

CHAPTER 7.0 LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

7.1 Aesthetics and Visual Resources

Mitigation Measures

- M-AE-1** All final grading plans, landscape plans, and improvement plans for the proposed Project shall be evaluated for Project compliance with the aesthetic design mitigation measures of this EIR, the Resort Village Specific Plan (Development Regulations), the Resort Village Design Plan, and the Resort Village Preserve Edge Plan. Final grading plans will be created based on the preliminary grading plans and submitted by a certified engineer.
- M-AE-2** Pursuant to Chapter IV, Implementation, of the Otay Ranch Resort Village Specific Plan, Site Plans (“D” Designator) shall be evaluated for Project compliance with the Resort Village Design Plan, the Resort Village Preserve Edge Plan, and the provisions of the Specific Plan related to colors, materials, and other architectural characteristics of adjacent buildings, building massing, siting of buildings and structures including setbacks from tops of slopes, architectural colors adjacent to open space, height, use of non-reflective/non-glare surfaces, and other aesthetic design measures of this EIR.

Environmental Design Considerations

- AE-ED-1** The Project shall incorporate enhanced parkways throughout the Project site to provide pleasant streetscapes and an overall enjoyable atmosphere.
- AE-ED-2** The Resort Village Design Plan directs the Project architecture and landscaping to create cohesive community based on the Italian “Hill Town” theme.
- AE-ED-3** Dark roofs of varying shades shall be used rather than lighter colors.
- AE-ED-4** Architecture and siting of buildings on lots shall be varied to provide visual interest and variation, regardless of the viewer’s location.
- AE-ED-5** Residential, resort, recreational, and public buildings, while unified through a common style and theme, shall be varied in massing, elevation, and density.
- AE-ED-6** Landscaping shall be installed within each constructed phase as it is finished.
- AE-ED-7** Project lighting shall adhere to County codes and requirements.

7.2 Air Quality

Mitigation Measures

M-AQ-1a The applicants shall implement all of the following measures during construction of the proposed Project:

- Water actively disturbed surfaces at least three times daily;
- On-site dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. The use of approved nontoxic soil stabilizers shall be incorporated according to manufacturers' specifications to all inactive construction areas;
- Water sprayers shall be installed on the rock crushing equipment to control particulate emissions during crushing operations;
- Approved chemical soil stabilizers shall be applied according to the manufacturers' specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours), including unpaved roads and employee/equipment parking areas;
- Stabilize the surface soil in areas subject to sub-surface blasting immediately before each blast;
- All construction roads with more than 150 daily trips shall be paved;
- All construction access roads from Otay Lakes Road onto the Project site shall be paved for a minimum of 100 feet onto the site;
- Approved chemical soil stabilizers shall be applied according to the manufacturers' specifications to all active construction areas, both pre- and post-blasting activity.
- At a minimum, all off-road, diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 3 emission standards for nonroad diesel engines promulgated by the U.S. Environmental Protection Agency, if such equipment is available in the San Diego region. Construction equipment that meets the Tier 4 emission standards will be integrated into the construction fleet during the later stages of the Project's construction period (post 2020), if such equipment becomes available in the San Diego region.
- Paved streets shall be swept frequently (~~water sweeper with reclaimed water recommended; wet broom permitted~~) if soil material has been carried onto adjacent paved, public thoroughfares from the Project site;
- Traffic speeds on all unpaved surfaces shall be reduced to 15 mph or less, and unnecessary vehicle traffic shall be reduced by restricting access.

Appropriate training to truck and equipment drivers, on-site enforcement, and signage shall be provided;

- The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained before and for the duration of on-site operation;
- Termination of grading and/or surface-level blasting shall occur if winds exceed 25 mph;
- Hydroseeding of graded pads and surface-level blasting areas shall occur if development will not occur within 90 days;
- Minimize simultaneous operation of multiple construction equipment units. During construction vehicles in loading and unloading queues shall turn their engines off when not in use to reduce vehicle emissions;
- All construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. A copy of each unit's BACT documentation shall be provided at the time of mobilization of each applicable unit of equipment;
- All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications;
- All diesel-fueled on-road construction vehicles shall meet the emission standards applicable to the most current year to the greatest extent possible. To achieve this standard, new vehicles shall be used, or older vehicles shall use post-combustion controls that reduce pollutant emissions to the greatest extent feasible;
- The use of electrical construction equipment shall be employed where feasible;
- The use of catalytic reduction for gasoline-powered equipment shall be employed where feasible;
- The use of injection timing retard for diesel-powered equipment shall be employed where feasible; and
- Construction diesel fuel shall be comprised of at least 25 percent biodiesel.

M-AQ-1b The applicants or subsequent designee(s) shall prepare a Dust Control Plan, subject to review and approval by the County of San Diego Department of Planning & Development Services, to be implemented during the Project's construction period. The Dust Control Plan, at a minimum, shall provide the following information:

- Project name and location;
- Contact information for the property owner(s) and construction contractor(s);

- Primary project contact responsible for implementation of the plan;
- Primary agency contact responsible for oversight of the plan;
- Description of construction activities;
- Plot plan;
- Information on the amount of area to be disturbed;
- Phasing schedule for dust generating activities;
- List of dust generating activities;
- Fugitive dust control measures to be implemented, including measures to prevent trackout/carryout;
- Adaptive management provisions that authorize modifications to dust control measures (e.g., increased watering applications) in response to on-site, real-time conditions;
- Requirement to post publicly visible signs with the contact information for the primary project and agency contacts in the event of dust control complaints;
- Requirement to take any necessary corrective action in response to dust control complaints within 24 hours;
- Recordkeeping requirements to log daily dust control activities; and
- Certification by primary agency contact of compliance at quarterly intervals.

A sample Dust Control Plan template is provided as an attachment to this mitigation measure.

The Fugitive Dust Control Plan will also include a requirement to post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.

M-AQ-1c Prior to the issuance of grading permits, the applicants or subsequent designee(s) shall develop a construction truck traffic plan for implementation during the Project's construction period. The plan shall identify the preferred truck routing from freeways and/or major roadways, as applicable, to the Project site; those routes shall avoid areas with substantial numbers of sensitive receptors, such as residential developments and/or schools, while minimizing the travel distance. The plan shall be submitted to the County of San Diego Department of Planning & Development Services for review and approval.

M-AQ-1d Prior to the issuance of grading and building permits, the applicants or subsequent designee(s) shall submit verification to the County of San Diego Department of Planning & Development Services that a ridesharing program for the construction

crew has been encouraged by the contractor(s). Evidence shall include copies of rideshare materials provided to employees and any incentives offered.

M-AQ-1e The Project's architectural coatings shall comply with Rule 1113 of the South Coast Air Quality Management District, as amended in 2013.

M-AQ-2a Project permittees shall implement the following mitigation measures to reduce the air pollutant emissions associated with mobile sources and on-site gas combustion (CAPCOA 2010):

- Plant low-maintenance, drought-resistant plant species that reduce gas-powered landscape maintenance equipment usage and water consumption.
- Equip residential structures with electric outlets in the front and rear of the structure to facilitate use of electrical lawn and garden equipment.
- All single-family residences shall be constructed with connections for solar water heaters and solar and/or wind renewable energy systems.
- Use regulated low-VOC coatings for all architectural coating activities.
- Incorporate pedestrian trails, paths and sidewalks, and bicycle trails to encourage reduction in vehicle usage and trips.

M-AQ-2b The Project's HOA shall require that all open space areas under its control be landscaped and maintained with electrical equipment, to the extent feasible.

Environmental Design Considerations

AQ-ED-1 The Project shall incorporate pedestrian trails, paths and sidewalks, and bicycle trails, to encourage reduction in vehicle usage and trips.

AQ-ED-2 Grading shall entail multiple applications of water between dozer/scrapper passes to limit dust.

AQ-ED-3 Paving, chip sealing, or chemical stabilization of internal roadways shall occur after completion of grading.

AQ-ED-4 Sweepers or water trucks shall remove "track-out" at any point of public street access.

AQ-ED-5 Chemical binders, tarps, fencing, or other erosion control and suppression measures shall stabilize dirt storage piles.

7.3 Biological Resources

Mitigation Measures

M-BI-1a **Conveyance.** Prior to the approval of the first Final Map for the Project, the Project applicants shall coordinate with the County of San Diego to establish and annex the Project site into a county-administered Community Facilities District to pay for the on-going management and maintenance of the Otay Ranch Preserve. Prior to the recordation of the first Final Map within each Tentative Map, the Project applicants shall convey land within the Otay Ranch Preserve to the Otay Ranch Preserve Owner/Manager or its designee at a 1.188 acre for each “Developable Acre” impacted at Final Map as defined by the Otay Ranch RMP. The total required conveyance for this project is 887.7 acres.

M-BI-1b **Biological Monitoring.** Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits for any areas adjacent to the Preserve and the off-site facilities located within the Preserve, the Project applicants shall provide written confirmation that a County-approved biological monitor has been retained and will be on-site during clearing, grubbing, and/or grading activities. The biological monitor shall attend all pre-construction meetings and be present during the removal of any vegetation to ensure that the approved limits of disturbance are not exceeded and provide periodic monitoring of the impact area, including, but not limited to, trenches, stockpiles, storage areas, and protective fencing. The biological monitor shall also be responsible for implementing the monitoring as required and specified in the restoration plans. The biological monitor shall be authorized to halt all associated activities that may be in violation of the County’s MSCP Subarea Plan and/or permits issued by any other agencies having jurisdictional authority over the Project.

Before construction activities occur in areas adjacent to Preserve areas containing sensitive biological resources, all workers shall be educated by a County-approved biologist to recognize and avoid those areas that have been marked as sensitive biological resources.

M-BI-1c **Temporary Fencing.** Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits, the Project applicants shall install prominently colored fencing and signage wherever the limits of grading are adjacent to sensitive vegetation communities or other biological resources, as identified by the qualified monitoring biologist. Fencing shall remain in place during all construction activities. All temporary fencing shall be shown on grading plans for areas adjacent to the Preserve and for all off-site facilities constructed within the Preserve. Prior to release of grading and/or improvement bonds, a qualified biologist shall provide evidence to the satisfaction of the Director of Planning and Development Services (or his/her designee) and the Director of Parks and Recreation, that work was conducted as authorized under the approved land development permit and associated plans.

M-BI-1d Upland Restoration. Restoration areas may incorporate salvaged materials such as seed collection and translocation of plant materials as determined to be appropriate. The project biologist shall review the plant materials prior to grading and will determine if salvage is warranted. If salvage is not appropriate due to site conditions, plant conditions, or reproductive stage of the plants, a letter indicating that will be prepared and submitted to the Director of the Department of Planning and Development Services and the Director of Parks and Recreation. Prior to grading, a Conceptual Upland Restoration Plan (Appendix H of the Otay Ranch Resort Village Biological Resources Technical Report in **Appendix C-3** to this EIR) shall be submitted to and receive approval from the Director of Planning and Development Services (or his/her designee) and the Director of Parks and Recreation.

The Conceptual Upland Restoration Plan shall include the following to ensure the establishment of the restoration objectives: a 24- by 36-inch map showing the restoration areas, site preparation information, type of planting materials (species ratios, source, size of container), planting program, 80% success criteria, 5-year monitoring plan, and detailed cost estimate. The cost estimate shall include planting, plant materials, irrigation, maintenance, monitoring, and report preparation. The report shall be prepared by a county-approved biologist and a state of California licensed landscape architect. The proposed upland restoration area as shown within the Conceptual Upland Restoration Plan must be placed within an open space easement dedicated to the County prior to or immediately following the approval of the Conceptual Upland Restoration Plan. ~~The habitat created pursuant to the Conceptual Upland Restoration Plan must be placed within an open space easement dedicated to the County of San Diego prior to or immediately following the approval of the Conceptual Upland Restoration Plan.~~

M-BI-1e Limited Building Zone (LBZ) Easement. In order to protect sensitive biological resources in the adjacent preserve, a Limited Building zone (LBZ) easement will be granted to the County, as shown on the Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the preserve, restrict unauthorized access, prohibit landscaping with exotic pest plants that may invade the preserve, and prohibit artificial lighting and focal use areas that would alter wildlife behavior in the preserve. This easement requires the landowner to maintain permanent fencing and signage. The easement precludes 1) placement, installation, or construction of habitable structures, including garages or accessory structures designed or intended for occupancy by humans or animals; 2) landscaping with exotic pest plants; 3) artificial lighting except low-pressure sodium fixtures shielded and directed away from the preserve; and 4) focal use areas including arenas, pools, and patios.

M-BI-1f Fencing and Signage. In order to protect the preserve from entry upon completion of construction, an open space fence or wall will be installed along all open space edges where open space is adjacent to residential uses, along internal streets, and as indicated in the Otay Ranch Resort Village Preserve Edge Plan and Proposed

Fencing, Preserve signage, and Fuel Modification Zones (see map Pocket). The barrier must be a minimum construction of vertical metal fencing, but may be other suitable construction material, as approved by Department of Planning and Development Services and the Director of Parks and Recreation. In order to protect the preserve from entry, informational signs will be installed, where appropriate, along all open space edges where open space is adjacent to residential uses, along internal streets, and as indicated in the Otay Ranch Resort Village Preserve Edge Plan. The signs must be corrosion resistant, a minimum of 6 inches by 9 inches in size, on posts not less than three (3) feet in height from the ground surface, and state “Sensitive Environmental Resources Protected by Easement. Entry without express written permission from the County of San Diego is prohibited.”

M-BI-1g **Habitat Manager for the Offsite 10.2-acre Parcel.** In order to provide for the long-term management of the proposed 10.2-acre parcel that will be added to the MSCP Preserve, a habitat manager shall be designated either privately selected, a non-profit organization, or a government agency. If a private or non-profit organization is selected as the habitat manager, a Resource Management Plan (RMP) will be prepared and implemented. The final RMP will be completed to the satisfaction of the Director of Department of Planning and Development Services, as follows: 1) the plan will be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements; 2) the habitat land to be managed will be owned by a land conservancy or equivalent; 3) open space easements will be dedicated in perpetuity; 4) a resource manager will be selected and approved, with evidence provided demonstrating acceptance of this responsibility; 5) the RMP funding mechanism will be identified and adequate to fund annual costs for implementation; and 6) a contract between the applicant and County will be executed for the implementation of the RMP, and funding will be established with the County as the third party beneficiary. In lieu of providing a private habitat manager as noted above, the applicant may contract with a federal, state, or local government agency with the primary mission of resource management to take fee title and manage the 10.2-acre parcel of land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat; and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

M-BI-2 Prior to widening Otay Lakes Road, the Project applicants shall mitigate for the 11.09 acres of impacts to Cornerstone Lands and complete an MHPA Boundary Adjustment to the satisfaction of the City of San Diego Development Services Director (or his/her designee). Replacement of MHPA lands within Cornerstone Lands is proposed to be at a 1:1 ratio for lands replaced inside the MSCP Preserve. For replacement lands that are located outside of the MSCP Preserve, the mitigation is at a 4:1 ratio. Mitigation for impacts to the various vegetation communities shall be based on the tier of the impacted lands in accordance with the mitigation ratios provided by the MSCP. The mitigation and MHPA Boundary Adjustment may be

implemented within the Otay Ranch Preserve on property surrounding the existing Cornerstone Lands, north of Otay Lakes Road, or may be off-site at a location determined to be acceptable by the City of San Diego.

M-BI-3

Prior to issuance of any land development permits, including clearing or grubbing and grading and/or construction permits, the Project shall be required to obtain a HLIT permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to Chula Vista MSCP Tier I, II, and II vegetation communities as shown in **Table 2.3-131** and in accordance with Table 5-3 of the Chula Vista MSCP Subarea Plan. Mitigation for off-site impacts outside of Otay Ranch shall be in accordance with the Chula Vista MSCP Subarea Plan and the Chula Vista HLIT Ordinance.

Prior to issuance of any land development permits, the Project applicants shall mitigate for direct impacts pursuant to Section 5.2.2 of the City of Chula Vista MSCP Subarea Plan. In compliance with the Subarea Plan, the applicants shall secure mitigation credits within a City- and wildlife-agency-approved conservation bank or other approved location offering mitigation credits consistent with the ratios specified in **Table 2.3-131** herein.

The Project applicants shall be required to provide verification of purchase to the City of Chula Vista prior to issuance of any land development permits.

In the event that Project applicants are unable to secure mitigation through an established mitigation bank approved by the City of Chula Vista and the wildlife agencies, the Project applicants shall secure the required mitigation through the conservation of an area containing in-kind habitat within the City of Chula Vista's MSCP Subarea Plan or MSCP Planning Area in accordance with the mitigation ratios contained in Table 5-3 of the City of Chula Vista's MSCP Subarea Plan and subject to wildlife agency concurrence.

Prior to issuance of any land development permit for the widening of Otay Lakes Road, and to the satisfaction and oversight of the city's Development Services Director (or his/her designee), the Project applicants shall secure the parcel(s) that would be permanently preserved for in-kind habitat impact mitigation, if a mitigation bank purchase is unavailable, prepare a long-term management and monitoring plan for the mitigation area, secure an appropriate management entity to ensure that long-term biological resource management and monitoring of the mitigation area is implemented in perpetuity, and establish a long-term funding mechanism for the management and monitoring of the mitigation area in perpetuity.

The long-term management and monitoring plan shall provide management measures to be implemented to sustain the viability of the preserved habitat and identify timing for implementing the measures prescribed in the management and monitoring plan. The mitigation parcel shall be restricted from future development and permanently preserved through the recordation of a conservation easement or

other mechanism approved by the wildlife agencies as being sufficient to ensure that the lands are protected in perpetuity. The conservation easement or other mechanism approved by the wildlife agencies shall be recorded prior to issuance of any land development permits.

M-BI-4

Prior to impacts occurring to waters and wetlands under the jurisdiction of ACOE, CDFW, and RWQCB, the Project applicants shall obtain the following permits: ACOE 404 permit, RWQCB 401 Water Quality Certification, and a CDFW Code 1600 Streambed Alteration Agreement. Impacts shall be mitigated at a 1:1 ratio by creation or purchase of credits for the creation of jurisdictional habitat of similar functions and values. A suitable mitigation site shall be selected and approved by the resource agencies during the permitting process. The ratio of wetland mitigation shall be 3:1 overall. A total of 2.15 acres of wetlands shall be created (1:1 creation-to-impact ratio). An additional 4.30 acres of wetlands shall be enhanced (2:1 enhancement-to-impact ratio). Creation/enhancement shall occur within the Dulzura Creek/Otay River watershed in accordance with a Conceptual Wetlands Mitigation and Monitoring Plan (Appendix I of the Otay Ranch Resort Village Biological Resources Technical Report in **Appendix C-3** to this EIR) approved by the County of San Diego and appropriate resource agencies. The wetland creation shall include at least a 1:1 ratio of each of the wetland vegetation communities impacted. The remainder of the creation/enhancement obligation may be fulfilled with any wetlands type.

Prior to issuance of land development permits, including clearing, grubbing, and grading permits that impact jurisdictional waters, the Project applicants shall prepare a Wetlands Mitigation and Monitoring Plan to the satisfaction of the Director of Planning and Development Services (or his/her designee), the Director of Parks and Recreation, ACOE, RWQCB, and CDFW. The Conceptual Wetlands Mitigation and Monitoring Plan shall, at a minimum, prescribe site preparation, planting, irrigation, and a 5-year maintenance and monitoring program with qualitative and quantitative evaluation of the revegetation effort and specific criteria to determine successful revegetation. The temporary impacts to ephemeral and intermittent waters shall be mitigated by restoring them to original their conditions immediately upon completion of the Project, and shall be subject to all of the success criteria and monitoring as the permanent impacted wetlands.

M-BI-5

Prior to impacts occurring to waters and wetlands within the City of San Diego Cornerstone Lands, under the jurisdiction of ACOE, CDFW, and RWQCB, the Project applicants shall obtain the following permits: ACOE 404 permit, RWQCB 401 Water Quality Certification, and a CDFW Code 1600 Streambed Alteration Agreement. Impacts shall be mitigated at a 1:1 ratio by creation or purchase of credits for the creation of jurisdictional habitat of similar functions and values. A suitable mitigation site shall be selected and approved by the resource agencies during the permitting process. The ratio of wetland mitigation shall be 3:1 overall. A total of 2.15 acres of wetlands shall be created (1:1 creation-to-impact ratio). An additional 4.30 acres of wetlands shall be enhanced (2:1 enhancement to impact

ratio). Creation/enhancement shall occur within the Dulzura Creek/Otay River watershed in accordance with a Conceptual Wetlands Mitigation and Monitoring Plan (Appendix I of the Otay Ranch Resort Village Biological Resources Technical Report in **Appendix C-3** to this EIR) that is approved by the County of San Diego and the appropriate resource agencies. The wetland creation shall include at least a 1:1 ratio of each of the wetland vegetation communities impacted. The remainder of the creation/enhancement obligation may be fulfilled with any wetlands type.

Prior to issuance of land development permits, including clearing, grubbing, and grading permits that impact jurisdictional waters, the Project applicants shall prepare a Wetlands Mitigation and Monitoring Plan to the satisfaction of the Director of Planning and Development Services (or his/her designee), ACOE, and CDFW. The Conceptual Wetlands Mitigation and Monitoring Plan shall, at a minimum, prescribe site preparation, planting, irrigation, and a 5-year maintenance and monitoring program with qualitative and quantitative evaluation of the revegetation effort and specific criteria to determine successful revegetation. The temporary impacts to ephemeral and intermittent waters shall be mitigated by restoring them to original conditions immediately upon completion of the Project, and shall be subject to all of the success criteria and monitoring as the permanent impacted wetlands.

M-BI-6

Prior to impacts occurring to waters within the County of San Diego under the jurisdiction of ACOE, CDFW, and RWQCB, the Project applicants shall obtain the following permits: ACOE 404 permit, RWQCB 401 Water Quality Certification, and a CDFW Code 1600 Streambed Alteration Agreement. Impacts shall be mitigated at a 1:1 ratio by creation or purchase of credits for the creation of jurisdictional habitat of similar functions and values. A suitable mitigation site shall be selected and approved by the resource agencies during the permitting process. The ratio of wetland mitigation shall be 3:1 overall. A total of 0.01 acre of waters of the U.S. shall be created (1:1 creation-to-impact ratio). An additional 0.02 acre of waters of the U.S. shall be enhanced (2:1 enhancement-to-impact ratio). Creation/enhancement shall occur within the Dulzura Creek/Otay River watershed in accordance with a Conceptual Wetlands Mitigation and Monitoring Plan (Appendix I of the Otay Ranch Resort Village Biological Resources Technical Report in **Appendix C-3** to this EIR) that is approved by the County of San Diego and the appropriate resource agencies. The wetland creation shall include at least a 1:1 ratio of each of the wetland vegetation communities impacted. The remainder of the creation/enhancement obligation may be fulfilled with any wetlands type.

Prior to issuance of land development permits, including clearing, grubbing, and grading permits that impact jurisdictional waters, the Project applicants shall prepare a Wetlands Mitigation and Monitoring Plan to the satisfaction of the Director of Planning and Development Services (or his/her designee), ACOE, and CDFW. The Conceptual Wetlands Mitigation and Monitoring Plan shall, at a minimum, prescribe site preparation, planting, irrigation, and a 5-year maintenance and monitoring program with qualitative and quantitative evaluation of the

revegetation effort and specific criteria to determine successful revegetation. The temporary impacts to ephemeral and intermittent waters shall be mitigated by restoring them to their original conditions immediately upon completion of the Project, and shall be subject to all of the success criteria and monitoring as the permanently impacted wetlands.

M-BI-7

Option No. 1: This option consists of mitigation in the form of restoration of vernal pools within the Resort Village Project site. This option shall involve restoration and reconfiguration of the K8 vernal pool group. These vernal pools are proposed to be preserved, and a 100-foot minimum buffer is provided for protection of the pools and their watershed. Mitigation shall involve reconfiguration and reconstruction of the mima mounds and basins, removal of weedy vegetation, revegetation of the mounds with upland sage scrub species, and inoculation of the pools with vernal pool species. A Conceptual Vernal Pool Mitigation Plan shall be prepared that outlines the location and activities of the restoration (Appendix J of the Otay Ranch Resort Village Biological Resources Technical Report in **Appendix C-3** to this EIR). The plan will be submitted to and be to the satisfaction of, both the Directors of the Departments of Planning & Development Services and Parks and Recreation. The plan will include performance measures that may include but are not limited to target functions and values that are guidelines to assess the success of the restored vernal pool and mima mound habitat. The mitigation program intends to restore habitat with appropriate topography and vernal pool hydrology to support the intended vernal pool target species including San Diego fairy shrimp. A ratio of at least 1:1 restoration shall include the establishment of new vernal pool basins within the K8 vernal pool group. The balance of the mitigation ratio shall include enhancement of the existing pools. There is a total of 0.26 acre available for enhancement within the existing pools. The additional restoration mitigation requirement (a total of 0.112 acre) shall be directed toward establishing new basins within the K8 vernal pool group to the greatest extent feasible. An additional area of potential vernal pool restoration is located within the K9 mesa, if needed. This area is also composed of suitable soils for vernal pools. These soils are present on the K6 and K8 mesas. This additional area is composed of nonnative grass species, is of relatively flat topography, and exhibits some mounding characteristics similar to mima mounds.

Based on the inundation records, fairy shrimp surveys, and floral inventory, the following potential vernal pools meet the previously applied ACOE jurisdictional criteria:

- K6 – Vernal Pools 1, 3, 5, 6, 7, 8, 9, 10, 12, and 13 (0.11 acre – total basin area)
- K8 – Vernal Pools 1, 2, 4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 16, A1, and A4 (0.26 acre – total basin area)

Assuming all of K6 is impacted and the mitigation requirement is a combination of 2:1 and 5:1, as outlined above, a total mitigation of 0.239 acre shall be required. This is typically satisfied by providing at least 1:1 as restoration and the balance as

enhancement. Enhancement within the K8 pools will likely be restricted by the resource agencies to those pools not containing fairy shrimp. **Table 2.3-142** summarizes the existing conditions of the pools within the K8 mesa.

Option No. 2: This option consists of mitigation in the form of purchase of vernal pool mitigation bank credits for a total of 0.239 acre at a combined 2:1 and 5:1 mitigation ratio.

M-BI-8

Prior to the issuance of land development permits, including clearing or grubbing and grading permits, for areas with salvageable California adolphia, the Project applicants may prepare a Resource Salvage Plan if seed collection is considered to be warranted. As described above in **M-BI-1d**, the project biologist shall review the California adolphia (approximately 20 plants) proposed to be impacted prior to grading and will determine if salvage is warranted. If salvage is not appropriate due to site conditions, plant conditions, or reproductive stage of the plants, a letter indicating that will be prepared and submitted to the Director of the Department of Planning and Development Services and the Director of Parks and Recreation. If determined that salvage is appropriate, a Resource Salvage Plan shall be prepared by a county-approved biologist to the satisfaction of the Director of Planning and Development Services (or his/her designee) and the Director of Parks and Recreation.

The Resource Salvage Plan shall, at a minimum, evaluate options for seed collection within the Preserve or from the plants proposed to be impacted. The Resource Salvage Plan shall include collection methods and timing. Relocation efforts may include seed collection and/or transplantation to a suitable receptor site within the slope restoration areas and will be based on the most reliable methods of successful restoration. The plan shall also contain a recommendation for method of salvage and relocation/application based on feasibility of implementation and likelihood of success; identification of receptor locations; discussion of the goals of the plan; maintenance activities during the monitoring period; monitoring plan; and inclusion of performance standards, reporting schedules, and long-term management. As an alternative, the California adolphia may be included within planting palettes for the slope revegetation areas that shall receive monitoring and shall be required to meet restoration goals and success criteria. Prior to grading the project, a Conceptual Upland Restoration Plan (Appendix H of the Otay Ranch Resort Village Biological Resources Technical Report in **Appendix C-3** to this EIR), as noted in **M-BI-1d**, will be submitted to and receive approval from the Director of the Department of Planning and Development Services (or their designee) and the Director of Parks and Recreation. The program shall include, at a minimum, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. The program shall also be subject to the oversight of the Director of Planning and Development Services (or his/her designee) and the Director of Parks and Recreation.

M-BI-9a

Take Authorization and Biological Open Space Easement: First, on or before the recordation of the first Final Map that affects ~~Prior to the issuance of the first~~

~~grading permit that impacts Quino checkerspot butterfly or its habitat~~, the Project applicants shall demonstrate to the satisfaction of the Director of Planning & Development Services (or ~~her/his/her~~ designee) ~~that it has secured the necessary take authorization for Quino checkerspot butterfly through one of the following: either the(a) federal Endangered Species Act (ESA) Section 7 Consultation, (b) ESA Section 10 incidental take permit requirements, or (c) the County's MSCP Subarea Plan Quino CCheckerspot BButterfly AmendmentAmendment~~, if ~~and/~~ when approved pursuant to ESA Section 10. ~~If t~~The Project receives take authorization through the County's Quino Checkerspot Butterfly Amendment, the project will satisfy any and all Quino checkerspot butterfly mitigation requirements of the County. If the project receives take authorization directly through the ESA Section 7 or Section 10 processes, the Project Applicants will comply with any and all conditions, including preconstruction surveys that the USFWS may require for take of Quino checkerspot butterfly pursuant to FESA.

Second, the Project shall provide preservation of 962 acres of the required mitigation of 966 acres (2 x 483 acres of impact to Quino habitat). The Project is required to provide an additional 4 acres of occupied habitat. This mitigation is proposed to be accomplished by restoration of unsuitable habitat within the Preserve to suitable coastal sage scrub. **Figure 2.3-18** illustrates the location of these potential restoration areas. A total of 6.3 acres is designated as potential restoration of which 4 acres will be needed. This biological open space easement shall be granted to and held by an entity of the Project Applicants' choosing, provided that the biological open space easement meets the criteria set forth in Government Code Section 51075(d) and is approved by the Director of Planning & Development Services. ~~shall provide preservation of 962 acres of the required mitigation of 966 acres (2 x 483 acres). The Project is required to provide an additional 4 acres of occupied habitat. This mitigation is proposed to be accomplished by restoration of unsuitable habitat within the Preserve to suitable coastal sage scrub. **Figure 2.3-18** illustrates the location of these potential restoration areas. A total of 6.3 acres is designated as potential restoration of which 4 acres will be needed.~~

The biological open space easement shall be created in perpetuity and shall be for the protection of biological resources, and all of the following shall be prohibited on any portion of the land subject to said easement: grading; excavating; placing soil, sand, rock, gravel, or other material; clearing vegetation; constructing, erecting, or placing any building or structure; vehicular activities; dumping trash; or using the area for any purpose other than as biological open space. The only exceptions to this prohibition are for activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning & Development Services. This biological open space easement shall authorize the County and its agents to periodically access the land to perform management and monitoring activities for species and habitat conservation.

The Project Applicants shall show the on-site biological open space easement on the Final Map and biological open space easement exhibit with the appropriate

granting language on the title sheet concurrent with Final Map Review. The Project Applicants then shall submit these documents for preparation and recordation with the Department of General Services, and pay all applicable fees associated with preparation of the documents.

M-BI-9b

Quino Checkerspot Butterfly Management/Enhancement Plan: Prior to the issuance of the first grading permit that impacts Quino checkerspot butterfly, the Project applicants shall prepare a long-term Quino Checkerspot Butterfly Management/Enhancement Plan that shall, at a minimum, include a survey methodology for on-site preserve areas pre- and post-construction to monitor effects on Quino checkerspot butterfly population health and shall apply to all lands preserved by the biological open space easement required by M-BI-9a (see ~~Appendix C — Quino Checkerspot Butterfly Management/Enhancement Plan of Appendix D-3 Biological Resources Technical Report Supplemental Analysis — Alternative H~~). This plan will be submitted to, and be to the satisfaction of, ~~both~~ the Directors of the Department of Planning & Development Services, the Director and of Parks and Recreation and the Otay Ranch POM. The Quino Checkerspot Butterfly Management/ Enhancement Plan ~~may~~ shall be superseded or unnecessary upon completion and adoption of the County's MSCP Subarea Plan ~~of San Diego~~ Quino Checkerspot Butterfly Amendment ~~MSCP Amendment~~. The plan will include performance measures that may include but are not limited to: annual restoration and enhancement of 15 acres per year with quantitative and qualitative requirements that outline the percent native cover, percent survival, and percent nonnative cover as well as reviewing the health and vigor of the host plants; quantifiable adaptive management triggers that rely on yearly as needed population monitoring and statistical changes in the population size to then require restoration as noted above; or reintroduction of the species and continued restoration of unoccupied areas when population declines are not noted; establishment of a permanent funding mechanism to work in concert with the funding requirements of Preserve lands conveyed to the POM. Adaptive management techniques shall be developed within the plan with contingency methods for changed circumstances. These measures shall ensure that the potential loss of individuals and the loss of habitat for the species related to the proposed development are adequately offset by measures that will enhance the existing preserved population, and shall provide data that will help the species recover throughout its range.

The project will comply with all mitigation requirements associated with the Quino Checkerspot Butterfly MSCP Addition. Adaptive management techniques shall be developed within the plan with contingency methods for changed circumstances. These measures shall ensure that the potential loss of individuals and the loss of habitat for the species related to the proposed development are adequately offset by measures that will enhance the existing preserved population, and shall provide data that will help the species recover throughout its range.

M-BI-10

Prior to the issuance of the first grading permit that impacts the K6 vernal pool complex, the Project applicants shall demonstrate to the satisfaction of the Director of Planning and Development Services (or his/her designee) that the Project has

secured take authorization of San Diego fairy shrimp through Section 7 Consultation, a Section 10 incidental take permit, or as may be incorporated into the provisions of the MSCP Subarea Plan ~~Quino Checkerspot Butterfly Amendment~~ to achieve the best results toward the survival and recovery of the species. If the project receives take authorization through the federal Endangered Species Act (FESA) Section 7 or Section 10 processes, the Project Applicants will comply with any and all conditions, including preconstruction surveys that the USFWS may require for take of Fairy shrimp pursuant to FESA.

M-BI-11 To avoid any direct impacts to raptors and/or any migratory birds protected under the MBTA, removal of habitat that supports active nests on the proposed area of disturbance shall occur outside of the breeding season for these species. If removal of habitat on the proposed area of disturbance must occur during the breeding season, the Project applicants shall retain a County-of-San-Diego-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within ~~10-3~~ calendar days prior to the start of construction, and the results shall be submitted to the County of San Diego for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan, as deemed appropriate by the County of San Diego, shall be prepared and include proposed measures to be implemented to ensure that disturbance of breeding activities are avoided. The report or mitigation plan shall be submitted to the County of San Diego for review and approval, and implemented to the satisfaction of the Director of Planning and Development Services (or his/her designee). The County of San Diego's mitigation monitor shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

M-BI-12 Four wildlife culverts shall be constructed to provide and improve habitat linkages and movement corridors (**Figure 2.3-14**). In general, the design of the wildlife culverts has been developed to be consistent with the MSCP Subarea Plan, where feasible. The wildlife culverts shall have fencing to funnel wildlife movement, shall have a natural bottom with native vegetation at either end, and shall be of size and height of opening so there is direct line of site from one end to the other. Because there is natural light within the culverts, low level illumination is not included. Traffic is generally of low volume on the internal crossings hence the sound insulation is of little benefit. The details of each wildlife culvert or crossing that shall be provided are presented below.

Internal Wildlife Crossing No. 1 (214 feet long × 28.83 feet wide × 13.17 feet tall = openness ratio of 0.44)

This arch culvert structure shall be situated internal to the project site along Strada Piazza, which connects the central portion of the open space to the lake. The 150-foot length is augmented by wing walls on either side of the crossing structure. This is beneficial as it effectively visually decreases the length of the

culvert. ~~This arch culvert structure shall be situated internal to the project site along Strada Piazza, which connects the central portion of the open space to the lake reservoir. The 150-foot length is augmented by wing walls on either side of the crossing structure. This is beneficial as it effectively visually decreases the length of the culvert.~~

Otay Lakes Road Wildlife Crossing No. 1 (95 feet long × 20.75 feet wide × 12.08 feet tall = openness ratio of 0.68)

This structure shall be located south of Internal Wildlife Crossing no. 1 along Otay Lakes Road. The culvert is sized appropriately and should function as intended. It is well below the grade of Otay Lakes Road to prevent wildlife movement up to the surface of the roadway. There is also a six foot wildlife path with a soft surface along this crossing to allow for wildlife movement.

Internal Wildlife Crossing No. 2 (248 feet long × 43.00 feet wide × 16.18 feet tall = openness ratio of 0.63)

This structure shall be situated along Strada Piazza, which is a single non-split roadway at this location. The culvert slopes 12% to the south. This culvert conveys wildlife to a location just east of Lower Otay ~~Lake Reservoir~~ to quality riparian habitat and lands to the east. Wing walls occur at both ends of the culvert. There is also a six foot wildlife path with a soft surface along this crossing to allow for wildlife movement.

Otay Lakes Road Wildlife Crossing No. 2 (58 feet long × 20.75 feet wide × 12.08 feet tall = openness ratio of 1.12)

This structure shall be located south of Internal Wildlife Crossing no. 2 under Otay Lakes Road. This crossing is also located below the grade of Otay Lakes Road to prevent wildlife from gaining access to the surface of the roadway. There is also a six foot wildlife path with a soft surface along this crossing to allow for wildlife movement.

M-BI-13

Prior to issuance of grading permits for development areas adjacent to the Preserve, the Project applicants shall develop a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be developed, approved, and implemented during construction to control storm water runoff such that erosion, sedimentation, pollution, and other adverse effects are minimized. The following performance measures contained in the Project's Preserve Edge Plan (**Appendix C-23**) shall be implemented to avoid the release of toxic substances associated with urban runoff:

- Sediment shall be retained on-site by a system of sediment basins, traps, or other appropriate measures.
- Where deemed necessary, storm drains shall be equipped with silt and oil traps to remove oils, debris, and other pollutants. Storm drain inlets shall be

labeled “No Dumping–Drains to Ocean.” Storm drains shall be regularly maintained to ensure their effectiveness.

- Parking lots shall be designed to allow storm water runoff to be directed to vegetative filter strips and/or oil-water separators to control sediment, oil, and other contaminants.
- Permanent energy dissipaters shall be included for drainage outlets.
- The BMPs contained in the SWPPP shall include silt fences, fiber rolls, gravel bags, and soil stabilization measures such as erosion control mats and hydro-seeding.

M-BI-14

- During construction, material stockpiles shall be covered when not in use. This will prevent fly-off that could damage nearby sensitive plant communities. During grading and construction, graded areas shall be periodically watered to minimize dust affecting adjacent vegetation.
- During Project operation, all recreational areas that use chemicals or animal by-products, such as manure, that are potentially toxic or impactive to sensitive habitats or plants shall incorporate methods on-site to reduce impacts caused by the application and/or drainage of such materials into Preserve areas.
- No invasive nonnative plant species shall be introduced into areas immediately adjacent to the Preserve. All slopes immediately adjacent to the Preserve shall be planted with native species that reflect the adjacent native habitat.
- During construction, material stockpiles shall be placed such that they cause minimal interference with on-site drainage patterns. This will protect sensitive vegetation from being inundated with sediment-laden runoff.
- Dewatering shall be conducted in accordance with standard regulations of RWQCB. A National Pollutant Discharge Elimination System (NPDES) permit, issued by RWQCB to discharge water from dewatering activities, shall be required prior to start of construction. This will minimize erosion, siltation, and pollution within sensitive communities.
- Design of drainage facilities shall incorporate long-term control of pollutants and storm water flow to minimize pollution and hydrologic changes. An Urban Runoff Plan and operational BMPs shall be approved by the San Diego County Department of Planning and Development Services prior to construction.
- Grading and/or improvement plans shall include the requirement that a fencing and signage plan be prepared and that permanent fences or walls be placed along the open space boundaries. Placement of permanent fencing

or walls is required at the conclusion of the grading activity and prior to Record Plan approval.

- A hydroseed mix that incorporates native species, is appropriate to the area, and is without invasives shall be used for slope stabilization in transitional areas.
- Peruvian pepper trees and other invasive vegetation would not be planted in streetscapes, or within 50 feet of the Preserve, where they could impact native habitat.

M-BI-15

- No clearing, grading, or grubbing activities may occur within occupied gnatcatcher habitat during the breeding season for coastal California gnatcatcher (February 15 to August 15, annually). If construction occurs during the breeding season, a nesting survey for California gnatcatcher shall be conducted prior to the onset of construction and construction may occur if active nests can be avoided and provided an adequate buffer or noise levels are documented to be below 60 dBA L_{eq} at the nest site.
- ~~• No clearing, grading, or grubbing activities may occur within occupied gnatcatcher habitat during the breeding season for coastal California gnatcatcher (February 15 to August 15, annually). If construction occurs during the breeding season, a nesting survey for California gnatcatcher shall be conducted prior to the onset of construction and construction may occur if active nests can be avoided and provided an adequate buffer or noise levels are documented to be below 60 dBA L_{eq} at the nest site.~~
- When clearing, grading, or grubbing activities occur during the breeding season for raptors (January 15 to July 31, annually), nesting bird surveys shall be conducted by a qualified biologist for the San Diego County Department of Planning and Development Services to identify active nest locations. Construction activities shall be restricted or modified such that noise levels related to those activities are below 60 dBA L_{eq} , or other Wildlife Agency approved restrictions, in the vicinity of the active nest site.
- Lighting of all developed areas adjacent to the preserve shall be directed away from the preserve, wherever feasible and consistent with public safety. Where necessary, development shall provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the preserve and sensitive species from night lighting. Consideration shall be given to the use of low-pressure sodium lighting.
- Uses in or adjacent to the preserve shall be designed to minimize noise impacts. Berms or walls shall be constructed adjacent to commercial areas and any other use that may introduce noises that could impact or interfere with wildlife utilization of the preserve. Excessively noisy uses or activities adjacent to breeding areas must incorporate noise-reduction measures or be curtailed during the breeding season of sensitive bird species.

- Grading and/or improvement plans shall include the requirement that a fencing and signage plan be prepared and that permanent fences or walls be placed along the open space boundaries. Placement of permanent fencing or walls is required at the conclusion of the grading activity and prior to Record Plan approval.

Environmental Design Considerations

- BI-ED-1** The Project has been designed around an extensive open space system in close coordination with USFWS. Development areas have been moved specifically to preserve important wildlife corridors, species, and habitat.
- BI-ED-2** The Project includes 141 acres of internal open space.
- BI-ED-3** The Project includes a modification of Otay Lakes Road to accommodate wildlife under-crossings toward the eastern end of Lower Otay ~~Lake~~Reservoir. The under-crossings are designed to provide sufficient light to encourage use.
- BI-ED-4** Programs for coastal sage scrub and vernal pool restoration shall be implemented as part of Project development.
- BI-ED-5** A total of 1,091.46 acres of land shall be designated for Preserve uses, including 10.71 acres of thorn mint preserve.
- BI-ED-6** Restoration areas will incorporate salvaged materials, such as individual cactus, native plant mulching, selective soil salvaging, seed collection, and translocation of plant materials as determined to be appropriate. Prior to grading the project, a Conceptual Upland Restoration Plan (**Appendix H**) will be submitted to and receive approval from the director of the Department of Planning and Development Services. All slopes immediately adjacent to the Preserve shall be planted with native species that reflect the adjacent native habitat. No invasive and/or non-native plant species shall be introduced.
- BI-ED-7** A hydroseed mix that incorporates native species, is appropriate to the area, and is without invasive speciess shall be used for slope stabilization in transitional areas.
- BI-ED-8** Peruvian pepper trees and other invasive vegetation would not be planted in streetscapes, or within 50 feet of the Preserve, where they could impact native habitat.
- BI-ED-9** Concurrent with recording each final map, pursuant to the RMP and the MSCP requirement, the property owner(s) shall convey land within the Otay Ranch RMP Preserve at a ratio of 1.188 acres for each acre of development area (no conveyance for certain common land uses including school, parks, or Circulation Element roads).

- BI-ED-10** Restoration areas will incorporate salvaged materials, such as individual cactus, native plant mulching, selective soil salvaging, seed collection, and translocation of plant materials as determined to be appropriate. Prior to grading the project, a Conceptual Upland Restoration Plan (**Appendix H**) will be submitted to and receive approval from the director of the Department of Planning and Development Services. All slopes immediately adjacent to the Preserve shall be planted with native species that reflect the adjacent native habitat. No invasive and/or non-native plant species shall be introduced.
- BI-ED-11** The Conceptual Upland Restoration Plan shall include, but not be limited to, the following to ensure the establishment of the restoration objectives: a 24- by 36-inch map showing the restoration areas, site preparation information, type of planting materials (species ratios, source, size of container, etc.), planting program, 80% success criteria, 5-year monitoring plan, and detailed cost estimate. The cost estimate shall include planting, plant materials, irrigation, maintenance, monitoring, and report preparation. The report shall be prepared by a County approved biologist and a state of California licensed landscape architect. The habitat created pursuant to the Conceptual Upland Restoration Plan must be placed within an open space easement dedicated to the County prior to or immediately following the approval of the Conceptual Upland Restoration Plan.
- BI-ED-12** Temporary impact areas are proposed to be restored to native habitat appropriate for the location and the previous condition of the area. Restoration plans for temporary impact areas will be prepared that include: a 24- by 36-inch map showing the restoration areas, site preparation information, type of planting materials (species ratios, source, size of container, etc.), planting program, 80% success criteria, 5-year monitoring plan, and detailed cost estimate.
- BI-ED-13** Prominently colored, sturdy fencing shall be in place wherever the limits of grading are adjacent to sensitive vegetation communities or other biological resources, as identified by the qualified monitoring biologist for the San Diego County Department of Planning and Development Services. Fencing shall remain in place during all construction activities.
- BI-ED-14** During construction, material stockpiles shall be covered when not in use. This will prevent fly-off that could damage nearby sensitive plant communities. Implementation of this measure shall be documented by a qualified monitoring biologist for the San Diego County Department of Planning ~~and~~ & Development Services. During grading and construction, graded areas shall be periodically watered to minimize dust affecting adjacent vegetation. Implementation of this measure shall be documented by a qualified monitoring biologist for the San Diego County Department of Planning ~~and~~ & Development Services.
- BI-ED-15** A Storm Water Pollution Prevention Plan (SWPPP) shall be developed, approved, and implemented during construction to control storm water runoff such that erosion, sedimentation, pollution, etc., are minimized. Measures that may be

incorporated into the plan include use of silt fencing, haybales, and straw wattles. The SWPPP shall be approved by the San Diego County Department of Planning and ~~and~~ Development Services.

- BI-ED-16** During Project operation, all recreational areas that use chemicals or animal by-products, such as manure, that are potentially toxic or impactive to sensitive habitats or plants shall incorporate methods on-site to reduce impacts caused by the application and/or drainage of such materials into Preserve areas.
- BI-ED-17** No invasive nonnative plant species shall be introduced into areas immediately adjacent to the Preserve. All slopes immediately adjacent to the Preserve shall be planted with native species that reflect the adjacent native habitat. Landscape plans shall be approved by the Project biologist and submitted to the San Diego County Department of Planning and ~~and~~ Development Services prior to installation for review and approval.
- BI-ED-18** During construction, material stockpiles shall be placed such that they cause minimal interference with on-site drainage patterns. This will protect sensitive vegetation from being inundated with sediment-laden runoff.
- BI-ED-19** No clearing, grading, or grubbing activities may occur within occupied gnatcatcher habitat during the breeding season for California gnatcatcher (February 15 to August 15, annually).
- BI-ED-20** When clearing, grading, or grubbing activities occur during the breeding season for raptors (January 15 to July 31, annually), nesting bird surveys shall be conducted by a qualified biologist for the San Diego County Department of Planning and Development Services to identify active nest locations. Construction activities shall be restricted or modified such that noise levels related to those activities are below 60 dBA L_{eq} , or other Wildlife Agency approved restrictions, in the vicinity of the active nest site.
- BI-ED-21** Uses in or adjacent to the Preserve shall be designed to minimize noise impacts. Berms or walls shall be constructed adjacent to commercial areas and any other use that may introduce noises that could impact or interfere with wildlife utilization of the Preserve. Excessively noisy uses or activities adjacent to breeding areas shall incorporate noise-reduction measures or be curtailed during the breeding season of sensitive bird species.
- BI-ED-22** Lighting of all developed areas adjacent to the Preserve shall be directed away from the Preserve, wherever feasible and consistent with public safety. Where necessary, development shall provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the Preserve and sensitive species from night lighting. Consideration shall be given to the use of low-pressure sodium lighting. All lighting, landscaping, and berming/grading plans

shall be submitted to the San Diego County Department of Planning and Development Services for review and approval prior to construction.

- BI-ED-23** Dewatering shall be conducted in accordance with standard regulations of RWQCB. An NPDES permit, issued by RWQCB, to discharge water from dewatering activities shall be required prior to start of construction. This will minimize erosion, siltation, and pollution within sensitive communities.
- BI-ED-24** Design of drainage facilities shall incorporate long-term control of pollutants and storm water flow to minimize pollution and hydrologic changes. An Urban Runoff Plan and operational BMPs shall be approved by the San Diego County Department of Planning and Development Services prior to construction.
- BI-ED-25** Grading and/or improvement plans shall include the requirement that a fencing and signage plan be prepared and that permanent fences or walls be placed along the open space boundaries. Placement of permanent fencing or walls is required at the conclusion of the grading activity and prior to Record Plan approval.
- BI-ED-26** Submit to the director of the Department of Planning and Development Services evidence that permanent signs have been placed to protect all open space easements in accordance with the open space signage exhibit that will be placed on file with the Department of Planning and Development Services as Environmental Review Number 04-19-05.

7.4 Cultural Resources

Mitigation Measures

- M-CR-1** Prior to the issuance of grading permits, the Project applicant shall implement or cause the implementation of a data recovery program, as described below, for the following nine sites located within the proposed grading and brushing envelope:

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

Data Recovery Program

The data recovery program is contingent upon extracting a sample that will exhaust the data potential of each site. The County has not adopted a policy that identifies the specific level of excavation required to achieve mitigation of impacts by data recovery. In most cases, the level of sampling is dictated by the information potential of the site. Data recovery is commonly discussed in terms of sampling percentages, referring to the percent of the area of the significant subsurface deposit to be excavated. The general approach for achieving the mitigation of impacts through data recovery would begin with an indexing of the site. The site index shall

include a sufficient sample of the subsurface deposit, ranging from 2.5 to 4.0 percent of each deposit, to effectively stratify the deposits into areas of differing artifact content, densities, and activity areas. The small percentage value proposed for site indexing is reflective of the basic characterization of each of the significant sites as quarry locations with minimal evidence of occupation activities. The indexing process shall use a static grid to cover each site, with a sample unit placed in each grid cell. Using a grid will produce a very structured, nonrandom, and uniform index of the content of each cultural deposit. Within the portion(s) of each site that retains the greatest research potential, an additional 2 percent of that area shall be excavated. For most sites in the data recovery program, the area excavated shall be between 2.5 and 3 percent of the significant subsurface deposit (area of greater research potential). This volume of recovery would be sufficient to successfully pursue the research objectives of the research design and to provide other researchers with a large information resource. At the sites considered to retain the greatest research potential, a third level of stratified sampling may be implemented to focus block excavations on areas that demonstrate intense artifact recovery, features, or multi-cultural depositional patterns.

The excavation of the subsurface deposits shall be accomplished with standard 1-meter-square test units excavated by hand in 10-centimeter levels. All units shall be screened, mapped, measured, and photographed through standard stratigraphic control measures. A more detailed description of the field methods to be used is provided in Section 10.5 of the Archaeological/Historical Study provided in this EIR, **Appendix C-4**.

For the phases of work at each site, the first phase shall be the site indexing and the second phase shall be the focused investigation. A third phase, if warranted, would be extremely focused on high-potential elements of any significant site. Each phase has specific goals: the site index is a nonrandom representative sample of the entire site, while the second and third phases are focused, biased, and intuitive studies of the area within the deposit that has the greatest potential.

The grid for each site shall be determined by the number of sample units needed to accomplish the sample level of 2.5 percent. For most sites, the grid shall be set at 15-meter or 25-meter intervals. To calculate the grid size, the number of test units that represent the Phase 1 sample was divided into the calculated area of the deposit. The resulting quotient represents the area within each grid cell, and the square root of this value provides the dimension of the grid cell. For example, assuming a site contained 2,000 square meters of a cultural deposit, a 2.5 percent sample would be 50 square meters. The grid size would be determined by dividing the deposit size (2,000 square meters) by the number of units (50), which equals 40 square meters. The square root of 40 square meters is 6.3 meters; thus, the intersection of each grid line is spaced at 6.3 meters. Within each 6.3-meter by 6.3-meter grid cell, one test unit would be excavated to complete the site index.

~~The grid for each site shall be determined by the number of sample units needed to accomplish the sample level of 2.5 percent. For most sites, the grid shall be set at~~

~~15-meter or 25-meter intervals. To calculate the grid size, the number of test units that represent the Phase 1 sample was divided into the calculated area of the deposit. The resulting quotient represents the area within each grid cell, and the square root of this value provides the dimension of the grid cell. For example, assuming a site contained 2,000 square meters of a cultural deposit, a 2.5 percent sample would be 50 square meters. The grid size would be determined by dividing the deposit size (2,000 square meters) by the number of units (50), which equals 40 square meters. The square root of 40 square meters is 6.3 meters; thus, the intersection of each grid line is spaced at 6.3 meters. Within each 6.3-meter by 6.3-meter grid cell, one test unit would be excavated to complete the site index.~~

For consistency, all of the sites shall be treated similarly, with an index phase followed by a focused, intuitive phase in the area of greatest importance. The phases of the sampling procedure to be used at the sites included in the data recovery program are as follows.

Data Recovery Program Phase 1

The first phase of excavation at any particular site shall typically involve a 2.5 percent sample used to index the site content and document intra-site variation. Test units shall be uniformly distributed within each site using a grid system. For most sites, the presence of multiple rock outcroppings would constitute voids in the sample grid. These areas would be deleted from the calculations of site deposits when the data recovery programs are initiated; however, the areas represented by the outcrops cannot be calculated at this time.

Data Recovery Program Phase 2

The second phase of excavation shall consist of a 2 to 4 percent sample of each site area identified as representing the greatest research potential. The stratification of the site following the Phase 1 work would typically identify an area of approximately 10 percent of the sample area identified as retaining additional research potential. For this sampling phase, the test units must not be randomly placed but shall be intuitively located at the discretion of the archaeologist.

Data Recovery Program Phase 3

The last phase of excavation shall be conducted at any sites that are found to contain particularly important deposits worthy of extended excavation. The sample size of any such area is dependent on the nature of the deposit and research potential.

The procedures noted above shall be applied to each of the sites listed below in addition to any site-specific mitigation measures. The actual number of square meters to be excavated in any particular site would depend on the site size, importance, and research potential. The projected size of the sample for each of the sites listed below is a minimum of 2.5 percent, but the actual size of the sample

needed to satisfy the data needs of the research objectives will ultimately be determined by the assessment of the recovery from the sample. The possibility exists that previously unidentified subsurface deposits would be identified during data recovery, increasing the research potential of a significant site. In this case, the sample size of the Phase 1 or Phase 2 excavation may be readjusted. If the recovery from any site is evaluated as redundant even before the minimum Phase 1 sample level of 2.5 percent is achieved, the consulting archaeologist shall request a variance from the County of San Diego to reduce the sample size to reflect the redundancy of the sample. This request would need to be supported by data and analysis from the excavations in progress at the site(s) in question. At each site, a backhoe may be employed following the completed sampling program to search for any anomalies within the site. Trenches would be used to expose portions of the sites; however, the number of trenches used in this type of investigation would be discussed and approved by the County before initiation.

Backhoe Trenching

All sites that are subject to data recovery and test unit excavations shall be subject to backhoe trenching following the test unit excavations to search for any unusual features or anomalies that would need to be examined further. The number and locations of the trenches to be excavated at each site shall be determined by the archaeologist on the basis of the size of the site and the recovery from the test units. If the trenches reveal the presence of deposits or features within a site that were not previously detected, then additional test units shall be excavated to expose the features and permit further investigation and recordation. For those four significant sites (SDI-12,368; SDI-16,312; SDI-16,326; and 16,332) that lie partially within the development envelope and partially within the Preserve (open space), the data recovery mitigation program would include portions of these sites within the development envelope as well as an area 10-feet-wide extending into the open space portion of the site. This extension of the data recovery program into the open space portions of the sites is intended to provide mitigation for indirect impacts in the buffer area of the open space that directly affects the development envelope.

Data Recovery Procedures

For all sites that are subject to data recovery, the program to carry out the necessary data recovery procedures, including the applicable field methodologies, laboratory analyses, and special studies for these sites, shall be provided as described below.

The data recovery program must be consistent with the policies and guidelines of the County and with the California Office of Historic Preservation (OHP) publication, Guidelines for Archaeological Research Design Preservation Planning Bulletin No. 5 (1991).

Field Methods

The data recovery program shall focus on the excavation of test units measuring 1-meter-square to a minimum depth of 30 centimeters or until bedrock is encountered. If cultural materials are present beyond this depth, the excavation shall continue until one sterile level is exposed. The units shall be excavated in controlled, 10-centimeter levels. All removed soils shall be sifted through 1/8-inch mesh hardware cloth. All artifacts recovered during the screening process shall be properly labeled with provenience information in the field and subsequently subjected to standard laboratory procedures of washing (if appropriate) and cataloging. The excavation of the units shall be documented with field notes, illustrations, and photographs.

At the conclusion of the test unit excavations, backhoe trenches may be excavated to investigate the site(s) further and search for any unusual features or artifact concentrations. When a backhoe is used, the methodology to be followed is outlined below:

- All trenches must be excavated under the supervision of the Project archaeologist.
- All trenches must be mapped, measured, photographed, and sketched.
- Periodic screening of the excavated material from the trenches shall be conducted.
- Provenience data for all screened soil shall be recorded.

Based on data from the backhoe trenches, the data recovery program could be expanded to focus on features or unique deposits that differ from the materials already studied.

Any features discovered during the archaeological excavations shall be exposed through careful hand excavation. Additional test units may be needed to fully expose the features, which shall then be recorded by sketching and photography. Any datable materials found in association with discovered features shall be collected for radiocarbon dating. If obvious datable samples cannot be found at the sites in the data recovery program, then several bulk soil samples may be collected and processed in an attempt to date the deposits.

At each site, column samples shall be taken to permit microanalysis of midden contents. The columns shall measure 10 centimeters square and shall conform to the walls of selected completed test units to the bottom of the deposit. All of the soil from the column shall be collected and not screened in the field. The samples shall be returned to the laboratory for analysis. In addition, during hand excavation, special attention shall be given to the identification of lithic tools found in situ and their potential for residue analysis. When possible, such tools shall be bagged separately, thereby excluding them from the wet-screening process. A sample of

the surrounding soil shall be collected to serve as a control sample, should the artifact be chosen for pollen, phytolith, or blood residue analyses.

Throughout the field operations, standard archaeological procedures shall be implemented. All test units and features shall be mapped using the established datums.

Laboratory Analysis

All of the materials recovered from the field excavations shall be subjected to standard laboratory analysis. Artifacts may be washed, if necessary, to permit proper identification. The artifacts shall be sorted and cataloged, including counts, materials, condition, weight, provenience, and unique artifact identification numbers.

The lithic artifacts recovered from the Project site shall be subjected to analysis, which shall include recordation of critical measurements and weight, and inspection for evidence of use/wear, retouch, patination, or stains. The recovered flakes (or a representative sample) shall be subject to an analysis of attributes such as size, condition, type, termination, and material. The attribute analysis shall include the flake collections recovered during the testing program.

Nonlithic materials, such as ecofacts (shell and bone), shall be subject to specialized analyses. The shell shall be cataloged by species and weight of recovery per level. The bone material shall be weighed and subsequently submitted for specialized faunal analysis. The laboratory analysis of the column samples may include flotation procedures to remove seeds and other microfaunal remains from the soil, followed by the screening of the remainder through a 1/16-inch mesh sieve, if the potential for nonlithic materials is noted in the deposit.

Other specialized studies that shall be conducted if the appropriate materials are encountered during the data recovery program include marine shell species identification, faunal analysis, otolith analysis (for seasonality), oxygen isotopic analysis (also for seasonality), radiocarbon dating, obsidian sourcing and hydration, and blood residue and phytolith studies. These specialized studies are briefly described below.

Shell Analysis

Analysis of any shell recovery would include the speciation of all shell fragments collected. The shell shall be recorded by weight and shall include a count of hinges to determine the minimum number of individuals represented by the recovery.

Faunal Analysis

Any bone material recovered during the data recovery program shall be analyzed by a faunal expert to identify species, types, age, and evidence of burning or butchering. The prehistoric bone recovery shall provide information concerning diet, activity areas within the sites, the habitats exploited, and methods of processing.

Radiocarbon Dating

This dating technique shall be attempted whenever possible. The investigations conducted thus far have not recovered any dateable material, although bulk soil dating was not attempted to determine if the deposits contained sufficient carbon for dating. The radiocarbon dating would be useful in conjunction with the stratigraphic recovery of cultural materials to establish the chronology of the sites. Therefore, the collection of samples for dating should be based on the presence of diagnostic artifacts, features, or geological strata delineations. In conjunction with the research topics, any possible opportunities to delineate parts of sites into Late Prehistoric and Archaic periods shall be advanced through the use of dating methods.

Blood Residue Studies

Organic residue on lithic artifacts may be useful in the determination of the species of animals represented by the residue. However, the use of blood residue studies is necessarily dependent upon the identification of such residues on artifacts. The detection of blood residue shall be made prior to any washing of artifacts so that the residue samples will not be lost.

Isotopic Profiles

The analysis of Oxygen-18 isotopic profiles from shells may be used to determine the season during which the shells were collected. This process measures the ratio of isotopes of oxygen, which is determined by water temperature. A minimum of five shells shall be used in this analysis, particularly if no other means of determining seasonality can be used. Use of this type of analysis is not likely due to the paucity of shell at the site.

Obsidian Hydration and Sourcing

Any recovered obsidian artifacts shall be submitted to a specialist to determine the source of the lithic material. The obsidian shall also be analyzed to produce hydration readings, which may then be used to provide relative dates for the use of the artifacts.

Monitoring

All brushing and grading activities within the Project site shall be monitored on a full-time basis by one or more archaeologists, as dictated by the size of the grading operation. All utility excavations, road grading, or brush removal must be coordinated with the archaeological monitor. Any known resources that are graded must be intensively monitored during grading to ensure that any important features, isolates, or deposits are either recorded and collected, or excavated. Should any resources be encountered during the monitoring of the brushing and grading that were not previously recorded, the action shall be temporarily halted or redirected to another area while the nature of the discovery is evaluated. Any resources that may be encountered shall require testing to determine their significance. If the testing demonstrates that a resource is significant, then a data recovery program shall be implemented consistent with these mitigation measures.

Cultural Material Curation

Cultural materials recovered from the Project site shall be permanently curated at a facility that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. No other collections from previous studies could be located at the time of this study. Should any additional collections be discovered from previous studies, these will be curated with the collections generated from the site evaluations.

Site-Specific Data Recovery Programs

As part of the data recovery program and other actions described above under mitigation measure M-CR-1, the Project applicant shall also cause a Data Recovery program to be implemented for each of the nine CEQA significant prehistoric sites that would be impacted by implementation of the proposed Project as described below.

- M-CR-1a** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-11,406, which shall focus on a uniform indexing of the subsurface deposit. This first level of index sampling shall consist of a 2.5 percent sample of the 858-square-meter deposit. This represents a sample of 21 square meters for the Phase 1 index. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 858 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.
- M-CR-1b** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-11,409, which shall focus on a uniform indexing of the subsurface deposit. This first level of index sampling shall consist of a 2.5 percent sample of the 10,637-square-meter subsurface deposit. This

represents a sample of 266 square meters for the Phase 1 index. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 5 percent of the 10,637 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.

- M-CR-1c** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-12,368, which shall focus on a uniform indexing of the focused subsurface deposit. This first level of index sampling shall consist of a 2.5 percent sample of the 1,735-square-meter deposit. This represents a sample of 43 square meters for the Phase 1 index. The County of San Diego has also required that a 10-foot-wide buffer within the open space portion of SDI-12,368 be subjected to data recovery. This will add five test units to the sample. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 1,735 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.
- M-CR-1d** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-12,371, which shall focus on a uniform indexing of the subsurface deposit. This first level of index sampling shall consist of a 2.5 percent sample of the 781-square-meter deposit. This represents a sample of 20 square meters for the Phase 1 index. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 781 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.
- M-CR-1e** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-16,303, which shall focus on a uniform indexing of the subsurface deposit. This first level of index sampling shall consist of a 2.5 percent sample of the 67-square-meter deposit. This represents a sample of 2 square meters for the Phase 1 index. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 67 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.
- M-CR-1f** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-16,309, which shall focus on a uniform indexing of the subsurface deposit. This first level of index sampling shall consist of a 2.5 percent sample of the 5,496-square-meter deposit. This represents a sample of 137 square meters for the Phase 1 index. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 5,496 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.

- M-CR-1g** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-16,312, which shall focus on a uniform indexing of the subsurface deposit. Approximately 24 percent of this site will be impacted, including 1,618 square meters of the 4,967-square-meter deposit identified. This first level of index sampling shall consist of a 2.5 percent sample of the 1,618-square-meter deposit. This represents a sample of 41 square meters for the Phase 1 index. The County of San Diego has also required that a 10-foot-wide buffer within the open space portion of SDI-16,312 be subjected to data recovery. This will add eight test units to the sample. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 1,618 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations, but it is estimated to be a sample of three additional test units.
- M-CR-1h** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-16,326, which shall focus on a uniform indexing of the subsurface deposit. The site contains three separate deposits, of which only the western deposit will be impacted. The western subsurface component encompasses an area of 860 square meters. This first level of index sampling shall consist of a 2.5 percent sample of the 860-square-meter deposit. This represents a sample of 22 square meters for the Phase 1 index. The County of San Diego has also required that a 10-foot-wide buffer strip within the open space portion of SDI-16,326 be subjected to data recovery. This will add eight test units to the sample. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 860 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.
- M-CR-1i** Prior to the issuance of a grading permit, the Project applicant shall cause a Data Recovery program to be implemented for Site SDI-16,332, which shall focus on a uniform indexing of the subsurface deposit. The total area of the subsurface deposits is approximately 1,731 square meters. The development will impact approximately one-third of SDI-16,332, including 924 square meters of the significant subsurface deposits. This first level of index sampling shall consist of a 2.5 percent sample of the 924-square-meter deposit. This represents a sample of 23 square meters for the Phase 1 index. The County of San Diego has also required that a 10-foot-wide buffer strip within the open space portion of SDI-16,332 be subjected to data recovery. This will add seven test units to the sample. The proposed Phase 2 excavations are projected based on an area of increased research potential estimated to be approximately 10 percent of the 924 square meters; the exact number of Phase 2 excavations shall depend on the results of the Phase 1 excavations.
- M-CR-1j** All cultural materials recovered from the Project, either during the mitigation program or during the past archaeological testing programs, shall be professionally prepared for permanent curation at a local facility meeting the criteria for such

curation centers as listed in 36CFR79. The cost to curate collections shall be the responsibility of the applicant. Copies of field notes, reports, maps and catalog data shall be included with the curated collection.

Indirect Impacts

- M-CR-2a** All sites, regardless of significance status, that are located outside of the development area shall be placed in open space easements. The sites may be included in general Project-wide open space preserves, in which case, site-specific easements would not be necessary. For sites that would be preserved within the development envelope, easements shall be dedicated for individual sites unless incorporated within larger biological or other open space designation. The open space designation shall include language that prohibits any type of surface modification to the sites or intrusions into the site by grading, trenching, or other development-related improvements. For any sites located within open space, a park area, or the Preserve, specific requirements for individual sites are necessary to ensure that the sites are not impacted by maintenance or landscaping. Open space areas shall be transferred to County Department of Parks and Recreation (County Parks) and maintained as part of the Preserve. County Parks shall assume responsibility for the protection of the sites in the open space areas as part of the management of the Preserve. Aside from temporary fencing during grading and construction to ensure preservation during this period, no individual site preservation measures are deemed necessary during development activities. Subsequently, the long-term protection of the sites will be achieved through management of the Preserve by County Parks. During grading or brushing, the monitoring archaeologist shall determine the need for temporary fences and direct their installation to provide a physical barrier between the grading machinery and adjacent significant cultural resources that are designated for preservation or eventual data recovery. Once the open space areas are transferred to the Preserve, it will become the responsibility of the Preserve owner/manager to maintain the easements for the archaeological sites.
- M-CR-2b** Prior to any improvements to existing trails or development of new trails, improvement plans shall be reviewed by the Project archaeologist under the direction of the County to determine the potential for impacts to cultural resources, and the need for additional field research, testing, mitigation for potential impacts during construction and use, and monitoring of construction. The requirements of mitigation measure M-CR-1 for data recovery and analysis, including Native American monitoring, shall be applied during all subsequent surveys if new cultural resources are identified.
- M-CR-3** In the event that human burials are encountered, standard procedures for such discoveries shall be implemented, including notification of the County Coroner's Office, the County, the Native American Heritage Commission and local Native American representatives. Fieldwork shall cease in the area of any such discovery. The Native American representative and the County shall be consulted to determine

a preferred course of action, and the burial shall be treated according to the requirements of Public Resources Code §5097.98.

M-CR-4 Paleontological monitoring shall be conducted during all mass grading and excavation activities in surface exposures of the Otay Formation to mitigate any adverse impacts (i.e., loss or destruction) to potential nonrenewable paleontological resources. A mitigation monitoring and reporting program consistent with County and CEQA guidelines and requirements shall be developed and implemented prior to any mass grading and/or excavation-related activities, including utility trenching, within the Otay Formation. The mitigation monitoring and reporting program shall be conducted in accordance with the following procedures:

- A. A Qualified Paleontologist or Paleontological Resources Monitor (under the supervision of the Qualified Paleontologist) shall be on-site during all excavation operations within geologic formations that may contain paleontological resources (i.e., the Otay Formation). The Qualified Project Paleontologist is a person with a Ph.D. or master's degree in paleontology or related field, and who has knowledge of San Diego County paleontology, and documented experience in professional paleontological procedures and techniques. A Paleontological Monitor is defined as an individual with at least 1 year of experience in field identification and collection of fossil materials. The Paleontological Monitor shall work under the direct supervision of the Qualified Paleontologist. The applicant shall authorize the Qualified Paleontologist and/or Paleontological Monitor to direct, divert, or halt any grading activity, and to perform all other acts required by the provisions listed below.
- B. The Qualified Paleontologist and/or Paleontological Monitor shall monitor all grading and excavation activities of undisturbed formations of sedimentary rock;
- C. If paleontological resources are unearthed, the Qualified Paleontologist or Paleontological Monitor shall do the following:
 - 1. Direct, divert, or halt any grading or excavation activity until such time that the sensitivity of the resource can be determined and the appropriate recovery implemented.
 - 2. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.
 - 3. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the Project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic

section, if feasible, and photographic documentation of the geologic setting.

4. Prepare collected fossil remains for curation to include cleaning the fossils by removing the enclosing rock material; stabilizing fragile specimens using glues and other hardeners, if necessary; and repairing broken specimens.
 5. Curate, catalog, and identify all fossil remains to the lowest taxon possible; inventory specimens; assign catalog numbers; and enter the appropriate specimen and locality data into a collection database.
 6. Transfer the cataloged fossil remains to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display. The transfer shall include copies of relevant field notes, maps, stratigraphic sections, and photographs.
- D. The Qualified Paleontologist shall prepare a final Paleontological Resources Mitigation Report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.
- E. Submit two hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the report according to the County PDS' Electronic Submittal Format Guidelines.

Environmental Design Considerations

CR-ED-1 Grading operations shall be conducted in accordance with a monitoring and recovery program for potential paleontological and/or cultural artifacts.

7.5 Geology and Soils

Mitigation Measures

M-GE-1a Excavations of cut slopes shall be observed during grading by an engineering geologist to evaluate whether the soil and geologic conditions differ significantly from those expected. Cut slopes that expose shared claystone bedding may require slope stabilization consisting of stability fills. These stabilization measures shall be implemented if determined necessary by the engineering geologist. ~~Otay Lakes Road, Widening & Realignment (Appendix C-8): Excavations of cut slopes shall be observed during grading by an engineering geologist to evaluate whether the soil and geologic conditions differ significantly from those expected. Cut slopes that expose shared claystone bedding may require slope stabilization consisting of stability fills.~~

- M-GE-1b** Area A and B, Tentative Map (**Appendices C-6 and 7**): Because of the potential presence of adverse geologic structures, the geologic structure of permanent cut slopes composed of Otay Formation, Fanglomerate materials, or metavolcanic rock should be analyzed in detail by an engineering geologist during grading operations. Grading of cut and fill slopes and intermediate terrace benching shall be designed in accordance with the requirements of the local building codes and the 2010 California Building Code (CBC). Additional recommendations for slope stabilization may be necessary if adverse geologic structure is encountered. Mitigation of unstable cut slopes can be achieved by the use of drained stability fills. In addition, cut slopes exposing cohesionless surficial deposits or rock slopes with unfavorable geologic structure may require stability fills. In general, the Typical Stability Fill Detail presented in Figure 10 (**Appendices C-6 and 7**) should be used for design and construction of stability fills, where required. The backcut for stability fills should commence at least 10 feet from the top of the proposed finished-graded slope and should extend at least 3 feet into formational materials. For slopes that exceed 30 feet in height, the inclination of the backcut may be flattened as determined by the engineering geologist during grading operations.
- M-GE-1c** Area A and B Tentative Map (**Appendix C-6 and C-7**): Because of the potential presence of adverse geologic structures, the geologic structure of permanent cut slopes composed of Metavolcanic Rock should be analyzed in detail by an engineering geologist during the grading operations. The use of drained stability fills and rock slope stabilization measures such as rock bolting, or rockfall protection systems shall be implemented if adverse geologic structure is encountered.
- M-GE-2a** Otay Lakes Road, Widening & Realignment (**Appendix C-8**): Mitigation measures will be required along the eastern portion of the roadway due to the steepness of the natural slopes and boulder outcrops above the proposed cut slope. The areas of proposed rock fall mitigation are shown on **Figures 2.5-2A and 2.5-2B**. The mitigation shall consist of the construction of a rock fall debris fence or other acceptable catchment device at the toe of the proposed cut slope. The hard rock slopes should be evaluated by an engineering geologist during site development and final locations of the debris fence or alternative method shall be provided at that time.
- M-GE-2b** Area A and Area B, Tentative Map (**Appendices C-6 and 7**): Mitigation shall consist of the construction of rock fall debris fences or other acceptable catchment device at the toe of proposed slopes or at the edge of daylight cut or fill areas. The area of proposed rock fall mitigation for Area A is shown on **Figure 2.5-2A** and Area B on **Figure 2.5-2B**. Area A consists of the northern-most section of proposed residential development, east of Upper Otay ~~Lake-Reservoir~~ and the northern section of Lower Otay ~~Lake-Reservoir~~. Area B encompasses the eastern-most section of proposed residential development and resort. The hard rock slopes shall be evaluated by an engineering geologist during site development and final locations of the debris fences or alternative method shall be provided at that time.

M-GE-2c Area A and Area B, Tentative Map (**Appendices C-6 and 7**): Hard rock slopes shall be analyzed in detail by an engineering geologist during the grading operations. In areas where loose or potentially hazardous rock is encountered during grading, the loose material shall be scaled off the slope face to mitigate the hazard. If adverse geologic structures are encountered during grading, rock slope stabilization measures such as rock bolting, or rockfall protection systems may be necessary.

M-GE-2d At the time of final design the geotechnical engineer shall certify that all mitigation measures provided to reduce the level of significance of rock fall hazards have been implemented. ~~When all measures to mitigate rock fall hazards have been provided, a professional opinion from an engineering geologist shall be provided that indicates that the potential risk for rockfall hazards to impact the proposed development would be less than significant with the mitigation measures that were implemented. It should also be stated that with mitigation measures incorporated, the proposed development is considered safe for human occupancy.~~

Environmental Design Considerations

GE-ED-1a All site-specific requirements outlined in the Geotechnical Report for the Project shall be implemented. Specifically, seismic design coefficients have been developed based on the largest probable earthquake in the Project site. Structures developed as part of the proposed Project are required to adhere to these coefficients and criteria and be consistent with the Uniform Building Code (UBC).

GE-ED-1b Unsuitable bearing materials encountered on-site, including soil, alluvium, colluvium, weathered bedrock, and uncompacted artificial fill, shall be removed prior to the placement of compacted fill. The actual removal depths shall be evaluated by the geotechnical engineer during grading operations. These materials may be reused as compacted fill provided they are moisture conditioned and properly compacted per all specifications in the Project's Geotechnical Report. The bottom of the excavations shall be scarified to a depth of at least 8 inches, moisture conditioned as necessary, and properly compacted. Excavated soils with an expansion index greater than 50 shall be kept at least 3 feet below finish grades in areas of the structural fill. Sheet-graded pads shall be capped with at least 6 feet of low expansive soils to accommodate minor regrading.

GE-ED-1c Building pads with cut-fill transitions shall be undercut at least 3 feet, sloped 1 percent to the adjacent street or deepest fill, and replaced with properly compacted very low to low expansive fill soils to limit the differential settlement potential and provide a uniform bearing surface for structures. Where the thickness of the fill below the building pad exceeds 15 feet, the depth of the undercut shall be increased to one-fifth of the maximum fill thickness. This shall be done in conformance with the guidance provided in the Geotechnical Report, in **Appendix C-6 and 7** to this EIR.

- GE-ED-1d** Proposed building pads that expose bedrock materials at or near finish grade shall be over-excavated and replaced with compacted engineered fill a minimum of 3 feet below proposed finish grade as shown in the Geotechnical Report, **Appendix C-6 and 7** to this EIR. All excavation and lot over-excavation bottoms shall be sloped to a minimum of 1 percent and drain toward the adjacent on-site streets or driveways to promote subsurface drainage along the bedrock/fill contact. Where steep transitions occur beneath proposed buildings, additional over-excavation (more than 5 feet) may be required, as determined in the field during grading by the Project geotechnical engineer, to reduce the potential for differential settlement. Proposed building pads located above buttress or stabilization fills shall be over-excavated a minimum of 5 feet and capped with a compacted fill blanket to reduce the potential for differential settlement. The removal bottoms shall be observed by the Project geotechnical engineer to evaluate the presence of loose materials and require deeper excavations, if necessary. All excavation and fill requirements specified in the Project Geotechnical Report shall be adhered to.
- GE-ED-1e** Import fill shall consist of granular materials with a very low to low expansion potential (expansion index of 50 or less), generally free of deleterious material and rock fragments larger than 6 inches, and shall be compacted as recommended in the Project Geotechnical Report.
- GE-ED-2** A geotechnical engineer or engineering geologist shall evaluate the hard rock slopes during construction and provide specific design requirements based on each rock fall hazard area, including those identified in **Figure 2.5-1**. Variable slope ratios not exceeding 2:1 shall be used when developing grading plans unless: a report is received from a soil engineer certifying that he or she has investigated the property and that in his or her opinion the proposed steeper slope will be stable and will not endanger any public or private property or result in the deposition of debris on any public way or interfere with any existing drainage course. Avoidance of potential hazards from rock falls may include the stabilization of slopes; construction of rock fall protection devices such as catchment basins or rock debris fences; and/or the removal of boulders presenting a potential rock fall hazard and their placement in a non-hazard position such as a deep fill, the toe of a slope, a canyon bottom, or other safe location. Specific recommended environmental design measures are contained in the Geotechnical Report prepared for the Project (Geocon 2010a).
- GE-ED-3** Otay Lakes Road is realigned from its location as shown on the approved Otay SRP to follow the existing location adjacent to Lower Otay ~~Lake~~Reservoir. The realignment reduces significant grading and landform alteration impacts.
- GE-ED-4** All grading operations and construction shall be conducted in conformance with applicable County regulations and in conformance with the recommendations included in the geotechnical reports for the Project.

- GE-ED-5** Following grading, lots with fill or cut slopes shall be revegetated with shrubs and ground cover for erosion control, as well as box trees to minimize visual dominance of the graded slope.

7.6 Hazards and Hazardous Materials

Mitigation Measures

- M-HZ-1a** Project grading and improvements plans shall be reviewed by the Director of Public Works to determine that water quality basins are designed to drain within 72 hours and include a mechanism to open a flap gate or similar manual device if the drain time becomes too long. Manual drainage shall be conducted if water is held beyond 72 hours. Routine and semi-annual inspections shall include modification of orifice drain holes, if needed, to provide for optimum performance and suitable drain time.
- M-HZ-1b** The Director of Public Works shall determine the design of the water quality basins include rip-rap fields at inlet scour-protection points to be self-draining concurrent with the processing of grading and improvement plans.
- M-HZ-1c** Routine and semi-annual water quality basin inspections to the satisfaction of the Director of Public Works shall include removal of accumulated trash and debris that may capture and hold rainwater or runoff, or that accumulates around the outlet riser pipe or discharge orifice; repair of erosion or low-lying areas where ponding of water develops; identification and elimination of possible vector harborage or burrowing rodent activity; inspection for sufficient vegetation coverage for basin side slopes and floor; reduction of vegetation height to minimize insect harborage, with the height of ground cover grasses reduced to a maximum height of 6 inches; investigation and elimination or minimization of upstream dry season flow sources if dry season flows are persistent and lead to constant ponding; and notification of San Diego County Vector Control if sources are from off-site properties.

7.7 Noise

Mitigation Measures

- M-N-1a** The Project ~~proponent~~ applicants shall prepare a noise protection easement for those lots identified in **Table 2.7-7** of the Project EIR. The noise protection easement language shall contain a restriction stating that the structure and the outdoor activity area will be placed such that a noise barrier will complement the residence's architecture, reduce noise levels at outdoor activity areas to within acceptable standards, and will not incorporate a solid (opaque) wall in excess of 10 feet in height. ~~and will not incorporate a solid (opaque) wall in excess of 10 feet.~~
- M-N-1b** Concurrent with approval of the Final Map, the Project proponents shall dedicate to the County a noise protection easement on each of the lots identified in **Table 2.7-6** for the receptor shown in **Figures 2.7-3, 2.7-4, and 2.7-5** of the Project EIR.

These easements are for the protection of noise-sensitive locations from excessive traffic noise. The noise protection easements shall be shown on the Final Map(s).

- M-N-1c** For any lot shown to be exposed to noise levels exceeding 60 dBA CNEL, the noise protection easement shall require that, prior to approval of the building permit or other development approval, an acoustical study be prepared based on proposed noise barrier placement and housing construction to demonstrate and ensure that interior noise levels are below 45 dBA CNEL.
- M-N-1d** The Project proponent shall construct a noise barrier at the top of slope and at the back of yards for any Noise Sensitive Land Use that would be exposed to a CNEL greater than 60 dBA, as shown in **Figures 2.7-3, 2.7-4, and 2.7-5** of the Project EIR. The barrier shall be at the height specified in **Table 2.7-7**. Barriers may be constructed of masonry, wood, and transparent materials, such as glass or Lucite. Earthen berms or a combination of berms and walls could also be used to provide noise attenuation.
- M-N-1e** Noise barriers, as described in M-N-1d, would not reduce noise levels to second-story elevations due to their lesser barrier heights relative to two-story structures. Where two-story homes are to be located where traffic noise levels would meet or exceed 65 dBA CNEL without abatement (see **Table 2.7-6** of the Project EIR), the noise protection easement required by mitigation measure M-N-1 shall specify that the applicant for a building permit or other development approval must have to demonstrate that interior noise levels due to exterior noise sources would not exceed 45 dBA CNEL prior to approval of the building permit or other development approval. In these cases, it is anticipated that the typical method of compliance would be to provide the homes with air conditioning or equivalent forced air circulation to allow occupancy with closed windows, which for most residential construction would provide sufficient exterior-to-interior noise reduction.
- M-N-2** Prior to Site Plan approval of proposed land uses within the mixed-use, resort, public safety, the applicant or designee(s) shall prepare acoustical studies of proposed mechanical equipment, which shall identify all noise-generating equipment (including emergency generators and generators associated with the proposed sewer pump stations), predict property line noise levels from all identified equipment, and recommend mitigation to be implemented (e.g., enclosures, barriers, site orientation) as necessary to comply with the County Noise Ordinance, Section 36.404.
- M-N-3** Prior to the issuance of a building permit for commercial land uses containing loading docks, delivery areas, and parking lots, the applicant, or its designee, will prepare an acoustical study(s) of proposed commercial land use site plans, which will identify all noise-generating areas and associated equipment, predict noise levels at property lines from all identified areas, and recommend mitigation to be implemented (e.g., enclosures, barriers, site orientation, reduction of parking stalls), as necessary, to comply with the County Noise Ordinance Section 36.404.

M-N-4 To reduce construction noise impacts associated with rock drilling and crushing noise generated by Project-related blasting activities, Project applicant(s) of all phases of Project development shall conform to the following requirements, which shall be prominently noted on grading plans:

- All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in San Diego County.
 - Each blast shall be monitored and recorded with an air blast over-pressure monitor and groundborne vibration accelerometer approved by the County that is located outside the closest residence to the blast.
 - A blasting plan, including estimates of the air blast over-pressure level and groundborne vibration at the residence closest to the blast, shall be submitted to the County for review prior to the first blast. Blasting shall not commence until the County has approved the blast plan.
- Blasting shall not exceed 0.1 in/sec peak particle velocity (PPV) at the nearest occupied residence in accordance with the County's Noise Guidelines.
- Blasting shall not be conducted within 1,000 feet of on- or off-site sensitive receptors unless the blasting study concludes that a distance less than 1,000 feet is within an acceptable noise level.
 - All rock drilling activities shall be located a minimum distance of 800 feet from the nearest property line where an occupied structure is located and shall comply with County noise standards pursuant to County Code Noise Ordinance Section 36.404. The 800-foot setback distance may be reduced if a noise study is conducted for rock processing activities and noise levels of such activities would be within acceptable County limits at the reduced distances as determined by the noise study.
 - All rock crushing activities shall be located a minimum distance of 350 feet from the nearest property line where an occupied structure is located and shall comply with County noise standards pursuant to County Code Noise Ordinance Section 36.404. The 350-foot setback distance may be reduced if a noise study is conducted for rock processing activities and noise levels of such activities would be within acceptable County limits at the reduced distances as determined by the noise study.

M-N-5 To reduce construction noise impacts associated with rock drilling and crushing noise generated by Project-related blasting activities, Project applicant(s) of all

phases of Project development shall conform to the following requirements, which shall be prominently noted on grading plans:

- All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in San Diego County.
 - Each blast shall be monitored and recorded with an air blast over-pressure monitor and groundborne vibration accelerometer approved by the County that is located outside the closest residence to the blast.
 - A blasting plan, including estimates of the air blast over-pressure level and groundborne vibration at the residence closest to the blast, shall be submitted to the County for review prior to the first blast. Blasting shall not commence until the County has approved the blast plan.
- Blasting shall not exceed 0.1 in/sec peak particle velocity (PPV) at the nearest occupied residence in accordance with the County's Noise Guidelines.
- Blasting shall not be conducted within 1,000 feet of on- or off-site sensitive receptors unless the blasting study concludes that a distance less than 1,000 feet is within an acceptable noise level.
 - All rock drilling activities shall be located a minimum distance of 800 feet from the nearest property line where an occupied structure is located and shall comply with County noise standards pursuant to County Code Noise Ordinance Section 36.404. The 800-foot setback distance may be reduced if a noise study is conducted for rock processing activities and noise levels of such activities would be within acceptable County limits at the reduced distances as determined by the noise study.
 - All rock crushing activities shall be located a minimum distance of 350 feet from the nearest property line where an occupied structure is located and shall comply with County noise standards pursuant to County Code Noise Ordinance Section 36.404. The 350-foot setback distance may be reduced if a noise study is conducted for rock processing activities and noise levels of such activities would be within acceptable County limits at the reduced distances as determined by the noise study.

M-N-6 To reduce impacts associated with groundborne vibration generated by Project-related construction activities, the applicant(s) of all Project phases shall conform to the following requirements, which shall be prominently noted on grading plans:

- Heavy construction equipment shall not be operated within 200 feet of any residential structure.
- Rock blasting shall not be performed within 1,000 feet of a residential structure.
- Blasting shall not exceed 0.1 in/sec peak particle velocity (PPV) at the nearest occupied residence in accordance with the County's Noise Guidelines.
- A vibration analysis assessing the proposed blasting and materials handling associated with proposed project shall be submitted to the County for review prior to the first blast. Blasting shall not commence until the County has approved the plan.

Noise Abatement Measures

- NA-1** All emergency generators shall be located within enclosures, behind barriers, or oriented within the site design to eliminate the line of sight between sensitive receptors and generators.
- NA-2** All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- NA-3** Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- NA-4** Equipment staging areas shall be located as far as feasible from occupied residences or schools.
- NA-5** For all construction activity on the Project site, noise attenuation techniques shall be employed, as needed, to ensure that noise remains below 75 dBA L_{eq} at future residences. Such techniques may include, but are not limited to, the use of sound blankets on noise-generating equipment and the construction of temporary sound barriers adjacent to construction sites, between affected uses.
- NA-6** All rock crushing activities will be located a minimum distance of 2,000 feet from the nearest property line.

Environmental Design Considerations

- N-ED-1** Blasting procedures shall comply with County codes and requirements.

- N-ED-2** Project features requiring stationary noise emitting components (generators, outdoor mechanical equipment, etc.) shall comply with the County Noise Ordinance for restriction of sound levels at property lines.
- N-ED-3** All emergency generators shall be located within enclosures, behind barriers, or oriented within the site design to eliminate the line of sight between sensitive receptors and generators.
- N-ED-4** All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- N-ED-5** Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- N-ED-6** Equipment staging areas shall be located as far as feasible from occupied residences or schools.
- N-ED-7** For all construction activity on the Project site, noise attenuation techniques shall be employed, as needed, to ensure that noise remains below 75 dBA L_{eq} at future residences. Such techniques may include, but are not limited to, the use of sound blankets on noise-generating equipment and the construction of temporary sound barriers adjacent to construction sites, between affected uses.
- N-ED-8** All rock crushing activities shall be located a minimum distance of 2,000 feet from the nearest property line.
- N-ED-9** All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- N-ED-10** Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- N-ED-11** Equipment staging areas shall be located as far as feasible from occupied residences or schools.
- N-ED-12** For all construction activity on the Project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 75 dBA L_{eq} at nearby residences. Such techniques may include, but are not limited to, the use of sound blankets on noise-generating equipment and the construction of temporary sound barriers adjacent to construction sites, between affected uses.

7.8 Transportation and Traffic

Mitigation Measures

- M-TR-1** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between Wueste Road and the City/County Boundary from two lanes to four lanes (4-Lane Major with Raised Median), such that the improvements are operational prior to issuance of the 728th EDU~~building permit~~.
- M-TR-2** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the County of San Diego to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between the City/County Boundary and Project Driveway #1 from two lanes to four lanes (4.2A Boulevard with Raised Median) such that the improvements are operational prior to issuance of the 896th EDU~~building permit~~.
- M-TR-3** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the County of San Diego to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between Project Driveway #1 and Driveway #2 from two lanes to four lanes (4.2A Boulevard with Raised Median) such that the improvements are operational prior to issuance of the 896th EDU~~building permit~~.
- M-TR-4** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, a traffic signal at the intersection of Otay Lakes Road and Wueste Road such that the improvements are operational prior to the 1,500th EDU~~building permit~~.
- M-TR-5** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between Lake Crest Drive and Wueste Road from two lanes to four lanes (4-Lane Major with Raised Median) such that the improvements are operational prior to issuance of the 910th EDU~~building permit~~.
- M-TR-6** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between Wueste Road and the City/County Boundary from two lanes to four lanes (4-Lane Major with Raised Median) such that the improvements are operational prior to issuance of the 728th EDU~~building permit~~.

- M-TR-7** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, a traffic signal at the intersection of Otay Lakes Road and Wueste Road such that the improvements are operational prior to the construction of the 1,234th EDU.~~such that the improvements are operational prior to the 1,500th EDU building permit.~~
- M-TR-8** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with Caltrans to install, cause to be installed, or make a fair-share payment towards an approved plan or program for the signalization of the intersection of Otay Lakes Road and SR-94 such that the traffic signal is operational consistent with Caltrans requirements.
- M-TR-9** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between Lake Crest Drive and Wueste Road and the City/County Boundary from two lanes to four lanes (4-Lane Major with Raised Median), such that the improvements are operational prior to construction of the 384th EDU.~~such that the improvements are operational prior to issuance of the 910th EDU building permit.~~
- M-TR-10** Prior to recordation of the first final map, the Project applicant shall enter into an agreement with the City of Chula Vista to secure and construct, or cause to be constructed, the widening of Otay Lakes Road between Wueste Road and the City/County Boundary from two lanes to four lanes (4-Lane Major with Raised Median), such that the improvements are operational prior to construction of the 384th EDU.~~such that the improvements are operational prior to issuance of the 728th EDU building permit.~~
- M-TR-11** Otay Lakes Road, between City/County Boundary and Project Driveway #1/Intersection #42 (County) - this roadway segment is included in the list of facilities included in the County's TIF Program and is classified as a Major Road (4.1B) in the County of San Diego General Plan Mobility Element. The project applicant proposes to change this roadway segment classification to a Boulevard (4.2A). Accordingly, the project applicant would be responsible for participating in an update to the TIF Program to reflect the change in classification. Subsequently, the project applicant would be responsible for complying with the updated TIF Program to mitigate for cumulative impacts.
- M-TR-12** Otay Lakes Road, between Project Driveway #1/Intersection #42 and Project Driveway #2/Intersection #43 (County) - this roadway segment is included in the list of facilities included in the County's TIF Program and is classified as a Major Road (4.1B) in the County of San Diego General Plan Mobility Element. The project applicant proposes to change this roadway segment classification to a Boulevard (4.2A). Accordingly, the project applicant would be responsible for participating in an update to the TIF Program to reflect the change in classification.

Subsequently, the project applicant would be responsible for complying with the updated TIF Program to mitigate for cumulative impacts.

Environmental Design Considerations

- TR-ED-1** Otay Lakes Road shall be reclassified, widened, and improved to accommodate existing traffic and traffic from the proposed Project. The road shall be realigned in certain areas where current conditions do not meet County standards.
- TR-ED-2** Off-site segment and intersection improvements shall be made as warranted by direct Project traffic and cumulative traffic conditions.

7.9 Global Climate Change

- M-GCC-1** Transportation Demand Management Strategies for Residents, Students, Resort Guests and Employees.

Prior to the issuance of any grading permits, the Project Applicant (or their designee) shall, to the satisfaction of San Diego County Planning & Development Services Department (PDS), demonstrate that the Project shall: (i) provide a comprehensive trails network designed to provide safe bicycle and pedestrian access between the various development areas within the site and various recreational trails and multi-modal facilities accessing the site; (ii) provide bicycle racks along main travel corridors, adjacent to commercial development areas, and at public parks and open spaces; and, (iii) implement traffic calming features throughout the roadway network on the Project site to reduce motor vehicle speed and encourage walking and biking.

Prior to the issuance of any residential building permits, the Project applicant (or its designee) shall, to the satisfaction of San Diego County PDS, demonstrate that the Project shall: (i) provide to residents information for residents regarding transit options on a quarterly basis in HOA newsletters, and as part of a “new resident” information packet; (ii) provide and promote information regarding SANDAG’s iCommute program for residents; and, (iii) encourage formal/informal networks among residents that arrange carpools for ongoing or occasional trips for commute or non-commute purposes.

Prior to the issuance of any residential building permits, the Project applicant (or its designee) shall demonstrate, to the satisfaction of San Diego County PDS, that the Project shall establish provide a School Pool match program to help parents to transport students to off-site public or private schools, and shall implement a walking school bus program for elementary school students traveling to the on-site elementary school.

Prior to the issuance of any residential and non-residential building permits, the Project applicant (or its designee) shall demonstrate, to the satisfaction of San

Diego County PDS, that the Project shall provide and promote information regarding SANDAG's iCommute program for commuters and on-site businesses.

Prior to issuance of any resort-related building permits, the Project applicant (or its designee) shall demonstrate, to the satisfaction of the San Diego County Planning & Development Services Department, that the Project's resort operator shall implement a bike-sharing program for resort guests.

M-GCC-2 High-Efficiency Lighting in Multi-Family Homes and Non-Residential Buildings

Prior to the issuance of building permits for multi-family residences and non-residential buildings, the Project applicant (or its designee) shall submit pertinent building plans and related application materials that demonstrate, to the satisfaction of San Diego County Planning & Development Services Department, that the Project shall utilize high-efficiency (light emitting diode [LED] or equivalent) interior lighting in the multi-family residences and non-residential buildings that utilizes 15 percent less energy than otherwise permitted by the 2019 Building Energy Efficiency Standards.

M-GCC-3 EnergyStar Appliances in Multi-Family Homes and Non-Residential Buildings

Prior to the issuance of building permits for multi-family residences and non-residential buildings, the Project applicant (or its designee) shall submit pertinent building plans and related application materials that demonstrate, to the satisfaction of San Diego County Planning & Development Services Department, that the Project shall install EnergyStar appliances in the multi-family residences and non-residential buildings. The required EnergyStar appliances include clothes washers, dishwashers, fans and refrigerators.

M-GCC-4 Zero Net Energy Single-Family Homes

Prior to the issuance of building permits for single-family residences, the Project Applicant (or its designee) shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to San Diego County Planning & Development Services Department for review and approval. The ZNE Report shall demonstrate that the single-family residential development within the Project site subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by the California Energy Commission, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings. As part of the ZNE design, all single-family residences shall be designed to eliminate the utilization of natural gas as an energy source for the building envelope, including with respect to the heating,

ventilation and air conditioning (HVAC) systems and as to appliances. This also shall require that no natural gas fireplaces be installed in single-family residences.

A ZNE Report may, but is not required to:

- Evaluate multiple single-family residences.
- Rely upon aggregated or community-based strategies to support its determination that the subject buildings are designed to achieve ZNE. For example, shortfalls in renewable energy generation for one or more buildings may be offset with excess renewable generation from one or more other buildings, or off-site renewable energy generation. As such, a ZNE Report could determine a building is designed to achieve ZNE based on aggregated or community-based strategies even if the building on its own may not be designed to achieve ZNE.
- Make reasonable assumptions about the estimated electricity and natural gas loads and energy efficiencies of the subject buildings.

Additionally, all single-family residences shall be pre-wired to facilitate the subsequent installation of battery-based energy storage systems by homeowners.

M-GCC-5 Beyond Code Efficiencies in Multi-Family Homes and Non-Residential Buildings

Prior to the issuance of building permits for multi-family residences and non-residential buildings, the Project Applicant (or its designee) shall submit pertinent building plans and related application materials that demonstrate, to the satisfaction of San Diego County Planning & Development Services Department, that the Project's multi-family residences and non-residential buildings are designed to improve building energy efficiency by 10 percent over the 2019 Building Energy Efficiency Standards. As part of this demonstration, the building plans and related application materials shall confirm that attached multi-family residences will be designed and constructed without wood-burning or natural gas-burning fireplaces. Additionally, all multi-family residences shall be pre-wired to facilitate the subsequent installation of battery-based energy storage systems by homeowners.

M-GCC-6 Zero Emission Vehicle Charging Infrastructure

Prior to the issuance of residential building permits, the Project applicant (or its designee) shall submit pertinent building plans and related application materials that demonstrate, to the satisfaction of San Diego County Planning & Development Services Department, the installation of: (a) dedicated 208/240 branch circuits in each garage of every residential unit, and (b) one Level 2 electric vehicle (EV) charging station in the garage in half of all residential units.

Prior to the issuance of non-residential building permits, the Project applicant (or its designee) shall submit pertinent building plans and related application materials that demonstrate, to the satisfaction of San Diego County Planning & Development Services Department, the installation of an additional ten (10) Level 2 EV charging stations within the non-residential parking areas located on the Project site, as well as an addition ten (10) Level 2 EV charging stations for vehicles utilizing public street parking spaces on street blocks located adjacent to non-residential development areas.

M-GCC-7 Carbon Offsets – Construction Emissions

In addition to implementing all feasible construction-related and land use design practices and related mitigation measures (see mitigation measures M-AQ-1a, M-AQ-1c and M-AQ-1d) for the reduction of construction greenhouse gas (GHG) emissions, the Project Applicants (defined to be Baldwin & Sons, LLC and Moller Lakes Investment, LLC, or their designee) shall retire carbon offsets in a quantity sufficient to offset 100 percent of the Project’s construction emissions (including sequestration loss from vegetation removal) consistent with the performance standards and requirements set forth below. Specifically, prior to the County of San Diego’s (County) issuance of the Project’s first grading permit, the Project Applicants shall retire carbon offsets equaling 38,476 metric tons of carbon dioxide equivalent (MT CO₂e), which is the quantity of construction-related emissions estimated to be generated by the Project in the certified EIR.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols and Defined Terms

“Carbon offset” shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the Climate Action Reserve, the American Carbon Registry, or Verra (previously, the Verified Carbon Standard). This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities within the San Diego County region. The Project shall neither purchase offsets from the Clean Development Mechanism (CDM) registry nor purchase offsets generated under CDM protocols. Further, no carbon offsets shall originate from international areas, as discussed in the “Locational Performance Standards” below. Qualifying carbon offsets presented for compliance with this mitigation measure may be used provided that the evidence required by the “Reporting and Enforcement Standards” below is submitted to the County demonstrating that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

- i) Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable

- Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and
- ii) Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall:
- a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science;
 - b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties;
 - c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and,
 - d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation, copies of which are included in M-GCC-7 Attachment “A,” includes the Climate Action Reserve’s Reserve Offset Program Manual (November 2019) and Climate Forward Program Manual (March 2020); the American Carbon Registry’s Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and Removals (July 2019); and, Verra’s VCS Standard, Program Guide and Methodology Requirements (September 2019). (M-GCC-7 Attachment “A” is an attachment to this mitigation measure that is part-and-parcel of the mitigation measure.)

The County has reviewed the registry-administered protocols and methodologies for the carbon offset project types included in M-GCC-7 Attachment “A,” and has determined that such protocols and methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure, provided that any updated protocols shall be provided for County review as required by the “Reporting and Enforcement Standards” below prior to the County’s acceptance of offsets based on such updated protocols. The County also has reviewed and determined that the protocols and methodologies included in M-GCC-7 Attachment “A” require adherence to equivalent standards for carbon offset projects located both inside and outside of California.

Further, any carbon offset used to reduce the Project's GHG emissions shall be a carbon offset that represents the past or forecasted reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines Section 15126.4(c)(3)). Each carbon offset used to reduce GHG emissions shall achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows:

- i) "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur.
- ii) "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.
- iii) "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI).
- iv) "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction.
- v) "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage.
- vi) "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out.

The County has reviewed and determined that the protocols and methodologies included in M-GCC-7 Attachment "A" establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable and enforceable reductions. Additionally, the County has reviewed and determined that the "Reporting and Enforcement Standards" below ensure that the emissions reductions required by this mitigation measure are enforceable against the Project Applicants, as the County has authority to hold the Project Applicants accountable and to take appropriate corrective action if the County determines that any carbon offsets do not comply with the requirements set forth in this mitigation measure.

The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. The County hereby clarifies that such criteria and

performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4(a), (c)), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program).

Locational Performance Standards

All carbon offsets required to reduce the Project's GHG emissions shall originate from the following geographic locations (in order of priority): (1) off-site, unincorporated areas of the County of San Diego; (2) off-site, incorporated areas of the County of San Diego; (3) off-site areas within the State of California; and, (4) off-site areas within the United States. No carbon offsets shall originate from off-site, international areas. As listed, geographic priorities would focus first on local reduction options to ensure that reduction efforts achieved locally would provide cross-over, co-benefits to other environmental resource areas.

For purposes of implementing this mitigation measure, the County shall require the carbon offsets to adhere to the following locational performance standards in order to reduce the Project's construction and vegetation removal GHG emissions:

- i) The Project shall use all available carbon offsets within the County of San Diego (the first priority is within unincorporated areas of the County and the second priority is within incorporated areas of the County). "Available," for purposes of this subdivision, means that the Project Applicants provide objective, verifiable evidence to the County documenting that such carbon offsets are available for retirement from carbon offset projects within the subject geography no later than at the time of application for grading permit issuance. The objective, verifiable evidence to be provided includes a market survey report that shall comply with the following content requirements:
 - a. Preparation by a carbon offset broker with a minimum of 10 years of experience assisting with transactions in emissions markets;
 - b. Identification of the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry; and,
 - c. Identification of the geographic attributes of carbon offsets that are offered for sale and available for retirement.
- ii) In the event that a sufficient quantity of carbon offsets are not "available" in the County of San Diego, the Project shall obtain the remaining carbon offsets needed from within the State of California (third priority). For the definition of "available," see subdivision i) immediately above.
- iii) In the event that a sufficient quantity of carbon offsets are not "available" in the County of San Diego or State of California, the Project shall obtain the remaining carbon offsets needed from within the United States (fourth priority). For the definition of "available," see subdivision i) immediately above.

Reporting and Enforcement Standards

Over the course of the construction period and prior to issuance of requested grading permits, the Project Applicants shall submit reports to the County that identify the quantity of emission reductions required by this mitigation measure, as well as the carbon offsets to be retired to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offsets to be retired, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the locational attributes of the carbon offsets. The reports also shall append the market survey report described in the “Locational Performance Standards” provision above.

If the County determines that the Project’s carbon offsets do meet the requirements of this mitigation measure, the offsets can be used to reduce Project GHG emissions and Project permits shall be issued. Upon an affirmative finding from the County that the Project’s carbon offsets are eligible for use under this measure, and prior to permit issuance, the County shall confirm that the Project Applicants have included, in their carbon offset purchase agreement(s), a requirement that the carbon offset seller(s) provide the County with reasonable notice of any emissions reversal from the carbon offsets that are the subject of the transaction(s). The County also shall confirm that the Project Applicants’ purchase agreement(s) requires the seller(s) to provide the County with information and evidence regarding the steps taken by the applicable registry(ies) and carbon offset project developer(s) to rectify any reversal in accordance with applicable program manuals, protocols and methodologies, and provide supporting documentation from the registry(ies) to substantiate the correction of the reversal. In the event that the County concludes an offset reversal has not been sufficiently corrected within a reasonable period of time based on the nature of the reversal and the standards set forth in the applicable program manuals, protocols and methodologies, the County shall require an equivalent quantity of substitute GHG reductions are achieved. Methods to achieve the reductions could include requiring the Project Applicants to secure and retire substitute carbon offsets meeting the requirements of this mitigation measure in a quantity equivalent to those reversed. (Please see **M-GCC-7 Attachment “B,”** which includes a process timeline and associated flow chart for the implementation and administration of the mitigation measure’s requirements. **M-GCC-7 Attachment “B”** is an attachment to this mitigation measure that is part-and-parcel of the mitigation measure.)

If the County determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the offsets cannot be used to reduce Project GHG emissions and Project permits shall not be issued. Additionally, the County may issue a notice of non-consistency and cease permitting activities in the event that the County determines the carbon offsets provided to reduce Project GHG emissions are not compliant with the aforementioned standards. In the event of such an occurrence, Project permitting activities shall not resume until the Project Applicants have demonstrated that the previously provided carbon offsets are compliant with the standards herein or have provided substitute carbon offsets achieving the standards of this mitigation measure in the quantity needed to achieve the required emission reduction.

~~M-GCC-7—Carbon Offsets—Construction Emissions~~

~~As to construction emissions, the Project applicant (or its designee) shall provide carbon offsets in a quantity sufficient to offset 100 percent of the Project's construction emissions (including sequestration loss from vegetation removal) consistent with the performance standards and requirements set forth below.~~

~~First, "carbon offset" shall mean an instrument, credit or other certification, verifying the reduction of GHG emissions issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and Verra (previously, the Verified Carbon Standard); or, (ii) any registry approved by the California Air Resources Board to act as a registry under the State's cap-and-trade program.~~

~~Second, any carbon offset utilized to reduce the Project's GHG emissions shall be a carbon offset that represents the past or forecasted reduction or sequestration of one metric tonne of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines §15126.4(c)(3)). By requiring that the offset is "not otherwise required," the offset shall represent GHG reduction or sequestration additional to any GHG emission reduction otherwise required by law or regulation, and any other GHG emission reduction that otherwise would occur (Health & Saf. Code, §38562(d)(2)).~~

~~Third, as to construction and vegetation removal GHG emissions, prior to the County's issuance of the Project's first grading permit, the Project applicant (or its designee) shall provide evidence to the satisfaction of the San Diego County PDS that the Project applicant (or its designee) has retired carbon offsets in a quantity sufficient to offset 100 percent of the construction and vegetation removal GHG emissions (an estimated total of 38,476 MT CO₂e) generated by the Project, as identified in the Project's certified EIR. In making such a determination, the Director of the Planning & Development Services Department (PDS) shall require the Project applicant (or its designee) to provide an attestation or similar documentation from the selected registry(ies) that a sufficient quantity of carbon offsets meeting the standards set forth in this measure have been purchased and retired, thereby demonstrating that the necessary emission reductions are realized.~~

~~The documentation shall identify the registry-assigned serial number associated with each retired carbon offset; the referenced serial numbers are used by registries to ensure that each metric ton of reduction meets the requirements identified in the applicable protocol and is counted and retired only once. The documentation also shall identify the locational attributes of the carbon offsets in order to allow San Diego County Planning & Development Services Department to track and monitor the implementation of the geographic priority provision set forth below.~~

~~Fourth, the carbon offsets used to reduce construction and vegetation removal GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions (Health & Saf. Code, §38562(d)(1)).~~

~~Fifth, all carbon offsets required to reduce the Project's construction and vegetation removal emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes: (1) off-site, unincorporated areas of the County of San Diego; (2) off-site, incorporated areas of the County of San Diego; (3) off-site areas within the State of California; (4) off-site areas within the United States; and, (5) off-site, international areas. As listed, geographic priorities would focus first on local reduction options (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits to other environmental resource areas.~~

~~The Director of the PDS shall issue a written determination that offsets fail to meet the feasibility definition and factors set forth in CEQA Guidelines Section 15364 in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In making such a determination, the Director of the PDS shall consider information available at the time each Project related grading permit request is submitted, including but not limited to:~~

- ~~• The availability of in-County and in-State emission reduction opportunities, including funding and partnership opportunities with the County, other public agencies, or environmental initiatives with demonstrated integrity where such reduction opportunities use methodologies and protocols approved by a specified registry (see "First" paragraph above for the definition of such registries);~~
- ~~• The geographic attributes of carbon offsets that are listed for purchase and retirement;~~
- ~~• The temporal attributes of carbon offsets that are listed for purchase and retirement;~~
- ~~• The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,~~

- ~~Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.~~

~~Sixth, over the course of the construction period, the Project applicant (or its designee) shall submit annual reports to San Diego PDS that identify the quantity of emission reductions required by this mitigation measure, as well as the carbon offsets retired to achieve compliance with this measure. The annual reports shall identify the locational attributes of the carbon offsets in order to allow PDS to track and monitor the implementation of the geographic priority provision. Such tabulation and tracking shall be to the satisfaction of the Director of the PDS.~~

M-GCC-8 Carbon Offsets – Operational Emissions

In addition to implementing all feasible operation-related and land use design practices and related mitigation measures (see mitigation measures M-GCC-1 through M-GCC-6) for the reduction of operational greenhouse gas (GHG) emissions, the Project Applicants (defined to be Baldwin & Sons, LLC and Moller Lakes Investment, LLC, or their designee) shall retire carbon offsets in a quantity sufficient to offset, for a 30-year period, the operational GHG emissions from that incremental amount of development to net zero, consistent with the performance standards and requirements set forth below.

Because the Project will be built in phases over approximately eleven years, which influences both the quantity of operational GHG emissions and the level of reduction required to achieve net zero GHG emissions, the Project Applicants shall utilize one of the two following compliance options to secure the necessary carbon offsets:

- i) Prior to the issuance of the first building permit, the Project Applicants shall provide evidence to the County of San Diego Department of Planning & Development Services (PDS) that carbon offsets in the amount of 28,625 metric tons of carbon dioxide equivalent (MT CO₂e) per year multiplied by 30 years have been retired, for a total of 858,750 MT CO₂e, which is the quantity of operations-related emissions estimated to be generated by the Project in the certified EIR.
- ii) Prior to the issuance of each increment of building permits for the phased development of the Project, the Project Applicants shall provide evidence to PDS that the amount of carbon offsets required for the increment of development being permitted for a 30-year period have been retired. The application(s) for permit issuance shall include, as attachments, emissions calculation worksheets that identify the emissions reduction obligation of the increment of development being permitted and tracking tables that identify any previous carbon offsets retired, as well as the amount of carbon offsets anticipated to be associated with the unbuilt, unpermitted portion(s) of the Project.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols and Defined Terms

“Carbon offset” shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the Climate Action Reserve, the American Carbon Registry, or Verra (previously, the Verified Carbon Standard). This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities within the San Diego County region. The Project shall neither purchase offsets from the Clean Development Mechanism (CDM) registry nor purchase offsets generated under CDM protocols. Further, no carbon offsets shall originate from international areas, as discussed in the “Locational Performance Standards” below. Qualifying carbon offsets presented for compliance with this mitigation measure may be used provided that the evidence required by the “Reporting and Enforcement Standards” below is submitted to the County demonstrating that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

- i) Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and
- ii) Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall:
 - a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science;
 - b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties;
 - c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and,
 - d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation, copies of which are included in M-GCC-7 Attachment “A,” includes the Climate Action Reserve’s Reserve Offset Program Manual (November 2019) and Climate Forward Program Manual (March 2020); the American Carbon Registry’s

Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and Removals (July 2019); and, Verra's VCS Standard, Program Guide and Methodology Requirements (September 2019). (**M-GCC-7 Attachment "A"** is an attachment to this mitigation measure that is part-and-parcel of the mitigation measure.)

The County has reviewed the registry-administered protocols and methodologies for the carbon offset project types included in **M-GCC-7 Attachment "A,"** and has determined that such protocols and methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure, provided that any updated protocols shall be provided for County review as required by the "Reporting and Enforcement Standards" below prior to the County's acceptance of offsets based on such updated protocols. The County also has reviewed and determined that the protocols and methodologies included in **M-GCC-7 Attachment "A"** require adherence to equivalent standards for carbon offset projects located both inside and outside of California.

Further, any carbon offset used to reduce the Project's GHG emissions shall be a carbon offset that represents the past or forecasted reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines Section 15126.4(c)(3)). Each carbon offset used to reduce GHG emissions shall achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows:

- xiii) "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur.
- xiv) "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.
- xv) "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI).
- xvi) "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction.

- xvii) “Quantifiable” means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage.
- xviii) “Enforceable” means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out.

The County has reviewed and determined that the protocols and methodologies included in **M-GCC-7 Attachment “A”** establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable and enforceable reductions. Additionally, the County has reviewed and determined that the “Reporting and Enforcement Standards” below ensure that the emissions reductions required by this mitigation measure are enforceable against the Project Applicants, as the County has authority to hold the Project Applicants accountable and to take appropriate corrective action if the County determines that any carbon offsets do not comply with the requirements set forth in this mitigation measure.

The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. The County hereby clarifies that such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4(a), (c)), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program).

Emissions Inventory “True Up” Procedures and Standards

As new federal, state and local regulations are adopted or technological advancements occur, the quantity of emission reductions needed to demonstrate achievement of the net zero emissions level may decrease. Therefore, the amount of carbon offsets needed may be reduced if the Project Applicants can demonstrate, with substantial evidence, that changes in regulation or law, or other increased technological efficiencies have reduced the total MT CO₂e emitted by the Project. As described further in the following paragraph, any modification to the emissions reduction value stated herein shall require approval from the County’s Board of Supervisors, as considered pursuant to a noticed public hearing process that complies with applicable legal requirements, including those set forth in CEQA for the post-approval modification of mitigation implementation parameters.

Specifically, if the Project Applicants elect to process a “true-up” exercise subsequent to the County’s certification of the Final EIR and approval of the Project, the Project Applicants shall provide an updated operational GHG emissions inventory for the Project that includes emissions from mobile sources, energy, area

sources, water consumption, and solid waste. Subject to the satisfaction of the Board of Supervisors, these calculations shall be conducted using a County-approved model and/or methodology and must validate the continuing adequacy of modeling inputs used in the EIR that are not proposed to be altered as part of the “true-up” exercise. The inclusion of the validation requirement ensures that any updated operational GHG emissions inventories for the Project fully account for then-existing information that is relevant to the emissions modeling.

The “true up” operational GHG emissions inventory, if conducted, will be provided in the form of a Project-specific Updated Emissions Inventory and Offset Report to the County’s Board of Supervisors prior to the issuance of building permits for the next build-out phase. The subject technical documentation shall be prepared by a County-approved, qualified air quality and greenhouse gas technical specialist.

In all instances, substantial evidence must confirm that any reduction to the total carbon offsets value as identified in the certified EIR for the Project is consistent with the commitment to achieve and maintain carbon neutrality (i.e., net zero emissions) for the 30-year life of the Project.

Locational Performance Standards

All carbon offsets required to reduce the Project’s GHG emissions shall originate from the following geographic locations (in order of priority): (1) off-site, unincorporated areas of the County of San Diego; (2) off-site, incorporated areas of the County of San Diego; (3) off-site areas within the State of California; and, (4) off-site areas within the United States. No carbon offsets shall originate from off-site, international areas. As listed, geographic priorities would focus first on local reduction options to ensure that reduction efforts achieved locally would provide cross-over, co-benefits to other environmental resource areas.

For purposes of implementing this mitigation measure, the County shall require the carbon offsets to adhere to the following locational performance standards in order to reduce the Project’s operational GHG emissions:

vii) The Project shall use all available carbon offsets within the County of San Diego (the first priority is within unincorporated areas of the County and the second priority is within incorporated areas of the County). “Available,” for purposes of this subdivision, means that the Project Applicants provide objective, verifiable evidence to the County documenting that such carbon offsets are available for retirement from carbon offset projects within the subject geography no later than at the time of application for grading permit issuance. The objective, verifiable evidence to be provided includes a market survey report that shall comply with the following content requirements:

g. Preparation by a carbon offset broker with a minimum of 10 years of experience assisting with transactions in emissions markets;

- h. Identification of the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry; and,
- i. Identification of the geographic attributes of carbon offsets that are offered for sale and available for retirement.
- viii) In the event that a sufficient quantity of carbon offsets are not “available” in the County of San Diego, the Project shall obtain the remaining carbon offsets needed from within the State of California (third priority). For the definition of “available,” see subdivision i) immediately above.
- ix) In the event that a sufficient quantity of carbon offsets are not “available” in the County of San Diego or State of California, the Project shall obtain the remaining carbon offsets needed from within the United States (fourth priority). For the definition of “available,” see subdivision i) immediately above.

Reporting and Enforcement Standards

Over the course of build out of the Project and prior to issuance of requested building permits, the Project Applicants shall submit reports to the County that identify the quantity of emission reductions required by this mitigation measure, as well as the carbon offsets to be retired to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offsets to be retired, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the locational attributes of the carbon offsets. The reports also shall append the market survey report described in the “Locational Performance Standards” provision above.

If the County determines that the Project’s carbon offsets do meet the requirements of this mitigation measure, the offsets can be used to reduce Project GHG emissions and Project permits shall be issued. Upon an affirmative finding from the County that the Project’s carbon offsets are eligible for use under this measure, and prior to permit issuance, the County shall confirm that the Project Applicants have included, in their carbon offset purchase agreement(s), a requirement that the carbon offset seller(s) provide the County with reasonable notice of any emissions reversal from the carbon offsets that are the subject of the transaction(s). The County also shall confirm that the Project Applicants’ purchase agreement(s) requires the seller(s) to provide the County with information and evidence regarding the steps taken by the applicable registry(ies) and carbon offset project developer(s) to rectify any reversal in accordance with applicable program manuals, protocols and methodologies, and provide supporting documentation from the registry(ies) to substantiate the

correction of the reversal. In the event that the County concludes an offset reversal has not been sufficiently corrected within a reasonable period of time based on the nature of the reversal and the standards set forth in the applicable program manuals, protocols and methodologies, the County shall require an equivalent quantity of substitute GHG reductions are achieved. Methods to achieve the reductions could include requiring the Project Applicants to secure and retire substitute carbon offsets meeting the requirements of this mitigation measure in a quantity equivalent to those reversed. (Please see M-GCC-7 Attachment “B,” which includes a process timeline and associated flow chart for the implementation and administration of the mitigation measure’s requirements. M-GCC-7 Attachment “B” is an attachment to this mitigation measure that is part-and-parcel of the mitigation measure.)

If the County determines that the Project’s carbon offsets do not meet the requirements of this mitigation measure, the offsets cannot be used to reduce Project GHG emissions and Project permits shall not be issued. Additionally, the County may issue a notice of non-consistency and cease permitting activities in the event that the County determines the carbon offsets provided to reduce Project GHG emissions are not compliant with the aforementioned standards. In the event of such an occurrence, Project permitting activities shall not resume until the Project Applicants have demonstrated that the previously provided carbon offsets are compliant with the standards herein *or* have provided substitute carbon offsets achieving the standards of this mitigation measure in the quantity needed to achieve the required emission reduction.

~~As to operational emissions, the Project applicant (or its designee) shall provide carbon offsets sufficient to offset, for a 30 year period, the operational GHG emissions from that incremental amount of development to net zero, consistent with the performance standards and requirements set forth below.~~

First, “carbon offset” shall have the same meaning as set forth in M-GCC 7.

~~Second, any carbon offset utilized to reduce the Project’s GHG emissions shall be a carbon offset that represents the past or forecasted reduction or sequestration of one metric tonne of carbon dioxide equivalent that is “not otherwise required” (CEQA Guidelines §15126.4(c)(3)). By requiring that the offset is “not otherwise required,” the offset shall represent GHG reduction or sequestration additional to any GHG emission reduction otherwise required by law or regulation, and any other GHG emission reduction that otherwise would occur (Health & Saf. Code, §38562(d)(2)).~~

~~Third, because the Project will be built in phases over approximately eleven years, which influences both the quantity of operational GHG emissions and the level of reduction required to achieve net zero GHG emissions, the Project applicant (or its designee) shall utilize one of the two following compliance options to secure the necessary carbon offsets, as allowed in CEQA Guidelines Section 15126.4(c)(3):~~

- ~~(1) Prior to the issuance of the first building permit, the Project applicant (or its designee) shall provide evidence to the San Diego County Planning & Development Services Department (PDS) that it has obtained carbon offsets in the amount of 28,625 MT CO₂e per year multiplied by 30 years.~~
- ~~(2) Prior to the issuance of each increment of building permits for the phased development of the Project, the Project applicant (or its designee) shall provide evidence to PDS that it has obtained the amount of carbon offsets required for the increment of development being permitted for a 30-year period. The amount of carbon offsets required shall be based on and include operational GHG emissions as identified in the certified EIR. The application(s) for permit issuance shall include, as attachments, emissions calculation worksheets that identify the emissions reduction obligation of the increment of development being permitted and tracking tables that identify any previous carbon offsets retired, as well as the amount of carbon offsets anticipated to be associated with the unbuilt, unpermitted portion(s) of the Project. Such application materials shall be to the satisfaction of the Director of PDS.~~

~~The Director of Planning & Development Services shall require the Project applicant (or its designee) to provide documentation from the selected registry(ies) that a sufficient quantity of carbon offsets under option (1) or (2) meeting the standards set forth in this measure have been retired, thereby demonstrating that the necessary emission reductions are realized. The documentation shall identify the registry assigned serial number associated with each retired carbon offset; the referenced serial numbers are used by registries to ensure that each metric ton of reduction meets the requirements identified in the applicable protocol and is counted and retired only once. The documentation also shall identify the locational attributes of the carbon offsets in order to allow PDS to track and monitor the implementation of the geographic priority provision set forth below.~~

~~Fourth, the carbon offsets used to reduce operational GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions (Health & Saf. Code, §38562(d)(1)).~~

~~Fifth, as new federal, state and local regulations are adopted or technological advancements occur, the quantity of emission reductions needed to demonstrate achievement of the net zero emissions level may decrease. Therefore, the amount of carbon offsets needed may be reduced if the Project applicant (or its designee) can demonstrate, with substantial evidence, that changes in regulation or law, or other increased technological efficiencies have reduced the total MT CO₂e emitted by the Project. As described further in the following paragraph, any modification to the emissions reduction value stated herein shall require approval from the County's Board of Supervisors, as considered pursuant to a noticed public hearing process that accords with applicable legal requirements, including those set forth in~~

~~CEQA for the post-approval modification of mitigation implementation parameters.~~

~~Specifically, if the Project applicant elects to process a “true up” exercise subsequent to the County’s certification of the Final EIR and approval of the Project, the Project applicant shall provide an operational GHG emissions inventory of the Proposed Project’s operational emissions for the “true up” operational conditions, including emissions from mobile sources, energy, area sources, water consumption, and solid waste. Subject to the satisfaction of the Board of Supervisors, these calculations shall be conducted using a County approved model and/or methodology and must validate the continuing adequacy of modeling inputs used in the EIR that are not proposed to be altered as part of the “true up” exercise. The inclusion of the validation requirement ensures that any updated operational GHG emissions inventories for the Project fully account for then-existing information that is relevant to the emissions modeling.~~

~~The “true up” operational GHG emissions inventory, if conducted, will be provided in the form of a Project specific Updated Emissions Inventory and Offset Report to the County’s Board of Supervisors prior to the issuance of building permits for the next build-out phase. The subject technical documentation shall be prepared by a County approved, qualified air quality and greenhouse gas technical specialist.~~

~~In all instances, substantial evidence must confirm that any reduction to the total carbon offsets value as identified in the certified Final EIR for the Project is consistent with the Project commitment to achieve and maintain carbon neutrality (i.e., net zero emissions) for the 30-year life of the Project.~~

~~Sixth, all carbon offsets required to reduce the Project’s operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes: (1) off-site, unincorporated areas of the County of San Diego; (2) off-site, incorporated areas of the County of San Diego; (3) off-site areas within the State of California; (4) off-site areas within the United States; and, (5) off-site, international areas. As listed, geographic priorities would focus first on local reduction options (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits to other environmental resource areas.~~

~~The Director of the PDS shall issue a written determination that offsets fail to meet the feasibility definition and factors set forth in CEQA Guidelines Section 15364 in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In making such a determination, the Director of the PDS shall consider information available at the time each Project-related building permit request is submitted, including but not limited to:~~

- ~~The availability of in County and in State emission reduction opportunities, including funding and partnership opportunities with the County, other public agencies, or environmental initiatives with demonstrated integrity, where such reduction opportunities use methodologies and protocols approved by a specified registry (see “First” paragraph above for the definition of such registries);~~
- ~~The geographic attributes of carbon offsets that are listed for purchase and retirement;~~
- ~~The temporal attributes of carbon offsets that are listed for purchase and retirement;~~
- ~~The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,~~
- ~~Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.~~

M-GCC-9 Prohibitions on Specified Types of Gas-Powered Engines

The Project’s Conditions, Covenants & Restrictions (CC&Rs) shall prohibit the homeowners from using or contracting for the operation of gas-powered landscape maintenance equipment (e.g., lawn mowers, leaf blowers, hedgers) within their privately-owned and maintained residential footprint. Additionally, the CC&Rs shall prohibit the homeowners from operating combustion engine-powered golf carts in the community. Both of these prohibitions are intended to facilitate the deployment of electric-powered equipment and the use of zero emission technology.

Environmental Design Considerations

GCC-ED-1 ~~Natural Gas Fireplaces – The Project’s residences would only utilize natural gas fireplaces; no wood burning fireplaces would be installed.~~

GCC-ED-1 Curbside Recycling - The Project’s residences and non-residential development would be served by curbside recycling in furtherance of the California Integrated Waste Management Act, the statewide policy goals of AB 341, and the County’s General Plan and Strategic Plan to Reduce Waste.

Additionally, the Project would comply with the reduction, re-use, and recycling requirements contained in the County’s Recycling and Construction and Demolition Debris Recycling Ordinances.

GCC-ED-2 The Project includes a Water Conservation Plan that will reduce outdoor water usage by 30%, when compared to existing outdoor water usage for typical residential homes. The Water Conservation Plan will require compliance with the County’s Water Conservation in Landscaping Ordinance (Model Landscape Ordinance) for all outdoor landscapes in the Project, including common areas, public spaces, parkways, medians, parking lots, parks, and all builder or

homeowner installed private front and backyard landscaping. As such, the Water Conservation Plan goes beyond the County's Ordinance by applying to all landscaping installed in the Project.

Consistent with the County's Model Landscape Ordinance, the Water Conservation Plan requires the use of a water allocation-based approach to landscape zones, use of drought-tolerant, low-water usage native plants, high-efficiency weather- or evapotranspiration-based irrigation controllers, soil moisture sensors, and drip emitters, soaker hose, or equivalent high-efficiency drip irrigation, and limitations on the use of natural turf in residential development to no more than 30% of the outdoor open space.

7.109 Hydrology and Water Quality

Environmental Design Considerations

- HY-ED-1** Energy dissipaters shall be located to reduce velocity of flows to non-erosive conditions.
- HY-ED-2** All storm drains shall be designed to accommodate a 100-year storm event.
- HY-ED-3** An authorized SWPPP shall be implemented, pursuant to requirements under the NPDES and applicable County standards and requirements. Detailed BMPs for erosion/sediment control and for use of construction-related hazardous materials such as vehicle fuel shall be included in the plan.

7.110 Public Services

7.110.1 Fire Protection and Emergency Services

Environmental Design Considerations

- PS-ED-1** The Project shall reserve a 2.1-acre site for the construction of a public safety site to include a fire station and a sheriff's substation.
- PS-ED-2** The Project shall incorporate applicable ignition and fire resistance measures for all structures, including the use of approved sprinkler systems, proper roofing and exterior wall materials, and appropriate design construction of facilities such as eaves, vents, doors, window frames, decks, chimneys, gutters, and fences.
- PS-ED-3** Fire-related water supplies and access facilities within the site (fire hydrant design and spacing, adequate fire flow) shall comply with requirements identified in the Fire Protection Plan.
- PS-ED-4** Project design shall incorporate appropriate fuel management zones (100 feet wide) in designated areas.

PS-ED-5 Fuel modification zones shall be appropriately maintained by the Homeowners' Association (HOA) or Communities Facilities District (CFD) as outlined in the Fire Protection Plan, including such efforts as inspecting/repairing irrigation systems where permitted, vegetation thinning/pruning, and weed removal.

PS-ED-6 The design of all access-related features, such as streets, driveways, alleys, gates, speed bumps, walkways, and emergency access roads, shall comply with applicable requirements of the San Diego County Fire Code.

PS-ED-7 An emergency plan approved by the ~~Rural Fire Protection District~~ San Diego County Fire Authority (SDCFA) shall be prepared and issued to all Project site residents. The plan shall include procedures and guidelines regarding protective actions to take in the event of an emergency.

7.110.2 Schools

Environmental Design Considerations

PS-ED-8 The Project shall reserve a 10.0-acre elementary school site to accommodate up to 800 students.

PS-ED-9 The Project applicants shall pay statutory school fees or enter into an agreement with the school district to finance school facilities through an assessment mechanism including site acquisition at levels equal to or greater than the statutory school fee requirement.

7.110.3 Parks

Environmental Design Considerations

PS-ED-10 A total of 29.6 acres of recreational park area shall be provided throughout the Project site.

PS-ED-11 Fully improved parks shall be maintained by a CFD or similar assessment mechanism or HOA.

PS-ED-12 Public pathways shall be provided along Otay Lakes Road and throughout the residential neighborhoods.

7.124 Utilities and Service Systems

7.142.1 Water Supply

Environmental Design Considerations

- UT-ED-1** The Project shall incorporate water conservation features including a low water usage plant palette to reduce outdoor water consumption on single-family lots by a minimum of 30 percent below business as usual, water efficient irrigation systems, and pervious material.
- UT-ED-2** The Project shall include the construction of a 5.0 million gallon reservoir for potable water storage.
- UT-ED-3** All indoor residential plumbing products shall carry the USEPA's WaterSense certification.
- UT-ED-4** High-efficiency irrigation equipment, such as evapotranspiration controllers, soil moisture sensors, and drip emitters, shall be required for all Project components with separate irrigation water meters.
- UT-ED-5** Drought tolerant, low-water usage native plants shall be required in public and private landscaped areas.
- UT-ED-6** Natural turf in residential development shall be limited to no more than 30 percent of the outdoor open space.
- UT-ED-7** A Water Conservation Plan shall be implemented for single-family homes to reduce outdoor irrigation consumption by a minimum of 30 percent from business as usual.
- UT-ED-8** Prior to approval of improvements plans for the first final map filed for County approval, the applicant or designee shall prepare a Subarea Master Plan that identifies the sizing and timing of all on-site and off-site water facilities required for the Project site. This plan shall be reviewed and approved by the Otay Water District prior to approval of the first final map for the Project by the County Board of Supervisors.
- ~~**UT-ED-9** Should recycled water be permitted for use on the Project site to irrigate open space, parks, and common areas, the applicant or designee shall first obtain all required regulatory approvals from the San Diego Regional Water Quality Control Board, City of San Diego, and California Department of Public Health, Drinking Water Division. The County of San Diego, Department of Planning and Development Services, shall review and confirm that all such regulatory approvals have been obtained before recycled water may be used on the Project site.~~

7.124.2 Wastewater**Environmental Design Considerations**

UT-ED-240 A sewer sanitation district shall be formed by the County to serve the Project site. The new district shall enter into a flow transportation agreement with the City of Chula Vista. In addition, the Project shall construct sewer transmission lines, and pay applicable connection and impact fees.

7.124.3 Gas and Electric**Environmental Design Considerations**

UT-ED-104 Residential buildings shall meet the design standards of the United States Green Building Council (USGBC) LEED – New Home Certification or the National Association of Homebuilders (NAHB) National Green Building standard.

UT-ED-112 All single-family structures shall be designed to facilitate the installation or retrofit of photovoltaic systems.

UT-ED-123 Project-wide recycling for single-family, multi-family, resort, school, commercial, and retail establishments shall be required.

UT-ED-134 All residential garages will contain the necessary wiring to support electric vehicle chargers, and 50 percent of all residential garages will be equipped with electric vehicles chargers. ~~Electric car plug-in facilities/stations shall be provided in all residential garages and public parking areas.~~

UT-ED-145 Private residential and commercial structures shall be designed to improve energy conservation 20 percent above the 2008 Building Energy Efficiency Standards in Title 24 of the California Code of Regulations.

UT-ED-156 Indoor residential appliances shall carry the USEPA's ENERGYSTAR® certification.

UT-ED-167 All residential units shall be part of the local utility demand response program to limit peak energy usage for cooling.

UT-ED-178 The use of passive solar design and building orientation shall take advantage of the sun in the winter for heating and reduce heat gain and cooling needs during the summer.

UT-ED-189 Vertical landscape elements, such as trees, large shrubs, and climbing vines, shall be required to shade southern and western building facades to reduce energy needed for heating and cooling.

UT-ED-1920 All single-family residential units shall be designed to facilitate the later installation of a system that utilizes solar energy as the primary means of heating domestic potable water.

UT-ED-204 All structures shall include the electrical conduit specifically designed to encourage the later installation of a system that utilizes solar photovoltaic or other renewable energy resources as a means of generating electricity.

UT-ED-212 Energy efficient lighting for streets, parks, and other public spaces shall be installed. And, private developers shall be required to use energy efficient lighting and design.

7.12—Global Climate Change

7.12.1 Land Use and Community Design

Environmental Design Considerations

~~**GCC ED 1 Pedestrian Oriented Development.** The proposed Project's land use plan locates a school, parks, and commercial land in proximity to residential areas to encourage pedestrian and bicycle travel as an alternative to the automobile. In addition, the Resort Village Trail and Pathway system provide alternate routes to these destinations.~~

~~**GCC ED 2 Street Widths, Pavement, and Street Trees.** Narrow streets and reduced paving reduce heat build-up and the demand for air conditioning. Street trees provide shade that further reduces ambient air temperatures.~~

7.12.2 Transit Facilities and Alternative Transportation Modes

Environmental Design Considerations

~~**GCC ED 3 Public Transportation.**~~

- ~~• Public bus service for the proposed Project could be provided by Chula Vista Transit (CVT) and SANDAG. Currently, CVT provides bus service through the Chula Vista Eastern Territories, including the EastLake Business Center and nearby Southwestern College.~~
- ~~• The proposed Otay Ranch Resort may provide shuttle service to major transportation centers in the County.~~

~~**GCC ED 4 Transportation Demand Management.** A transportation demand management program could be developed to encourage ridesharing and carpooling for residents and employees.~~

~~CC-ED-5~~ Alternative Travel Modes

- ~~• The proposed streets are designed for a maximum travel speed of 30 mph, which allows the roadway to be used by electric carts and bicycles.~~
- ~~• Off-street pathways and trails in the Resort Village will accommodate pedestrian and bicycle travel.~~
- ~~• HOAs could be encouraged to partner with the elementary school to create a “walking school bus program” for neighborhood students to safely walk to and from school to reduce vehicular trips for drop-off and pick-up.~~

~~7.12.3~~ Building Siting and Construction

Environmental Design Considerations

~~GCC-ED-6~~ Building and Site Design

- ~~• Residential buildings would be designed to the U.S. Green Building Council’s (USGBC’s) Leadership in Energy and Environmental Design (LEED) New Home Certification standards, or the National Association of Homebuilders (NAHB) National Green Building standard.~~
- ~~• All single-family structures would be designed to facilitate the installation or retrofit of photovoltaic systems.~~
- ~~• Project-wide recycling for single-family, multi-family, resort, school, commercial, and retail establishments would be required.~~
- ~~• Electric car plug-in facilities/stations would be installed in all residential garages and public parking areas.~~

~~GCC-ED-7~~ Energy Efficiency

- ~~• Construction of private residential and commercial structures would improve energy conservation 20 percent above the 2008 Building Energy Efficiency Standards in Title 24 of the California Code of Regulations.~~
- ~~• Indoor residential appliances would be required to carry the USEPA’s ENERGYSTAR certification.~~
- ~~• All residential units would be required to be part of the local utility demand response program to limit peak energy usage for cooling.~~

~~GCC-ED-8~~ Water Conservation

- ~~• Indoor residential plumbing products would carry the USEPA’s WaterSense certification.~~

- ~~Require high efficiency irrigation equipment, such as evapotranspiration controllers, soil moisture sensors, and drip emitters for all projects that install separate irrigation water meters.~~
- ~~Use drought tolerant, low water usage native plants in public and private landscaped areas.~~
- ~~Limit natural turf in residential development to no more than 30 percent of the outdoor open space.~~
- ~~Implement a Water Conservation Plan for single family homes to reduce outdoor irrigation consumption by a minimum of 30 percent from business as usual.~~

~~7.12.4 Solar Access~~

~~Environmental Design Considerations~~

~~GCC-ED-9~~ ~~Use passive solar design and building orientation to take advantage of the sun in the winter for heating and reduce heat gain and cooling needs during the summer.~~

~~GCC-ED-10~~ ~~Require installation of vertical landscape elements such as trees, large shrubs, and climbing vines to shade southern and western building facades to reduce energy needed for heating and cooling.~~

~~GCC-ED-11~~ ~~Design and construct the plumbing system to allow for the retrofit of a water heating system that uses solar energy as the primary means of heating domestic potable water.~~

~~GCC-ED-12~~ ~~Design and construct the electrical system to allow for and encourage the retrofit of renewable energy generation such as photovoltaic panels.~~

~~7.12.5 Lighting~~

~~Environmental Design Considerations~~

~~GCC-ED-13~~ ~~Energy efficient lighting would be installed for streets, parks, and other public spaces. Private developers would use energy efficient lighting and design.~~

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