



County of San Diego

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~~January 2,~~ May 2020

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

FOR PURPOSES OF CONSIDERATION OF OTAY RANCH VILLAGE 14 AND PLANNING AREAS 16/19 PROJECT

PDS2019-TM-5616R, PDS2019-SPA-19-001, PDS2019-STP-19-029, and

AMENDMENT TO MSCP COUNTY SUBAREA PLAN

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining what additional environmental documentation, if any, must be completed when a previously certified environmental impact report (EIR) covers the project for which a subsequent discretionary action (or actions) is required. In this case, the County of San Diego (County) must assess whether the certified Final EIR for the Otay Ranch Village 14 and Planning Areas 16/19 Project (the "Approved Project") adequately covers the impacts associated with (i) the Owner/Applicant-initiated Proposed Project Amendment, including the associated Revised Vesting Tentative Map and Specific Plan Amendment, and (ii) the County-initiated amendment to the Multiple Species Conservation Program (MSCP) County of San Diego Subarea Plan (MSCP County Subarea Plan). 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(s).

1. Background on previously certified EIRs:

Otay Ranch Village 14 and Planning Area 16/19 Final EIR

On June 26, 2019, the County of San Diego Board of Supervisors certified a Final Environmental Impact Report (SCH No.2016121042, the Final EIR hereafter) for the

Approved Project.¹ The Approved Project is located within the Otay Ranch area of the unincorporated Jamul/Dulzura Subregional Plan Area in San Diego County, as shown in Attachment A, Regional Location Map. As approved by the County Board of Supervisors, the Approved Project includes a total of 1,119 residential units, an elementary school site, neighborhood parks, private parks and swim clubs, a mixed-use Village Core with up to 10,000 sq. feet of commercial/retail, a public safety site including a fire station and sheriff substation, Otay Ranch Resource Management Plan (RMP)/MSCP Preserve, and Conserved Open Space, as shown in Table 1 and depicted in Attachment B. The Board of Supervisors approved a Specific Plan, a Tentative Map, and a General Plan Amendment and Rezone to correct a small number of mapping and geographic information system registration errors. The Final EIR found that the Approved Project would result in significant impacts for the following environmental issues: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geologic resources, greenhouse gas emissions, noise, transportation, paleontological resources, and tribal cultural resources, thus requiring mitigation. The Final EIR determined that the recommended mitigation measures would reduce impacts to less than significant for biological resources, cultural resources, geologic resources, greenhouse gas emissions, paleontological resources, and tribal cultural resources, but that the impacts on aesthetics, agricultural resources, air quality, noise, and transportation would remain significant and unavoidable even after mitigation measures are implemented. For this reason, the County Board of Supervisors adopted a Statement of Overriding Considerations when it adopted the Approved Project.

The Final EIR, in addition to analyzing the impacts of the Approved Project, also evaluated a Land Exchange Alternative at a project level of detail (the "EIR Land Exchange Alternative"). The EIR Land Exchange Alternative contemplated a reduced Development Footprint and consolidated 1,530 units in Village 14 through a land exchange with the California Department of Fish and Wildlife (CDFW), as depicted in Attachment C. The Final EIR determined the EIR Land Exchange Alternative was the Environmentally Superior Alternative. However, the Final EIR also determined that the EIR Land Exchange Alternative was infeasible because CDFW would not agree to that particular exchange of property.

As part of the consideration of the Final EIR, the County Board of Supervisors authorized execution of a Dispute Resolution Agreement (hereafter the DRA) with the Owner/Applicant, the U.S. Fish and Wildlife Service (USFWS), and CDFW. The DRA (Attachment D) forms the basis of the current proposal and this Addendum. The Proposed Project Amendment would be similar to, but less impactful than, the EIR Land Exchange Alternative. With approval by the State of California Wildlife Conservation Board (WCB), this once infeasible alternative would be considered feasible in the proposed configuration, and the impacts are explained herein and the accompanying attachments.

¹ The Final EIR for the Approved Project is on file at the offices of the County Department of Planning & Development Services (PDS). The Addendum to the Final EIR for the Proposed Project Amendment is also on file with PDS as Environmental Review Number PDS2019-ER-16-19-006A.

It is important to note that the Final EIR for the Approved Project tiered from the Otay Ranch General Development Plan/Otay Subregional Plan Program EIR that the County adopted in 1993 (the “1993 GDP/SRP Program EIR”). The approved Otay Ranch GDP/SRP consists of a 23,000-acre master-planned community comprised of a series of mixed-use urban villages, specialty villages, and rural estate areas surrounded by the 11,375-acre Otay Ranch RMP Preserve. The land uses under the Otay Ranch GDP/SRP specific to Village 14 and Planning Areas 16 and 19 included a total of 2,123 homes (1,973 single-family homes, 150 multifamily homes), a Village Core area including mixed uses, an elementary school site, a public safety site, parks, open space, and Preserve areas as shown in Table 1.

The Final EIR for the Approved Project evaluated the impacts of the Approved Project within the context of the Program EIR for the Otay GDP/SRP. The Final EIR concluded that the Approved Project was consistent with the underlying land uses, density, and intensity of development anticipated by the Otay Ranch GDP/SRP and the Otay Ranch Final Program EIR. A Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Approved Project, which has been updated to specifically address the minor revisions and clarifications to mitigation measures applicable to the Proposed Project Amendment. Please refer to Appendix Z.

MSCP County Subarea Plan EIS/EIR (1997)

In the mid-1990s, the USFWS, the California Department of Fish and Game (now CDFW), the City of San Diego (City), and the County began developing an MSCP for San Diego County and the various sub-jurisdictions within it. The purpose of the MSCP was to establish an extensive, largely intact, and interconnected habitat preserve that would protect and support a wide variety of sensitive plant and wildlife species, including species listed under the California and federal Endangered Species Acts. The MSCP was also intended to provide incidental “take” coverage for those participating jurisdictions, such as the County, that issue land use development entitlements to public and private landowners. The take coverage allows the County and other land use agencies to approve and issue take authorization to development projects that convey land to the MSCP Preserve and otherwise comply with the terms and conditions of the plan.

In 1997, the USFWS and the City, acting as lead agencies for purposes of the National Environmental Policy Act and CEQA, respectively, adopted an Environmental Impact Statement (EIS)/EIR for the MSCP. The EIS/EIR determined that the MSCP would not have any significant impacts on land use, but would have significant impacts on biology, public services, and utilities. The EIS/EIR also concluded, however, that these significant impacts could be mitigated to a less-than-significant level.

The overall MSCP contemplated that the various sub-jurisdictions, including the County, would prepare and approve “subarea” plans that were specific to their respective land use authorities. When adopting subarea plans, the sub-jurisdictions were entitled to rely on the EIS/EIR previously approved by USFWS and the City.

On October 22, 1997, the County Board of Supervisors adopted the MSCP County Subarea Plan, which established three conservation segments – the Lake Hodges segment, the Metropolitan-Lakeside-Jamul segment, and the South County segment. The Approved Project and the Proposed Project Amendment are located in the Otay Ranch portion of the South County segment. Under the MSCP County Subarea Plan, the Preserve for Otay Ranch, when fully assembled, is to be 11,375 acres in size.

The County is now initiating an amendment to the MSCP County Subarea Plan to reflect the proposed land exchange that is contemplated under the DRA ~~and to extend take authorization to those areas of PV2 and PV3 that are slated for development.~~ The proposed amendment to the MSCP County Subarea Plan must be approved by USFWS and CDFW. If approved, the amendment to the MSCP County Subarea Plan, in addition to accommodating the Dispute Resolution Agreement (DRA) proposed land exchange, would accomplish the follow:

- (1) Designate approximately 531.2 acres as “hardline preserve,” which is the property identified as PV1, PV3 (excluding that portion identified as water basin and Proctor Valley Road right-of-way on Exhibit B of the DRA), R14, R15, and R16^{2,3};
- (2) Authorize take of Covered Species and reclassify approximately 44.5 acres of the MSCP Subarea Plan from “Otay Ranch areas where no ‘take permits’ will be authorized” to “take authorized area” to allow for future development, which is the property known as PV2 (38.4 acres) and that portion of PV3 (6.1 acres) where a water basin will be constructed and where the Proctor Valley Road right-of-way will be located.
- (3) Authorize take of Covered Species for approximately 2.2 acres for public facilities (a water transmission line/secondary access road known as Street I) located in “hardline preserve”; and
- (4) USFWS to authorize take of Quino checkerspot butterfly and San Diego fairy shrimp within the 1,543 acres project area and for mitigation and monitoring efforts on adjacent lands pursuant to Section 10a of the Federal Endangered Species Act. These actions are authorized by the Service only.

This Addendum acknowledges and takes into account the environmental impact analyses, conclusions, and mitigation measures set forth in the EIS/EIR approved by USFWS and the City in 1997.

San Diego County General Plan Update Program EIR (2011)

On August 3, 2011, the County Board of Supervisors adopted the San Diego County General Plan Update and certified its attendant Program EIR.

² In addition, the amendment to the Subarea Plan conserves all Limited Development Areas (“LDA”), as defined by the Otay Ranch General Development Plan/Subregional Plan (GDP/SRP), in neighborhoods R14, R15, and R16 so as to be designated “hardline preserve,” rather than LDA.

³ Further, the area immediately east of PV1 is shown as “Otay Ranch Management Preserve Area” in Figure 24, Approved Plan – Preserve Map of the Otay Ranch Phase 1 Resource Management Plan and would therefore be corrected.

The General Plan Update established a blueprint for future land development projects in the unincorporated County. This blueprint is intended to meet community desires and balance the County's environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality. The General Plan Update applies to all of the unincorporated portions of San Diego County and will direct population growth and plan for infrastructure needs, development, and resource protection. The General Plan Update includes new General Plan elements, which set the goals and policies that guide future development. It also includes a corresponding proposed land use map, a County Road Network map, updates to Community and Subregional Plans, an Implementation Plan, and other implementing policies and ordinances. For purposes of the Approved Project and the Proposed Project Amendment, it is important to note that the 2011 General Plan Update retained the development land use designations for PV1, PV2, and PV3 that the County adopted in 1993 when it approved the GDP/SRP. The 2011 General Plan Update also retained the land use designations that apply to the CDFW properties subject to the land exchange described in the DRA.

The EIR for the 2011 General Plan Update identified 12 impacts that were significant and unavoidable: aesthetics, agricultural resources, air quality, biology, wildland fires, water quality, groundwater supplies, public water supplies, mineral resources, school services, traffic, and landfill capacity. This Addendum acknowledges and takes into account the environmental impact analyses, conclusions, and mitigation measures set forth in EIR for the 2011 General Plan Update.

The Final EIR for the Approved Project is on file at the offices of the County Department of Planning & Development Services (PDS). The Addendum to the Final EIR for the Proposed Project Amendment is also on file with PDS as Environmental Review Number PDS2019-ER-16-19-006A.

2. Lead agency name and address:

County of San Diego, Planning and Development Services
5510 Overland Avenue
San Diego, California 92123

- a. Contact: Greg Mattson, Project Manager (Contractor)
- b. Phone number: (858) 694-2249
- c. E-mail: Gregory.Mattson@sdcounty.ca.gov

3. Project applicant's name and address:

GDCI c/o
Jackson Pendo Development Company
4364 Bonita Road #607
Bonita, California 91902-1421

- a. Contact Liz Jackson
- b. Phone number: (619) 871.5776
- c. E-mail: ljackson@jacksonpendo.com

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

The Approved Project implements the Otay Ranch GDP/SRP within a portion of Otay Ranch Village 14 and Planning Areas 16/19. It permits up to 1,119 residential units, 10,000 square feet of commercial uses in a mixed-use Village Core, 24.7 acres of public and private parks and recreational amenities, a 2.7-acre public safety site for a fire station and sheriff storefront, and a 9.7-acre elementary school. It also designates 24.7 acres as Conserved Open Space and 426.7 acres as Otay Ranch RMP/MSCP Preserve, as contemplated under the MSCP Plan, MSCP County Subarea Plan, and the Otay RMP.

In addition, the County Board of Supervisors imposed Conditions of Approval on the Approved Project, including ~~a~~ requirements that the Owner/Applicant secure take authorization for (i) MSCP-covered species within the areas of development known as PV1, PV2 and PV3, and (ii) Quino checkerspot butterfly and San Diego fairy shrimp project-wide. These particular Conditions of Approval ensure consistency with the MSCP County Subarea Plan (1998), which identified these three areas for development but did not designate them as "Take Authorized." This meant that take authorization would have to be extended to these areas by an action separate from the original adoption of the MSCP County Subarea Plan—for example, an amendment to the Subarea Plan.

Table 1. Otay Ranch GDP/SRP and Otay Ranch Village 14 and Planning Areas 16/19 Project Land Uses

Approved Land Uses	Otay Ranch GDP/SRP Program EIR Village 14 and Planning Areas 16/19	2019 Village 14 and Planning Areas 16/19 Final EIR
Single Family Residential	1,973 homes	1,119 homes
Multi-Family Residential	150 homes	-
Open Space (ac.)	370.8 acres ¹	528.9 acres
Schools	10 acres	9.7 acres
Parks and Community Facilities	12.5 acres (public park)/ 9.2 acres (CPF)	15.2 acres (public park)/ 9.5 acres (private park)
Circulation	49.1 acres	13.5 acres
Commercial	2.9 acres	1.7 acres

Note:

¹ The Otay Ranch GDP/SRP separated out Otay Ranch Preserve as a separate land use category for the Proctor Valley Parcel.

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

The Proposed Project Amendment reflects proposed changes to the Approved Project that have resulted from ongoing discussions with CDFW and USFWS. More specifically, on June 26, 2019, the Owner/Applicant, entered into the DRA with CDFW, the USFWS, and the County. As explained in more detail below, under the DRA, the Owner/Applicant would seek a land exchange with CDFW through a process overseen by the WCB, with consent from USFWS. If approved by the WCB and consented to by USFWS, the land exchange would require the Owner/Applicant to transfer approximately 338.8 acres to CDFW and record a conservation

easement over an additional 191.5 acres of open space. In return, CDFW would transfer 219.4 acres in Village 14 to the Owner/Applicant, resulting in a consolidated, contiguous ownership in Village 14. The Proposed Project Amendment would then be implemented upon the lands within the Owner/Applicant ownership, including those received via the WCB land exchange.

Because it contemplates the above-described land exchange between the Owner/Applicant and CDFW, the Proposed Project Amendment would result in a consolidated development pattern with a different footprint from that of the Approved Project. The Proposed Project Amendment ~~differs from the Approved Project in that it contemplates a land exchange with the State of California that would improve the MSCP Preserve design by concentrating development in Village 14 and avoiding development in key habitat areas.⁴ (See Attachment E, Proposed Land Exchange Map.) Due to this modification, For this reason,~~ the Proposed Project Amendment requires (i) an amendment to the approved Otay Ranch Village 14 and Planning Areas 16/19 Specific Plan (referred to as Specific Plan Amendment hereafter), (ii) a Revised Vesting Tentative Map, and (iii) an amendment to the MSCP County Subarea Plan.

The Proposed Project Amendment's land uses are similar to the Approved Project. The uses include residential, a mixed-use Village Core, an elementary school site, a public safety site, public and private parks, open space, and preserve. The Proposed Project Amendment contemplates 1,266 residential units, an increase of 147 over what the Approved Project contemplates (1,119 units). Of those 1,266 units, 13 would be built in Planning Area 19 and 1,253 would be built in Village 14. Nevertheless, the development footprint for the Proposed Project Amendment would be 579 acres, approximately ~~809-230~~ acres smaller than the development footprint of the Approved Project. Similar to the Approved Project, the Proposed Project Amendment also includes improvements to Proctor Valley Road, including grading, paving, and bridge construction, from the Chula Vista/San Diego County jurisdictional boundary to the community of Jamul.

~~The Proposed Project Amendment reflects proposed changes to the Approved Project as the result of discussions with CDFW and USFWS. More specifically, on June 26, 2019, the Owner/Applicant, entered into the DRA with CDFW, the USFWS, and the County. As explained in more detail below, under the DRA, the Owner/Applicant would seek a land exchange with CDFW through a process overseen by the WCB. If approved by the WCB, the land exchange would require the Owner/Applicant to transfer approximately 338.8 acres to CDFW, and record a conservation easement over an additional 191.5 acres of open space. In return, CDFW would transfer 219.4 acres in Village 14 to the Owner/Applicant, resulting in a consolidated, contiguous ownership in Village 14. The Proposed Project Amendment would then be implemented upon the lands within the Owner/Applicant ownership, including those received via the WCB land exchange.~~

~~Because it contemplates the above-described land exchange between the Owner/Applicant and CDFW, the Proposed Project Amendment would result in a development pattern with a~~

⁴ Project Area: The total land area for the Proposed Project Amendment as contemplated in the proposed land exchange, consists of approximately 1,283.6 acres currently owned by the Owner/Applicant, 219.4 acres currently owned by CDFW, and approximately 40.1 acres of off-site improvements, for a total of 1,543 acres, as depicted in Attachment H.

~~different footprint from that of the Approved Project. For this reason, a Specific Plan Amendment and a Revised Vesting Tentative Map have been prepared to accommodate the Proposed Project Amendment.~~

The Proposed Project Amendment includes development of PV2 (totaling 38,444.6 acres), similar to the Approved Project, and a small portion of PV3 (totaling 6.1 acres, and consisting of a small stormwater detention basin and a portion of Proctor Valley Road, a County Mobility Element Roadway). The Proposed Project Amendment also includes a proposed secondary access road between Proctor Valley Road and the water tank located in the R5 area of Village 14.

Pursuant to the DRA process, the County is ~~seeking pursuing~~ an amendment to the MSCP County Subarea Plan ~~to as described in Section 1 above. (i) allow incidental take on these areas in consideration of the land to be exchanged with CDFW as explained above and (ii) designate areas known as PV1, a portion of PV3, R-14, R-15, and R-16 as hardline preserve. The Owner/Applicant will rely on the County's amendment to the MSCP County Subarea Plan for the Proposed Project Amendment for these areas.~~

The Proposed Project Amendment is depicted in Attachment F, Proposed Project Amendment Site Utilization Plan, and summarized in Tables 2, 3, and 4. Table 5 compares the Proposed Project Amendment to the Approved Project.

Table 2. Village 14 and Planning Areas 16/19 Proposed Project Amendment Site Utilization Plan Summary

<i>Description</i>	<i>Village 14</i>		<i>Planning Areas 16 and 19</i>		<i>Proposed Project Amendment Total</i>	
	<i>Gross Acres</i>	<i>Units</i>	<i>Gross Acres</i>	<i>Units</i>	<i>Gross Acres</i>	<i>Units</i>
Residential Subtotal ¹	386.6	1,253	14.9	13	401.4	1,266
<i>Non-Residential Uses</i>						
Mixed Use ²	2.7				2.7	
Public Parks	10.2				10.2	
Private Parks/Recreation ³	9.5				9.5	
Public Safety Site	2.3				2.3	
Elementary School Site	9.9				9.9	
Open Space	47.8		1.7		49.5	
Conserved Open Space	23.0		1.5		24.5	
Otay Ranch RMP Preserve	278.6		98.4		377.0	
Circulation	23.3		3.4		26.7	
<i>Non-Residential Uses Subtotal</i>	<i>407.2</i>		<i>105.0</i>		<i>512.1</i>	<i>-</i>
Total Proposed Project Amendment⁴	793.7	1,253	119.8	13	913.6	1,266

Table 2. Village 14 and Planning Areas 16/19 Proposed Project Amendment Site Utilization Plan Summary

<i>Description</i>	<i>Village 14</i>		<i>Planning Areas 16 and 19</i>		<i>Proposed Project Amendment Total</i>	
	<i>Gross Acres</i>	<i>Units</i>	<i>Gross Acres</i>	<i>Units</i>	<i>Gross Acres</i>	<i>Units</i>
<i>Other Off-sites</i>						
Off-site Improvements	40.1				40.1	
Off-site Preserve PA 16			58.2		58.2	
Parcels Exchanged to CDFW	147.3		192.4		339.7	
Conservation Easement PA 16			191.5		191.5	
Total Proposed Project Amendment Area					1,543.1	1,266

Notes: PA = Planning Area, CDFW = California Department of Fish and Wildlife.

- ¹ Residential gross acres includes 96.7 acres of related internal slopes, fuel modification and/or preserve edge open space lots.
- ² Village 14 Mixed Use acreage includes 10,000 sf of commercial use.
- ³ Village 14 has 2.1 acres of private pocket parks included in the residential acreage; therefore, the subtotal including PPP is 11.7 acres.
- ⁴ Totals may not sum due to rounding

Table 3. Proposed Project Amendment Site Utilization Plan Detail (Village 14)

<i>Description</i>		<i>Gross Acres^{1,2}</i>	<i>Units³</i>	<i>Density</i>
<i>Single Family Residential</i>				
R-1	50*100	33.1	103	3.1
R-2	60*100	48.3	136	2.8
R-3	60*85	35.8	112	3.1
R-4	60*100	31.5	73	2.3
R-5	75*100	51.7	121	2.3
R-6	60*85	22.5	47	2.1
R-8	Courtyard	21.1	116	5.5
R-9	60*85	33.0	96	2.9
R-10	60*85	8.5	31	3.7
R-11	50*85	25.4	119	4.7
R-12	50*100	27.6	94	3.4
R-17	70*100	7.4	10	1.4
R-18	70*100	27.8	45	1.6
<i>Single Family Residential Subtotal</i>		373.8	1,103	3.0
<i>Multi-Family</i>				
R-7	MF	12.7	150	11.8
<i>MF Subtotal</i>		12.7	150	11.8
<i>Residential Subtotal^{3,4}</i>		386.6	1,253	3.2

Table 3. Proposed Project Amendment Site Utilization Plan Detail (Village 14)

Description		Gross Acres ^{1,2}	Units ³	Density
Non-Residential Uses				
Mixed Use ²	MU - C	2.7		
Public Parks				
P-1	Village Green Park	6.2		
P-2	Scenic Park	3.9		
<i>Public Parks Subtotal</i>		10.2		
Private Parks & Recreation				
PP-1	Central	2.8		
PP-2	Village Core	2.1		
PP-3	West	1.9		
PP-4	West	1.5		
PP-5	Northwest	0.8		
PP-6	Northeast	0.4		
PPP ³	Various	0.0		
<i>Private Parks/Recreation Subtotal</i>		9.5		
Public Safety Site		2.3		
Elementary School Site		9.9		
Open Space		47.8		
Conserved Open Space		23.0		
Otay Ranch RMP/MSCP Preserve		274.9		
Circulation - In Preserve		3.7		
Circulation - Arterial		23.3		
<i>Non-Residential Uses Subtotal</i>		407.2		
Village 14 Subtotal		793.7	1,253	1.6

Notes:

- ¹ Residential gross acres includes 96.5 acres of related internal slopes, fuel modification and/or preserve edge open space lots.
- ² Village 14 Mixed Use acreage includes 10,000 sf of commercial use.
- ³ Village 14 has 2.1 acres of private pocket parks included in the residential acreage; therefore, the subtotal including PPP is 11.6 acres.
- ⁴ Totals may not sum due to rounding

Table 4. Proposed Project Amendment Site Utilization Plan Detail (Planning Areas 16/19)

Description		Gross Acres	Units	Density
Residential Uses				
R-13 (PA 19 Estates)		14.9	13	0.9
<i>Residential Subtotal¹</i>		14.9	13	0.9
Non-Residential Uses				
Circulation in Preserve		1.4		
Open Space		1.7		
Conserved Open Space		1.5		

Table 4. Proposed Project Amendment Site Utilization Plan Detail (Planning Areas 16/19)

Description	Gross Acres	Units	Density
Otay Ranch RMP/MSCP Preserve	97.0		
Circulation Arterial	3.4		
<i>Non-Residential Uses Subtotal</i>	<i>105.0</i>		
<i>Planning Area 19 Subtotal</i>	<i>119.8</i>	<i>13</i>	<i>0.1</i>
Proposed Project Amendment Total²	913.6	1,266	1.4
OTHER			
Description	Gross Acres ¹	Units	Density
<i>Other Owner/Applicant Owned NAP of TM</i>			
PV1 exchanged to CDFW	18.9		
PV3 exchanged to CDFW	128.4		
R-15 Exchanged to CDFW	49.9		
R-16 Exchanged to CDFW	142.5		
R-14 Conservation Easement Area	191.5		
R-15 Preserve	10.5		
R-16 Preserve	47.8		
<i>Transfer Subtotal</i>	<i>589.5</i>		
Off-site Acres	40.1		
Proposed Project Amendment Project Area	1,543.1	1,266	

Notes: PA = Planning Area.

¹ Residential gross acres includes 2.1 acres of related internal slopes, fuel modification and/or preserve edge open space lots.

² Totals may not sum due to rounding

Table 5. Comparison Summary of Proposed Project Amendment and Approved Project

Description	Proposed Project Amendment	Approved Project	Difference
Development Footprint (Acres)	579	809	-230 acres
Project Area (Acres)	1,543	1,369	+147 acres
Off-Site Improvements (Acres)	40.1	85.1	-45 acres
Units	1,266	1,119	+147 homes
Grading Quantities (CY)	8,943,005	8,948,734	-5,729 CY
Blasting Quantities (CY)	1,729,498	2,298,117	-568,619 CY
Building Sq. Footage	4,049,940	3,987,974	+61,966 SF

Notes: ADT = Average Daily Trips; CY = Cubic Yards.

The Project Area for the Approved Project is 1,369 acres as shown in Table 4, which includes 1,283.9 acres of the Owner/Applicant's ownership and 85.1 acres of off-site improvements. The Project Area for the Proposed Project Amendment is 1,543 acres (see Attachment G), which includes the Owner/Applicant's 1,283.9 acres of ownership, 219.4 acres of CDFW-owned lands, and 40.1 acres of off-site improvements. Thus, when compared to the Approved Project, the Proposed Project Amendment would increase the overall Project Area (not the area impacted by development) by 174 acres. This increase is due to the fact that the

Proposed Project Amendment contemplates a land exchange with the State of California and thus includes state-owned parcels, whereas the Approved Project did not. Specifically, the land exchange, if approved by the WCB and consented to by USFWS, would require the Owner/Applicant to:

- (i) transfer 147.3 acres in Village 14 to CDFW,
- (ii) transfer 192.4 acres in Planning Area 16 to CDFW, and
- (iii) record a conservation easement over 191.5 acres in Planning Area 16.

The additional MSCP Preserve lands will be incorporated into the County's amendment to the MSCP County Subarea Plan, and would reflect that approximately 383.9 acres of land currently designated as Take Authorized, as well as 147.3 acres of land currently designated Development Where No Take Will Be Authorized (PV1 and PV3), will be designated as Hardline Preserve (see Attachment E). Thus, the Proposed Project Amendment would conserve as biological open space a total of 531.2 acres of land that the Approved Project (and the Otay Ranch GDP/SRP) identified for development or limited development.

In return, the State of California, through CDFW, would transfer 219.4 acres within the Village 14 core to the Owner/Applicant, resulting in a consolidated, contiguous ownership in Village 14. This represents an increase of approximately 312 acres of biological open space and conservation compared to the Approved Project.

The Owner/Applicant agreed to design and pursue the Proposed Project Amendment as part of the DRA that the County, the Owner/Applicant, CDFW, and USFWS entered into on June 27, 2019. Under the DRA, CDFW and USFWS will consider the additional conserved land as justification for granting incidental take authority for the portions of the project located within PV2 and PV3 that are currently designated Development Where No Take Will Be Authorized. The process for the land exchange includes (i) the preparation of a Biological Equivalency Analysis to determine the comparative biological value of the lands to be exchanged, (ii) an appraisal of the lands to be exchanged, ~~and~~ (iii) a determination by the WCB that such an exchange is appropriate, and (iv) consent from USFWS. Correspondingly, the DRA contemplates that the County will initiate an amendment to the MSCP County Subarea Plan. The County has initiated an amendment that would:

- Designate approximately 531.2 acres as "hardline preserve," which is the property identified as PV1, PV3 (excluding that portion identified as water basin and Proctor Valley Road right-of-way on Exhibit B of the DRA), R14, R15, and R16 as Hardline Preserve; and
- Authorize take of Covered Species and reclassify approximately 44.5 acres of the MSCP Subarea Plan from "Otay Ranch areas where no 'take permits' will be authorized" to "take authorized area" to allow for future development, which is the property known as within PV2 (38.4 acres) and that portion of PV3 (6.1 acres) identified as where a water basin will be constructed and where the Proctor Valley Road right-of-way will be located; on Exhibit B of the DRA.

- Authorize take of Covered Species for approximately 2.2 acres for public facilities (a water transmission line/secondary access road known as Street I) located in “hardline preserve”; and
- USFWS to authorize take of Quino checkerspot butterfly and San Diego fairy shrimp within the 1,543 acres project area and for mitigation and monitoring efforts on adjacent lands pursuant to Section 10a of the Federal Endangered Species Act. These actions are authorized by the Service only.

The amendment to the MSCP County Subarea Plan does not impose new mitigation measures. Impacts associated with the incidental take authorized by this amendment to the MSCP County Subarea Plan must comply with the mitigation requirements of the MSCP and the MSCP County Subarea Plan, which includes the Otay Ranch Resource Management Plan.

The amendment to the MSCP County Subarea Plan requires an analysis to determine whether the actions described above whether the impacts of extending take authorization to PV2 and the small portion of PV3 would result in environmental impacts different from or more severe than those assessed in the Final EIR for the Approved Project. All the biological resources impacts for the amendment to the MSCP County Subarea Plan are addressed in the Biological Resources Technical Memorandum. For this reason, the County-initiated amendment to the MSCP County Subarea Plan is among the projects contemplated by and analyzed in this Addendum.

Table 6 compares the Proposed Project Amendment and the Approved Project by area (Village 14 and Planning Areas 16/19). As shown in Table 6, under the Proposed Project Amendment, the Development Footprint (i.e., non-Conserved Open Space and Otay Ranch RMP Preserve) in Village 14 would increase from 416.6 acres under the Approved Project to 492.1 acres under the Proposed Project Amendment, an increase of approximately 75.5 acres. In addition, Village 14 would be made up of 1,253 units under the Proposed Project Amendment compared to 994 units under the Approved Project. Under the Proposed Project Amendment, development in Planning Areas 16/19 would be reduced from 125 units on 367.8 acres to 13 units on 21.4 acres (i.e., only residential uses in Planning Area 19 and a small portion of Proctor Valley Road), a reduction of approximately 112 units and 346.4 acres.

Table 6. Comparison of Proposed Project Amendment and Approved Project by Area

	Proposed Project Amendment				Approved Project			
	Village 14		PA 16/19		Village 14		PA 16/19	
	Acreage	Units	Acreage	Units	Acreage	Units	Acreage	Units
Residential	386.6	1,253	14.9	13	344.2	994	363.6	125
Non-Residential Uses	407.2		105.0		379.5		196.3	
<i>Mixed Use</i>	2.7				1.7			
<i>Public Parks</i>	10.2				13.8		1.4	
<i>Private Parks/ Recreation</i>	9.5				4.5			
<i>Public Safety Site</i>	2.3				2.3			

Table 6. Comparison of Proposed Project Amendment and Approved Project by Area

	Proposed Project Amendment				Approved Project			
	Village 14		PA 16/19		Village 14		PA 16/19	
	Acreage	Units	Acreage	Units	Acreage	Units	Acreage	Units
<i>Elementary School Site</i>	9.9				9.7			
<i>Open Space</i>	47.8		1.7		27.6		2.1	
<i>Conserved Open Space</i>	23.0		1.5		36.9		35.5	
<i>Otay Ranch RMP/MSCP Preserve</i>	278.6		98.4		270.2		156.5	
<i>Circulation</i>	23.3		3.4		12.7		0.8	
Other Off-Sites	187.4		442.2		85.4			
<i>Off-Site Improvements</i>	40.1							
<i>Off-Site Preserve PA16</i>			58.3					
<i>Parcels Exchanged to CDFW</i>	147.3		192.4					
<i>Conservation Easement PA16</i>			191.5					
Total	981.2	1,253	562.0	13	809.1	994	559.8	125

Notes: PA = Planning Area.

Under both the Proposed Project Amendment and the Approved Project, the Mixed Use Village Core would include 10,000 SF of commercial/retail.

Each acre comprising the Proposed Project Amendment's Development Footprint is located either within the Approved Project Development Footprint or within the EIR Land Exchange Alternative Development Footprint, which was analyzed at the project level in the certified EIR. In other words, no portion of the Proposed Project Amendment Development Footprint is outside the combined Approved Project and EIR Land Exchange Alternative Development Footprints. Refer to Attachments H, I, and J.

The Proposed Project Amendment would decrease the area of grading and slightly reduce quantities of grading as compared to the Approved Project. Specifically, the Approved Project would result in approximately 599 graded acres and 8,948,734 cubic yards of grading (cut and fill balanced on site). The Proposed Project Amendment would result in 522 graded acres, a reduced grading area of 77 acres compared to the Approved Project; and 8,943,005 cubic yards of grading (cut and fill balanced on site), a small reduction of overall grading quantities compared to the Approved Project.

Further, in response to a request from the Wildlife Agencies, the project applicant has prepared an optional design for the previously approved secondary access road (known as Street "I") within the Preserve, as allowed under the County's MSCP Subarea Plan. This

optional design for Street "I" would remove most of the road from the Preserve and would reduce impacts to the Preserve by 8.3 acres (5.0 acres of permanent and 3.3 acres of temporary impacts). Street "I" is required for the Otay Water District water transmission line, access to the 980-Zone regional water reservoir facility, and also provides secondary fire access for Village 14. The water transmission line, water reservoir and associated access road are allowed facilities in the Otay Ranch RMP Preserve and the County MSCP Subarea Plan. Please refer to Appendix Y.

Finally, pursuant to Section 10 of the Federal Endangered Species Act, the proposed MSCP County Subarea Plan amendment would authorize incidental take of Quino checkerspot butterfly and San Diego fairy shrimp throughout the Proposed Project Amendment's 1,543-acre project area and for mitigation and monitoring efforts on adjacent lands. The Proposed Project Amendment's impacts on Quino checkerspot butterfly would be less than those anticipated under the Approved Project. Specifically, the Proposed Project Amendment would disturb 527.1 acres of potential habitat, of which 500.2 acres are designated critical habitat under the Federal Endangered Species Act. These impacts are consistent with those identified and analyzed in the Final EIR under the Approved Project and/or the EIR Land Exchange Alternative. By contrast, the Approved Project would have disturbed 790.4 acres of potential Quino checkerspot butterfly habitat, of which 488.4 acres are designated critical habitat. Thus, when compared to the Approved Project, the Proposed Project Amendment would reduce impacts to potential Quino checkerspot butterfly habitat by 262.3 acres, but would increase impacts to critical habitat by 11.8 acres.

In addition, the impacts from the take authorized for the Quino checkerspot butterfly must comply with the March 3, 2020 Quino checkerspot butterfly Conservation Strategy, which was negotiated by the County, the Applicant, the USFWS, and CDFW. This Conservation Strategy is consistent with and is required by mitigation measure M-BI-10.

The Proposed Project Amendment also has the potential, albeit remote, to have impacts on the federally listed San Diego fairy shrimp through indirect impacts to currently occupied features or if features within the development footprint become occupied in the future. Although San Diego fairy shrimp is technically an MSCP-Covered Species, the County and the USFWS do not treat it as such due to litigation that found the City of San Diego's MSCP Subarea Plan inadequate as to the measures it imposed to protect the species. Because the County MSCP Subarea Plan includes the same measures for San Diego fairy shrimp, the County and the USFWS consider MSCP coverage of that species suspended and inoperative. Therefore, federal take authorization for San Diego fairy shrimp is being secured independently through the amendment to the Subarea Plan.

As explained in this Environmental Checklist, none of the proposed changes associated with the Proposed Project Amendment require major revisions to the Approved Project Final EIR due to new significant effects or the substantial increase in the severity of previously identified significant effects. There are no substantial changes with respect to the circumstances under which the Proposed Project Amendment is undertaken that would require major revisions to the Approved Project Final EIR due to new significant effects or the substantial increase in the

severity of previously identified significant effects. Likewise, there is no 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 Approved Project Final EIR was certified, that shows the Proposed Project Amendment would result in new significant effects or substantially more severe effects than those analyzed in the Approved Project Final EIR.

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 | ☐ Energy |
| ☐ Geology and Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards and Hazardous Materials |
| ☐ Hydrology and Water Quality | ☐ Land Use and Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population and Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities and Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or MND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR is adequate upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with an EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

Signature

Date

Printed Name

Title

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 EIR has been certified or a ND has been adopted for a project, no Subsequent or Supplemental EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole 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;
2. 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; or
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;
 - b. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR;
 - 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 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 the lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

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 EIR or previously adopted ND are necessary.

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 Checklist Update

- I. **AESTHETICS** - 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 Final EIR determined that the Approved Project would result in potentially significant impacts to visual character during construction activities (**Impact AE-1**) and that development would result in landscape contrasts and visual changes (**Impact AE-2**) within the primarily undeveloped Proctor Valley landscape. The Final EIR also identified that the Approved Project would result in a cumulatively considerable impact to visual character (**Impact AE-CUM-1**). Impacts associated with light and glare were determined to be less than significant. Based on the analysis contained in Section 2.1 of the Final EIR, and the impacts identified therein, mitigation measures **M-AE-1** and **M-AE-2** were identified to reduce impacts to aesthetics and visual resources. The Final EIR determined that, even with implementation of **M-AE-1** and **M-AE-2**, the project-specific and cumulative impacts of the Approved Project (**Impact AE-1**, **AE-2**, and **Impact AE-CUM-1**) would be significant and unavoidable.

An Aesthetics Technical Memorandum (Appendix A) was prepared to assess the aesthetic impacts of the Proposed Project Amendment. The total Development Footprint of the Proposed Project Amendment would be 579 acres, which is substantially smaller than the 809-acre Development Footprint of the Approved Project, due to consolidating development in central Proctor Valley. The Proposed Project Amendment would also consolidate development within Proctor Valley and along Proctor Valley Road, reducing the grading footprint from 599 acres to 522 acres. This would generally reduce the visibility of the Development Footprint compared to the Approved Project, and confine the viewshed of the Development Footprint to the immediate Proctor Valley area. A comparison of the viewshed analysis for the Proposed Project Amendment and the Approved Project is presented in the Aesthetics Technical Memorandum (see Figures 6, 7, and 8 in Appendix A). Thus, when compared to the Approved Project, the Proposed Project Amendment would be less visible from receptors in Chula Vista and Jamul.

The Proposed Project Amendment would not result in new significant aesthetic or visual impacts that were not previously analyzed in the Final EIR. In addition, the Proposed Project Amendment does not include development in higher elevations that would be impacted by the Approved Project. Specifically, the Proposed Project Amendment would avoid development in higher elevation (i.e., more visible) areas, including Planning Area 16. It also does not include development in the "South Village" portion of Village 14. Because the Proposed

Project Amendment reduces the Development Footprint and increases conserved land through the proposed land exchange, it would have fewer and less severe aesthetic impacts when compared to the Approved Project.

As explained above, impacts to Aesthetics and Visual Resources would be reduced under the Proposed Project Amendment compared to the Approved Project. Nonetheless, the same mitigation measures (**M-AE-1** and **M-AE-2**) requiring screening of construction sites and preparation of a Landscape Master Plan would be implemented under the Proposed Project Amendment. Because the Proposed Project Amendment would not result in any additional or more severe impacts to aesthetics and visual resources than those identified for the Final EIR, no new mitigation measures beyond those included in the Final EIR are necessary. However, even with implementation of the mitigation measures, the visual impacts of the Proposed Project Amendment would remain significant and unavoidable. While the impacts are considered significant and unavoidable, they would not be new or greater than those identified in the Final EIR.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to aesthetics and visual resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetics and visual resources.

- II. AGRICULTURAL 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 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 Final EIR determined that the Approved Project would not impact an "important" agricultural resource as that term is defined under the County's Local Agricultural Resources Assessment (LARA) Model; however, the Approved Project Area contains lands that in the past supported ranching and farming activities. The Approved Project's Project Area includes 666.7 acres of land designated as Grazing Land and 69.6 acres of land designated as Farmland of Local Importance. The Final EIR concluded that although the Approved Project's Project Area did not include prime agricultural soils and was no longer used for crops or grazing land, approximately 69.6 acres of coastal crop land designated as Farmland of Local Importance would be converted to residential uses as a result of the Approved Project (**Impact**

AG-1). Mitigation Measure **M-AG-1** requires that an Agricultural Plan be prepared by the Owner/Applicant; this was a required mitigation measure carried forward from the Otay Ranch Final Program EIR. The Final EIR determined that even with implementation of **M-AG-1**, the Approved Project would result in significant and unavoidable impacts to agricultural resources.

An Agricultural Resources Technical Memorandum (Appendix B) was prepared to analyze impacts resulting from the Proposed Project Amendment. Similar to the Approved Project, the Proposed Project Amendment Project Area is not an "important" agricultural resource under the County's LARA Model; however, the Proposed Project Amendment Project Area contains lands that support, or supported in the past, ranching and farming activities. The Proposed Project would impact 498.4 acres of land designated as Grazing Land (168.3 acres less than the Approved Project) and 24.6 acres of land designated as Farmland of Local Importance (45 acres less than the Approved Project). Thus, the Proposed Project Amendment would disturb fewer acres of agricultural land as compared to the Approved Project.

While the impact to 24.6 acres of Farmland of Local Importance/coastal dependent crops identified is considered significant, the impact would not be new or substantially more severe than the impact identified in the Final EIR. The same mitigation measure (**M-AG-1**) requiring the preparation of the Agricultural Plan would be implemented under the Proposed Project Amendment. Because the Proposed Project Amendment would not result in any additional or more severe impacts to agricultural resources than those identified in the Final EIR, no new mitigation measures beyond those included in the Final EIR are necessary. Similar to the Approved Project, the impact would remain significant and unavoidable.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to agricultural resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agricultural resources.

III. AIR 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 air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy 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 substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES	NO
☐	☒

The Final EIR determined that the Approved Project would exceed the County's emission thresholds during construction and would result in a potentially significant impact (**Impact AQ-1**). The Approved Project would also exceed County emission thresholds during operation, resulting in a potential significant impact (**Impact AQ-2**). Temporary cumulative construction impacts and cumulative operational impacts would also be potentially significant (**Impact AQ-CUM-1** and **Impact AQ-CUM-2**). Mitigation measures **M-AQ-1** through **M-AQ-8** were provided in the Final EIR to reduce construction emissions; however, **Impact-AQ-1** and **Impact AQ-CUM-1** would remain significant and unavoidable. Mitigation measures **M-AQ-9** through **M-AQ-10** were provided to reduce operational emissions; however, **Impact-AQ-2** and **Impact AQ-CUM-2** would also remain significant and unavoidable.

Regional Air Quality Plans

An Air Quality Technical Memorandum (Appendix C) was prepared for the Proposed Project Amendment. Similar to the Approved Project, the Proposed Project Amendment is considered accounted for in the Regional Air Quality Strategy because it is consistent with and the development is less intense than the approved Otay Ranch GDP/SRP for Villages 14 and Planning Areas 16/19. As such, the Proposed Project Amendment would not conflict with or obstruct implementation of local air quality plans.

Construction Impacts

An analysis of the key construction characteristics that are factors in qualitatively discussing construction emissions, including total development, area graded, and blasting assumptions, was conducted for the Proposed Project Amendment. Similar to the Approved Project, the Proposed Project Amendment's cut-and-fill quantities would be balanced on site, and no external soil export would be required. Implementation of the Proposed Project Amendment would result in grading of approximately 522 acres, which is 13% less than the approximately 599 acres required for the Approved Project (see Table 5). Grading would balance within each development phase, and hauling would not be required between development phases. Approximately 8,943,005 cubic yards of cut and fill would occur within the Proposed Project Amendment area, which is less than the 8,948,734 cubic yards that would be required for the Approved Project.

Blasting operations and rock crushing would also be required for site preparation for the Proposed Project Amendment, similar to the Approved Project. Implementation of the Proposed Project Amendment would result in blasting of approximately 1,729,498 cubic yards of rock, which is 24.7% less than the quantity required for the Approved Project of 2,298,117 cubic yards. All blasting activity would comply with Section 96.1.5601.2 of the County of San Diego 2017 Consolidated Fire Code. During construction, the Proposed Project Amendment is anticipated to result in less blasting and rock crushing activities as compared to the Approved Project. Accordingly, the Proposed Project Amendment is anticipated to result in less earthwork activity compared to the Approved Project.

The Proposed Project Amendment proposes 1,266 homes, which is more than the Approved Project (an increase of 147 units) (see Table 5). The total building square footage for the Proposed Project Amendment would be 4,049,940 square feet, which is 61,966 square feet

(1.55%) greater than the Approved Project. This increase in square footage would not substantially change the construction assumptions or construction duration/phasing. Thus, the Proposed Project Amendment is anticipated to involve similar construction activity compared to the Approved Project, including similar phasing, equipment, workers, and vendor truck trips.

Based on the above considerations, the Proposed Project's overall construction emissions would be similar to those expected to occur under the Approved Project. The Proposed Project Amendment is anticipated to result in less grading, blasting, and rock crushing than the Approved Project, while the square footage of the Proposed Project Amendment would be slightly increased (1.55%). Therefore, similar to the Approved Project, construction of the Proposed Project Amendment could potentially result in emissions that would exceed the County thresholds for volatile organic compounds (VOCs), oxides of nitrogen (NO_x), carbon monoxide (CO), and particulate matter less than or equal to 10 microns in diameter (PM₁₀). As such, mitigation measures **M-AQ-1** through **M-AQ-8** from the Final EIR would be implemented as part of the Proposed Project Amendment. These mitigation measures would reduce construction-generated emissions to the extent feasible; however, the impact would remain significant and unavoidable for the Proposed Project Amendment, similar to the Approved Project.

Operational Impacts

Similar to the Approved Project, operation of the Proposed Project Amendment would generate VOC, NO_x, CO, sulfur oxides (SO_x), PM₁₀, and particulate matter less than or equal to 2.5 microns in diameter (PM_{2.5}) emissions from area sources, energy sources, and mobile sources. The operational emissions for the Proposed Project Amendment were estimated using the same methodology as detailed in Section 2.3.3.2, Conformance to Federal and State Air Quality Standards, Operational Emissions, in the Final EIR. CalEEMod Version 2016.3.2 was used to estimate operational emissions.

Table 6 presents the maximum daily emissions associated with operation of the Proposed Project Amendment. The values shown are the maximum summer and winter daily emissions results from CalEEMod. Complete details of the emissions calculations are provided in Appendix C (Attachment A) of this document and Appendix 2.3-1 (Section 3.3, Operational Emissions Methodology) of the Final EIR.

Table 6. Proposed Project Amendment Estimated Maximum Daily Operational Emissions - Unmitigated

	VOC	NOx	CO	SOX	PM10	PM2.5
Emission Source	Pounds per Day					
Summer						
Area[CR1]	74.11	1.20	104.38	<0.01	0.58	0.58
Energy	0.91	7.85	3.95	0.05	0.63	0.63
Mobile	18.84	74.03	240.12	0.99	105.85	28.72
Total	93.86	83.08	348.45	1.04	107.06	29.93

Table 6. Proposed Project Amendment Estimated Maximum Daily Operational Emissions - Unmitigated

	VOC	NOx	CO	SOX	PM10	PM2.5
Emission Source	Pounds per Day					
Winter						
Area	74.11	1.20	104.38	<0.01	0.58	0.58
Energy	0.91	7.85	3.95	0.05	0.63	0.63
Mobile	18.23	76.07	232.06	0.94	105.85	28.72
Total	93.24	85.12	340.40	0.99	107.10	29.93
Maximum Daily Emissions	93.86	85.12	348.45	1.04	107.10	29.93
Pollutant Threshold	75	250	550	250	100	55
Threshold Exceeded?	Yes	No	No	No	Yes	No

Notes:

VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = coarse particulate matter; PM_{2.5} = fine particulate matter; <0.01 = emissions reported are less than 0.01.

Emissions reflect operational year 2028.

See Attachment A of Attachment I and Appendix A of Appendix 2.3.1 of the Final EIR for complete results.

Estimated emissions include compliance with regulatory measures (REG-AQ-5) and implementation of PDFs (PDF-AQ/GHG-2, PDF-AQ/GHG-3, PDF-AQ/GHG-4, and PDF-TR-1).

Based on the estimated daily operational emissions, as shown in Table 6, the Proposed Project Amendment would exceed the County's thresholds for VOC and PM₁₀, similar to the Approved Project. The Proposed Project Amendment would implement mitigation measures **M-AQ-9** and **M-AQ-10** as detailed in the Final EIR to reduce operational emissions; Furthermore, the Proposed Project Amendment would continue to implement the PDFs as described the Approved Project's Final EIR. However, even with implementation of these PDFs and mitigation measures, daily operational emissions for VOC and PM₁₀ would still exceed the County's significance thresholds. Therefore, the Proposed Project Amendment would have a significant and unavoidable impact during operations, similar to the Approved Project.

Impacts to Sensitive Receptors and Odor Impacts

The Proposed Project Amendment construction trip generation and distribution for workers and delivery trucks is expected to be similar to the Approved Project. Construction-related traffic is not expected to impact local intersections or cause an exceedance of the CO California Ambient Air Quality Standards (CAAQS); therefore, impacts would be less than significant, similar to the Approved Project.

Because the Proposed Project Amendment is anticipated to involve similar construction activities compared to the Approved Project, construction of the Proposed Project Amendment is anticipated to result in similar construction health risk results as estimated for the Approved Project. Therefore, the unmitigated cancer risk and chronic health risk associated with

unmitigated construction impacts from the Proposed Project Amendment are also anticipated to be less than significant, similar to the Approved Project.

Mitigation measures for criteria pollutants (i.e., **M-AQ-1**, **M-AQ-2**, **M-AQ-4**, **M-AQ-5**, **M-AQ-6**, **M-AQ-7**, and **M-AQ-8**) also apply to reducing toxic air contaminant emissions. Therefore, although no mitigation is required, implementation of mitigation measures would further reduce health risk impacts to on-site and off-site residences. Therefore, the mitigated construction impacts for the Proposed Project Amendment would also be less than significant, similar to the Approved Project.

As discussed in Section 2.3.1 in Appendix 4.1-3 of the Final EIR, Valley Fever is not highly endemic in the County, and within the County, the incidence rate in the Proposed Project Amendment Area is below the County average and the statewide average. Construction of the Proposed Project Amendment would comply with San Diego Air Pollution Control District (SDAPCD) Rule 55 and implementation of dust control strategies. It is not anticipated that earthmoving activities during Proposed Project Amendment construction would result in exposure of nearby sensitive receptors to Valley Fever. Therefore, the Proposed Project would have a less-than-significant impact with respect to Valley Fever exposure to sensitive receptors, similar to the Approved Project.

Quantitative CO hotspot assessments were prepared for the Approved Project and the EIR Land Exchange Alternative, and in both analyses it was determined that the maximum CO concentrations predicted for the 1-hour and 8-hour averaging periods at the intersections studied would be below the 1-hour and 8-hour CAAQS. Because the Proposed Project Amendment would result in similar vehicle volumes at studied intersections and the estimated maximum 1-hour and 8-hour CO concentrations for the Approved Project and EIR Land Exchange Alternative were well below the relevant CAAQS, it is also anticipated that the Proposed Project Amendment would not exceed the 1-hour and 8-hour CAAQS. CO hotspot impacts would be less than significant, similar to the Approved Project.

Implementation of the Proposed Project Amendment would not generate any major operational sources of toxic air contaminants or diesel particulate matter, nor would the Proposed Project Amendment be located next to a major stationary toxic air contaminant source or high-volume roadway. Therefore, the impact would be less than significant, similar to the Approved Project.

The Air Quality Technical Memorandum determined that odor impacts during both construction and operation of the Proposed Project Amendment would be less than significant, similar to the Approved Project.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant air quality impacts. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more air quality impacts.

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
☐ ☒

The Final EIR determined that the Approved Project would result in potentially significant permanent direct impacts to Quino checkerspot butterfly habitat (**Impact BI-1**), habitat for special status wildlife species (**Impact BI-2**), Hermes Copper butterfly suitable habitat (**Impact BI-3**), special-status plant species (**Impact BI-5**), golden eagle foraging habitat (**Impact B-6**), birds under the MBTA (**Impact BI-8**), and temporary direct impacts to special status plant or wildlife species (**Impact BI-4 and BI-7**). The Final EIR determined that the Approved Project would not disturb or otherwise affect vernal pools/features and thus would not impact San Diego fairy shrimp. As a preventative measure, the County has required that the Owner/Applicant comply with any conditions imposed by the USFWS for incidental take of San Diego fairy shrimp (**M-BI-7**). The Approved Project would also have significant temporary and permanent indirect impacts to special-status wildlife species (**Impact BI-11 and Impact BI-12**). Temporary and permanent indirect impact to special-status plant species would also occur. (**Impact BI-9 and BI-10**). Potentially significant impacts to sensitive vegetation communities resulting from the Approved Project include **Impact BI-13 through Impact BI-19, Impact BI-24 and Impact BI-25**. Impacts to jurisdictional aquatic resources (**Impact BI-20 through Impact BI-23**) and habitat connectivity and wildlife corridors (**Impact BI-26 through Impact BI-28**) were also determined to be potential significant. Mitigation measures **M-BI-1 through M-BI-28** are included in the Final EIR for impacts to biological resources. All potential significant impacts to biological resources would be mitigated to less than significant with incorporation of mitigation measures **M-BI-1 through M-BI-28**. Further, the Final EIR determined that the Approved Project would not conflict with the MSCP Plan, MSCP County Subarea Plan, Otay Ranch RMP, City of San Diego MSCP Subarea Plan, or the City of Chula Vista MSCP Subarea Plan (see Section 2.4.3.5 of the Final EIR and Section 10 of the Biological Resources Technical Reports prepared for the Approved Project).

A Biological Resources Technical Memorandum was prepared for the Proposed Project Amendment (Appendix D). It is important to note that that the development footprint of the Proposed Project Amendment is encompassed in either the Approved Project or the Land

Exchange Alternative development footprints. Thus all areas which would be impacted by the Proposed Project Amendment were previously surveyed and analyzed in the Final EIR, Figures depicting the Proposed Project Amendment's impacts to biological resources are shown in the Figure 6 series in Appendix D. As explained below, the Proposed Project Amendment would not result in any significant biological impacts different from, or more severe than, those analyzed and disclosed in the Final EIR for the Approved Project.

Sensitive Vegetation Communities

The Proposed Project Amendment's direct impacts (permanent and temporary) on sensitive vegetation communities are shown in Table 8. Permanent direct impacts to sensitive upland habitats total 511.2 acres and temporary impacts total 27.5 acres for the Proposed Project Amendment. Although the Proposed Project Amendment would result in greater permanent impacts to chaparral as compared to the Approved Project, its impacts to other sensitive upland vegetation communities would be less. In comparison to the Approved Project, impacts to sensitive upland habitats are reduced for the Proposed Project Amendment. Permanent impacts to riparian habitat/jurisdictional aquatic resources are also reduced under the Proposed Project Amendment, while temporary impacts are similar.

In terms of overall permanent and temporary impacts to sensitive vegetation communities, the Proposed Project would disturb substantially less acreage (540.6 acres) than the Approved Project (783.1 acres). The Proposed Project Amendment's permanent and temporary indirect impacts would be the similar to those described in the Final EIR for the Approved Project, but, due to its consolidated Development Footprint, the Proposed Project Amendment the land exchange would eliminate/reduce approximately 13.12 miles of edge effect compared to the Approved Project (from 18.9 miles to approximately 5.8 miles of edge) – due to the consolidated Development Footprint, a nearly 70% reduction.

Table 8. Direct Impacts to Vegetation Communities and Land Cover Types – Development Footprint Comparison (Acres)

Habitat Types/Vegetation Communities	Proposed Project Amendment		Approved Project	
	Perm.	Temp	Perm.	Temp.
<i>Sensitive Upland Communities</i>				
Granitic chamise chaparral (including disturbed)	352.4	3.5	230.9	18.8
Granitic southern mixed chaparral	1.7	1.5	12.4	1.9
Diegan coastal sage scrub	96.7	10.8	353.5	18.7
Diegan coastal sage scrub (disturbed)	14.3	9.7	51.0	9.6
Diegan coastal sage scrub – <i>Baccharis</i> dominated (including disturbed)	0.4	0.9	0.4	0.9
Non-native grassland	45.7	11.2	70.2	12.5
<i>Subtotal of Sensitive Upland Communities</i>	<i>511.2</i>	<i>27.5</i>	<i>718.4</i>	<i>62.4</i>

Table 8. Direct Impacts to Vegetation Communities and Land Cover Types – Development Footprint Comparison (Acres)

Habitat Types/Vegetation Communities	Proposed Project Amendment		Approved Project	
	Perm.	Temp	Perm.	Temp.
Riparian Habitat/Jurisdictional Aquatic Resources				
Cismontane alkali marsh (including disturbed)	0.8	0.1	1.0	<0.1
Mulefat scrub	0.1	0.3	0.1	0.3
Coastal and valley freshwater marsh	0.1	0.3	0.1	0.3
Southern coast live oak riparian forest	–	–	–	–
Southern willow scrub	0.1	<0.1	0.2	<0.1
Open water	–	–	0.2	–
Unvegetated channel ^a	<0.1	0.1	<0.05	0.1
<i>Subtotal of Riparian Habitat/Jurisdictional Aquatic Resources</i>	<i>1.2</i>	<i>0.7</i>	<i>1.6</i>	<i>0.7</i>
Non-Sensitive Communities and Land Covers				
Eucalyptus woodland	3.0	0.1	–	0.2
Urban/developed	7.3	1.1	5.9	1.2
Disturbed habitat	14.4	1.9	16.0	2.6
<i>Subtotal of Non-Sensitive Communities and Land Covers</i>	<i>24.7</i>	<i>3.2</i>	<i>21.9</i>	<i>4.0</i>
Total^b	537.2^c	41.4^c	741.9	67.1

Notes:

- ^a Unvegetated stream channel is also an overlay within various vegetation communities and is therefore not fully represented in this table. See Table 3 of Attachment J to Appendix D.
- ^b May not sum precisely due to rounding.
- ^c The optional design for the secondary access road to the water tank and Village 14 would eliminate 8.3 acres of impacts to the Preserve (5.0 acres of permanent impacts and 3.3 acres of temporary impacts).

The Proposed Project Amendment's impacts to sensitive vegetation communities, both permanent and temporary, would be significant absent mitigation. However, the Proposed Project Amendment would not result in any new significant impacts to riparian habitats or sensitive vegetation communities and would not substantially increase the severity of significant impacts previously identified in the certified Final EIR. Implementation of mitigation measures **M-BI-1** (biological monitoring), **M-BI-2** (temporary construction fencing), **M-BI-3** (habitat conveyance and preservation), **M-BI-4** (biological open space easement), **M-BI-5** (permanent fencing and signage), and **M-BI-21** (federal and state agency permits), as described in Chapter 7 of Appendix D, would reduce these impacts to less than significant.

Special-Status Plant and Wildlife Species

The Proposed Project Amendment would result in direct impacts to three County List A plant species: San Diego goldenstar (*Bloomeria clevelandii*; 727 individuals), Otay tarplant (*Deinandra conjugens*; 25 individuals/8 acres of critical habitat), and Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*; 56 individuals). The Proposed Project Amendment would have impacts to critical habitat for spreading navarretia but would not impact any populations of this species, as it was not observed during focused surveys. Impacts to three County List

B plant species would also occur: San Diego barrel cactus (12 individuals); San Diego marsh elder (3,250 individuals), and Munz's sage (10,918 individuals). A total of six County list D species would be impacted as listed in Table 3 of Appendix D.

As compared to the Approved Project, the Proposed Project Amendment would result in fewer or similar impacts to special-status plant species. Unlike the Approved Project, however, the Proposed Project Amendment would avoid impacts to several County List A species: Orcutt's brodiaea (*Brodiaea orcuttii*), delicate clarkia (*Clarkia delicata*), and variegated dudleya (*Dudleya variegata*; also a Narrow Endemic species). The Proposed Project Amendment would not result in any new significant impacts to special-status plant species and would not substantially increase the severity of previously identified significant impacts in the certified Final EIR.

As explained in the Final EIR for the Approved Project, the project biologists performed focused surveys for a number of highly sensitive species and the resources on which they rely (County of San Diego 2019). These surveys included: (i) a habitat assessment, larval host plant survey, and protocol surveys for Quino checkerspot butterfly (*Euphydryas editha quino*); (ii) focused protocol surveys for coastal California gnatcatcher; (iii) a habitat assessment and four-pass protocol survey for burrowing owl; (iv) a habitat assessment for arroyo toad; (v) a habitat assessment and protocol surveys for Hermes copper butterfly; (vi) nest survey and habitat assessment for golden eagle; (vii) a habitat assessment and protocol wet season and dry season surveys for listed large branchiopods (i.e., fairy shrimp); and (viii) focused surveys for western spadefoot (County of San Diego 2019).

Based on these surveys and other available data, the Final EIR determined that the Approved Project would have significant impacts on the following: Quino checkerspot butterfly habitat (**Impact BI-1**); habitat for various special-status wildlife species, including coastal California gnatcatcher and burrowing owl (**Impact BI-2**); Hermes copper butterfly habitat (**Impact BI-3**); golden eagle foraging habitat (**Impact BI-6**); habitat for special-status wildlife species, including amphibians, reptiles, and small mammals (**Impacts BI-7, BI-11, BI-12**); and birds protected under the Migratory Bird Treaty Act (**Impact BI-8**) (County of San Diego 2019). The Final EIR recommended various mitigation measures, which, if adopted and implemented, would reduce these impacts to less than significant levels (County of San Diego 2019).

The Final EIR also determined that the EIR Land Exchange Alternative would have similar significant impacts on special-status wildlife species, and that the recommended mitigation measures, if implemented, would reduce such impacts to a less than significant level.

The Proposed Project Amendment would disturb 12 features occupied by western spadefoot, 10 of which would be affected by the Approved Project as well. Impacts to the other 2 features were analyzed in the Final EIR under the EIR Land Exchange Alternative. Thus, all of the Proposed Project Amendment's impacts to features occupied by western spadefoot were identified and analyzed in the Final EIR as impacts from either the Approved Project or the EIR Land Exchange Alternative. The impacts to western spadefoot would be potentially significant for the Proposed Project Amendment. However, by conveying the required acreage of land to the Otay Ranch Resource Management Plan (RMP) Preserve (**M-BI-3**), direct impacts to this species would be reduced to less than significant for the Proposed Project Amendment.

The Proposed Project Amendment would impact a total 538.7 acres of golden eagle foraging habitat. Impacts to foraging habitat were analyzed in the Final EIR under the Approved Project or the EIR Land Exchange Alternative. As shown in Table 4 of Appendix D, this impact to foraging habitat is approximately 242.1 acres less than that of the Approved Project. The Proposed Project Amendment would not cause any lethal take of individual golden eagles or nests, would not disturb any active or occupied golden eagle nest, and would not result in human activity within 4,000 feet of an active nest or 3,000 feet of an historical nest. The Proposed Project Amendment's individual impacts on golden eagle, including golden eagle nests and foraging habitat, would be less than significant, as golden eagle is a Covered Species under the MSCP and the Proposed Project Amendment is consistent with the MSCP Plan, MSCP County Subarea Plan, and Otay Ranch RMP. Note, however, the Proposed Project Amendment would preserve foraging/nesting habitat for golden eagle through **M-BI-3** (habitat conveyance and preservation) and **M-BI-4** (biological open space easement). Additionally, **M-BI-5** (permanent fencing and signage) would mitigate for potential long-term impacts by deterring unauthorized human activity within the Otay Ranch RMP Preserve.

For burrowing owl, the Proposed Project Amendment would impact 34.1 acres of potential habitat. Although there is suitable habitat for burrowing owls within the Proposed Project Amendment Area, this species is not expected to occur. In comparison, as shown in Table 4 of Appendix D, this is approximately 50 acres less than the amount of burrowing owl habitat affected by the Approved Project. Therefore, direct impacts to occupied burrowing owl habitat are not expected. However, to ensure no burrowing owls have migrated into the Development Footprint of the Proposed Project Amendment, a preconstruction survey would be conducted (**M-BI-13**). Therefore, similar to the Approved Project, impacts to occupied habitat for burrowing owl would be less than significant for the Proposed Project Amendment.

For Quino checkerspot butterfly, the project biologists from HELIX, working with biologists from CDFW, USFWS, and the County, reviewed the latest Quino checkerspot butterfly sighting and habitat data. Through that review, it was determined that the Proposed Project Amendment would disturb 527.1 acres of potential habitat, of which –and– 500.2 acres are designated critical habitat under the Federal Endangered Species Act, and 4.21 acres of host plants. Comprehensive host plant mapping was completed in 2016 and locations were mapped as “Low” (1-100 plants), “Moderate” (100-1,000 plants), and “High” (1,000-10,000 plants). Using the mid-point of the estimated host plant populations, the Proposed Project Amendment would impact approximately 59 percent of the Quino checkerspot butterfly larval host plants on the project site. The Proposed Project Amendment would impact 29 “High” host plant locations and would Preserve 40 “High” host plant locations. These impacts are consistent with those were identified and analyzed in the Final EIR under the Approved Project and/or the EIR Land Exchange Alternative. By contrast, the Approved Project would have disturbed 790.4 acres of potential Quino checkerspot butterfly habitat, of which 488.4 acres are designated critical habitat. Thus, when compared to the Approved Project, the Proposed Project Amendment would reduce This is a reduction of 262.3 acres of impacts to potential Quino checkerspot butterfly habitat by 262.3 acres, but would increase impacts to critical habitat by 11.8 acres. –from the Approved Project as compared to the Proposed Project Amendment. Impacts to critical habitat are increased by 11.8 acres with the Proposed Project

~~Amendment.~~ Although the acreage of permanent impacts is reduced, the Proposed Project Amendment's impacts to potential habitat for Quino checkerspot would still be considered significant absent mitigation. Mitigation for direct impacts to potential Quino checkerspot butterfly habitat include: habitat conveyance and preservation (**M-BI-3**, **MBI-4** and **M-BI-9**), Quino checkerspot butterfly take authorization (**M-BI-8**), and Quino checkerspot butterfly management/ enhancement plan (**M-BI-10**).⁵ Implementation of these mitigation measures would reduce direct impacts to suitable Quino checkerspot butterfly habitat to less than significant for the Proposed Project Amendment.

The Proposed Project Amendment would affect suitable Hermes copper butterfly habitat, but to a lesser extent than the Approved Project (10.2 acres as compared to 18 acres). Nevertheless, these impacts would be significant absent mitigation. These impacts were identified and analyzed in the Final EIR under the Approved Project or the EIR Land Exchange Alternative. Mitigation for direct impacts to potential Hermes copper butterfly habitat include: habitat conveyance and preservation and/or a biological open space easement (**M-BI-3** and **M-BI-4**). Implementation of these mitigation measures would reduce direct impacts to suitable Hermes copper butterfly habitat to less than significant.

Crotch bumble bee was not previously evaluated in the Final EIR as it was not a candidate species for listing until July 2019. In June 2019, however, the California Fish and Game Commission voted to make Crotch bumble bee a "candidate" for listing under the California Endangered Species Act (CESA) (CDFW 2019).⁶ The Fish and Game Commission has not yet made a final decision to list the Crotch bumble bee; however, due to the bee's status as a Candidate for listing, this Addendum evaluated the Proposed Project Amendment's impacts on the species, as they compare to those of the Approved Project and the Land Exchange Alternative.

There is currently no standardized survey methodology for surveying for this species. In the absence of surveys to verify the presence/absence from the biological study area, a habitat assessment can be used to determine the extent of potential habitat loss for this species. Given that this species does not have a defined habitat preference, the entire Biological Study Area is considered habitat. Thus, the Proposed Project Amendment would affect potential habitat for Crotch bumble bee, but to a lesser extent than the Approved Project (570.2 acres as compared to 801.9 acres) and the EIR Land Exchange Alternative (570.2 acres as compared to 649.1 acres). Nevertheless, impacts would be **potentially significant** absent mitigation. Mitigation for direct impacts to potential habitat

⁵ With respect to M-BI-10, it has been revised and updated to reflect that the Owner/Applicant has consulted with the U.S. Fish and Wildlife Service. The Owner/Applicant is currently consulting with the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, and the County to develop a "Quino Checkerspot Butterfly Conservation Strategy" and "Framework Management Plan", both of which will inform and be incorporated into the long-term management and enhancement plan for the species. The OCB Conservation Strategy and Framework Management Plan are attached Conservation Plan for the Quino checkerspot butterfly and its habitat. When the details of the Conservation are determined, they will be incorporated into this Addendum as Appendix W to this Addendum.

⁶ The Fish and Game Commission voted to elevate Crotch bumble bee to a "candidate" on June 12, 2019, but did not issue the Findings of Fact supporting the decision until June 28, 2019, two days after the County certified the Approved Project Final EIR on June 26, 2019. (See, <https://cdfgnews.wordpress.com/2019/07/31/cdfw-seeks-information-related-to-listing-of-bumble-bees/>.)

for Crotch bumble bee includes habitat conveyance and preservation and/or a biological open space easement (M-BI-3 and M-BI-4), which would reduce direct impacts to suitable Crotch bumble bee habitat to **less than significant**.

Due to differing habitat impacts, mitigation measure M-BI-22 was not included in the Approved Project MMRP, but was included as a mitigation measure for the EIR Land Exchange Alternative (M-BI-12 in the Biological Resources Technical Report for Otay Ranch Village 14 and Planning Areas 16/19 Land Exchange Alternative; Dudek 2018b). Potential impacts to bat species by the Proposed Project Amendment will be avoided through M-BI-22 (preconstruction bat surveys).

Like the Approved Project, the Proposed Project Amendment avoids all vernal pools/features, including those that are known to support San Diego fairy shrimp. Consequently no significant impacts to San Diego fairy shrimp are expected. The County is requiring a preventative mitigation measures for this species that mandates the Owner/Applicant consult with the USFWS to determine if an incidental take permit is required for fairy shrimp and comply with all permit conditions that USFWS may impose on such a permit should one be deemed necessary (M-BI-7).

Jurisdictional Aquatic Resources

Development of the Proposed Project Amendment would result in permanent impacts to a total of 2.37 acres of jurisdictional aquatic resources, as shown in Table 9. These impacts to jurisdictional aquatic resources were identified and analyzed in the Final EIR either under the Approved Project or the EIR Land Exchange Alternative. Of this 2.37 acres, 1.21 acres are impacts to wetlands/riparian habitat and 1.16 acres are non-wetland waters/streambed. Compared to the Approved Project, the Proposed Project Amendment would reduce permanent impacts to wetlands/riparian habitat by 0.24 acres and non-wetland waters/streambed by 0.27 acres.

Table 9. Impacts to ACOE/RWQCB/CDFW Jurisdictional Aquatic Resources – Development Footprint Comparison (Acres)

Habitat Types/Vegetation Communities	Proposed Project Amendment		Approved Project	
	Perm.	Temp.	Perm.	Temp.
<i>ACOE/RWQCB Wetlands and CDFW Riparian Habitat</i>				
Cismontane alkali marsh (including disturbed)	0.84	0.07	1.04	0.06
Coastal freshwater marsh	0.13	0.30	0.12	0.31
Mulefat scrub	0.14	0.25	0.09	0.29
Southern coast live oak riparian forest	—	—	—	—
Southern willow scrub	0.10	0.03	0.21	0.06
<i>Subtotal</i>	<i>1.21</i>	<i>0.65</i>	<i>1.45</i>	<i>0.73</i>

Table 9. Impacts to ACOE/RWQCB/CDFW Jurisdictional Aquatic Resources – Development Footprint Comparison (Acres)

Habitat Types/Vegetation Communities	Proposed Project Amendment		Approved Project	
	Perm.	Temp.	Perm.	Temp.
<i>ACOE/RWQCB Non-Wetland Waters and CDFW Streambed</i>				
Unvegetated channel	1.16	0.16	1.27	0.35
Open water	—	—	0.16	—
<i>Subtotal</i>	<i>1.16</i>	<i>0.16</i>	<i>1.43</i>	<i>0.35</i>
Total	2.37	0.81	2.87	1.08

Notes: ACOE = U.S. Army Corps of Engineers; CDFW = California Department of Fish and Wildlife; RWQCB = Regional Water Quality Control Board.

The Proposed Project Amendment's permanent impacts to jurisdictional resources would be potentially significant. Permanent direct impacts would be mitigated to less than significant with implementation of **M-BI-21** (federal and state agency permits).

In addition, the Proposed Project Amendment would result in temporary impacts to 0.81 acres of jurisdictional aquatic resources, as shown in Table 9. Of this 0.81 acres, 0.65 acres are impacts to wetlands/riparian habitat and 0.16 acres are non-wetland waters/streambed. Compared to the Approved Project, the Proposed Project Amendment would reduce temporary impacts to wetlands/riparian habitat by 0.08 acres and non-wetland waters/streambed by 0.19 acres. All of the Proposed Project Amendment's temporary impacts to jurisdictional aquatic resources were identified and analyzed in the certified Final EIR either as impacts from the Approved Project or the EIR Land Exchange Alternative. The Proposed Project Amendment's temporary impacts to jurisdictional resources would be **potentially significant**. Temporary direct impacts would be mitigated to less than significant through implementation of **M-BI-1** (biological monitoring), **M-BI-2** (temporary construction fencing), **M-BI-12** (restoration of temporary impacts), and **M-BI-21** (federal and state agency permits).

Wildlife Corridors

As analyzed in Appendix J of Appendix D, the Proposed Project Amendment would result in less than significant direct impacts to wildlife corridors. By consolidating development in central Proctor Valley, the Proposed Project Amendment and the amendment to the County Subarea Plan, if approved, would provide wider buffers to regional corridor (R1) and local corridors (L3 and L4) compared to the Approved Project (See Appendix D Figure 10, Wildlife Corridor and Habitat Linkages). As a result of the wider buffers provide under the Proposed Project Amendment, these corridors would significantly exceed the MSCP's 1,000-foot criterion for wildlife corridor design, and the surrounding blocks of MSCP Preserve will increase in size and be more consolidated than what was contemplated in the MSCP County Subarea Plan.

Further, except for small areas needed for a detention basin and a portion for Proctor Valley Road (totaling 6.1 acres), all of PV3 would be transferred to CDFW as part of the land

exchange. This would increase the preserve size for a large block of interconnected habitat. Preservation of PV3 widens the connectivity between occupied Quino checkerspot butterfly habitat to the south (in Otay Ranch Village 13) and to the north in the San Miguel Mountain area. Preservation of PV3 would ensure that Quino checkerspot butterfly could move unimpeded along a lower-elevation route to upper Otay Reservoir, as well through the broader connection to the more rugged ridgeline north of Lower Otay Reservoir.

The Proposed Project Amendment would result in potentially significant temporary and permanent indirect impacts, similar to the indirect impacts identified in the Final EIR. These impacts would be mitigated to less than significant through implementation of **M-BI-1** (biological monitoring), **M-BI-2** (temporary construction fencing), **M-BI-3** (habitat conveyance and preservation) and **M-BI-4** (biological open space easement), **M-BI-5** (permanent fencing and signage) **M-BI-12** (restoration of temporary impacts), **M-BI-18** (restrictions on noise activities) and **M-BI-20** (lighting restrictions).

Consistency with Plans, Policies and Ordinances

Implementation of the Proposed Project Amendment would not conflict with local policies ordinances protecting biological resources. Biological resources protected under these documents are expected to remain safeguarded, given the compliance of the Proposed Project Amendment with the stipulations indicated in these regulations. The Proposed Project Amendment also would not conflict with an adopted Habitat Conservation Plan or Natural Community Conservation Plan. A summary of the Proposed Project Amendment's compliance with policies, plans and ordinances is discussed below. The additional analysis provided herein confirms that the Proposed Project Amendment likewise would not conflict with the goals and requirements outlined in these plans. Consequently, the Proposed Project Amendment does not result in any significant impact in terms of consistency with applicable conservation plans.

MSCP Plan and the MSCP County Subarea Plan

County staff reviewed the Proposed Project Amendment's Development Footprint and Preserve areas ~~To confirm the Proposed Project Amendment's consistency with the MSCP Plan, MSCP County Subarea Plan, and MSCP County of San Diego Subarea Plan Implementing Agreement, the Proposed Project Amendment's Development Footprint and Preserve was reviewed based on these plans.~~ Based on this review, it was determined that the designated areas of Preserve within the Proposed Project Amendment's Project Area are exactly the same as those identified in the MSCP Plan and the MSCP County Subarea Plan and Implementing Agreement. The Proposed Project Amendment, through the land exchange, would alter the boundaries of the MSCP Preserve but would not encroach into the MSCP Preserve itself, except for allowed facilities such as the 2.2-acre area required for the secondary access road, the impacts of which will be mitigated per the requirements of the RMP. ~~Instead~~ Therefore, the Proposed Project Amendment is consistent with the Preserve boundary that was created by the MSCP Plan and the MSCP County Subarea Plan. Given that the Proposed Project Amendment is consistent with the MSCP plans and the "hardline" preserve assumptions identified in the plans, the Proposed Project Amendment can be

implemented consistent with the habitat loss findings set forth in Table 3-5 of the MSCP. The areas in PV2 and PV3 proposed for development are not part of the MSCP Preserve, and thus development in these areas does not require a Preserve Boundary Adjustment. Nevertheless, the DRA contemplates an amendment to the MSCP County Subarea Plan to extend Take Authorization to these parcels in recognition of the conservation benefits of the proposed land exchange.

As stated above, the Proposed Project Amendment contemplates development on ~~44.38.4~~ acres within PV2 and 6.1 acres within PV3. Although the GDP/SRP and the County's General Plan (2012) designate PV2 and PV3 for development, neither area is identified as "Take Authorized" under the current MSCP County Subarea Plan. Therefore, pursuant to the DRA, the County ~~is initiating~~ initiated an amendment to the MSCP County Subarea Plan to extend Take Authorization to PV2 and a portion of PV3. The proposed amendment to the MSCP County Subarea Plan is among the actions contemplated and covered by this Addendum.

In addition, the proposed MSCP County Subarea Plan amendment would provide Endangered Species Act Section 10 take coverage for Quino checkerspot butterfly, a federally-listed species that is not currently covered under the County MSCP Subarea Plan. The amendment would also provide Endangered Species Act Section 10 take coverage for the San Diego fairy shrimp. If approved by USFWS, the Quino checkerspot butterfly and San Diego fairy shrimp take coverage provided under the proposed MSCP County Subarea Plan amendment would be consistent with federal Habitat Conservation Plan (HCP) guidelines and would apply to all development contemplated under the Proposed Project Amendment.

MSCP County Subarea Plan – Roads

Under the MSCP County Subarea Plan, a project that results in take of Covered Species from construction of new or modification of existing Circulation Element road corridors is required to complete a consistency analysis, as outlined in Section 1.9.3.2 of the MSCP County Subarea Plan. A consistency analysis was prepared for the portions of Proctor Valley Road which are currently owned by CDFW (Table 10-2 of Dudek 2018a). A MSCP County Subarea Plan consistency analysis for Proctor Valley Road, a County Mobility Element Road, is included in the certified Final EIR. The alignment of Proctor Valley Road was determined to be consistent with the MSCP County Subarea Plan. The alignment of Proctor Valley Road in the Proposed Project Amendment has not changed; therefore, the consistency determination has been completed and is included in the certified Final EIR. As discussed above, the Proposed Project Amendment includes a secondary access road that would result in 2.2 acres of impact within the Preserve, requiring mitigation pursuant to the RMP. The access road is an allowed facility as outlined in Section 1.9.3.3 and in the "Note" at the end of Section 3.3.3.7 of the MSCP County Subarea Plan.

Otay Ranch Resource Management Plan

The Otay Ranch RMP includes conveyance procedures for dedicating parcels of land to the Otay Ranch RMP Preserve. The Otay Ranch RMP establishes an obligation for each new development to convey its fair-share of the Preserve. Fair-share contribution requirements are

established in the Otay Ranch RMP as a proportion of Ranch-wide development to Ranch-wide Preserve land. The Otay Ranch RMP established a fair-share contribution to the creation of the Preserve as a ratio of 1.188 acres of Preserve conveyance required for every 1 acre of development (City of Chula Vista and County of San Diego 1993b). Accordingly, the conveyance ratio for all development is 1.188 acres for each 1 acre of the Proposed Project Development Footprint, excluding areas that include “common uses,” such as schools, parks, and arterial roadways. Per the Otay Ranch RMP, these “common use” areas are excluded from the required mitigation/conveyance.

The Proposed Project Amendment’s required conveyance to the Otay Ranch RMP Preserve is 556.6 ~~558.7~~ acres, as explained below. Common uses not subject to conveyance for the Proposed Project Amendment would include 10.2 acres of public parks, the 9.9-acre elementary school, 19.9 acres of major circulation, the 2.3-acre public safety site, and a water tank (1.4 acres). Areas of Conserved Open Space (24.5 acres) are also excluded from the conveyance total. The Proposed Project Amendment’s total impacts, less these common areas and Conserved Open Space, would be ~~470.3~~ 468.5 acres. Therefore, developable land within the Project Area is subject to a conveyance obligation of 556.6 ~~558.7~~ acres (~~470.3~~ 468.5 acres $\times$ 1.188 = 556.6 ~~558.7~~ acres).

The Proposed Project Amendment’s obligation would be partially satisfied through on-site conveyance of the Otay Ranch RMP Preserve, which totals 377 acres. The remaining conveyance obligation would be met through other Owner/Applicant-owned land, including (i) Otay Ranch RMP Preserve in Planning Area 16 (58.3 acres), (ii) Conserved Open Space (24.5 acres) and/or (iii) a conservation easement over land designated as development in Planning Area 16 (191.5 acres) for a total of 274.3 acres.

This combination of transfers to the Preserve Owner/Manager (POM) results in a total preserve conveyance of 626.7 acres, which represents approximately 556.6 ~~558.7~~ acres more than what the RMP requires. Therefore, upon conveyance to the Otay Ranch RMP Preserve, the Proposed Project Amendment would be consistent with the Otay Ranch RMP in accordance with the Otay Ranch RMP conveyance requirement.

City of San Diego MSCP Subarea Plan – Roads

Proctor Valley Road is an existing County of San Diego Mobility Element Road. A portion of Proctor Valley Road is owned by the City of San Diego Water Utilities Department and is an Essential Public Facility. Under the Proposed Project Amendment, the portion of Proctor Valley Road within City of San Diego Cornerstone lands would follow the same alignment that the Final EIR identified and analyzed as part of the Approved Project. As such, the siting criteria evaluation for that portion of Proctor Valley Road (see Table 10-3 of Dudek 2018a) would remain the same. The Final EIR included a “plan consistency” analysis for Proctor Valley Road and determined that the road’s proposed alignment was consistent with the MSCP County Subarea Plan. The Proposed Project Amendment does not alter the alignment of Proctor Valley Road. Thus, the Final EIR’s consistency determination remains accurate and valid. However, the improvements to this portion of the road have been re-evaluated for the Proposed Project Amendment and, while the alignment and overall footprint of Proctor Valley

Road is the same, approximately 3.3 acres which were considered temporary impacts in the Final EIR for the Approved Project have been re-classified as permanent impacts, since the affected area cannot be adequately revegetated. Consequently, the permanent impacts to resources have increased by 3.3 acres, while temporary impacts have correspondingly been reduced by the same amount. The permanent impacts to vegetation communities resulting from the Approved Project and the Proposed Project Amendment are listed in Table 10. In addition, the Proposed Project Amendment would increase the span of the proposed Proctor Valley Road bridge. Specifically, the bridge span would increase from 282 linear feet to 702 linear feet and would reduce the need for additional fill and slopes associated with the previous design. The increased span would also ensure that the road would avoid five scour ponds that were recently re-classified as vernal pools. In short, the redesigned bridge within City of San Diego Lands would actually result in less biological impacts than the design proposed under the Approved Project.

While the quantity of mitigation acreage has increased (see Table 10), the overall mitigation requirements for impacts within City of San Diego Cornerstone lands as described in the Final EIR remain the same and impacts would be mitigated to a less than significant level.

Table 10. Mitigation Requirements for Permanent Impacts to City of San Diego (Cornerstone Lands)

Vegetation Community	Permanent Impacts (acres)		Mitigation Ratio	Required Mitigation (acres) ^a	
	Proposed Project Amendment	Approved Project		Proposed Project Amendment	Approved Project
Upland					
Diegan coastal sage scrub (including disturbed)	8.0	6.6	1:1	8.0	6.6
Diegan coastal sage scrub – <i>Baccharis</i> -dominated (including disturbed)	0.4	0.4	1:1	0.4	0.4
Non-native grassland	4.1	2.6	1:1	4.1	2.6
Southern mixed chaparral	1.7	1.4	1:1	1.7	1.4
Wetlands					
Mulefat scrub	0.1	0.1	2:1	0.2	0.2
Unvegetated channel	<0.1	<0.1	2:1	0.1	0.1
No mitigation required					
Urban/developed	0.5	0.3	None	0	0
Disturbed habitat	0.7	0.6	None	0	0
Total impacts requiring mitigation				14.4	11.1
Total required mitigation				14.5	11.3

Note:

- ^a The mitigation ratio and required mitigation is based on the assumption that the mitigation lands would be located inside the Multiple Habitat Planning Area. Mitigation occurring outside the Multiple Habitat Planning Area would be required at a higher ratio.

City of San Diego Site Development Permit Application and VPHCP

The Owner/Applicant is currently processing a site development permit application with the City of San Diego to address those Proctor Valley Road improvement that pass through the City's Cornerstone Lands. Through the site development permit process, which the Owner/Applicant initiated in December 2017, the Owner/Applicant will comply with the City's Land Development Code, Vernal Pool Habitat Conservation Plan (VPHCP) and Subarea Plan, including any conditions which may be required by the site development permit. As described in the Final EIR, in order to comply with the VPHCP and avoid any direct impacts to vernal pools, the Owner/Applicant will relocate the northern portion of Proctor Valley Road that is within City jurisdiction from the center of a vernal pool restoration site and realign the road to the east. In addition, to avoid five scour ponds that were recently re-classified as vernal pools, the Owner/Applicant has re-designed the road to create a longer bridge span. The longer span would extend over the Proctor Valley drainage as well as all five vernal pools and their watersheds. The Proposed Project Amendment thus would avoid all direct impacts to vernal pools and is therefore in compliance with the VPHCP.

City of Chula Vista MSCP Subarea Plan - Roads

Under the Proposed Project Amendment, the portion of Proctor Valley Road within City of Chula Vista would follow the same alignment as the Approved Project. There are no change to the impacts reported in the Biological Resources Technical Report for the Approved Project. A consistency analysis was prepared for the portions of Proctor Valley Road. The alignment of Proctor Valley Road was determined to be consistent with the City's Subarea Plan. The alignment of Proctor Valley Road in the Proposed Project Amendment has not changed, therefore the consistency determination has been completed and is included in the certified Final EIR. The certified Final EIR included an analysis of the Approved Project's consistency with the City of Chula Vista MSCP Subarea and found it to be consistent. Therefore, the Proposed Project Amendment would be consistent.

County of San Diego Biological Mitigation Ordinance

Because the Approved Project contemplated development within PV1, PV2, and PV3, a BMO consistency analysis was prepared for impacts anticipated to occur on those three parcels. The Proposed Project Amendment does not include development on all of PV1 and does not include development on 96% of PV3, but does contemplate development on PV2. An updated BMO analysis has been prepared for the Proposed Project Amendment to address impacts in PV2 and the small portion of PV3 that will be developed (Appendix B of Appendix D). Table 1 of the BMO consistency findings report quantifies the sensitive vegetation impacts anticipated with proposed development of PV2 and PV3, and also describes the required mitigation for those impacts (Appendix C of Appendix D). The BMO consistency analysis prepared for the Proposed Project Amendment demonstrates compliance with the BMO requirements.

In addition, the County and its consultants reviewed the CDFW-prepared Land Conversion Evaluation (LCE), which assessed the biological impacts and benefits of the land exchange

contemplated under the Proposed Project Amendment. The LCE referred to several years of biological studies conducted on the state-owned parcels that were included in the Approved Project Final EIR's analysis of the Land Exchange Alternative. The County also reviewed the consultant-prepared response to the LCE which provided clarifying additional information. Refer to the Additional Information on this EIR Addendum for a discussion of topics raised by CDFW in the LCE. The LCE did not include substantial new information that showed the Proposed Project Amendment would result in new significant impacts or a substantial increase in the severity of significant impacts analyzed in the Approved Project Final EIR.

In summary, the Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to biology and biological resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biology and biological resources.

- V. **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 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?

YES NO
☐ ☒

The Final EIR determined that the Approved Project would result in potentially significant impacts to known cultural resources (**Impact CR-1, Impact CR-2, Impact CR-3 and Impact CR-5**) and to undiscovered cultural resources (**Impact CR-4**). Mitigation measures **M-CR-1 through M-CR-3** recommended by the Final EIR would reduce these impacts to less than significant.

A Cultural Resources Technical Memorandum (Appendix E) was prepared for the Proposed Project Amendment. Potential impacts to known cultural resources within the Proposed Project Amendment Development Footprint were analyzed under the Approved Project or based on additional testing. As shown in Table 11, the Proposed Project Amendment would result in potential impacts to 21 cultural resources within the Area of Direct Impact (ADI). In comparison, the Approved Project would result in impacts to 57 cultural resources within the ADI. Thus, the Proposed Project Amendment would impact fewer cultural resources within the ADI.

Within the Area of Potential Effects (APE), but outside the ADI, there are more cultural resources identified for the Proposed Project Amendment than the Approved Project. However, this area would not be developed under the Proposed Project Amendment.

Table 11 Proposed Project Amendment Summary of Impacts to Cultural Resources

Cultural Resources	Approved Project	Proposed Project Amendment	Difference
In ADI	57	21	-36
Outside ADI	33	69	+36
Not Relocated/No Longer Exist	19	19	0
Total	109	109	0
Significant Impacts to Significant Resources	2	0	-2

Note: ADI = area of direct impact.

While none of the cultural resources are considered significant under CEQA, all archaeological sites are considered “important” under County guidelines. Therefore, the Proposed Project Amendment would result in significant impacts to cultural resources. Mitigation measures **M- CR-1** and **M- CR-2** would be implemented under the Proposed Project Amendment as amended. Recent evaluation efforts at CA-SDI-8086A/B/C, CA-SDI-12397, and CA-SDI-21917 have demonstrated that impacts to those sites under the Proposed Project Amendment are not significant (Comeau et al. 2019), and impacts to site CA-SDI-12373 will be avoided. Thus, mitigation for these sites described in **M-CR-3** for the Approved Project is not necessary under the Proposed Project Amendment.

The “importance” of the sites is mitigated through the application of measures that include curation or repatriation of all collected artifacts and documentation, construction monitoring, and erection of temporary fencing around the non-impacted portions of the 5 sites (CA-SDI-6695B West, CA-SDI-8086B West/CA-SDI-8086C West, CA-SDI-12332 West, CA-SDI-12333 West, and CA-SDI-12397 West) that are partially located in the Conserved Open Space to prevent direct and indirect impacts during Proposed Project Amendment construction. In addition, temporary fencing would be placed along the ADI limits where sites are within 50 feet of the ADI (CA-SDI-12326 and CA-SDI-12394) (**M-CR-1** and **M-CR-2** from the Approved Project’s certified EIR). The artifacts collected during the testing program would be curated at the San Diego Archaeological Center or a culturally affiliated tribal curation facility, or alternatively may be repatriated to a culturally affiliated tribe. Implementation of **M-CR-1** and **M-CR-2** from the Approved Project’s certified EIR would reduce impacts to these sites to less than significant. For a detailed summary of **M-CR-1** through **M-CR-2** and the cultural sites for which they are applied, refer to Table 2.5-5, Resource Mitigation Measures, of the Final EIR.

The Proposed Project Amendment does have the potential to affect undiscovered cultural resources that may qualify as significant under the County guidelines and the City of San Diego’s Historical Resources Guidelines, similar to the Approved Project. Implementation of **M-CR-1** and **M-CR-2** would reduce impacts to unknown/undiscovered sites to less than significant.

No new mitigation measures beyond those included in the Final EIR are necessary for the Proposed Project Amendment.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects

to cultural resources. There are no 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.

VI. ENERGY - 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 energy including: resulting in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, and/or conflicts with or obstruct a state or local plan for renewable energy or energy efficiency?

YES	NO
☐	☒

The Final EIR for the Approved Project determined that impacts to energy resources would be less than significant. Although the Approved Project would increase petroleum use during operation, the use would be a small fraction of the statewide use and, due to efficiency increases, diminish over time. Additionally, the inclusion of on-site walking/bicycling trails and other resident-serving amenities would help ensure that petroleum-based fuels are efficiently consumed. Given these considerations, petroleum consumption associated with the Approved Project would not be considered inefficient or wasteful and would result in a less-than-significant impact. The Approved Project would follow applicable energy standards and regulations during the construction phases and the Approved Project would be built and operated in accordance with all existing, applicable regulations at the time of construction. Therefore, the Approved Project would not conflict with existing energy standards or regulations, and impacts would be less than significant.

An Energy Technical Memorandum was prepared for the Proposed Project Amendment (Appendix F). The analysis found that overall construction activities resulting from implementation of the Proposed Project Amendment are expected to be similar to the Approved Project construction. The Proposed Project Amendment total vertical development square footage would increase by 1.55% over the Approved Project, which would not substantially change the construction assumptions or construction duration/phasing. Therefore, overall construction energy use resulting from implementation of the Proposed Project Alternative are expected to be similar to the Approved Project construction energy use. Because the Proposed Project Amendment would use the same construction techniques, but would have similar activities compared to the Approved Project, impacts related to inefficient or wasteful use of nonrenewable resources during construction would be less than significant. Further, the Proposed Project Amendment would be required to comply with applicable plans and policies. Accordingly, energy impacts would remain less than significant, as the level of impact would not increase from the level identified in the Approved Project Final EIR.

The operation of the Proposed Project Amendment would have energy impacts from electricity, natural gas, and mobile source fuel use, which are discussed below.

Electricity: At full build-out, the Proposed Project Amendment's operational phase would require electricity for operating the various buildings and residences. The Proposed Project Amendment would include **PDF-AQ/GHG-3**, which requires non-residential land uses to be 10% more energy efficient than required by the 2016 Title 24 energy efficiency standards. The 2019 standards will continue to improve upon the 2016 standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2019 standards will go into effect on January 1, 2020, prior to construction of the Proposed Project Amendment. The Proposed Project Amendment would have more residential units than the Approved Project, but as shown in Table 5 above, the building square footage would be only slightly increased (1.55%) compared to the Approved Project. Therefore, the Proposed Project Amendment is expected to have similar electricity demand compared to the Approved Project. Therefore, with implementation of **PDF-AQ/GHG-1** through **PDF-AG/GHG-10**, the Proposed Project Amendment would also have a less-than-significant impact with respect to inefficient or wasteful electricity use, and the level of impact would not increase from those levels identified in the Approved Project Final EIR. Furthermore, the Proposed Project Amendment would be subject to the same Project Design Features as the Approved Project, further reducing electricity use.

Natural Gas: Natural gas would be directly consumed throughout operation of the Proposed Project Amendment, primarily through building heating and fireplace options for homes. As described above and consistent with electricity use, the Proposed Project Amendment natural gas use is directly tied to the number of homes within the development. The Proposed Project Amendment is expected to have similar natural gas demand to the Approved Project. Therefore, the Proposed Project Amendment would also have a less-than-significant impact with respect to inefficient or wasteful natural gas use, and the level of impact would not increase from those levels identified in the Approved Project Final EIR. Furthermore, the Proposed Project Amendment would be subject to the same Project Design Features as the Approved Project, further reducing its natural gas use.

Petroleum Use: The majority of fuel consumption resulting from the Proposed Project Amendment's operational phase would be attributable to the use of resident, visitor, and employee motor vehicles (automobiles and light-duty trucks) traveling to and from the Proposed Project Amendment, as well as fuels used for alternative modes of transportation that may be used by residents, visitors, and employees. The source of petroleum use would be the same as from the Approved Project. Because the Proposed Project Amendment would generate a similar land use mix as the Land Exchange Alternative, the assumed average trip length for the EIR Land Exchange Alternative of 9.71 miles, which was back-calculated from the estimated vehicle miles traveled (VMT), was assumed for the Proposed Project Amendment.⁷ Because the Proposed Project Amendment would implement a Transportation

⁷ VMT was estimated for the Approved Project and the EIR Land Exchange Alternative by Chen Ryan in the Approved Project Final EIR. The EIR Land Exchange Alternative had a higher estimated VMT per trip compared to the Approved Project. Therefore, it was determined the EIR Land Exchange Alternative VMT was more conservative to use as the basis for the Proposed Project Amendment VMT. The Proposed Project Amendment VMT was estimated using Proposed Project

Demand Management (TDM) Program similar to the Approved Project, the Approved Project's transportation engineer (Chen Ryan) quantified the reduction in VMT attributable to implementation of the TDM-related strategies. An overall VMT reduction of 4.6% based on the TDM Program was estimated for the EIR Land Exchange Alternative and, since the Proposed Project Amendment would be similar to the EIR Land Exchange Alternative's mix of uses, a similar VMT reduction of up to 4.6% is possible.

The Proposed Project Amendment would also include a multipronged approach to increase electric vehicle (EV) adoption for residents. As part of this strategy, Level 2 EV Supply Equipment would be installed in half of all residential units⁸ (633 units), and 10 parking spaces located in the Village Core's commercial development area and park areas would include charging stations.⁹ These strategies—in conjunction with market forces decreasing the cost and increasing the availability of EVs, regional charging initiatives decreasing range anxiety and increasing the share of miles driven by plug-in hybrid electric vehicles in EV mode, and state targets fueling programs and incentive pools making EV ownership more cost effective and appealing (International Council on Clean Transportation 2017) — will increase the market penetration of EVs and share of EV miles driven as a result of the Proposed Project Amendment.

As VMT is directly correlated with petroleum consumption it is used as a surrogate for evaluating the Proposed Project Amendment's impact. Because the Proposed Project Amendment VMT would be reduced from the TDM program and internal capture, the Proposed Project Amendment, similar to the Approved Project, would have a less-than-significant impact related to the inefficient or wasteful use of petroleum during operation, and the level of impact would not increase from those levels identified in the Approved Project Final EIR.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant energy impacts. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more energy impacts.

Amendment-specific trip rates (Chen Ryan 2019) and the average trip length from the EIR Land Exchange Alternative (Chen Ryan 2017).

⁸ Providing EV to half of all Proposed Project Amendment residential units was chosen as an estimate of market demand. It is assumed that providing EV would incentivize homeowners to purchase EVs or provide an opportunity to homeowners who own EVs to have in-home chargers.

⁹ To meet Governor Brown's goals, 15% of new car purchases in 2025 would need to be ZEVs; 3% of new car purchases in 2016 were ZEVs (CEC 2016). This adoption rate is anticipated to be slightly higher in urban areas with major destinations in typical EV range, which the Proposed Project Amendment's in-home EVs would support. The non-residential spaces were determined to assist those with range anxiety and non-resident visitors to the site, as the entire proposed project Amendment is well within typical EV and PHEV range.

VII. GEOLOGY AND SOILS - 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
☐	☒

The Final EIR determined that the Approved Project would result in potentially significant impacts related to liquefaction (**Impact GE-1**), rockfall (**Impact GE-2**), landslides (**Impact GE-3**), and expansive soils (**Impact GE-4**). Mitigation measure **M-GE-1**, which requires preparation of a final geotechnical report, would reduce Impact GE-1 through Impact GE-4 to less than significant.

A Geotechnical Review was prepared for the Proposed Project Amendment Project Area (Appendix G). Impacts associated with fault rupture and ground shaking would be less than significant, similar to the Approved Project, due to the project's location.

The Geotechnical Review of the Proposed Project Amendment concluded that the risk associated with liquefaction hazard is limited to specific areas within the Project Area, similar to the Approved Project. The potentially liquefiable soils in the area of the proposed school site are shallow and would be remediated through complete removal and replacement with compacted fill during grading operations. Proposed off-site improvements (i.e., Proctor Valley Road) located in areas susceptible to liquefaction could also be remediated through complete removal and replacement with compacted fill. If complete removal and replacement cannot be accomplished, ground improvement (e.g., stone columns) and/or deepened foundation elements would be required to mitigate the liquefaction potential to an acceptable level of risk. In consideration of the recommended remedial grading, and dense nature of the formational materials and proposed fills within the limits of the Proposed Project Amendment, the potential for liquefaction or seismically induced settlement is considered remote. Nonetheless, the impact was determined to potentially significant, similar to the Approved Project and similar mitigation (i.e., a Final Geotechnical Report) would be required to reduce this impact to less than significant.

The potential for rock fall is considered to be low given the limited rock outcrops and subdued topography within a majority of the Development Footprint. Rock fall hazards could become potentially significant if unforeseen conditions are encountered during the development of the

Project Area. If rock fall hazards are encountered during grading, recommendations such as scaling of the slope faces, construction of catchment areas or debris fences, and removal of precariously situated boulders identified in the Final Geotechnical Report (**M-GE-1**) during development may be warranted to reduce the potential risks. Potential mitigation measures could. With implementation of **M-GE-1**, the potential risk for rock fall hazards within the Project Area is less than significant.

Appendix G also determined there is geomorphic evidence that suggests the presence of landslide(s) locally on site and off site, which may have potentially significant impacts. Subsurface exploration of areas subject to the Land Exchange confirmed the presence of an ancient landslide within the Project Area, as discussed in Appendix G. The landslide area analyzed in the Proposed Project Amendment EIR Addendum is the same landslide area identified and evaluated in Appendix 4.1-6, Land Exchange Alternative Preliminary Geotechnical Report, prepared by Advanced Geotechnical Solutions, Inc., of the Approved Project Final EIR. Under of the terms of the Dispute Resolution Agreement, the geotechnical engineer (AGS) was able to perform field testing in areas previously off-limits under the EIR Land Exchange Alternative. These findings were summarized in Appendix G. Consistent with the recommendation made in Appendix 4.1-6 of the Approved Project Final EIR. Under the Proposed Project Amendment, a large portion of the landslide debris would be removed to achieve design grades, and the remaining portions would be removed and the surrounding slopes would be constructed as drained buttress fills. By removing the ancient landslide and constructing drained buttress fill, the presence of landslides is anticipated to have a less than significant effect on the Proposed Project Amendment.

The Proposed Project Amendment would rely on public sewer for disposal of wastewater. A service availability letter has been received from the San Diego County Sanitation District indicating that the facility has adequate capacity for the project's wastewater disposal needed. No septic tanks or alternative wastewater disposal systems are proposed.

The Proposed Project Amendment does not propose any changes that cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to geologic resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to geologic resources.

VIII. 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 new significant effects or a substantial increase in the severity of previously identified significant 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?

YES NO
☐ ☒

The Final EIR determined the Approved Project would generate greenhouse gas (GHG) emissions that may have a significant impact (**Impact GHG-1**). The Final EIR also determined the Approved Project would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050. Mitigation measures **M-GHG-1 through M-GHG-4** would result in the Approved Project reducing and offsetting 100% of its annual GHG emissions to achieve carbon neutrality (i.e., a net zero emissions level) through a combination of on-site and off-site reduction strategies. With implementation of these mitigation measures, the Final EIR determined the Approved Project's impacts to GHG emissions would be reduced to less than significant.

A Greenhouse Gas Emissions Technical Memorandum (Appendix H) was prepared for the Proposed Project Amendment. As detailed therein, the Proposed Project Amendment's overall construction emissions are expected to be similar to the Approved Project construction emissions. The estimated construction GHG emissions for the Approved Project are presented in Tables 2.7-6 through 2.7-8 in the Final EIR.

The Proposed Project Amendment is anticipated to reduce graded acreage, reduce vegetation removal, and reduce blasting and rock crushing. The square footage of the Proposed Project Amendment would be slightly greater than the Approved Project (1.55%). Therefore, it was assumed that construction of the Proposed Project Amendment would result in emissions similar to the Approved Project construction emissions of 22,760 MT CO₂e over the construction period, or 759 MT CO₂e per year amortized over project lifetime of 30 years.

The Proposed Project Amendment and Approved Project GHG emissions generated from operational activities are summarized in Tables 12 through 14. The decrease in water consumption as shown in Table 12 is due to a decrease in lot size and decrease in outdoor water use.

Table 12. Proposed Project Amendment and Approved Project Estimated Annual Operational Greenhouse Gas Emissions (2028)

Emission Source	Proposed Project Amendment	Approved Project
	CO ₂ e (Metric Tons per Year)	CO ₂ e (Metric Tons per Year)
Area	15.73	13.91
Energy	1,807.27	1,136.97
Mobile	14,487.24	13,484.49
Solid Waste	660.81	660.81
Water and Wastewater	896.25	1,051.97
Total Emissions	17,867.30	16,348.15
Net Change	1,519.15	

Source: See Attachment A of Appendix H and Appendix 2.7-1 in the Final EIR for complete results.

Notes: CO₂e = carbon dioxide equivalent.

Implementation of PDF-AQ/GHG-2 would result in an annual energy savings of 1,991 MT CO₂e annually and 1,760 MT CO₂e annually for the Proposed Project Amendment and Approved Project scenarios, respectively.

Numbers may not add exactly due to rounding.

Table 13. Proposed Project Amendment Planted Trees – Estimated Gain of Sequestered Carbon

Project Tree Category/Species	Tree Category	Growing Period (year)	Number of Trees (trees)	Tree CO ₂ Sequestered Factor (MT CO ₂ /Tree/Year)	Gain of Sequestered CO ₂ (MT CO ₂)
Unknown	Miscellaneous	20	6,000	0.0354	4,248
Total					4,248

Source: CAPCOA 2016; see Appendix 2.7-1 in the Final EIR for complete results.
 MT CO₂ = metric tons carbon dioxide; CO₂ = carbon dioxide.

Table 14. Proposed Project Amendment and Approved Project Estimated Annual Net Greenhouse Gas Emissions (2028)

Emission Source	Proposed Project Amendment	Approved Project
	CO ₂ e	CO ₂ e
Total Construction Emissions (MT)	12,378	12,378
Loss of Carbon from Vegetation Removal (MT)	10,382	10,382
<i>Subtotal (MT)</i>	<i>22,760</i>	<i>22,760</i>
<i>Amortized Over 30 Years (MT/Year)</i>	<i>759</i>	<i>759</i>
Annual Operational Emissions (MT/Year)	17,867.30	16,348.15
Amortized Sequestered Carbon Amortized Over 30 years (MT/Year)	(142)	(189)
Total Net Annual Emissions	18,484.30	16,918.15
Net Change	1,566.15	

Source: See Attachment A of Appendix H and Appendix 2.7-1 of the Final EIR for complete results.
Notes: CO₂e = carbon dioxide equivalent; MT = metric tons

The Proposed Project Amendment would result in slightly more GHG emissions compared to the Approved Project, as shown in Table 14. Similar to the Approved Project, the Proposed Project Amendment (without mitigation) would generate GHG emissions that may interfere with the implementation of statewide GHG reduction goals for 2030 and 2050; would potentially conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions; and could result in a potentially significant impact that is similar to the Approved Project's level of impact.

Like the Approved Project, and following the application of numerous on-site reduction strategies required by mitigation measures M-GHG-3 and M-GHG-4, the Proposed Project Amendment would implement mitigation measures M-GHG-1 and M-GHG-2, which would require the Proposed Project Amendment to offset 100% of its construction and operational GHG emissions. The use of carbon offsets to mitigate GHG emissions is expressly authorized by CEQA Guidelines Section 15126.4(c)(3)–(c)(4). As a result of M-GHG-1 and M-GHG-2, the Owner/Applicant would be required to purchase a total of 558,779 MT CO₂e of carbon

offset credits, representing 30 years of operation¹⁰ with an annual emission rate of 17,867 MT CO₂e and construction emissions of 22,760 MT CO₂e (see Table 15).

Table 15. Proposed Project Amendment and Approved Project Estimated Net GHG Emissions With Mitigation Measures (2028)

Emission Source	Proposed Project Amendment	Approved Project
	CO ₂ e Metric Tons per Year	CO ₂ e Metric Tons per Year
Construction Emissions (One Time)	22,760	22,760
Reductions from M-GHG-1	(22,760)	(22,760)
Annual Operational Emissions and Amortized Sequestered Carbon	17,867	16,159
Project Life Operational Emissions (30 Years)	536,019	484,775
Reductions From M-GHG-2	(536,019)	(484,775)
Net Emissions After Mitigation	0	0

Source: See Attachment A of Appendix H and Appendix 2.7-1 of the Final EIR for complete results.

Notes: CO₂e = carbon dioxide equivalent; GHG = greenhouse gas

Numbers in parentheses represent negative numbers.

Construction emissions include land conversion. Operational emissions include gain of carbon sequestration. **M-GHG-3** is not quantified. **M-GHG-4** is included in annual operational emissions.

Similar to the Approved Project, implementation of **M-GHG-1** ~~through~~ and **M-GHG-42** would ensure that the Proposed Project Amendment would not increase GHG emissions as compared to the existing environmental setting (see CEQA Guidelines Section 15064.4[b][1]). Also similar to the Approved Project, the Proposed Project Amendment would be consistent with the County's General Plan and Otay Ranch GDP/SRP, and would implement all applicable emission reduction measures set forth in Step 2 of the County's Climate Action Plan (CAP) Consistency Checklist as described in Table 1 of Attachment B to Appendix H.

~~Similar to the Approved Project, the Proposed Project Amendment (without mitigation) would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050. Therefore, the Proposed Project Amendment would potentially conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions, and could result in a potentially significant impact, and the level of impact would similar to the Approved Project.~~

¹⁰ Relative to the temporal attributes of the carbon offsets mitigation for operational emissions, in a decision issued on December 19, 2018 (see *Friends of the Santa Clara River et al. v. County of Los Angeles* [Case No. BS 170568]), the Los Angeles County Superior Court found that a 30-year period for the mitigation of operational GHG emissions via carbon offsets is supported by substantial evidence. The Superior Court cited evidence in the record of proceedings before it concerning scientific limits; the parameters of available modeling tools; the changing regulatory structure and post-2050 uncertainties; and, the use of the same temporal period by other expert agencies, including CARB and SCAQMD, as well as multiple CEQA lead agencies. The referenced decision is included in Attachment C of the Proposed Project Amendment's Greenhouse Gas Emissions Memorandum. While the Superior Court's decision in that matter is not citable precedent in a legal context, was appealed and is currently being considered by California's Second District Court of Appeal, Division Five (see Case No. B296547), the petitioners in the case have not challenged the Superior Court's decision relative to any GHG issues, including the 30-year mitigation period.

Additionally, the Proposed Project Amendment would include the same PDFs as the Approved Project to support the policy objectives of the Regional Transportation Plan and SB 375. While the Proposed Project Amendment would result in more units than the Approved Project, the Proposed Project Amendment is consistent with the existing General Plan land use designations (as set forth in the Otay Ranch GDP/SRP) and SANDAG growth projections, and would only develop 1,266 residential units compared to the anticipated 2,123 residential units under the GDP/SRP. The Proposed Project Amendment also would be consistent with the goals set forth in the Conservation and Open Space Element of the County's General Plan that are designed to reduce the emissions of GHGs, reduce energy use in buildings and infrastructure, and promote the use of renewable energy sources, conservation, and other methods of efficiency (RH Consulting 2019). Furthermore, the Proposed Project Amendment would implement strategies in the Proposed Project Amendment's Water Conservation Plan. The Proposed Project Amendment would be required to comply with mitigation measures **M-GHG-3** and **M-GHG-4**.

All mitigation measures identified in the Final EIR have been incorporated into the Proposed Project Amendment's Mitigation Monitoring and Reporting Program to ensure implementation and enforceability. Therefore, the level of impact would be similar to and not increase from those levels identified in the Approved Project Final EIR. Implementation of **M-GHG-1** through **M-GHG-4** would reduce GHG emission impacts; thus, the Proposed Project Amendment would not conflict with SB 32 and Executive Order S-3-05 or any plans adopted with the purpose of reducing GHG emissions. Therefore, the Proposed Project Amendment's impacts on GHG emissions would be less than significant with mitigation, and the level of impact would be similar to that for the Approved Project.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant GHG emissions impacts. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more GHG emissions impacts.

IX. HAZARDS AND HAZARDOUS MATERIALS - 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 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?

YES NO
☐ ☒

The Final EIR determined that the Approved Project would result in less than significant Hazards and Hazardous Materials impacts. The Final EIR determined that the Approved Project's wildfire hazard impacts would be less than significant. As explained below, the Proposed Project Amendment does not materially alter or increase the wildfire risks associated with the Approved Project as assessed in the Final EIR. These risks would remain less than significant.

Similar to the Approved Project, the Proposed Project Amendment does not include land uses that would use hazardous substances in excess quantities, and no on-site hazardous contamination is present (see Appendix I – Phase 1 Environmental Site Assessment). The Proposed Project Amendment Project Area is not located within the Airport Influence Area of an Airport Land Use Compatibility Plan, within 2 miles of a public airport, or within 1 mile of a private use airport, nor would any of the proposed uses pose a hazard to airport safety.

The Project Area is located in County Service Area 135; therefore, the San Diego County Fire Authority (SDCFA) will provide fire and emergency medical response services. The Proposed Project Amendment would provide a centrally located, on-site fire station capable of responding to all of the Proposed Project Amendment's residential lots (1,266 units) within the County General Plan's 5-minute travel time standard. A Fire Term Sheet (see Attachment B to Appendix X) between the project applicant and SDCFA establishes the timing and funding for implementation of fire facilities. As reflected therein, an interim fire station, capable of providing full-service fire, medical, and other emergency response, would be constructed on the proposed public safety site prior to the 1st occupancy permit and would provide fire and

emergency medical services. The new permanent fire station would be constructed prior to the 650th home being constructed within the project area. Funding for the ongoing staffing and maintenance of both the interim and permanent fire stations would be established through a Community Facilities District (CFD) or other funding mechanism approved by the County.

As indicated in Table 17, using SDCFA's estimate of 82 annual calls per 1,000 population, the Proposed Project Amendment's conservatively estimated 4,558 permanent residents (1,266 units × 3.6 persons per dwelling unit) and 94 staff associated with the mixed-use areas would generate approximately 381 calls per year (1.0 call per day). Of these calls, at least 70% are expected to be medical emergencies and 2.3% are expected to be fire-related calls, based on typical call volumes (Huff, pers. obs. 2017). The calculated emergency response call volume load (1.0 call per day) is consistent with the Approved Project's projected call volume.

Table 17. Calculated Call Volume Associated with the Proposed Project Amendment

Emergency Calls per 1,000	Number of Residents, Guests, and Staff ^a	Average No. Calls per Year (4,652/1,000)×82	Avg. No. Calls per Day (381/365)
82	4,558 (estimate)	381	1.0

^a Population estimates based on 3.6 persons per residential dwelling unit for all occupancy types.

The Village 14 component of the Proposed Project Amendment's Project Area is subject to the 5-minute travel time, and the Planning Area 19 portions of the Proposed Project Amendment are subject to the 10-minute travel time. Table 18 shows how the Proposed Project Amendment would meet these requirements.

Table 18. Emergency Travel Times from Proposed Public Safety Site and SDCFA Station 36

5-Minute Travel Time	Quantity of Units Reached within 5 Minutes	Percentage of Residential Units Reached within 5 Minutes	Quantity of Units Reached within 10 Minutes	Percentage of Residential Units Reached within 10 Minutes
Public Safety Site	1,266	100%	N/A	N/A
SDCFA Station 36	13	1%	1,266	100%

Note: The travel time analysis considered proposed traffic-calming measures for the Proposed Project Amendment. The types of traffic calming proposed would maintain the emergency travel speeds modeled for this analysis.

As indicated in Table 18, all of the proposed development lots within Village 14 (1,253 residential units) and Planning Area 19 (13 residential units) can be reached within the General Plan 5-minute travel time standard from the proposed on-site fire station. Providing additional coverage, the existing SDCFA Fire Station 36 can respond to approximately 1% of the Proposed Project Amendment's lots (located in Planning Area 19) within 5 minutes and the remaining Village 14 lots within the 10-minute travel time standard for semi-rural residential. Therefore, the proposed on-site fire station would ensure that the General Plan's travel time standards can be met for the Project Area.

The Proposed Project Amendment includes 147 more new homes compared to the Approved Project, and would also include a school site, and commercial structures similar to the Approved Project. Service level requirements could, in the absence of fire facilities and resources improvements, cause a decline in the SDCFA response times and capabilities. However, similar to the Approved Project, additional firefighting capabilities and resources provided by the Proposed Project Amendment, including an on-site fire station, would meet the anticipated demands.

The Proposed Project Amendment would include the application of the current 2016 California Fire Code and Chapter 7A of the 2016 California Building Code for the entire Village 14 and Planning Area 19 sites, similar to the Approved Project.

Under the Proposed Project Amendment, perimeter Fuel Modification Zones (FMZs) will primarily remain the same as the Approved Project throughout the Village 14 and Planning Area 19 neighborhoods. Heat deflecting walls would be incorporated in specific locations as part of a system of protection enhancements to compensate for potentially reduced FMZs. Appendix J presents the locations of the perimeter FMZs and the locations of non-combustible walls (see Figures 8 and 9 of Appendix J). Internal open space lots would be irrigated, planted with drought-tolerant and fire-resistant plants, and maintained annually, or as needed, by the HOA or other funded entity.

Based on implementation of the Fire Protection Plan (FPP) requirements of the Proposed Project Amendment, compliance with applicable fire codes such as the current 2019 California Fire Code and Chapter 7A of the 2019 California Building Code, and including ignition resistant construction including ember resistant vents and fire rated walls, windows and eaves, wide, maintained fuel modification zones on the project's perimeter and throughout the developed areas, installation of interior fire sprinklers, construction of access roads and multiple points on ingress/egress, and inclusion construction and funding operations of a permanent fire station in the Project Area, the Proposed Project Amendment would result in less than significant impacts relating to wildfire hazards. The FPP and its requirements would be incorporated by reference into the Proposed Project Amendment's final Conditions of Approval to ensure compliance with County codes/regulations and significance standards, including design, construction and maintenance of access roads and fuel modification zones. Additionally, the County's emergency response and multijurisdictional fire efforts would be able to provide adequate emergency response.

The Dudek Fire Protection Planning team, which the County has listed as an approved consultant purposes of preparing Fire Protection Plans, has prepared a Fire Safety Memorandum, attached as Appendix X to this EIR Addendum, that further explains why the Proposed Project Amendment, though located within the wildland-urban interface (WUI), does not pose a CEQA-significant fire hazard or fire-safety risk to either neighboring communities or future residents of the project itself. Specifically, Appendix X documents research which does not support the assumption that new development in the WUI increases fire ignition risks. Rather, the available data show that no large fires in San Diego County since 1990 were determined to have been started within a nearby master planned, ignition-resistant subdivision.

The data also show that, in San Diego County, equipment-caused fires were by far the most numerous, and these accounted for most of the area burned; power-line fires were a close second. In fact, the data indicate that older, lower density housing poses greater wildfire risk, likely because lower density housing creates a wildland urban *intermix* (placing housing amongst unmaintained fuels) rather than a maintained and defensible *interface*. Appendix X also further emphasizes the role that property maintained FMZs play in both preventing a fire from encroaching into a master-planned community, as well as preventing a fire within a master-planned community from reaching larger areas of unmaintained vegetation.

Further, FMZs provide defensible space at regular intervals from which firefighters may attack an advancing wildfire. Finally, Appendix X explains the chain of command in a fire evacuation scenario, noting that fire evacuation planning is a fluid event based on specific conditions present at the time of the fire event, including wind speed and direction, humidity, topography, density of vegetation, relative moisture of the vegetation, expected wind and weather changes, number of evacuating vehicles and capacity of surrounding roadway network (including time of day and potential traffic conditions), visibility, and myriad other considerations. As explained in Appendix X, ultimately it is the Incident Command, working in coordination with various agencies, that makes minute by minute decisions on evacuations, as well as which communities may be available to seek temporary refuge.

In addition, Dudek has also prepared a Wildland Fire Evacuation Plan for the Proposed Project Amendment. This updated evacuation plan indicates that, in an wildfire scenario, there are two likely evacuation scenarios; one where all traffic flows southwesterly on Proctor Valley Road through the City of Chula Vista and one where project traffic would be evacuated in both directions (southwesterly and northeasterly).

Under the Proposed Project Amendment, an additional 147 units would be built compared to the Approved Project. Assuming two cars per unit, this would add approximately 294 vehicles on the road in an evacuation, although this may not occur simultaneously. This represents an increase of approximately 13% compared to the Approved Project and would reasonably be expected to result in somewhat increased evacuation times if every resident and vehicle attempted to evacuate in the same direction at the same time. However, the Incident Command would monitor the wildfire and evacuation efforts and make decisions on which areas to evacuate, and in which direction, in real time.

Because the Proposed Project Amendment would be constructed to stringent ignition resistant requirements that were designed to allow development within fire hazard severity zones, the Proposed Project Amendment would be capable of temporarily refuging residents, guests, and firefighters within the project area, and because the Proposed Project Amendment would consolidate development closer to Proctor Valley Road and thus reduce potential lead times for certain neighborhoods to evacuate through open space/Preserve areas, the Proposed Project Amendment would not interfere with existing evacuation plans.

San Diego County Sheriff's Department is on record indicating that they can evacuate projects like the Proposed Project Amendment and have a track record over the last 20+ years.

For the reasons given above, as well as those set forth in Appendix X, the Proposed Project Amendment would not (i) substantially impair an adopted emergency response plan or emergency evacuation plan, (ii) exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or to the uncontrolled spread of wildfire, (iii) require the installation or maintenance of associated infrastructure (e.g., roads, power lines) that may exacerbate risk, or (iv) expose people or structures to significant risks of flooding or landslides due to runoff, post-fire slope instability, or drainage changes.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to hazards and hazardous materials. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hazards and hazardous materials.

- X. 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 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; 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?

YES	NO
☐	☒

The Final EIR determined that the Approved Project's impacts to Hydrology and Water Quality would be less than significant.

A Drainage Study (Appendix K), Stormwater Management Plan (Appendix L), and Hydromodification Management Plan (Appendix M) were prepared for the Proposed Project Amendment. With implementation of site design and low-impact design features, structural treatment control Best Management Practices (BMPs), and compliance with the Construction General Permit and the General Order for Dewatering, construction of the Proposed Project

Amendment would result in less-than-significant impacts from the alteration of existing drainage or hydrology of the area in a manner that would result in peak-flow increases that exceed the capacity of stormwater drainage systems or result in substantial erosion or siltation. Runoff from on-site developed areas would be conveyed toward water quality and Hydromodification Management Plan treatment facilities prior to discharging into Proctor Valley and/or Jamul Creeks, from where these would flow into the Otay Reservoir System. The Upper Otay Reservoir has sufficient capacity to contain both wet- and dry-weather flows; therefore, operational impacts would be less than significant.

Compliance with the California Building Code, San Diego Area Regional Standard Drawings, Standard Specifications for Public Works Construction, and preparation of site-specific SWPPPs would reduce potential water quality impacts from construction of the Proposed Project Amendment to less than significant. The Proposed Project Amendment would not contribute pollution in excess of that allowed by applicable state or local water quality objectives or contribute to the degradation of beneficial uses. Operational water quality impacts would be less than significant.

The Proposed Project Amendment does not propose the use of groundwater for any purpose and would not affect off-site groundwater usage. The groundwater table is expected to occur deeper than 100 feet below the ground surface and is not expected to be a constraint to Proposed Project development. The necessary RWQCB permit would be obtained, and appropriate control measures would be implemented if dewatering is necessary, ensuring that impacts to groundwater would be less than significant.

The Proposed Project Amendment Project Area is outside designated 100- and 500-year floodplain areas and other special flood hazard areas. Therefore, no hazards related to flooding are anticipated, and impacts would be less than significant.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to hydrology and water quality. There are no 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.

XI. 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?

YES NO
☐ ☒

The Final EIR determined that the Approved Project would not physically divide an established community; conflict with any applicable land use plan, policy, guideline, or regulation; or conflict with an applicable habitat conservation plan or natural community conservation plan. Therefore, the Final EIR determined the Approved Project would result in less than significant impacts for land use and planning.

The Proposed Project Amendment Project Area is undeveloped. There is also no existing established community surrounding the Project Area that would be physically divided by construction or operation of the Proposed Project Amendment. Therefore, the Proposed Project Amendment would not physically divide an established community.

A comprehensive policy consistency analysis of the County General Plan, Jamul/Dulzura Subregional Plan, and Otay Ranch GDP/SRP is provided in Appendix N, General Plan Consistency Analysis. The analysis determined that the Proposed Project Amendment does not conflict with the Otay Ranch GDP/SRP and the County General Plan land use designations and zoning for the Project Area. The Proposed Project Amendment also does not conflict with applicable goals, policies, and regulations of the County General Plan, Jamul/Dulzura Subregional Plan, Otay Ranch GDP/SRP, County Zoning Ordinance, Otay Ranch RMP, County Light Pollution Code, City of Chula Vista General Plan Land Use and Transportation Elements, Otay River Watershed Management Plan, Otay Valley Regional Park Concept Plan, or SANDAG 2050 RTP/SCS.

The Proposed Project Amendment does not conflict with a Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). The MSCP Plan and the implementing Subarea Plans comprise the HCP and NCCP for this portion of San Diego County. Refer to Section IV, Biological Resources, and Appendices D and E.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to land use and planning. There are no 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.

XII. 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 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?

YES NO
☐ ☒

The Final EIR determined that the Approved Project's impact to mineral resources was less than significant. The Final EIR found that portions of the Approved Project Area are situated

on areas classified as MRZ-3 and are underlain by Quaternary alluvium; however, these areas are not considered a high quality aggregate source. Additionally, a portion of the MRZ-3 area is already effectively lost due to the incompatibility with MSCP Preserve goals.

A Mineral Resources Technical Memorandum (Appendix O) was prepared for the Proposed Project Amendment. Geologic conditions across the Project Area are essentially the same as described in the Final EIR and Mineral Resource Technical Reports. It is important to note that the Development Footprint of the Proposed Project Amendment is encompassed in either the Approved Project or the Land Exchange Alternative development footprints. Thus, potential mineral resources within the Proposed Project Amendment area were previously analyzed in the Final EIR. Therefore, as with the previous Final EIR Technical Reports, no mitigation measures or design considerations are recommended for the Proposed Project Amendment.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to mineral resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources.

XIII. 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?

YES NO
☐ ☒

The Final EIR determined that the Approved Project's on-site traffic noise levels would exceed the County's exterior noise standard (**Impact N-1**) and the County interior noise standard (**Impact N-2**) at some locations along Proctor Valley Road. The Approved Project would also increase noise levels greater than 10 dBA at an off-site residential receiver (**Impact N-3**). Noise from HVAC equipment would be potentially significant (**Impact N-4**). During construction, the Approved Project would result in short-term noise impacts to off-site residences (**Impact N-5 through Impact N-7**). The occupied portions of the Approved Project also have the potential to be impacted by noise from

construction activities (**Impact N-8**). Noise impacts associated with impulsive noise from rock drilling and blasting (**Impact N-9**), rock-crushing (**Impact N-10**), ground vibration (**Impact N-11** and **Impact N-12**), and blasting (**Impact N-13**) during construction activities would also be potentially significant. The Approved Project would also result in a cumulative noise impact at off-site noise sensitive land uses (**Impact CUM-N-1**). On-site operational and cumulative impacts would be reduced to less than significant with implementation of mitigation measures **M-N-1 M-N-2, and M-N-3**. Noise impacts during construction activities would be reduced to less than significant with implementation of mitigation measures **M-N-4 through M-N-10**. There is no feasible mitigation for the off-site traffic noise impact, therefore off-site traffic noise would remain significant and unavoidable.

Traffic Noise

An Acoustical Letter Memorandum (Appendix P) was prepared for the Proposed Project Amendment. The primary noise source under the Proposed Project Amendment would be vehicle traffic along Proctor Valley Road, similar to the Approved Project. The Proposed Project Amendment would be subject to the County Noise Element which allows exterior noise exposure levels to 65 dBA CNEL and 45 dBA interior noise levels. The acoustical analysis determined that the allowable noise levels may be exceeded at on-site residential units along Proctor Valley Road. Thus, the Proposed Project Amendment would incorporate sound walls (**M-N-1**) along Proctor Valley Road (see Attachment P, Sound Wall Locations, in Appendix P) to reduce the exterior noise levels to below the applicable Community Noise Equivalent Level (CNEL) thresholds and to a level of less than significant, similar to the Approved Project, and interior acoustical analysis (**M-N-2**). However, no mitigation is feasible to reduce the off-site traffic noise increase at receiver R4/M8; therefore, that impact would remain significant and unavoidable, similar to the Approved Project.

Construction Noise

The acoustical analysis in Appendix P determined that general construction activities would cause potentially significant noise impacts to existing surrounding residences. These impacts would be reduced to less than significant levels with implementation of the same mitigation measures (**M-N-4 through M-N-7**) identified in the Final EIR. Furthermore, blasting and crushing could potentially impact surrounding residences. The necessity and extent of blasting would not be known until surface clearing is completed. The Approved Project required blasting and thus included mitigation measures which would reduce potential impacts to less than significant. The same mitigation measures (**M-N-8, M-N-9** and **M-N-10**) would be required for Proposed Project Amendment, which would reduce potential impacts to less than significant.

Stationary Noise

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant noise impacts. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more noise impacts.

XIV. PALEONTOLOGICAL 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 result in one or more effects to paleontological resources including project-related grading or excavation that will disturb the substratum or parent material below the major soil horizons in any paleontologically sensitive area of the County, as shown on the County's Paleontological Resources Potential and Sensitivity Map that is included in the County Guidelines (County of San Diego 2009)?

YES NO
☐ ☒

The Final EIR for the Approved Project determined that excavation in areas underlain by the Otay Formation would result in potentially significant impacts to paleontological resources (**Impact PR-1**). Retention of a Project Paleontologist and Paleontological Resources Monitor during excavation in paleontologically sensitive areas (**M-PR-1**) would reduce impacts to less than significant.

A Paleontological Resources Technical Memorandum (Appendix Q) was prepared for the Proposed Project Amendment. Similar to the Approved Project, the Proposed Project Amendment Project Area is underlain by moderate to high sensitivity sedimentary deposits of Pleistocene age older alluvium and Oligocene age Otay Formation (Tan and Kennedy 2002; Todd et al. 2004) (see Attachment A, Paleontological Sensitivity Map, of Appendix Q). The Proposed Project Amendment is located in the same general location as the Approved Project and would result in impacts to approximately 230 acres less than the Approved Project. Upon implementation of the mitigation measures for the Proposed Project Amendment (**M-PR-1**), impacts would be reduced to a less-than-significant level.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to paleontological resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to paleontological resources.

XV. 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?

YES NO
☐ ☒

The Final EIR for the Approved Project did not identify significant impacts for population and housing. The Final EIR evaluated extension of infrastructure and public facilities such as water, sewer and roadways within the Project Area and determined that because the Approved Project was within the development intensity prescribed by the Otay Ranch GDP/SRP, such impacts were less than significant.

The Proposed Project Amendment includes 1,266 residential units, which is an increase of 147 residential units compared to the Approved Project. The proposed increase in residential use would provide increased permanent housing in the area; however, this change would not induce substantial population growth in the area. The Proposed Project Amendment would not displace any existing housing or substantial numbers of people because the Project Area is currently vacant.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to population and housing. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to population and housing.

XVI. 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 NO
☐ ☒

The Final EIR determined that the Approved Project would result in less than significant impacts for police services, fire services, library service, and schools. A public safety site in the Village Core would provide a fire station and sheriff storefront on site. Payment of state-mandated schools fees requires that the Owner/Applicant provide funding to the appropriate school districts.

Similar to the Approved Project, the Proposed Project Amendment would include an on-site fire station and sheriff's storefront. In addition, an elementary school site is located within the Village Core area. The facilities have been sized to meet the demands of the Proposed Project Amendment, similar to the Approved Project, and the potential impacts of constructing these facilities have been analyzed throughout the Final EIR. The Proposed Project Amendment would not result in any other physical expansions of existing facilities, or new facilities that could potentially result in environmental impacts.

The Proposed Project Amendment would result in an increase in demand for school, fire and police services as compared to the Approved Project. Service availability forms have been provided which indicates existing elementary and middle school services are available from the Chula Vista Elementary School District and Jamul/Dulzura Union School District, (see Appendix R) to serve the proposed 1,266 residential units. Service availability forms have also been provided which indicates existing services are available from the Sweetwater Union High School District and Grossmont Union School District (see Appendix R) to serve the proposed 1,266 residential units.

Police services would be provided from the County Sheriff's Department and fire services from San Diego County Fire Authority (SDCFA). A service availability been provided which indicates existing services are available from the SDCFA (see Appendix R). The expected emergency travel time from the on-site fire station would be in compliance with the General Plan Safety Element travel time of five minutes and rural standard of 10 minute travel time.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to public services. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to public services.

XVII. 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 "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 Final EIR determined that the Approved Project would result in less than significant impacts to recreation. The environmental impacts of associated with construction and operation of on-site recreational amenities are discussed throughout the Final EIR. No off-site facilities would be required. The Proposed Project Amendment would construct similar park facilities, or be required to pay fees, pursuant to the Park Land Dedication Ordinance (PLDO). The PLDO is the mechanism that enables the funding or dedication of local parkland in the County. The PLDO establishes several methods by which developers may satisfy their park requirements. Options include the payment of park fees, the dedication of a public park, the provision of private recreational facilities, or a combination of these methods. The Proposed Project Amendment would also include private recreational facilities. With dedication of parkland or payment of fees, the impact would be less than significant.

In addition to the public parks and private recreation facilities, the Proposed Project Amendments includes trails and pathways along roadways, including the Village Pathway along Proctor Valley Road, connecting through the community.

Overall, similar to the Approved Project, the Proposed Project Amendment would include on-site public and private parks and recreation facilities. The facilities have been sized to meet the demands of the Proposed Project Amendment, similar to the Approved Project, and the potential impacts of constructing these facilities have been analyzed. The Proposed Project Amendment would not result in any other physical expansions of existing facilities, or new facilities that could potentially result in environmental impacts.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to recreation. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to recreation.

XVIII. TRANSPORTATION - 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 Final EIR determined that the Approved Project would result in potentially significant impacts under the Existing Plus Built-Out Conditions (County: **Impact TR-9**; City of Chula Vista: **Impact TR-1 and Impact TR-10**). Under the Year 2025 Conditions, the Approved Project would result in potentially significant impacts **Impact TR-2a, 2b, and Impact TR-11** (County); and **Impacts TR-3 and 12** (City of Chula Vista). Under the Year 2030 Cumulative Conditions, the Approved Project would result in potentially significant impacts **Impact TR-4a, 4b, 4c, 4d, and Impact TR-13** (County); and **Impacts TR-5 and 14** (City of Chula Vista). Under the Year 2030 With Cumulative Conditions Plus Hypothetical Development of State Preserve Property, the Approved Project would result in potentially significant impacts **Impact 6a, 6b, 6c, 6d, and Impacts TR-15, 17, 18, 19, 20, and 21** (County); and **Impacts TR-16 and 22, 23, and 24** (City of Chula Vista). Mitigation is recommended in the form of widening Proctor Valley Road (**M-TR-1, 9**), installing traffic signals

(M-TR-2, 3, 10, 11, 12, 13 and 14) payment of Traffic Impact Fees (M-TR-4, 5, 6, 7, 8) and other off-site right-of-way improvements (M-TR-15, 16, and 17).

The Final EIR determined the Approved Project would result in a direct significant impact to the Lyons Valley Road and SR-94 intersection, and recommended signalization of the intersection to reduce the project impact to less than significant. Subsequent to the Final EIR analysis, the intersection was signalized by the Jamul Casino in late 2018 and, as such, any impacts to the intersection by the Proposed Project Amendment would be less than significant.

A Traffic Technical Memorandum (Appendix S) was prepared for the Proposed Project Amendment to determine whether the Proposed Project Amendment would have new or substantially more severe transportation and traffic impacts compared to the Approved Project. Table 16 compares the traffic generated by the Proposed Project Amendment and the Approved Project

Table 16. Proposed Project Amendment Average Daily Trips Compared to Approved Project Average Daily Trips

Land Use	Trip Rate	Average Daily Trips
		Proposed Project Amendment
Estate	12/DU	156
Single Family Residential	10/DU	11,030
Multi-Family Residential	8/DU	1,200
Mixed Use Commercial	110/KSF	1,100
Elementary School	90/Acre	891
Neighborhood Park	5/Acre	55
Community Purpose Facility	30/Acre	285
Fire Station	5.3/Staff	16
Sub-Total		14,729
Internal Capture @ 12%		-1,767
Total		12,962
Difference (with respect to Proposed Project Amendment)		(195)

As shown in Table 16, the Proposed Project Amendment's average daily trips are greater than those of the Approved Project by 195 average daily trips, which represents an increase of 1.5%. An increase of this number of average daily trips would not result in a new significant impact or substantially increase the severity of impacts identified in the Final EIR. The Proposed Project Amendment would result in the same impacts as the Approved Project, with the exception that **Impacts TR-9, 11, 13, and 15** (Lyons Valley Road and SR94) would be less than significant.

Under the Year 2030 Cumulative Conditions Plus Hypothetical Development of State Preserve Property scenario, the transportation related impacts associated with the Proposed Project Amendment would be similar to, or less than those identified in the Final EIR.

The Proposed Project Amendment does not propose any changes in the project that cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to transportation/traffic. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to transportation/traffic.

XIX. 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 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
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The Final EIR determined that the Approved Project would result in a potentially significant indirect impact to a possible tribal cultural resource if the Preserve Trails Options was implemented (**Impact TCR-1**). Mitigation measure **M-TCR-1** would reduce the impact to less than significant.

Based on the analysis in the Cultural Resources Technical Memorandum (Appendix E) prepared for the Proposed Project Amendment, it has been determined that tribal cultural resources are not present within the Project Area. As such, it has been determined that although cultural resources were present within the Project Area, they are not considered "tribal cultural resources." As such, with the implementation of the Proposed Project Amendment, there would be no impacts to significant tribal cultural resources.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to tribal cultural resources. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources.

XX. UTILITIES AND SERVICE SYSTEMS - 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 utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES NO

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The Final EIR determined that the Approved Project would result in less than significant impacts for water supplies, wastewater treatment, storm drainage, and solid waste. Project Design Features (PDFs) were identified for the Approved Project to reduce potable water consumptions (PDF-UT-1 through PDF-UT-5).

Water service for the Proposed Project Amendment would be provided by the Otay Water District. The Proposed Project Amendment would add 147 residential units, but would also consolidate development and reduce the number of large, estate "ranchettes" anticipate under the Approved Project and would implement the same PDFs as the Approved Project. As a result, the estimated water use for the Proposed Project Amendment is 755,060 gallons per day, which is approximately 43,000 gallons per day less than the Approved Project (Appendix T). A Water Conservation Plan (Appendix U) calculated the anticipated conservation achieved by the Proposed Project Amendment through implementation of PDF-UTL-1 through PDF-UTL-5. A service availability form has been provided which indicates that facility capacity is available from the Otay Water District (see Appendix R).

Sewer service would be provided by the San Diego County Sanitation District. The estimated sewer use for the Proposed Project Amendment is 0.32 MGD per day, compared to 0.28 MGD for the Approved Project. The proposed sewer system for the Proposed Project Amendment is provided as Exhibit A in Attachment B of the Sewer Service Technical Memorandum (Appendix V). A service availability has been provided which indicates sewer services are available from the San Diego County Sanitation District (see Appendix R). The proposed regional sewer system does not propose any new facilities or areas of impact that were not already identified for the Approved Project or EIR Land Exchange Alternative.

Similar to the Approved Project, the Proposed Project Amendment would implement a storm drain system to collect and convey runoff from the Proposed Project Amendment. The on-

site storm drain system would collect development runoff and discharge into BMP biofiltration basins intended for water quality filtering and hydromodification treatment. As a result, the Proposed Project Amendment would result in less than significant impacts to storm drainage. Relative to solid waste, the Proposed Project Amendment would be required to comply with applicable federal, state, and local statutes and regulations related to solid waste and recycling. Furthermore, the County's General Plan goals and policies related to solid waste disposal would ensure compliance with all applicable laws and regulations. Similar to the Approved Projects, impacts would be less than significant.

The Proposed Project Amendment would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to utilities and service systems. There are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to utilities and service systems.

XXI. 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 NO
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As described in this Checklist, there are no changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any of the mandatory findings of significance.

As described in this Addendum, there are (i) no changes in the Proposed Project Amendment, (ii) no changes in circumstances under which the Proposed Project Amendment is undertaken, and (iii) and no "new information of substantial importance" that results in any of the mandatory findings of significance.

The Proposed Project Amendment Biological Technical Memorandum (see Appendix D) included cumulative impact analyses for biological resources. The technical memorandum determined that the Proposed Project Amendment would reduce the overall acreage of impacts to biological resources by approximately 230 acres compared to the Approved Project. The Proposed Project Amendment would also improve wildlife movement relative to the Approved Project by consolidating the Development Footprint, widening wildlife corridors and creating large contiguous blocks of habitat.

The Proposed Project Amendment would result in potentially significant impacts biological resources, including direct and indirect impacts to sensitive vegetation communities, special status plant and wildlife species, jurisdictional aquatic resources, wildfire movement and corridors; however, impacts would be mitigated to less than significant and the Proposed Project Amendment's contribution is less than cumulatively considerable. The Proposed Project Amendment would also contribute to significant cumulative impacts to coastal California gnatcatcher habitat, and raptor foraging habitat; however, the contribution is less than cumulatively considerable and would be mitigated through habitat preservation and restoration on site. Refer to Section IV, Biological Resources of this checklist for mitigation measures.

The Proposed Project Amendment's contribution to cumulative impacts have been analyzed and disclosed in Appendices A through ~~VY~~. While the Proposed Project Amendment would increase the total number of units by ~~166-147~~ compared to the Approved Project, the total Development Footprint would be reduced by approximately 230 acres, and the total number of ADT would only increase by 1.5% due to internal trip capture. Further, the total square footage of construction would also only increase by approximately 1.5%. Overall, this minor increase in total units would not cause new or significantly greater contributions to cumulative impacts previously analyzed and disclosed in the Final EIR.

The Proposed Project Amendment would not have environmental effects that will cause substantial adverse effects on human beings. Refer to Section III, Air Quality (Sensitive Receptors), Section VII, Geology and Soils (rupture or faults), Section IX, Hazards and Hazardous Materials (wildfire hazard and emergency evacuations), and Section XV Public Services (fire protection and law enforcement services).

Attachments

- A. Regional Location Map
- B. Approved Project Site Utilization Plan
- C. EIR Land Exchange Alternative Site Utilization Plan
- D. Dispute Resolution Agreement
- E. Proposed Land Exchange Map
- F. Proposed Project Amendment Site Utilization Plan
- G. Proposed Project Amendment Project Area
- H. Comparison of Proposed Project Amendment to Approved Project
- I. Comparison of Proposed Project Amendment to EIR Land Exchange Project
- J. Certified EIR Study Area Compared to Proposed Project Amendment

Appendices

- A. Aesthetics Technical Memorandum
- B. Agricultural Resources Technical Memorandum
- C. Air Quality Technical Memorandum
- D. Biological Resources Technical Memorandum + BMO
- E. Cultural Resources Technical Memorandum
- F. Energy Technical Memorandum
- G. Geotechnical Technical Memorandum
- H. Greenhouse Gas Emissions Technical Memorandum
- I. Phase 1 ESA
- J. Fire Protection Technical Memorandum
- K. Drainage Report for the Otay Ranch Village 14 and Planning Area 16/19 Proposed Project Amendment
- L. Stormwater Quality Management Plan for the Otay Ranch Village 14 and Planning Area 16/19 Proposed Project Amendment
- M. Hydromodification Management Plan for the Otay Ranch Village 14 and Planning Area 16/19 Proposed Project Amendment
- N. General Plan Consistency Analysis
- O. Mineral Resource Technical Memorandum
- P. Noise Technical Memorandum
- Q. Paleontological Resources Technical Memorandum
- R. Service Availability Letters
- S. Traffic Technical Memorandum
- T. Water Service Technical Memorandum
- U. Water Conservation Plan
- V. Sewer Service Technical Memorandum
- W. Quino Checkerspot Butterfly Conservation Strategy
- X. Fire-Safety Memorandum
- Y. Optional Secondary Access Road Memo
- ~~V-Z.~~ Proposed Project Amendment MMRP

REFERENCES

- 14 CCR 15000–15387 and Appendices A through L. Guidelines for Implementation of the California Environmental Quality Act, as amended.
- California Public Resources Code, Section 21000–21177. California Environmental Quality Act, as amended.
- CEC (California Energy Commission). 2016. “Diesel Fuel Data, Facts, and Statistics.” Accessed December 2017. http://www.energy.ca.gov/almanac/transportation_data/diesel.html.
- Chen Ryan. 2017. Proctor Valley Transportation Impact Study.
- Chen Ryan. 2019. Village 14 and Planning Areas 16/19 Proposed Project Amendment - Traffic Impact Analysis Update Memo – November 2019.
- City of Chula Vista and County of San Diego. 1993. *Otay Ranch Resource Management Plan*. <http://www.sandiegocounty.gov/content/dam/sdc/dplu/docs/OtayRMP.pdf>.
- Comeau et al. 2019. Cultural Resource Addendum Report, 2019.
- County of San Diego. 2019. *Final Environmental Impact Report. Otay Ranch Village 14 and Planning Areas 16/19 Project*. State Clearinghouse # SCH 2016121042. GPA 16-008, SP 16-002, REZ 16-006, TM 5616, ER-16-19-006 and STP 16-027. May 2019.
- Dudek. 2018. Biological Resources Technical Report for Otay Ranch Village 14 and Planning Areas 16/19. September 2018.
- International Council on Clean Transportation. 2017. Expanding the Electric Vehicle Market in U.S. Cities. Published July 24, 2017. https://www.theicct.org/sites/default/files/publications/US-Cities-EVs_ICCT-White-Paper_25072017_vF.pdf.
- Huff, M. 2017. Experience working in San Diego County fire jurisdictions. Personal observation by M. Huff (Dudek).
- Tan, S.S, and M.P. Kennedy. 2002. Preliminary geologic map of the Otay Mesa 7.5' Quadrangle, San Diego County, California. California Geological Survey, scale 1:24,000.
- RH Consulting. 2019. *Proposed Project Amendment General Plan Amendment Report*. September 2019.