting fixtures providing that general lighting will be more efficient than required by Title 24 as specified by LEED Energy & Atmosphere Credit 1. The amount of GHG reductions shall be calculated for the specific warehouse lighting elements proposed as a part of future site plans pursuant to this standard, and shall be documented in the Title 24 Compliance Report.

- f. Install motion sensors on office lighting so that efficiency will be more efficient than required by Title 24 as specified by LEED Energy & Atmosphere Credit 1. The amount of GHG reductions shall be calculated for the specific motion sensors proposed as a part of future site plans pursuant to this standard, and shall be documented in the Title 24 Compliance Report.
- g. Install skylights and energy efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors for office lighting.
- h. Install exterior signage, traffic, and other outdoor lighting that utilizes light- emitting diode (LED) lighting that is approximately 70 percent more efficient than fluorescent signage.
- i. Use light colored "cool" roofs, cool pavements, and strategically placed shade trees.
- j. Require orientation of buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Building orientation, wiring, and plumbing should optimize and facilitate opportunities for on- site solar generation and heating.
- k. Limit the hours of operation of outdoor lighting as specified to meet LEED Energy & Atmosphere Credit 1.
- I. Install the photovoltaic cells (solar panels) or "thin film" on roofs and parking lots (which can provide added benefits of shading vehicles) as specified by LEED Energy & Atmosphere Credit 2 to offset the Project's energy consumption. If the energy conservation measures implemented do not reduce GHG emissions by 33%, solar panels shall be installed to fulfill the remainder of the 33% requirement.

The Title 24 Compliance Report shall only give emission reduction credits to those design features that are depicted on Site Plans or where evidence of compliance can otherwise be provided to the County PDS. Approval of future Site Plans and/or construction permits shall not occur until it can be assured that the design features described in the Title 24 Compliance Report (or other measures meeting the performance criteria specified above) have been depicted on the Site Plan or construction drawings, or if it can otherwise be demonstrated that the design features will be incorporated into the proposed development.

Documentation: The applicant shall prepare the Site Plans pursuant to this mitigation measure and in accordance with PDS Form #506, *Applicant's Guide to*

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Site Plan. The applicant shall submit the Site Plans to the Department of Planning & Development Services, along with all applicable review fees and deposits, and with evidence of compliance with the requirements specified above. **Timing:** Pursuant to Section 3.3.1 of the EOMSP, review for compliance with this mitigation measure shall occur prior to approval of future Site Plans for the site. **Monitoring:** The Department of Planning & Development Services shall review the Site Plans for conformance with this mitigation measure.

57. GHG#2-CLIMATE CHANGE: [PDS, PCC] [DGS, RP] [MA, GP, IP] [PDS, FEE] Intent: In order to mitigate for GHG-related impacts caused by trucks idling on- site under long-term operating conditions. **Description** Requirement: Strategies shall be incorporated to reduce idling time of trucks through alternative technologies such as IdleAire, electrification of truck parking, and alternative energy sources to allow diesel engines to be completely turned off. These strategies shall be placed on future site plans (e.g., location of electric truck parking locations and alternative energy sources). **Documentation:** The applicant shall prepare the Site Plans pursuant to this mitigation measure and in accordance with PDS Form #506, Applicant's Guide to Site Plan. The applicant shall submit the Site Plans to the Department of Planning & Development Services, along with all applicable review fees and deposits, along with evidence of compliance. **Timing:** Pursuant to Section 3.3.1 of the EOMSP, review for compliance with this mitigation measure shall occur prior to approval of future Site Plans for the site. Monitoring: The Department of Planning & Development Services shall review the Site Plans for conformance with this mitigation measure.

58. FIRE#1-FIRE HYDRANT INSTALLATION: [PDS, LDR] [MA]

Intent: In order to ensure that the proposed subdivision has the required water, sewer, and fire protection services, and to comply with <u>County Subdivision Ordinance Sections 81.706</u>, the services shall be provided to the subdivision. **Description of Requirement:** Improve or agree to improve and provide security for constructing fire hydrants every 350', together with an adequate water supply in accordance with the specifications of the San Diego Rural Fire Protection District and San Diego County standards.

- a. On paved roads, a "blue dot" marker shall be installed in the pavement to indicate the location of the fire hydrant(s). Design of water supply, type, and location of fire hydrant(s) must be submitted to the San Diego Rural Fire Protection District for approval prior to the issuance of a building permit for any parcel created by this subdivision.
- b. The improvements shall be completed and a secured agreement shall be executed pursuant to Subdivision Ordinance Sec. 81.706.1 through 81.707 for the required improvements, or execute a secured agreement

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to complete the improvements within twenty-four (24) months from the recording of the Parcel Map.

Documentation: The applicant shall prepare improvement plans to show the fire hydrant as specified above. **Timing:** Prior to the approval of the Final Map, the improvements shall be completed or deferred as indicated above. Processing the securities can take up to 2 months, so the applicant should initiate the process at least two months before the anticipated map approval date. **Monitoring:** The *[PDS, LDR]* [DPR, TC, PP] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans *[PDS, LDR]* shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

ROUGH GRADING: (Prior to rough grading approval and issuance of any building permit).

59. DEBRIS MANAGEMENT REPORT (DMR)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. DESCRIPTION OF REQUIREMENT: Prior to Rough Grade Inspection and release, and prior to issuance of any building permit, a Final Debris Management Report must be submitted for review and approval by the DPW Recycling Compliance Official. The report shall include:

- Project name.
- List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- Provide copies of receipts for export facilities, haulers, or materials reused on site.
- Signed self-certification letter (see template).

DOCUMENTATION: Prior to Rough Grade Release and prior to issuance of any building permit, a final report shall be prepared and submitted for review and approval to the DPW Recycling Compliance Official. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at:

https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.htm I. **TIMING:** Prior to building permit issuance, and Rough Grading release, the Debris Management Final Report shall be prepared and submitted to DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW,

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CO] shall review and approve the DMR documents for the project. The [DPW, CO], shall forward the approval of the DMR to [DPW, PDCI] and [PDS, Building PCC] for compliance with this condition.

BUILDING PERMIT: (Prior to approval of any building plan and the issuance of any building permit).

60. STRMWTR-STORMWATER FACILITIES (COVENANT) FOR EACH PARCEL INTENT: In order to promote orderly development for each parcel and to comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410, the required private stormwater facilities (structural BMPs) improvements shall be completed or deferred. DESCRIPTION OF REQUIREMENT:

- a. Improve or agree to improve and provide security for the construction of the stormwater facilities to comply with the Municipal Stormwater Permit (MS4).
- b. Add the following note to the Parcel Map: "Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order Additional studies and other action may be needed to comply with future MS4 Permits."
- c. Execute maintenance agreements for the proposed stormwater facilities for structural BMPs.

DOCUMENTATION: The applicant shall complete the following:

- a. Process and obtain approval of the grading to improve all the on and offsite private road easements listed above,and provide the cost estimate. All plans and improvements shall be completed pursuant to the County of San Diego Watershed Protection, and Stormwater Management and Discharge Control Ordinance No. 10410.
- b. The improvements shall be completed and a secured agreement shall be executed pursuant to County Subdivision Ordinance Sec. 81.707 and 81.708, for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

MAP TIMING: Prior to recordation of the Final Map, this requirement shall be

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completed or recorded in the covenant of improvements. **COVENANT TIMING:** No Building permit or further grant of approval for the development of each parcel can be issued until the applicant completes the required improvements and applies for each parcel and receives a release of improvements from the Director of PDS. **MONITORING:** The [*PDS, LDR*] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans and cost estimate [*PDS, LDR*] shall have this condition placed in the covenant of improvements and recorded with the map.

GRADING PERMIT: (Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits).

61. DEBRIS MANAGEMENT PLAN (DMP)_

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-CDRecycling@sdcounty.ca.gov, 2463 email DESCRIPTION **REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5.000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

- a. Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:
 - The type of project.
 - The total cubic yardage for the project.
 - The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.
 - The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
 - The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
 - The name of the facility (or facilities) which debris will be exported to.
- b. During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an

inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:

- Identify the project location.
- Log the date that material was transported off site.
- Log the type of graded or cleared material.
- Estimated material weight, tonnage, or cubic yards.
- Name of entity transporting the material.
- Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.
- Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled with in 90 days of the receipts.
- Daily logs shall include separate entries for each occurrence of materials reused on site.
- Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.

c. Exemption:

Excavated soil and land-clearing debris that is contaminated by disease
or pests are not required to be reused on- or off-site, provided that: (I)
the County Agricultural Commissioner has made a determination of
disease or pest contamination and permittee follows commissioner's
direction for recycling or disposal of the material, (ii) the materials are
generated in a known pest and/or disease quarantine zone identified by
the California Department of Food and Agriculture, or (iii) the materials
are otherwise not required to be reused under the CalGreen Code

DOCUMENTATION: The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at: https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.htm I. **TIMING:** Prior to approval of any plan or issuance of any permit, the Debris Management Plan shall be prepared, submitted and approved by the DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO], shall review and approve the DMP documents for the project. The [DPW, CO], shall forward the approval of the DMP to [PDS, LDR] for compliance with this condition.

62. EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the <u>State Construction General Permit, Order No. 2009-00090-DWQ</u>, or subsequent order and the <u>County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq.</u>, and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the <u>County of San Diego Grading Ordinance Section 87.304</u>. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to approval of any grading or improvement plan or construction permit, and prior to use of the property in reliance of this permit, the Erosion Control Plan shall be approved and the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the Erosion Control Plan adequately satisfies the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

63. HAUL ROUTE PLAN

INTENT: In order to ensure roads are not damaged by heavily loaded trucks on the route identified during the construction phase (or subsequent operations). A Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF**

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REQUIREMENT: A HRP shall be prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance (sweeping as necessary) and repair of any damage caused by them to the on-site and offsite County maintained roads that serve the property either during construction or subsequent operations.
- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads identified on the haul route plan shall be returned to the existing condition or better.
- c. Prior to the import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed and sweeping to be performed at the end of each week or more frequently depending on hauling schedule.

DOCUMENTATION: The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on road mentioned above. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to the issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

64. TRAFFIC CONTROL PLAN

INTENT: In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION** OF REQUIREMENT: Have Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan (TCP) to the satisfaction of the Director of Department of Public Works (DPW). DOCUMENTATION: The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control submit it to [PDS, LDR] for review Contractor and by [DPW, Traffic]. TIMING: Prior to the issuance of any Public Improvement, ROW or Construction Permit and prior to use of the premises in reliance of this permit, a

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TCP shall be prepared and approved. **MONITORING:** The [*PDS, LDR*] shall review the TCP for compliance with this condition.

65. COMMERCIAL WASTEWATER DISCHARGE PERMIT

Intent: In order to ensure that the applicable commercial wastewater discharge permit(s) have been obtained. Description of Requirements: The developer shall obtain a Commercial Wastewater Discharge Permit from the San Diego County Sanitation District (District), and if determined by DPW WWM, from the City San Diego. The developer/owner shall make a written application to the County through Department of Planning and Development Services, building permit counter. For information, contact the District at (858) 514-4990. For information, contact the City at (858) 654-4122. Discharge permit documentation includes:

a. A commitment for capacity to serve the proposed development and list of required

fees (per County Ordinance Number 9146 and 10664) will be provided by the District at time of building permit issuance.

- b. The developer shall pay all District fees in effect at time of issuance of the Wastewater Discharge Permit.
- c. The developer shall pay City reimbursement fees in effect at the time of Wastewater Discharge Permit issuance.
- d. Prior to issuance of the Wastewater Discharge Permit, the developer shall pay all fair share costs attributable to third party reimbursement agreement(s) associated with this project that may be in effect at time of permit issuance.

Documentation: The developer shall provide evidence that the above has been satisfied to the satisfaction of DPW WWM. **Timing:** Prior to issuance of building permit. **Monitoring:** The [DPW WWM] shall review documentation submitted for compliance with this condition.

FINAL GRADING RELEASE: (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

66. VERIFICATION OF STRUCTURAL BMPs

INTENT: In order to promote orderly development and to comply with the <u>County Watershed Protection Ordinance (WPO) No.10410</u>, <u>County Code Section 67.801</u> <u>et. seq.</u>, verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 10 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms *with* [*DPW*, *PDCI*] or [*PDS*, *BLDG*]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in

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reliance of this permit; execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.

67. SELF-VERIFICATION OPERATION AND MAINTENANCE LETTER

INTENT: In order to promote orderly development and to comply with the <u>County Watershed Protection Ordinance (WPO) No.10410</u>, <u>County Code Section 67.801 et. Seq.</u>, an operation and maintenance verification form for each Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with *[DPW, WPP]*. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[DPW, WPP]* is responsible for compliance of this permit.

- 68. PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., stormwater documentation shall be provided to property owner. DESCRIPTION OF REQUIREMENT: Demonstrate that copies of the following documents are provided to the property owner and initial occupants:
 - a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
 - b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the Structural BMPs pertaining to the property.
 - c. Sample copies of the following:
 - a. A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
 - b. One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The [*PDS, LDR*] and [*DPW, WPP*] shall review the letter provided by the applicant for consistency with the condition and County Standards.

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GRADING PLAN NOTES

NOTICE: If the grading project is not a single lot, conformance to the Conditions of Approval are required on a lot-by-lot basis for subdivisions, or pad-by-pad basis for multiple building pads.

(Note: The following Grading and/or Improvement Plan Notes shall be placed on the Grading plan (GP) and made conditions of the issuance of said permits.)

GP1. PAVEMENT CUT POLICY

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project pavement treatment, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS LDR] for review. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, and prior to use of the property in reliance of this permit, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** [PDS, LDR] shall review the acknowledgement letter to determine compliance with the condition.

GP2. GEO#1-GEOLOGIC HAZARDS: [PDS, LDR] [GP]

Intent: In order to ensure appropriate engineering design measures and construction practices are implemented to mitigate the potential for deep-seated stability of slopes to established standards of safety. Description of Requirement: Within the *Preliminary Geotechnical Investigation, Hawano East Otay Property, San Diego County, California*, by Geocon, Inc. dated July 7, 2010, proposed cut slopes that expose the Otay Formation at the site were identified as requiring slope stabilization. All mitigation measures regarding slope stabilization contained within the grading section of the report shall be incorporated into the grading plans. Documentation: The applicant shall prepare the final grading plans to include slope stabilization measures to meet established standards of safety for approval by the [PDS, LDR]. The Preliminary Geotechnical Investigation, Hawano East Otay Property, San Diego County,

California, by Geocon, Inc. dated July 7, 2010 shall be submitted along with the final grading plans. **Timing:** Prior to the approval of any grading plans or final map, the slope stabilization measures shall required to be included. **Monitoring:** The [PDS, LDR] shall ensure that slope stabilization measures for proposed cut slopes that expose the Otay Formation are incorporated into the grading plans for the project.

GP3. AIR#4-AIR QUALITY: [DPW, PDCI].

Intent: To mitigate for potential air quality effects that may be caused by grading activities during construction. **Description of Requirement:** The project shall comply with the following Air Quality measures:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely.
- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scraper passes and on any unpaved roads within the project limits.
- c. Grading is to be terminated if winds exceed 25 mph.
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures.
- f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
- g. A minimum of 5 15 mph signs shall be posted and enforced on unpaved areas during construction.
- h. Disturbed areas shall be replanted as soon as practical.
- Wheel washers and street sweepers shall be provided to prevent onsite dirt from getting on the paved roadways. Access roadways shall be swept regularly to prevent dust track-out.

Documentation: The applicant shall comply with the Air Quality requirements of this condition. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this

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condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

GP4. AIR#5-AIR QUALITY: [DPW, PDCI].

Intent: In order to lower construction emissions of PM₁₀ and PM_{2.5} to below the County's established Screening Level Thresholds (SLTs) for construction activities, grading monitoring and emission reduction activities shall occur. **Description of Requirement:** Grading Plans shall be prepared, which clearly describe the grading monitoring and emission reduction activities that shall be undertaken during earthmoving activities to implement Section 87.428 "Dust Control Measures" of the County's Grading Ordinance. The Grading Plans shall include the following:

- a. The Permit Compliance Engineer (as defined in Section 87.420 of the County Grading Ordinance) shall provide documentation/evidence of compliance with each note in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.
- b. During grading and ground-disturbing construction activities, the Permit Compliance Engineer shall ensure that water trucks or sprinkler systems apply water to areas undergoing active ground disturbance a minimum of three (3) times daily (3.2 hour watering interval) to ensure a minimum soil moisture of 12%. All areas of disturbed soils shall be kept damp enough to prevent airborne dust from dispersing beyond the boundaries of the site. The Permit Compliance Engineer shall order increased watering frequency when airborne dust is visible. A log of all site watering activities shall be maintained by the Permit Compliance Engineer, and this log shall be made available to the County upon request.

Reporting: the Permit Compliance Engineer shall maintain a log of daily site watering activities, and shall be provided to the County upon request. The site watering log also shall be provided in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

c. The Permit Compliance Engineer shall assure that temporary signs indicating a maximum 15 MPH speed limit are placed along all unpaved roads and/or unpaved haul routes on the Project site, before construction activities commence. Signs shall be spaced no more than 1,000 linear feet apart. The Permit Compliance Engineer also shall be responsible for assuring radar enforcement of the 15 MPH speed limit throughout the duration of construction activities.

Reporting: The Permit Compliance Engineer shall provide evidence of sign installation by including photographs of the installed signs and a scaled diagram or copy of the grading plan, identifying the location of

each sign, in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

d. The Permit Compliance Engineer shall assure that temporary signs indicating that all construction equipment on-site shall not idle for more than five (5) minutes are placed at all loading, unloading, and equipment staging areas, before construction activities commence. The Permit Compliance Engineer also shall be responsible for assuring enforcement of the five (5) minute idling limit throughout the duration of construction activities.

Reporting: The Permit Compliance Engineer shall provide evidence of sign installation by including photographs of the installed signs and a scaled diagram or copy of the grading plan, identifying the location of each sign, in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

e. A gravel apron measuring at least 25 feet long by road width shall be provided at all unpaved entrances into the construction site and shall be maintained until the entrance is removed, paved, or no longer in use by construction vehicles and equipment.

Reporting: The Permit Compliance Engineer shall include photographs of all constructed gravel aprons in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

f. The Permit Compliance Engineer shall ensure that all grading, earthmoving, and ground-disturbing construction activities are temporarily halted when sustained wind speeds exceed 25 MPH.

Reporting: The Permit Compliance Engineer shall maintain a log of all work days and time durations when grading, earthmoving, and ground-disturbing construction activities were temporarily halted due to sustained wind speeds exceeding 25 MPH. The log shall be provided in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

g. The Permit Compliance Engineer shall ensure that street sweeping of adjacent public roads occurs at the end of each work day that visible soil material is carried onto paved roads and at least once every two weeks. A log of all street sweeping activities shall be maintained by the Permit Compliance Engineer and shall be made available to the County upon request. - 45 -

Reporting: The Permit Compliance Engineer shall maintain a log of all street sweeping activities, and shall be provided to the County upon request. The log also shall be provided in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

h. The Permit Compliance Engineer shall assure that chemical dust suppressants are applied at least once per year to all designated unpaved parking areas used by construction workers and/or construction equipment.

Reporting: The regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance shall include a map depicting the locations of all designated construction parking areas, a description of the chemical suppressants utilized, and the date(s) of application.

i. The Permit Compliance Engineer shall ensure that rough grading activities do not overlap with other phases of construction (*i.e.*, paving, underground, building, and architectural coatings). A schedule of such activities shall be maintained by the Permit Compliance Engineer, and shall be made available to the County upon request.

Reporting: A copy of the construction schedule shall be included in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance. Construction schedules also shall be provided to the County for review upon request.

Documentation: The applicant shall prepare the Grading Plan pursuant to this mitigation measure and then shall submit it to the Department of Public Works, along with payment of all applicable review fees and deposits. In addition, the Permit Compliance Engineer shall provide the Department of Public Works with evidence of compliance with this mitigation measure in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance, and shall make such evidence available when requested by the County. **Timing:** Prior to the approval of each grading permit. **Monitoring:** The Department of Public Works shall review the Grading Plan for conformance with this mitigation measure. Upon approval of each Grading Plan, a decision of approval and a grading permit shall be issued to the applicant.

GP5. LNDSCP#12-LANDSCAPE DOCUMENTATION PACKAGE: [PDS, PPD] [DPR, TC, PP] [GP, IP, MA]

Intent: In order to provide adequate Landscaping that complies with the <u>County of San Diego's Water Efficient Landscape Design Manual</u>, the County's Water Conservation in Landscaping Ordinance, and the landscape requirements identified within the East Otay Mesa Specific Plan, and to prevent intrusion of invasive plant species into adjacent open space areas, a Landscape Plan shall

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be prepared. **Description of Requirement:** The Landscape Documentation Package shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and include the following information as applicable:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements including all parkway and median planting as required by the Public Landscaping section within Chapter 2 of the East Otay Mesa Specific Plan and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from [PDS, LDR] approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning & Development Services. All Streetscape and Major Intersection plantings shall be per Appendix 1, Streetscape Plant List, within the East Otay Mesa Specific Plan. Clearance Zones and the use of root barriers shall also be established as identified within the Public Landscaping section.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, given fire safety restrictions, native or naturalizing plant materials shall be used, which can thrive on natural moisture, and shall adhere to the requirements of the MSCP Adjacency Guidelines and shall not include any of the invasive plant species included on the Cal-IPC List A. These plants shall be irrigated only to establish the plantings. All applicable Landscaping Standards as required within Chapter 3 of the East Otay Mesa Specific Plan, including Building Setback Landscaping for all Circulation Element and Specific Plan roads shall be addressed within the Landscape Documentation Package.
- c. An irrigation plan, including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system pursuant to Section 86.725 (a) of the Water Conservation in Landscaping Ordinance. Section A-5.4 (Reclaimed Water) within Appendix 6 of the East Otay Mesa Specific Plan requires the installation of a dual water distribution system throughout the development.
- d. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- e. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting

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plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.

- f. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- g. Additionally, the following items shall be addressed as part of the Landscape Plan: All slopes 3' in vertical height and above, including slopes associated with detention basins, shall be landscaped to prevent soil erosion and to comply with the Manufactured Slopes portion of the Landscape Standards contained within the East Otay Specific Plan.

Documentation: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), submit them to the [PDS, ZONING], and pay all applicable review fees. **Timing:** Prior to the approval of any grading plan, improvement plan, and issuance of building permit, the Landscape Plans shall be prepared and approved. **Monitoring:** The [PDS, Landscape Architect] and [DPR, TC, PP] shall review the Landscape Plans for compliance with this condition.

GP6. GEN#2-GRADING PLAN CONFORMANCE:[DPW, ESU] [GP, IP,] [DPR, TC, PP]

Intent: In order to implement the required mitigation measures for the project, the required grading plans shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance. Description of Requirement: The grading plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: Biology, Cultural Resources, Paleontological, Noise, Air Quality, and Avoidance areas. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit. **Documentation:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. Timing: Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **Monitoring:** The [DPW, Environmental] Services Unit Division, DPR, TC, or PDS, Building Division for Minor Grading) shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

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PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

(CULTURAL RESOURCES)

GP7. CULT#5-ARCHAELOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2]

Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to 3100 5566 (TM), a Cultural Resource Grading Monitoring Program shall be implemented. Description of Requirement: The County approved 'Project Archaeologist,' Native American Monitor, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. Documentation: The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements. **Timing**: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring**: The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

(PALEONTOLOGICAL RESOURCES)

GP8. PALEO#2-PALEONTOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2]

Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM 5566, a Paleontological Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved Project Paleontologist, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources. **Documentation**: The applicant shall have the contracted Project Paleontologist attend the

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preconstruction meeting to explain the monitoring requirements. **Timing**: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring**: The [*DPW, PDCI*] shall invite the [*PDS, PCC*] to the preconstruction conference to coordinate the Paleontological Resource Monitoring requirements of this condition. The [*PDS, PCC*] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

(AIR QUALITY)

GP9.AIR#6-AIR QUALITY: [DPW, PDCI].

Intent: In order to lower construction emissions of PM₁₀ and PM_{2.5} to below the County's established Screening Level Thresholds (SLTs) for construction activities, grading monitoring and emission reduction activities shall occur. **Description of Requirement:** Grading Plans shall be prepared, which clearly describe the grading monitoring and emission reduction activities that shall be undertaken during earthmoving activities to implement Section 87.428 "Dust Control Measures" of the County's Grading Ordinance. The Grading Plans shall include the following:

- a. The Permit Compliance Engineer (as defined in Section 87.420 of the County Grading Ordinance) shall provide documentation/evidence of compliance with each note in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.
- b. During grading and ground-disturbing construction activities, the Permit Compliance Engineer shall ensure that water trucks or sprinkler systems apply water to areas undergoing active ground disturbance a minimum of three (3) times daily (3.2 hour watering interval) to ensure a minimum soil moisture of 12%. All areas of disturbed soils shall be kept damp enough to prevent airborne dust from dispersing beyond the boundaries of the site. The Permit Compliance Engineer shall order increased watering frequency when airborne dust is visible. A log of all site watering activities shall be maintained by the Permit Compliance Engineer, and this log shall be made available to the County upon request.

Reporting: the Permit Compliance Engineer shall maintain a log of daily site watering activities, and shall be provided to the County upon request. The site watering log also shall be provided in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

c. The Permit Compliance Engineer shall assure that temporary signs indicating a maximum 15 MPH speed limit are placed along all unpaved roads and/or unpaved haul routes on the Project site, before construction activities commence. Signs shall be spaced no more than 1,000 linear

feet apart. The Permit Compliance Engineer also shall be responsible for assuring radar enforcement of the 15 MPH speed limit throughout the duration of construction activities.

Reporting: The Permit Compliance Engineer shall provide evidence of sign installation by including photographs of the installed signs and a scaled diagram or copy of the grading plan, identifying the location of each sign, in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

d. The Permit Compliance Engineer shall assure that temporary signs indicating that all construction equipment on-site shall not idle for more than five (5) minutes are placed at all loading, unloading, and equipment staging areas, before construction activities commence. The Permit Compliance Engineer also shall be responsible for assuring enforcement of the five (5) minute idling limit throughout the duration of construction activities.

Reporting: The Permit Compliance Engineer shall provide evidence of sign installation by including photographs of the installed signs and a scaled diagram or copy of the grading plan, identifying the location of each sign, in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

e. A gravel apron measuring at least 25 feet long by road width shall be provided at all unpaved entrances into the construction site and shall be maintained until the entrance is removed, paved, or no longer in use by construction vehicles and equipment.

Reporting: The Permit Compliance Engineer shall include photographs of all constructed gravel aprons in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

f. The Permit Compliance Engineer shall ensure that all grading, earthmoving, and ground-disturbing construction activities are temporarily halted when sustained wind speeds exceed 25 MPH.

Reporting: The Permit Compliance Engineer shall maintain a log of all work days and time durations when grading, earthmoving, and ground-disturbing construction activities were temporarily halted due to sustained wind speeds exceeding 25 MPH. The log shall be provided in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

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g. The Permit Compliance Engineer shall ensure that street sweeping of adjacent public roads occurs at the end of each work day that visible soil material is carried onto paved roads and at least once every two weeks. A log of all street sweeping activities shall be maintained by the Permit Compliance Engineer and shall be made available to the County upon request.

Reporting: The Permit Compliance Engineer shall maintain a log of all street sweeping activities, and shall be provided to the County upon request. The log also shall be provided in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

h. The Permit Compliance Engineer shall assure that chemical dust suppressants are applied at least once per year to all designated unpaved parking areas used by construction workers and/or construction equipment.

Reporting: The regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance shall include a map depicting the locations of all designated construction parking areas, a description of the chemical suppressants utilized, and the date(s) of application.

i. The Permit Compliance Engineer shall ensure that rough grading activities do not overlap with other phases of construction (*i.e.*, paving, underground, building, and architectural coatings). A schedule of such activities shall be maintained by the Permit Compliance Engineer, and shall be made available to the County upon request.

Reporting: A copy of the construction schedule shall be included in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance. Construction schedules also shall be provided to the County for review upon request.

Documentation: The applicant shall prepare the Grading Plan pursuant to this mitigation measure and then shall submit it to the Department of Public Works, along with payment of all applicable review fees and deposits. In addition, the Permit Compliance Engineer shall provide the Department of Public Works with evidence of compliance with this mitigation measure in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance, and shall make such evidence available when requested by the County. **Timing:** Prior to the approval of each grading permit. **Monitoring:** The Department of Public Works shall review the Grading Plan for conformance with this mitigation measure. Upon approval of each Grading Plan, a decision of approval and a grading permit shall be issued to the applicant

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DURING CONSTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

GP10. DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading material from the approved grading project. **DOCUMENTATION:** Daily Logs shall be prepared and kept on-site for inspection and include the following:

- A. Identify the project location.
- B. Log date that material was transported off the site
- C. Log type of grading or clearing material
- D. Weight of the material or its approximate tonnage or cubic yards
- E. Name of the party transporting the materials
- F. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- G. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- H. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

TIMING: The following actions and logs shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

(BIOLOGICAL RESOURCES)

GP11. BIO#5-BREEDING SEASON AVOIDANCE

Intent: In order to avoid impacts to breeding or nesting birds, including raptors and the burrowing owl, that could occur during brushing, grading, and clearing

activities. **Description of Requirement:** If clearing and grading are to occur *within* the breeding season (February 1 – August 31), then pre-construction surveys for burrowing owls and other breeding birds must occur before clearing and grading begins and be completed no more than 30 days before initial brushing, clearing, grubbing, or grading, and appropriate measures taken as follows:

- a. Monitoring and mitigation for burrowing owls shall be in accordance with Section 3.0 of the County's adopted Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County.
- b. If no burrowing owls are detected during the survey, the site must be monitored for new burrows each week until grading is complete.
- c. If the surveys are positive then clearing and grading would be restricted from within the appropriate buffer areas as defined in the strategy and below.
 - Direct impacts to nests, as well as occupied burrowing owl burrows (including burrows and/or man- made features such as pipes, etc.) should be avoided.
 - Disturbance must not occur within 300 feet of occupied owl burrows or migratory bird nests or 900 feet from northern harrier nestswithout concurrence from the County and Wildlife Agencies that construction activities may proceed.
 - 3) Bio-fencing should be placed and maintained around all occupied burrows during construction.

Documentation: The results of the pre-construction survey must be immediately provided to the County Mitigation Monitoring Coordinator, CDFW, and USFWS prior to grading, and must be provided in writing. A written and signed preconstruction survey report must follow within 14 days of the survey and include maps of the project site and burrowing owl locations on aerial photosin the format described in the County's mapping guidelines and in the Strategyfor Mitigating Impacts to Burrowing Owls in the Unincorporated County. Timing: Pre-grading surveys must be completed no more than 30 days before initial brushing, clearing, grubbing, or grading of the project site. Throughout theduration of the grading and construction, weekly monitoring is required. Compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **Monitoring:** The [DPW, PDCI] shall not allow any grading unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the pre-construction survey results and Wildlife Agency concurrence to ensure compliance with these requirements. If owls are not found during the pre-construction survey, the site must be monitored for new burrows each week until grading is complete.

GP12. BIO#6-NON-BREEDING SEASON AVOIDANCE

Intent: In order to mitigate for potential impacts to the burrowing owl that could occur during brushing, grading, and clearing activities. Description of Requirement: For brushing, clearing and grading activities that take place outside of the burrowing owl breeding season (i.e., between September 1 and January 31), a pre-construction survey shall be conducted no more than 30 days before initial brushing, clearing, grubbing, or grading, and appropriate measures taken inaccordance with Section 3.0 of the County's adopted Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County. Weed removal (by whacking, bush hogging, or mowing) shall be conducted as part of the pre- construction survey, under the guidance of a qualified biological monitor, to make all potential burrows more visible and to avoid injuring owls by burrow collapse. As a component of this non-breeding season survey, cameras shall be used to verify whether burrows are occupied by burrowing owls.

- a. If no burrowing owls are detected during the survey, the site must be monitored for new burrows each week until grading is complete.
- b. If owls are present in the burrows:
 - A qualified biologist shall implement passive relocation measures (installation of one-way doors) in accordance with CDFW regulations (CDFG 1995) and the County's Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County.
 - 2. Any eviction or passive relocation must be specifically approved by the Wildlife Agencies and shall occur outside of the burrowing owl breeding season.
 - 3. The applicant shall contact the [PDS, PCC] to coordinate the attainment of wildlife agency concurrence.
 - 4. Once all owls have vacated the burrows (at least 48 hours), a qualified biologist shall oversee the excavation and filling of the burrows.
 - 5. In order to assure that burrowing owl burrows do not become reoccupied, construction equipment and materials (e.g., pipes, rubble piles, etc.) shall be closed off to prevent burrowing owls from reoccupying the site.

Documentation: The results of the pre-construction survey must be immediately provided to the County Mitigation Monitoring Coordinator, CDFW, and USFWS prior to grading, and must be provided in writing. A written and signed pre-construction survey report must follow within 14 days of the survey or burrowing owl eviction and include maps of the project site and burrowing owl locations on aerial photos in the format described in the County's mappingguidelines. If owls are determined to be present within the burrows, the applicantshall submit wildlife

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agency concurrence for eviction, a written report of the passive relocation measures undertaken to preclude direct impacts to burrowing owl individuals, and the Project biologist shall certify that all owls have vacated any occupied burrows. **Timing:** A pre-construction survey shall occur no more than 30 days prior to commencement of brushing, grading, or clearing activities to determine the presence or absence of burrowing owls, with weekly monitoring thereafter. Survey results must be reported immediately in writing, and concurrence must be obtained prior to any eviction/passive relocation. The written report must follow within 14 days of the survey or burrowing owl eviction. **Monitoring:** The [DPW, PDCI] shall not allow any grading unless a concurrence from the [PDS, PCC] is received. The PDS shall review the pre-construction survey results, along with evidence of any passive relocation measures, to ensure compliance with these requirements.

GP13. BIO#7-BIOLOGICAL MONITORING: [PDS, PCC] [DPW,PDCI] [PC] [PDS, FEE X3].

Intent: In order to prevent inadvertent disturbance to burrowing owls and other sensitive species, all grading shall be monitored by a biological monitor. **Description of Requirement:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. "The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and mitigation measure 56:

- a. Complete all required burrowing owl surveys, monitoring and followup according to the Burrowing Owl Strategy.
- Supervise and verify placement of temporary fencing of impact limits.
 The placement of such fencing shall be approved by the PDS, Permit Compliance Section.
- c. The Biologist shall attend the preconstruction meetings and other meetings to discuss burrowing owl avoidance requirements. Such meeting shall include the PDS Permit Compliance Section.

Documentation: The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **Timing**: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring**: The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Biological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

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Hawano Revised Tentative Map PDS2021-TM-5566R2

BREEDING SEASON CONSTRUCTION

GP14. BIO#9-TEMPORARY FENCING FOR ERRANT CONSTRUCTION IMPACTS: [PDS] [GRADING PERMIT]

Intent: In order to prevent errant grading or clearing beyond the proposed construction limits that could impact sensitive vegetation communities or species intended for preservation. Description of Requirement: Orange construction fencing shall be installed around the approved limits of impacts to define the grading boundaries and prevent unintended impacts. Documentation: Grading plans shall include a note documenting this requirement. Timing: Prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. Monitoring: The Permit Compliance Engineer (as defined in Section 87.420 of the County Grading Ordinance) shall provide documentation/evidence of compliance with each note in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

GP15. NOISE RESTRICTIONS

Intent: In order to mitigate for potential indirect impacts to breeding or nesting birds, including raptors and the burrowing owl that couldbe impacted by construction activities. Description of Requirement: Construction noise may not exceed 60 dB Leg at any active raptor or burrowing owl nest site. If construction occurs during the breeding season (February 1 - August 31), a pre-construction survey shall be conducted by a County-approved biologist to determine whether construction activities are located within 300 feetof burrowing owl burrows or within 800 feet of ground dwelling raptor nests. Construction activities may not proceed within 300 feet of active burrowing owl burrows or within 800 feet of active ground dwelling raptor nests. This limitation may only be waived by the Director of PDS if a noise report by a County- approved noise consultant certifies that noise levels would not exceed 60 dB L_{eq} at the nest site. If the noise report determines that noise mitigation measuressuch as noise barriers are necessary to bring noise levels to below 60 dB Leg at the nest site(s), they shall be installed prior to starting construction. **Documentation:** The DPW shall ensure that improvement plans include a note documenting these requirements. The applicant shall prepare a pre-construction survey no more than 3 days prior to the commencement of construction activities to determine whether construction activities are proposed within 300 feet of burrowing owl burrows or ground dwelling raptor nests. If construction activities are proposed within 300 feet of burrowing owl burrows or ground dwelling raptor nests, the applicant shall provide a noise report prepared by a County-approved noise consultant specifying what mitigation measures, if any, are required to bring the noise level at the nest site(s) below 60 dB L_{eq.} If noise mitigation measures are required, the applicant shall provide evidence (e.g., photos) that demonstrates that the measures have been undertaken in accordance with the noise report. **Timing:**

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These restrictions shall be documented on all project improvement plans improvement plans and building permits. Pre-construction surveys shall occur no more than 3 days prior to construction activities. If noise barriers or other noise mitigation measures are required, such measures shall be installed prior to commencement of any construction activities which occur within 300 feet of burrowing owl burrows or ground dwelling raptor nests. **Monitoring:** The DPW shall review improvement plans to ensure that the required notes have been included on the plans. The PDS shall review the pre-construction survey, noise report, and evidence that noise minimization measures have been undertaken to ensure that the requirements specified by this measure have been satisfied.

GP16. BIO#8-FUGITIVE DUST

Intent: In order to mitigate for indirect impacts to local wildlife due to fugitive dust, watering of unpaved surfaces shall occur during grading activities. **Description of Requirement:** Potential indirect impacts to local wildlife caused by fugitive dust shall be mitigated by requiringthat active construction areas and unpaved surfaces be watered per County standards to reduce potential indirect impacts caused by fugitive dust. **Documentation:** The grading permit shall include a note indicating a requirement to water unpaved surfaces in accordance with County standards. **Timing:** This condition applies throughout the duration of the clearing and grading. **Monitoring:** The Permit Compliance Engineer (as defined in Section 87.420 of the County Grading Ordinance) shall provide documentation/evidence of compliance with each note in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

Timing: Compliance with this condition is required throughout the duration of grading and construction. **Monitoring:** The Permit Compliance Engineer (as defined in Section 87.420 of the County Grading Ordinance) shall provide documentation/evidence of compliance with each note in the regular reports required pursuant to Section 87.420(a) of the County's Grading Ordinance.

(CULTURAL RESOURCES)

GP17. CULT#6-ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PDS, FEE X2]

Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to 3100 5566 (TM), and the <u>County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources</u>, Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:

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- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist, in consultation with the Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods.
- c. If any human bones are discovered, the Project Archaeologist shall contact the County Coroner and the PDS Staff Archaeologist. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains.
- d. The Project Archaeologist shall submit monthly status reports to the Director of Planning & Development Services starting from the date of the Notice to Proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

Documentation: The applicant shall implement the grading monitoring program pursuant to this condition. **Timing**: The following actions shall occur throughout the duration of the grading construction. **Monitoring**: The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the Monitoring

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duties of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Archeologist or applicant fails to comply with this condition.

(NOISE)

GP18.NOISE#1-TEMPORARY NOISE IMPACTS: [PDS, PCC] [DPW, PDCI] [PDS, FEE X1].

Intent: In order to comply with the <u>County of San Diego Noise Ordinance</u> 36.409, the following noise attenuation measures shall be implemented to reduce the cumulative sound levels generated from project grading operations. **Description of Requirement:** If cumulative grading operations are simultaneously occurring at a shared property line where and occupied structure is located, construction equipment operations shall be relocated to a distance of 225 feet from the shared property line. **Documentation:** The applicant shall provide a letter of agreement to this condition. **Timing:** The following actions shall occur throughout the duration of the grading operations. **Monitoring:** The *[PDS, PCC]* shall review the letter of agreement of this condition to demonstrate compliance with County construction noise standards (Noise Ordinance, Section 36.409).

(PALEONTOLOGICAL RESOURCES)

GP19. PALEO#3-PALEONTOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2]

Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM 5566, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. Description of Requirement: The Project Paleontologist shall monitor During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:

- a. If paleontological resources are encountered during grading/excavation, the following shall be completed:
 - 1) The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 - 2) The Qualified Monitor shall immediately contact the Qualified Paleontologist.

- 3) The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.
- 4) The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume."
- b. If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
 - Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - 2) Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 - 3) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

Documentation: The applicant shall implement the grading monitoring program pursuant to this condition. **Timing**: The following actions shall occur throughout the duration of the grading construction. **Monitoring**: The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Paleontologist or applicant fails to comply with this condition.

ROUGH GRADING: (Prior to rough grading approval and issuance of any building permit).

(PALEONTOLOGICAL RESOURCES)

GP20. PALEO#4-PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].

Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to 3100 5566(TM), and the <u>County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources</u>, a Grading Monitoring Program

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shall be implemented. **Description of Requirement:** The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If **no** paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the [*PDS*, *PCC*] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curration phase of the monitoring.

Documentation: The applicant shall submit the letter report to the [PDS, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. **Monitoring:** The [PDS, PCC] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

BUILDING PERMIT: (Prior to approval of any building plan and the issuance of any building permit).

(CULTURAL RESOURCES)

GP21.CULT#7-ARCHAEOLIGICAL MONITORING REPORT: [PDS, PCC] [RG, BP1 [PDS, FEE].

Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to 3100 5566 (TM), and the <u>County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources</u>, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs

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- c. Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would professionally available be curated and made other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
- d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

Documentation: The applicant shall submit the report to the [*PDS, PCC*] for review and approval. **Timing:** Prior to the occupancy of any structure or use of the premises and prior to Final Grading Release (<u>Grading Ordinance Sec. 87.421.a.3</u>), for 3100 5566 (TM), the final report shall be completed. **Monitoring:** The [*PDS, PCC*] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

GP22. PALEO#5-PALEONTOLOGICAL MONITORING REPORT TM 5566: [PDS, PCC] [RG, BP] [PDS, FEE].

Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM 5566, and the <u>County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources</u>, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Project Paleontologist:
 - 1) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - 2) Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and

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enter the appropriate specimen and locality data into a collection database:

- 3) Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
- 4) Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution."
- b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning & Development Services by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report to the [*PDS*, *PCC*] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of TM 5566, and prior to Final Grading Release (<u>Grading Ordinance Sec. 87.421.a.3</u>) for the final report shall be completed. **MONITORING:** The [*PDS*, *PCC*] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

Section 21081.6(a)(1) states, in part:

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Section 21081(b) further states:

A public agency shall provide [that] the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation measures adopted as project conditions of approval. Each mitigation measure adopted as a condition of approval (COA) includes the following five components.

Intent: An explanation of why the mitigation measure (MM) was imposed on the project. **Description:** A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.

Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.

Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.

Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

The conditions of approval required to mitigate or avoid significant impacts on the environment are listed below and constitute the MMRP for this project:

36, 37, 38, 40, 43, 44, 45, 46, 47, 48, 49, 50, 54, 55, 56, 57, 58, 65, GP2, GP3, GP4, GP6, GP7, GP8, GP9, GP11, GP12, GP13, GP14, GP15, GP16, GP17, GP18, GP19, GP20, GP21, GP22

MAP PROCESSING REQUIREMENTS: The parcel map shall comply with the following processing requirements pursuant to the <u>Sections 81.801 through 81.814 of the Subdivision Ordinance</u> and the <u>Subdivision Final Map Processing Manual</u>.

- The Final map shall show an accurate and detailed vicinity map.
 The Basis of Bearings for the Final Map shall comply with Section 81.507 of the Subdivision Ordinance.
 Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
- The following notes shall appear on the Final Map:

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- All parcels within this subdivision have a minimum of 100 square feet of solar access for each future industrial unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
- At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
- The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.
- The Zoning regulations require that each parcel shall contain a minimum net area of 30,000 square feet. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.
- Cause the centerline of Siempre Viva Road and Airway Road to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-10 Regional Standard Drawings when the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is not at ultimate line and grade.

ORDINANCE COMPLIANCE AND NOTICES: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

NOTICE: This project has been found to conform to the San Diego County Multiple Species Conservation Program Subarea Plan, Biological Mitigation Ordinance and Implementing Agreement. Upon fulfillment of the requirements for permanent mitigation and management of preserved areas as outlined in Section 17.1 (A) of the County's Implementing Agreement for the Multiple Species Conservation Program (MSCP) Plan, Third Party Beneficiary Status can be attained for the project. Third party beneficiary status allows the property owner to perform "incidental take" under the State and Federal Endangered Species Acts, of species covered by the MSCP Plan while undertaking land development activities in conformance with an approval granted by the County in compliance with the County's Implementing Agreement.

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NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

stormwater regulations the activities proposed under this application are subject to enforcement under permits from the <u>San Diego Regional Water Quality Control Board (RWQCB)</u> and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control <u>Ordinance No. 10410</u> and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Quality Management Plan (SWQMP), all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information on-site concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013 and amended in November 2015. *Project design shall be in compliance with the new Municipal Permit regulations*. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below

http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego

September 28, 2022

Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to periodic adjustment as changes are made to the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements imposed by the San Diego Regional Water Quality Control Board (Regional Board) on discharges from municipal separate storm sewer systems (MS4). The new MS4 Permit was adopted by the Regional Board on May 8, 2013 and amended on November 18, 2015. The County has begun the process of amending ordinances and taking other action to implement the new MS4 Permit. Additional studies and other action may be needed to comply with the new and future MS4 Permits.

DRAINAGE: The project shall be in compliance with the County of San Diego Flood Damage Prevention Ordinance No. 10091, adopted December 8, 2010.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8') of cut/fill per criteria of <u>Section 87.201 of the County Code.</u>

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact DPW Construction/Road right-of-way Permits Services Section, (858) 694-3275, tocoordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtaina permit to remove plant or trim shrubs or trees from the Permit Services Section.

ENCROACHMENT PERMIT REQUIRED: An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

EXCAVATION PERMIT REQUIRED: An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to <u>County TIF Ordinance number 77.201 – 77.223</u>. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [*PDS*, *LD Counter*] and provide a copy of the receipt to the [*PDS*, *BD*] at time of permit issuance.

SANITATION NOTICE: The following shall be met after map recordation:

COMMITMENT FOR CAPACITY AND LIST OF FEES: A commitment for capacity to serve the proposed development and list of required fees (per County Ordinance Number 9146) will be provided by [SDCSD] at time of building permit

issuance.

PAY DISTRICT FEES: The developer shall pay all [SDCSD] fees in effect at time of issuance of the Wastewater Discharge Permit.

PAY FAIR SHARE COSTS: Prior to issuance of the Wastewater Discharge Permit, the developer shall pay all fair share costs attributable to third party reimbursement agreement(s) associated with this project that may be in effect at time of permit issuance.

INDUSTRIAL WASTEWATER DISCHARGE PERMIT FROM CITY: If required, the developer shall obtain an Industrial Wastewater Discharge Permit from the City, as directed by [DPW WWM].

COMMERCIAL WASTEWATER DISCHARGE PERMIT: The developer shall obtain a Commercial Wastewater Discharge Permit from the County. The developer/owner shall make a written application to the County through Department of Planning & Development Services, building permit counter.

NOTICE: – The project relies on CEQA 15162 - 15164 Findings and the previous Fish and Wildlife Fees paid in the amount of \$2,839.25 for the review of the Environmental Impact Report, Receipt number 410476 dated October 17, 2011.

NOTICE: Time Extension requests cannot be processed without updated project information including new Department of Environmental Health certification of septic systems. Since Department of Environmental Health review may take several months, applicants anticipating the need for Time Extensions for their projects are advised to submit applications for septic certification to the Department of Environmental Health several months prior to the expiration of their Tentative Maps.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS					
Planning & Development Services (PDS)					
Project Planning Division	PPD	Land Development Project Review Teams	LDR		
Permit Compliance Coordinator	PCC	Project Manager	PM		
Building Plan Process Review	BPPR	Plan Checker	PC		
Building Division	BD	Map Checker	MC		
Building Inspector	ВІ	Landscape Architect	LA		
Zoning Counter	ZO				
Department of Public Works (DPW)					

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Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU	
Wastewater Management	WWM			
Department of Environmental Health (DEH)				
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA	
Vector Control	VCT	Hazmat Division	HMD	
Department of Parks and Recreation (DPR)				
Trails Coordinator	TC	Group Program Manager	GPM	
Parks Planner	PP			
Department of General Service (DGS)				
Real Property Division	RP			

ON MOTION of Commissioner XXX, seconded by Commissioner XXX, this Resolution is passed and approved by Planning Commission of the County of San Diego, State of California, at a regular meeting held on this Xth day, of Month 2022 by the following vote:

AYES: X

NOES: X

ABSENT: X

ABSTAIN: X

cc: David Hagan, Inmobiliaria Hawano, S.A. de C.V., Ejercito Nacional 769, Torre B, Piso 8 Miguel Hidalgo, CDMX, Mexico 11520

email cc:

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Ashley Smith, Chief, Project Planning, PDS
Regina Ochoa, Planning Manager, Project Planning, PDS
Juliette Orozco, Project Planner, Project Planning, PDS
Jacob Armstrong, Chief, Land Development, PDS
Ed Sinsay, Team Leader, Land Development, PDS
Sean McLean, Engineer, Land Development, PDS

Attachment B – Preliminary Notice of Action



DAHVIA LYNCH

PLANNING & DEVELOPMENT SERVICES

5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123 (858) 505-6445 General • (858) 694-2705 Codes • (858) 565-5920 Building Services www.sdcounty.ca.gov/pds

October 4, 2022

REFERENCE: REVISED TENTATIVE MAP PDS2021-TM-5566R2

NOTICE OF PRELIMINARY DECISION OF THE DIRECTOR OF PLANNING & DEVELOPMENT SERVICES

On the above date, the Director of Planning & Development Services (PDS) adopted this preliminary decision approving Revised Tentative Map PDS2021-TM-5566R2. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on October 21, 2022. In the event the Planning Commission takes no action to initiate a public hearing on the preliminary decision, the preliminary decision shall become a final decision of the Planning Commission that is effective immediately.

I, Dahvia Lynch, Director of PDS, San Diego County, State of California, hereby certify that this is a copy of the official document authorizing an amendment to the referenced Tentative Map.

PLANNING & DEVELOPMENT SERVICES DAHVIA LYNCH, DIRECTOR

By:

Ashley Smith, Chief

Project Planning Division

Attachment C – Environmental Documentation



DAHVIA LYNCH DIRECTOR PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes • (858) 565-5920 Building Services
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AN ADDENDUM TO THE PREVIOUSLY ADOPTED ENVIRONMENTAL IMPACT REPORT FOR HAWANO TENTATIVE MAP, LOG NO. PDS2022-ER-93-19-006ZZZD FOR PURPOSES OF CONSIDERATION OF HAWANO REVISED MAP PDS2021-TM-5566R2

October 4, 2022

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Environmental Impact Report (EIR) may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent EIR have occurred.

There are some changes and additions, which need to be included in an Addendum to the previously certified Supplemental EIR to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

- 1. To the Project Number(s) add: PDS2021-TM-5566R2; and PDS2022-ER-93-19-006ZZZD.
- 2. To the Project Description add:

The project proposes to revise an approved tentative map from 24 lots into eight developable lots with an on-site water quality basin. The total development area is approximately 79.7 acres, with 69.2 developable acres. The current map (TM 5566R) is approved with 24 lots totaling 79.7 acres; with 67.9 developable acres. The original map (TM 5566) was 24 industrial lots totaling 79.7 acres, with 65.6 developable acres. The property is undeveloped. Fire would be served by the San Diego Fire Protection District; School Service is provided by San Ysidro and Sweetwater Union; water service is provided by the Otay Water District; sewer service is provided by the San Diego County Sanitation District. The project will require approximately 345,000 CY of cut and 410,000 CY yard of fill. A total of 65,000 CY of import material will be required. The original map proposed 1,200,000 CY or cut and 1,200,000 CY of fill, with no import. The project is subject to the General Plan Regional Category Village, the General Plan Land Use of Specific Plan and Zoning Specific Plan (Mixed Industrial). The property is located along the western edge of Alta Road, north of Via De La Amistad and south of Airway Road, directly to the west of the new border crossing, within the East Otay Mesa Specific Planning area, in the Otay Community Plan Area, within unincorporated San Diego County (APN 648-070-17-00).

3. To Chapter 5.0 - List of References add the following:

Air Quality and Greenhouse Gas Assessment Consistency Memo, Jeremy Louden, Ldn Consulting, Inc., May 2, 2022

Biological Letter Report, Greg Mason, Alden Environmental, Inc., March 15, 2022

CEQA Guidelines Section 15164 Addendum to SEIR; ER-93-19-006ZZZD Hawano, TM 5566R2, Page 2 of 2

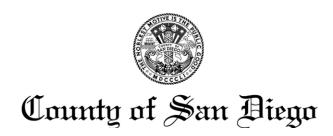
CEQA Preliminary Hydrology/Drainage Study, Stevens Cresto Engineering, Inc., January 19, 2022

East Otay Mesa Sewer System Master Plan Addendum, CH2M, January 2019

Noise Consistency Memo, Jeremy Louden, Ldn Consulting, Inc., August 27, 2021

Stormwater Quality Management Plan, Stevens Cresto Engineering, Inc., January 19, 2022

Traffic Letter, Bill Darnell, Darnell & Associates, July 27, 2021



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September 22, 2022

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF
Hawano Revised Tentative Map
PDS2021-TM-5566R2; Log No. PDS2021-ER-93-19-006ZZZD

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously certified EIR(s):

An Environmental Impact Report (EIR) for the East Otay Mesa Business Park Specific Plan (SP 93-004); GPA 94-02; Log No. 93-19-6 was certified by the County of San Diego Board of Supervisors on July 27, 1994. The certified EIR (EOMBPSP EIR) found significant effects to Biological Resources, Noise, Land Use, Landform Alteration, Visual Quality, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Transportation and Circulation, Air Quality. Health and Safety, **Public** Services Utilities. and Population/Housing/Employment. These effects were determined to be mitigated or avoided to a level below significance except for effects on Biological Resources and Noise.

A Supplemental Environmental Impact Report (EIR) for the Hawano Tentative Map Subdivision, PDS2010-3100-5566, Log No. ER-93-19-006OO was certified by the County of San Diego Planning Commission on December 13, 2013. The certified SEIR found significant effects to Biological Resources, Noise, Cultural Resources, Geology and Soils, Transportation/Traffic, Air Quality, Greenhouse Gas Emissions, and Paleontological Resources. These effects were determined to be mitigated or avoided to a level below significance except for effects on Air Quality, Greenhouse Gas Emissions, and Transportation/Traffic.

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Furthermore, the following addenda and associated determinations were reviewed:

- An Environmental Impact Report (EIR) for the East Otay Mesa Specific Plan (SP 93a. 004); GPA 94-02; Log No. 93-19-6 was certified by the County of San Diego Board of Supervisors on July 27,1994. The certified EIR found significant effects to Biological Resources, Noise, Land Use, Landform Alteration, Visual Quality, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Transportation and Circulation, Air Quality, Health and Safety. Public Services and Utilities. Population/Housing/Employment. These effects were determined to be mitigated or avoided to a level below significance except for effects on Biological Resources and Noise.
- b. Addendum #1 dated January 13, 1999; SPA 98-002; Log No. 93-19-016; was approved by the County of San Diego Board of Supervisors on January 13, 1999 (4). This addendum allowed for the sales of gasoline in land use areas as Support Commercial.
- c. Addendum #2 dated July 1, 1999; GPA 99-CE; Log No. 93-19-006 was approved by the Board of Supervisors on December 15, 1999 (2). This addendum added Highway SR-11 to the County Circulation Element. c. Reliance on the existing EIR with no modification was approved by the Planning Commission on June 20, 2000, for the East Otay Mesa Truck Travel Plaza; P98-024; Log No. 98-19-020.
- d. Reliance on the existing EIR with no modification was approved by the Planning Commission on June 20, 2000, for the East Otay Mesa Truck Travel Plaza; P98-024; Log No. 98-19-020.
- e. Addendum #3 dated June 21, 2000; Log No. 93-19-006; approved by the adoption of Interim Ordinance No. 9226 restricting certain uses within the East Otay Mesa Specific Plan.
- f. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on July 26,2000 (4); adoption of Ordinance No. 9235 approved the first extension of Interim Ordinance No. 9226. Used Addendum #3 (dated June 21,2000) as the environmental document.
- g. A Supplemental EIR dated December 15, 2000 was approved by the Planning Commission on December 15, 2000, for the Sun Road Centrum project; TM 5139RPL6; Log No. 93-19-013.
- h. Addendum #4 dated March 12, 2001 was approved by the Board of Supervisors on April 3, 2001. This project approved an agreement with PG&E Generating Company for acquisition and dedication of sewer easement. On May 1, 2001, the Board of Supervisors adopted Resolution 01-027 consenting to acquisition of easements by means of eminent domain.

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- i. Addendum #5 dated February 23, 2001 was approved by the Zoning Administrator on May 1, 2001. This addendum was for the Burke Truck Parking and Storage project; ZAP 99-029; Log No. 99-19-016.
- j. Reliance on the existing EIR for adoption of Ordinance No. 9344 was approved by the County of San Diego Board of Supervisors on June 13, 2001 (5), amending and extending the Interim Ordinance No. 9226 as previously amended by Ordinance No. 9235. Used Addendum #3 (dated June 21,2000) as the environmental document.
- k. Addendum #6 dated March 28, 2002 was approved the Board of Supervisors on June 12, 2002 (4), for the Amendment to the East Otay Mesa Specific Plan. The purpose of the amendment was to update the land use plan and permit processing requirements and split the Specific Plan Area into Subareas 1 and 2. SPA 00-005; GPA 02-CE1; Log No. 93-19-006A. Documents associated with this project are on the "East Otay Mesa Specific Plan" CD.
- I. Reliance on the existing EIR with no modification was approved by the County of San Diego Director of Planning and Land Use on December 4, 2002, for the PG&E Subdivision, TPM 20570Rp13, Log No. 00-19-027. The project split a 79-acre parcel into 3 parcels having 22.67, 46.02, and 13.10 acres, respectively. Parcel 2 (46.02 acres) was the location for the Otay Mesa Generating Project certified by the California Energy Commission on April 23, 2001.
- m. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on July 9, 2003, for East Otay Auto Storage, POO-012, Log No. 00-19-007. The project was for an insurance auto auction and storage yard.
- n. Addendum #7 dated March 4, 2003 was approved by the Planning Commission on April 11, 2003 for the Revised Tentative Map for the Sunroad Tech Centre project, TM 5139RPL6R2, ER 98-19-013A. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6) and the Supplemental EIR for the Sunroad Tech Centre Tentative Map, TM 5139RPL6, Log No. 93-19-013.
- o. Reliance on the existing EIR with no modification was approved by the Director of Planning and Land Use on October 2, 2003 for TPM 20701, ER #93-19-006A, Burke. The project is a minor subdivision of 39.31 gross acres into four parcels of 9.48,9.37,8.80 and 11.66 acres each.
- p. Reliance on the existing EIR with no modification was approved by the County of San Diego Director of Public Works on January 28, 2004, for East Otay Mesa Parcel B Grading Plan, L14456. The grading plan was for the grading of a 20.68 acre pad for future development.
- q. Reliance on the existing EIR with no modification was approved by the County of San Diego Director of Planning and Land Use on April 16, 2004 for Otay Mesa Property, LP/D&D Landholdings Boundary Adjustment/Certificate of Compliance BC 02-0150, Log No. 02-19-020. The Boundary Adjustment changed the boundaries of four

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- existing parcels (APNs 648-040-21, 22 and 648-050-15,16) to create more marketable parcels for future development pursuant to the East Otay Mesa Specific Plan.
- r. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on February 2, 2005 (4) for an amendment to the East Otay Mesa Specific Plan (SPA 04-002), Log No. 93-19-0060, approved by Resolution No. 05-11. The Environmental Review Update Checklist Form was dated November 24, 2004. The Specific Plan Amendment revised the public landscaping requirements for Subarea 1 to improve safety.
- s. Addendum #8 dated May 20, 2005 was approved by the Planning Commission on June 24, 2005 for Otay Mesa Auto Transfer, Major Use Permit P03-001, ER 93-19-006C. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- t. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on November 2, 2005 (3) for an Amendment to the East Otay Mesa Specific Plan (SPA 05-005, Log No. 93-19-006U), approved by Resolution No. 05-216. The Environmental Review Update Checklist Form was dated August 8, 2005. The Specific Plan Amendment revised the parking requirements in Subarea 1 to conform to the standards in place for Subarea 2.
- u. Reliance on the existing EIR with no modification was approved by the Director of Planning and Land Use on December 2, 2005 for a boundary adjustment and certificate of compliance for the Pilot Travel Center (BC 05-0118, Log No. 93-19-006V).
- v. Addendum #9 dated January 31,2006 was approved by the Planning Commission on March 10,2006 for the Dillard and Judd Roll County Tentative Map, TM 5394RPL3, ER 93-19-006P. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- w. Addendum #10 dated March 27, 2006 was approved by the Planning Commission on April 21,2006 for the Airway Business Center Tentative Map, TM 5304RP, ER 93-19-006A. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- x. Reliance on the existing EIR with no modification was approved by the Director of Planning and Land Use on April 12, 2006 for an Administrative Permit for clearing for the TPO LLC property (AD 04-025, Log No. 04-19-010).
- y. Reliance on the existing EIR with no modification was approved by the Director of Public Works on April 21, 2006 for Improvement Plans for Paseo de La Fuente (CG 4530); for 20.68 acres of grading for future development of the Border Patrol Site (L14456); and, for 73.5 acres of grading for future development of the Travel Plaza Site (L14632).

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- z. Reliance on the existing EIR with no modification was approved by the Director of Public Works on May 19, 2006 for 13.5 acres of grading for future development of the Power Plant Laydown Site (L14208).
- aa. Reliance on the existing EIR with no modification was approved by the Director of Public Works on June 30, 2006 for 13.45 acres of grading for future development of the Vulcan Site (L14625).
- bb. Addendum #11 dated August 7, 2006 was approved by the Director of Planning and Land Use on August 29, 2006 for the Otay Logistics Industrial Park (Trammell Crow) Site Plan, S05-018, ER 93-19-006S. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- cc. Addendum #12 dated November 17, 2006 was approved by the Director of Planning and Land Use on November 17, 2006 for the Pilot Travel Center Site Plan, S05-021, ER 93-19-006T. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- dd. Addendum #13 dated November 8, 2006 was approved by the Director of Planning and Land Use on December 1, 2006 for the Calpine Minor Subdivision, TPM 21012, ER 00-19-27B. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- ee. Addendum #14 dated June 15, 2007 was approved by the Board of Supervisors on August 1, 2007 (1) for the East Otay Mesa Update, SPA 06-003, GPA 06-013, ER 93-19-006Y. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- ff. Addendum #15 dated March 10, 2008 was approved by the Planning Commission on June 13, 2008 for the Travel Plaza, P 98-024W1, LOG NO. 93-19-006N. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- gg. Reliance on the existing EIR with no modification was approved by the Board of Supervisors on April 8, 2009(1) for an Amendment to the East Otay Mesa Specific Plan (SPA 06-005), approved by Resolution No. 09-055. The amendment was for minor modifications to the East Otay Mesa Business Park Specific Plan Subarea 1 to correct minor issues related to landscaping requirements for public roads, modify the land use plan for the Heavy Industrial area, define development standards for correctional facilities in the Heavy Industrial, and miscellaneous corrections
- hh. Addendum #16 dated June 1, 2010 was approved by the County of San Diego Board of Supervisors on September 15, 2010 for an Amendment to the East Otay Mesa Specific Plan (SPA 10-001), approved by Resolution No. 10-168. The Environmental Review Update Checklist Form was dated June 1, 2010. The Specific Plan Amendment combined Subareas 1 and 2 and revised and clarified certain development standards and requirements.

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ii. A Supplemental EIR (SEIR) for Otay Crossings Commerce Park, Tentative Map 5405, a 59-lot industrial subdivision, was certified by the Planning Commission on October 7, 2011. The certified EIR found significant effects to Biology, Cultural Resources, Paleontological Resources, Public Services and Utilities, and Noise. These effects were determined to be mitigated to a level below significance. Impacts to Transportation/Circulation and Air Quality could not be fully mitigated.

The specific transportation impacts that were unmitigated consisted of cumulative impacts to the Airway Road/Sanyo Road intersection (TI-14) and Siempre Viva Road/Michael Faraday Drive intersection (TI-16). These intersections lie in the jurisdiction of the City of San Diego and thus improvements could not be guaranteed.

The specific air quality impacts (direct) that were unmitigated consisted of emissions of fugitive dust and NOx during construction (AQI-1), operational emissions of CO, NOx and VOCs during the near term (AQI-2), operational emissions of CO and VOCs for build-out traffic conditions (AQI-3), and emissions of ozone precursors prior to build-out in 2030 which would not be consistent with the RAQs.

- jj. A Supplemental EIR (SEIR) for California Crossings, Major Use Permit 3300 06-102, Tentative Parcel Map 3200 21046, ER 3910 93-19-006AA, was certified on March 9, 2012, for a 325,500 square foot regional shopping center.
- kk. An Addendum dated March 13, 2013 for Otay Crossings Commerce Park Revised Map was adopted by the Department of Planning & Development Services on April 2, 2013. The project tentative map was revised to accommodate revisions to the planned SR-11 right-of-way and Port of Entry. This caused the adjustment to the location of internal roads and raising Alta Road from an at-grade facility to an above-grade road to accommodate a future overpass over SR-11. In addition, the footprint of the Port of Entry was expanded. Proposed lot sizes increased in general such that the Revised Map proposed 47 total lots rather than the 59 originally approved.
- II. A Supplemental Environmental Impact Report (EIR) for the Hawano Tentative Map Subdivision, PDS2010-3100-5566, Log No. ER-93-19-006OO was certified by the County of San Diego Planning Commission on December 13, 2013. The certified SEIR found significant effects to Biological Resources, Noise, Cultural Resources, Geology and Soils, Transportation/Traffic, Air Quality, Greenhouse Gas Emissions, and Paleontological Resources. These effects were determined to be mitigated or avoided to a level below significance except for effects on Air Quality, Greenhouse Gas Emissions, and Transportation/Traffic.
- mm. Reliance on the existing EIR with no modification was approved by the Planning Commission on December 9, 2016, for the Otay Crossings Commerce Park Tentative Map Time Extension (PDS2016-TM-5405TE, PDS2016-ER-93-19-006WX). No changes were proposed by the project; only a time extension to allow sufficient time to satisfy conditions and record final maps.

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- nn. An addendum dated July 14, 2017; Log No. 93-19-006WY was approved by the Planning Commission on July 14, 2017. This addendum approved a Tentative Map Time Extension for the Hawano Tentative Map (PDS2016-TM-5566TE).
- oo. A Supplemental EIR (SEIR) for Otay 250, (PDS2015-SPA-15-001, PDS2015-GPA-15-008, PDS2015-REZ-15-007, PDS2015-TM-5607, LOG No. PDS2015-ER-15-98-190-13G), was certified by the Board of Supervisors on July 25, 2018, for a Specific Plan Amendment (SPA) to the East Otay Mesa Business Park Specific Plan to establish a new Mixed-Use Village Core area within the Specific Plan Area, which would allow for the construction of a mix of employment, retail and residential uses. Significant impacts were identified but all impacts would be mitigated to below a level of significance, with the exception of impacts associated with Air Quality.
- pp. An addendum dated February 8, 2019; Log No. 93-19-006ZZB was approved by the Planning Commission on February 8, 2019. This addendum approved a Revised Tentative Map for the Hawano Tentative Map (PDS2016-TM-5566R1).
- Lead agency name and address:
 County of San Diego, Planning & Development Services
 5510 Overland Avenue, Suite 110
 San Diego, CA 92123
 - a. Contact Juliette Orozco, Project Manager
 - b. Phone number: (619) 323-7949
 - c. E-mail: Juliette.Orozco@sdcounty.ca.gov
- 3. Project applicant's name and address:

Inmobiliaria Hawano, S.A. de C.V.

RFC: IHA091230C4A

Ejercito Nacional 769, Torre B, Piso 8 Miguel Hidalgo, CDMX, Mexico 11520

4. Summary of the activities authorized by present permit/entitlement application(s):

The project is a Revised Tentative Map to consolidate 24 lots (23 developable) to 8 developable lots. The property is located within the East Otay Mesa Business Park Specific Plan area.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES	NO
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6. SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR. The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

⊠ NONE		
☐ Aesthetics	☐ Agriculture and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology & Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Haz Materials	☐ Hydrology & Water Quality
☐ Land Use & Planning	☐ Mineral Resources	☐ Noise
☐ Population & Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities & Service Systems	☐ Mandatory Findings of Significance

DETE	RMINATION:	
	e basis of this analysis, Planning & Development Serv	
\boxtimes	No substantial changes are proposed in the project	
	changes in the circumstances under which the proje require major revisions to the previous EIR or NI	
	significant new environmental effects or a substanti	
	previously identified significant effects. Also, ther	
	substantial importance" as that term is used in	
	15162(a)(3). Therefore, the previously certified EIR	, and adopted addendum are
	adequate upon completion of an ADDENDUM.	
	No substantial changes are proposed in the project changes in the circumstances under which the proje	
	require major revisions to the previous EIR or NI	
	significant new environmental effects or a substanti	
	previously identified significant effects. Also, there	
	substantial importance" as that term is used in	
	15162(a)(3). Therefore, because the project is a residuith, and pursuant to, a Specific Plan with a EIR com	
	the project is exempt pursuant to CEQA Guidelines S	
	Substantial changes are proposed in the project or t	
	in the circumstances under which the project will be	
	major revisions to the previous ND due to the inventormental effects or a substantial increase in	
	identified significant effects. Or, there is "new	
	importance," as that term is used in CEQA Guid	
	However all new significant environmental effects	
	severity of previously identified significant effects are	,
	incorporation of mitigation measures agreed to by the a SUBSEQUENT ND is required.	e project applicant. Therefore,
	Substantial changes are proposed in the project or t	here are substantial changes
<u> </u>	in the circumstances under which the project will be	e undertaken that will require
	major revisions to the previous ND or EIR due to the i	o _
	environmental effects or a substantial increase in identified significant effects. Or, there is "new	
	importance," as that term is used in CEQA Guid	
	Therefore, a SUBSEQUENT or SUPPLEMENTAL EI	
1	list Holdings	October 1, 2022
Signa Signa	ture	Date
<i>V</i> 0 ···		
	tte Orozco	Project Manager
Printe	ed Name	Title

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INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

- 1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EOMBPSP EIR or previously adopted ND are necessary.

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The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

<u>I. AESTHETICS</u> – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES NO □

The project proposes to reduce the total number of lots from 36 lots to 10 lots. The development of lots in the future will require additional discretionary review and will need to demonstrate conformance with the East Otay Mesa Business Park Specific Plan. No new impacts were identified as part of the project.

<u>II. AGRICULTURE AND FORESTRY RESOURCES</u> -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES NO □

The project proposes to reduce the total number of lots from 24 lots to 8 lots. The development of lots in the future will require additional discretionary review and will need to demonstrate conformance with the East Otay Mesa Business Park Specific Plan. No new impacts were identified as part of the project.

<u>III. AIR QUALITY</u> -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; 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; exposure of sensitive receptors to

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substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES NO □

The previously certified EOMBPSP EIR identified potentially significant impacts for Air Quality but impacts were reduced to a less than significant level with incorporated mitigation. The previously certified EOMBPSP EIR identified potential local and regional impacts from construction sources, operational vehicular traffic, and small stationary sources expected as the result of the buildout of the Specific Plan Area.

Specifically, significant construction related impacts were identified in the original EOMBPSP EIR related to fugitive dust and construction vehicle exhaust. These impacts were reduced to a less than significant level with mitigation. Since the completion of the EOMBPSP EIR and writing of the mitigation, these mitigation measures have evolved based on the County's standards for conditions of approval. The mitigation measures for which the project would be required to comply, represent the evolutions of the County's fugitive dust and construction vehicle exhaust mitigation measures since the certification of the EOMBPSP EIR, and are currently reflected in the San Diego Air Pollution Control District (APCD) Rule 55 and County Code Section 87.428 (Grading Ordinance).

An Assessment Consistency Memo (Ldn Consulting, Inc. 5/2/2022) was prepared which determined that the proposed project's (PDS2021-TM-5566R2) project impacts were consistent with those previously analyzed. TM-5566R2 would not result in any changes to the project's total facility footprint or trip generation and would not alter the proposed use. The project would not add GHG emissions from what was estimated in the EOMBPSP EIR. Given this, TM-5566R2 would not trigger any additional requirements to reanalyze GHG emissions or include additional mitigation measures. Thus, the Project would not result in any new or more severe impacts that were not identified and mitigated for the in the EOMBPSP EIR.

IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES NO □

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A previous EIR was certified for the East Otay Mesa Business Park Specific Plan, which included the development of the Hawano Project site and Hawano Tentative Map (TM 5566) project on July 27, 1994.

The current proposed project is a second revised Tentative Map, which proposes additional changes to the project, including a reduced in developable lots. A Biological Resource Letter Report Update (ALDEN Environmental, March 2022) has been provided and details the following modifications to the mitigation:

- 1. The project would need no mitigation for road pools containing fairy shrimp because the current project does nor impact road pools with fairy shrimp.
- The project would need no mitigation for vernal pool propagation for road pools containing fairy shrimp because the current project does nor impact road pools with fairy shrimp.
- 3. Mitigation measures M-BI-2a and M-BI-2b no longer apply because the current project does nor impact road pools with fairy shrimp.
- 4. Mitigation measure M-BI-4a is no longer required.
- 5. Mitigation measure M-BI-12 has been reduced in the amount of impacts and mitigation needed, from 82.1 acres to 66.8 acres.
- 6. The project would need no mitigation for Southern Willow Scrub, as the current project does not impact Southern Willow Scrub.
- 7. Impacts to non-native grassland have been reduced from 83.1 acres to 66.8 acres, as such, the mitigation has also been reduced to 66.8 acres (1:1 Ratio) which may be met through a combination of on- and off-mesa mitigation.

Therefore, since the previous EIR was certified, there are no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that cause one or more effects to biological resources.

<u>V. CULTURAL RESOURCES</u> -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

/E	S			

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The project proposes to reduce the total number of lots from 24 lots to 8 lots. The project has been conditioned to mitigate impacts to cultural resources prior to recordation of the final map. The project does not result in new impacts to cultural resources.

<u>VI. GEOLOGY AND SOILS</u> -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having 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?

YES NO □

<u>VII.</u> GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

ΈS ΝΟ □ ⊠

The previously certified EOMBPSP EIR identified potentially significant impacts for Air Quality but impacts were reduced to a less than significant level with incorporated mitigation. The previously certified EOMBPSP EIR identified potential local and regional impacts from construction sources, operational vehicular traffic, and small stationary sources expected as the result of the buildout of the Specific Plan Area. The EIR concluded that TM 5566R1 would result in less than significant Greenhouse Gas Emission impacts through the incorporation of Mitigation Measures (M-AQ-5a and M-AQ-6). Since 2005, Title 24 standards were updated in 2008, 2013, 2016 and 2019. Each update improves upon the last.

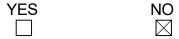
An Assessment Consistency Memo (Ldn Consulting, Inc. 5/2/2022) was prepared which determined that the proposed project's (PDS2021-TM-5566R2) project impacts were consistent with those previously analyzed. TM-5566R2 would not result in any changes to the project's total facility footprint or trip generation and would not alter the proposed use. The project would not add GHG emissions from what was previously estimated. Given this, TM-5566R2 would not trigger any additional requirements to reanalyze GHG emissions or include additional mitigation measures. Thus, the Project would not result in any new or more severe impacts that were not identified and mitigated for previously.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS</u> -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under

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which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of 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; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location 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; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of 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?



IX. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100year 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; 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; and/or inundation by seiche, tsunami, or mudflow?



Environmental review of the previously approved project determined there were no significant impacts to hydrology and water quality as part of the Supplemental EIR process. A drainage report and stormwater management plan were completed and demonstrated the previously approved project would not have significant hydrology or water quality impacts and thus would not require mitigation measures.

A Stormwater Quality Management Plan (Stevens Cresto Engineering, 1/19/2021) and Preliminary Hydrology/Drainage Study (Stevens Cresto Engineering, 1/19/2021) were completed for the project.

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The Stormwater Quality Management Plan demonstrates the project will comply with the County's Watershed Protection Ordinance and BMP Design Manual to control and treat stormwater runoff and protect water quality. The Hydrology Study demonstrates the project will not adversely affect drainage and will not cause flooding or result in increased rates of erosion or sedimentation in receiving waters. No potentially significant impacts related to hydrology or water quality were identified.

Therefore, there are no changes in the project, changes in circumstance, or new information of substantial importance that result in increased hydrology or water quality impacts compared to the previously approved project.

X. LAND USE AND PLANNING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?



The previously certified EOMBPSP EIR identified significant and mitigable impacts for Land Use. Impacts were related to the change from undeveloped or agricultural land uses to industrial, commercial, and residential land uses. Land use compatibility impacts between residential and industrial/commercial development, impacts to future residences from the State prison and County detention facility, impacts to the boundary monument and the U.S./Mexico border, and loss of small amounts of important farmlands were foreseen. Mitigation included a requirement for Site Plans for hillside residential development to evaluate land use compatibility in detail and propose more specific mitigation measures such as landscaped buffers, placement of homes away from light sources, adherence to noise mitigation measures, approval of hazardous materials and management plans for industrial uses, and maintaining a one-foot sight distance between Boundary Monument 252 and adjacent monuments.

As part of SPA 20-002, changes were made to the Land Use Matrix and development standards, including increasing the allowable Floor Area Ratio for industrial uses. The increased development potential was analyzed and determined to result in a less than significant impact.

The project proposes to reduce the total number of lots from 36 lots to 10 lots. The development of lots in the future will require additional discretionary review and will need to demonstrate conformance with the East Otay Mesa Business Park Specific Plan.

Therefore, there are no changes in the project, changes in circumstance, or new information of substantial importance that results in increased land use and planning impacts compared to the previously approved project.

XI. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to

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mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?



XII. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: 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; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects 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, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?



The previous EIR found that there would be significant and unmitigable impacts to residential areas and sensitive habitats/species from industrial/commercial uses, roadways, and Brown Field. A noise analysis was completed and demonstrated the previously approved project would not have significant noise impacts and thus would not require mitigation measures.

Because the maximum allowable building area would not change with the TM 5566R2 Project, the TM 5566R2 Project would result in similar construction activities as the original project. Due to the slight reduction in traffic associated with the TM 5566R2 Project, operational noise impacts associated with the Project would be reduced in comparison to the project evaluated by the EOMBPSP EIR. Therefore, the TM 5566R2 Project has the potential to result in similar or reduced noise impacts as compared to the project evaluated by the EOMBPSP EIR.

A Noise Consistency Memo (Ldn Consulting, Inc., 8/27/2021) was completed for the project. The study demonstrated that the approved project will comply with the County's Noise Ordinance sound level limits for construction and operational noise at the property boundaries.

Therefore, there are no changes in the project, changes in circumstance, or new information of substantial importance that result in increased noise impacts compared to the previously approved project.

XIII. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

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YES NO □

The project site is not designated for housing in the EOMBPSP and does not contain any existing housing. Thus, the previously approved project would have no impact on the availability of housing in the area. The current project (PDS2021-TM-5566R2) would not displace any existing housing or population or reduce housing potential identified in the EOMBPSP.

Therefore, there are no changes in the project, changes in circumstance, or new information of substantial importance that results in increased impacts to population and housing compared to the previously approved project.

XIV. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the 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 objectives for any of the following public services:fire protection, police protection, schools, parks, or other public facilities?

YES NC

The previously certified EOMBPSP EIR for the East Otay Mesa Specific Plan Area identified potential significant impacts related to new demand for fire protection and emergency services, additional demand for police protection services and on school capacity. The subject of public services was determined to be not significant during the Initial Study phase of the previously approved California Crossings project. At that time an interim Sheriff's station was constructed and occupied at the intersection of Otay Mesa Road and Enrico Fermi Drive in October 2009. A permanent 6,000-square-foot Sheriff's station was to be co-located with a future 8,000-square-foot fire station at the southeast comer of the intersection of Otay Mesa Road and Enrico Fermi Drive. Water service was to be provided by the Otay Water District and adequate supplies were determined to be available and solid waste services were determined to be adequate and landfill needs would be provided by the Otay Landfill.

Interim sheriff and fire station facilities are in operation with permanent facilities expected in the near future. All public services are available to the current proposed project and there are no changes in the project, changes in circumstance, or new information of substantial importance that results in increased impacts to public services compared to the previously approved project.

An addendum to the East Otay Mesa Sewer System Master Plan (CH2M, January 2019) was prepared for the project. The addendum addressed additional sewer pump station requirements which were required by the project and other development within the area. This ensures that the capacity of the infrastructure network is sufficiently sized to support the build out of the project area.

XV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or

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"new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES NO □

The previously certified EOMBPSP EIR for the East Otay Mesa Specific Plan Area determined that there were no potentially significant impacts to parks or recreation. The project does not include public recreational facilities or require the construction or expansion of public recreational facilities as the proposed project is not a residential project that would increase population with the potential to increase use of recreational facilities. There are no changes in the project, changes in circumstance, or new information of substantial importance that results in major revisions of the previous EIR.

Similarly, the current proposed project will not generate addition demand for recreational facilities or impact any existing or proposed recreational facilities. There are no changes in the project, changes in circumstance, or new information of substantial importance that result in increased impacts to recreation compared to the previously approved project.

XVI. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES NO □

The project is not subject to vehicle miles traveled (VMT) because it relies on an EIR that was circulated for public review before the adoption of the VMT guidelines on July 1, 2020. A Traffic Letter (Darnell & Associates, Inc, 7/29/2021) was prepared which determined that the proposed project's project impacts were consistent with those previously analyzed.

Therefore, there are no changes in the project, changes in circumstance, or new information of substantial importance that results in increased traffic/transportation impacts compared to the previously approved project.

XVII. TRIBAL CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more

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effects to tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES NO □

Since the EIR for East Otay Business Park Specific Plan was certified, there has been a change in circumstances. Assembly Bill 52 (AB-52) became effective on July 1, 2015. AB-52 requires that tribal cultural resources (TCR) be evaluated under CEQA. The proposed project was evaluated for tribal cultural resources as follows; however, AB-52 consultation does not apply since the environmental document is not a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report.

The development footprint has not increased to that which was previously analyzed ant the project has been conditioned to conduct data recovery and artifact curation of the three SDIs associated with the development of the project site. Therefore, there are no changes in the project, changes in circumstance, or new information of substantial importance that results in increased tribal cultural impacts compared to the previously approved project.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project 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?

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)?

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

YES NC

There are no project changes or changes in circumstances under which the project is undertaken or "new information of substantial importance" that result in any mandatory findings of significance as listed above.

XX. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM

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Air Quality and Greenhouse Gas Assessment Consistency Memo, Jeremy Louden, Ldn Consulting, Inc., May 2, 2022

Biological Letter Report, Greg Mason, Alden Environmental, Inc., March 15, 2022

CEQA Preliminary Hydrology/Drainage Study, Stevens Cresto Engineering, Inc., January 19, 2022

East Otay Mesa Sewer System Master Plan Addendum, CH2M, January 2019

Noise Consistency Memo, Jeremy Louden, Ldn Consulting, Inc., August 27, 2021

Stormwater Quality Management Plan, Stevens Cresto Engineering, Inc., January 19, 2022

Traffic Letter, Bill Darnell, Darnell & Associates, July 27, 2021

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF HAWANO REVISED TENTATIVE MAP; PDS2021-TM-5665R2; PDS2021-TM-93-19-006ZZZD

September 14, 2022

			_ Does the proposed project cor Ordinance findings?	nform to the
	YES	NO	NOT APPLICABLE/EXEMF □	PT
Discussion:				
boundaries of the of any off-site ir Permit/Coastal Sa	Multiple S nproveme age Scru	Species Conse ents do not c b Ordinance.	e improvements are located our vervation Program, the project site ontain habitats subject to the Therefore, conformance to the dings is not required.	and locations Habitat Loss
II. MSCP/BMO - D Program and Biolo			et conform to the Multiple Species nce?	Conservation
YI	ΞS	NO	NOT APPLICABLE/EXEMPT	
Discussion:				
A Minor Amendm March 31, 2011.	ent to the	MSCP was g	ranted for the Otay Business Pa	ırk Project on
III. GROUNDWAT the San Diego Co			s the project comply with the requance?	uirements of
	YES	NO	NOT APPLICABLE/EXEMF □	T
	s and/or	other importe	the Otay Water District that obtained sources. The project will cluding irrigation or domes	not use any

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Hawano - 2 - September 14, 2022 PDS2021-TM-5566R2 PDS2021-TM-93-19-006ZZZD

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES	NO	NOT APPLICABLE/EXEMPT
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES	NO	NOT APPLICABLE/EXEMPT
The <u>Steep Slope</u> section (Section 86.604(e))?	YES ⊠	NO	NOT APPLICABLE/EXEMPT
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES	NO	NOT APPLICABLE/EXEMPT
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES	NO	NOT APPLICABLE/EXEMPT

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County RPO. There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. Sensitive habitat lands were identified within the approved Biology Report. All feasible mitigation measures to protect the sensitive habitat lands are required as a condition of approval and implementation of that mitigation would provide an equal or greater benefit to the affected species. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

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Hawano - 3 - September 14, 2022 PDS2021-TM-5566R2 PDS2021-TM-93-19-006ZZZD

Significant Prehistoric and Historic Sites:

Testing and other investigation determined that the archaeological site is not significant under the Resource Protection Ordinance, but is significant under the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064. The project complies with the CEQA because the site has been tested and does not warrant preservation, and the project has been conditioned to recover and curate resources found on the site. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

of the RPO.				
	shed Protec		· Does the project comply ater Management and Dis	_
	YES	NO	NOT APPLICABLE	
Discussion:				
			nent Plan and Hydromodi und to be complete and ir	
			ect comply with the Count e County of San Diego No	
	YES	NO	NOT APPLICABLE	

Discussion:

The proposal would not expose people to, nor generate, potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Attachment D – Ownership Disclosure



County of San Diego, Planning & Development Services

APPLICANT'S DISCLOSURE OF OWNERSHIP INTERESTS ON APPLICATION FOR ZONING PERMITS/ APPROVALS

ZONING DIVISION

tion must be disclosed at the time of filing of this ners of the property subject to the application or the of the Zoning Ordinance. NOTE: Attach additional
in the property involved.
tion or partnership, list the names of all individuals wning any partnership interest in the partnership.
orofit organization or a trust, list the names of any as trustee or beneficiary or trustor of the trust.
<u>Person</u> as: "Any individual, firm, copartnership, corporation, estate, trust, receiver syndicate, this district or other political subdivision, or any other
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SDC PDS RCVD 4-23-21
TM5566R2

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