



# MITIGATION MONITORING & REPORTING PROGRAM (MMRP) FOR THE SHINOHARA BUSINESS CENTER PROJECT

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1. **Project Case Number(s):** Design Review – DR21-0032  
Environmental Review – IS21-0006
2. **Project Title:** Shinohara Business Center
3. **Lead Agency:** City of Chula Vista  
Oscar Romero, Project Planner  
Development Services Department  
276 Fourth Avenue  
Chula Vista, CA 91910  
(619) 691-5098  
[oromero@chulavistaca.gov](mailto:oromero@chulavistaca.gov)
4. **Project Sponsor:** Steven Schwarz  
VWP-OP Shinohara Owner, LLC  
2390 E. Camelback Rd. Ste. 305  
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(602) 427-6972  
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5. **Project Location:**

The project is located at 517 Shinohara Lane, westerly of Brandywine Avenue, northerly of Main Street, at the end of the cul-de-sac on Shinohara Lane, in the City of Chula Vista, California. The project site is identified on the Imperial Beach, California USGS 7.5-minute quadrangle within Township 18 South, Range 1 West, Sections 18 and 19. It comprises Tax Assessor parcel number – APN 644-040-01.

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Mitigation Measures	Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance		
				Initials	Date	
<b>AESTHETICS</b>						
<b>MM AES-1:</b>	The Permittee/Owner will ensure that the pre-construction and/or construction documents include language that all construction contractors will strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. The construction equipment shall be parked and staged within the project site as far away from the residential properties as possible. In addition, the documents shall include language requiring that construction vehicles shall be kept clean and free of mud and dust prior to leaving the development site, and streets surrounding the development site shall be swept daily and maintained free of dirt and debris. The City Building division will ensure the language appears on the documents. The City Engineer/Building Inspectors will ensure that the requirements are maintained out in the field.	Permittee/Owner	Prior to Grading Permit Issuance	Permittee/Owner shall provide evidence on pre-construction and construction documents to the Building Division satisfaction. The City Engineer/Building Inspectors will ensure that the requirements are maintained out in the field.		
<b>REMARKS:</b>						
<b>BIOLOGICAL RESOURCES</b>						
<b>MM BIO-1:</b>	<b>Compensatory Uplands Mitigation:</b> Per the HLIT ordinance, 7.59 acres of impacts to sensitive uplands shall be mitigated at the required mitigation ratios (Table 1). To compensate for the loss of 0.54 acre of disturbed coastal sage scrub (Tier II) and 7.05 acres of non-native grassland (Tier III),	Permittee/Owner	Prior to Grading Permit Issuance	Permittee/Owner shall provide evidence to the Planning Division		

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<p>mitigation would be provided through compensatory upland mitigation.</p> <p><b>Compensatory Uplands Mitigation.</b> Prior to the issuance of any grading permit including clearing, grubbing, grading, and construction permits, the project applicant shall mitigate direct impacts to 0.54 acres of coastal sage scrub habitat pursuant to the City of Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan (Subarea Plan) and Habitat Loss Incidental Take (HLIT) Ordinance. Per the HLIT Ordinance, impacts on coastal sage scrub shall be mitigated at the ratios identified in the MSCP Subarea Plan Table 5-3. Considering the project site is located outside of the preserve, coastal sage scrub mitigation shall be provided through the purchase of credits at the San Miguel Conservation Bank at a 1:1 ratio. The project applicant shall mitigate direct impacts to 7.05 acres of non-native grassland habitat pursuant to the City of Chula Vista MSCP Subarea Plan and HLIT Ordinance. Per the HLIT Ordinance, impacts on non-native grassland shall be mitigated at the ratios identified in the MSCP Subarea Plan Table 5-3. Considering the project site is located outside of the preserve, non-native grassland mitigation through the purchase of credits at the San Miguel Conservation Bank at a 0.5:1 ratio.</p> <p>The applicant shall secure mitigation credits within the San Miguel Conservation Bank. Mitigation Credits shall be for habitat of equivalent or higher habitat value than coastal</p>					

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	sage scrub for impacts to coastal sage scrub and equivalent or higher habitat value than non-native grasslands for non-native grassland impacts, with value determined consistent with the Subarea Plan tier system (see Subarea Plan Table 5-3). The applicant is required to provide the City with verification of mitigation credit purchase prior to issuance of any grading permit, including clearing, grubbing, grading, and construction permit.					
<b>REMARKS:</b>						
<b>MM BIO-2:</b>	<b>Burrowing Owl Take Avoidance Surveys.</b> Take avoidance surveys are intended to detect the presence of burrowing owls on a project site at a fixed period in time and inform necessary take avoidance actions. Take avoidance surveys may detect changes in owl presence, such as colonizing owls that have recently moved onto the site, migrating owls, resident burrowing owls changing burrow use, or young of the year that are still present and have not dispersed (CDFG 2012). Prior to issuance of any land development permits, including clearing, grubbing, and grading permits, the Proposed Project applicant or its designee shall retain a qualified biologist to conduct take avoidance surveys for burrowing owls. The take avoidance survey(s) can be conducted between 14 days and 24 hours prior to initiating ground disturbance activities; however, time lapses between project activities may require subsequent surveys within 24 hours prior to ground disturbance. The development of avoidance and minimization	Permittee/Owner	Prior to Issuance of Land Development Permits including Grading	Submit the results of the pre-construction survey to the Planning Division for review and approval		

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approaches would be informed by monitoring the burrowing owls.					
<b>REMARKS:</b>					
<b>MM BIO-3:</b>	<p><b>Avoidance of Nesting Bird Impacts:</b> To avoid any direct impacts on any species identified as a candidate, sensitive, or special status species in the HLIT, MSCP Subregional Plan, or other local or regional plans, policies, or regulations, or by the CDFW or USFWS, removal of habitat that supports active nests in the proposed project study area should occur outside of the breeding season of these species (February 1 to September 15), where feasible. If removal of habitat must occur during the nesting season, a qualified biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds within the proposed area of disturbance. The pre-construction survey shall be conducted no more than 72 hours prior to the start of construction activities (including removal of vegetation). If more than 72 hours lapse between the original survey and construction activities that include vegetation removal on all or a portion of the site, a new survey(s) shall be conducted. If nesting birds are detected, a letter report or mitigation plan in conformance with the HLIT and applicable state and federal law (e.g., appropriate follow-up surveys, monitoring schedules, and construction barriers/buffers) shall be prepared and include proposed measures to be implemented to ensure that take of birds or</p>	Permittee/Owner	Prior to Issuance of Land Development Permits including Grading	Submit the results of the pre-construction survey to the Planning Division for review and approval	

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eggs is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City.					

**REMARKS:**

**GEOLOGY & SOILS**

<p><b>MM PAL-1:</b></p>	<p>Prior to the issuance of grading permits, the Permittee/Owner shall provide written confirmation to the City that a qualified paleontologist has prepared a Paleontological Resources Impact Mitigation Program (PRIMP) and has been retained to carry out the PRIMP. A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques and has expertise in local geology, stratigraphy, and biostratigraphy. The PRIMP shall be consistent with the Society of Vertebrate Paleontology (SVP) (2010) guidelines and contain the following components:</p> <ul style="list-style-type: none"> <li>• Introduction to the project, including project location, description of grading activities that potentially may impact paleontological resources, and underlying geologic units.</li> <li>• Description of the relevant laws, ordinances, regulations, and standards pertinent to the project</li> </ul>	<p>Permittee/Owner</p>	<p>Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.)</p>	<p>Provide the Planning Division verification that a qualified Project Paleontologist has been retained and PRIMP has been prepared.</p>		
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<p>and potential paleontological resources.</p> <ul style="list-style-type: none"> <li>Requirements for the qualified paleontologist to attend the pre-construction meeting and provide worker environmental awareness training at the pre-construction meeting and at the job site the day grading is to be initiated. In addition, the qualified paleontologist shall inform the grading contractor and City Engineer of the paleontological monitoring program methodologies.</li> <li>Identification of where paleontological monitoring of excavations impacting the San Diego Formation, very old paralic deposits (Lindavista Formation), and old alluvial floodplain deposits are required within the project site based on construction plans and/or geotechnical reports.</li> <li>Procedures for adequate paleontological monitoring (including necessary monitoring equipment), methods for treating fossil discoveries, fossil recovery procedures, and sediment sampling for microvertebrate fossils,</li> </ul>					

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	<p>including the following requirements:</p> <ul style="list-style-type: none"> <li>➤ A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of moderately to highly sensitive geologic units (e.g., San Diego Formation, very old paralic deposits, and old alluvial floodplain deposits) to inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience collecting and salvaging fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist. Monitoring is not required during excavation within low resource sensitivity geological units (e.g., young alluvial floodplain deposits) if determined to be present within the project site.</li> <li>➤ Paleontological monitoring is not required in areas underlain by artificial fill unless grading activities are anticipated to extend beneath the veneer of the fill and impact underlying geological units with moderate to high paleontological</li> </ul>					



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<p>sensitivity (e.g., San Diego Formation, very old paralic deposits [Lindavista Formation], and/or old alluvial floodplain deposits).</p> <ul style="list-style-type: none"> <li>➤ If fossils are discovered, the qualified paleontologist and/or paleontological monitor shall recover them. The paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading within 50 feet of the resource to allow recovery of fossil remains. Because of the potential for the recovery of small fossil remains, it may be necessary in certain instances, and at the discretion of the qualified paleontologist, to set up a screen-washing operation on the project site. Alternatively, sediment samples can be collected and processed off-site.</li> <li>• Paleontological reporting, and collections management:               <ul style="list-style-type: none"> <li>➤ Prepared fossils along with copies of all pertinent field notes, photos, maps, and the final paleontological monitoring report discussed below shall be deposited in a scientific institution with paleontological collections such as the San</li> </ul> </li> </ul>					

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	<p>Diego Natural History Museum within 90 days of completion of monitoring unless the City and the qualified paleontologist determine the extent of fossils recovered will require more preparation, stabilization, and/or curatorial time. Any curation costs shall be paid for by the applicant.</p> <p>➤ A final paleontological monitoring report shall be completed. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils, and shall be submitted to the designated scientific institution within 90 days of the completion of monitoring unless the City and the qualified paleontologist determine the extent of fossils recovered will require more preparation, stabilization, and/or curatorial time.</p>					

**REMARKS:**