VWP-OP NIRVANA OWNER, LLC

NIRVANA BUSINESS PARK

City of Chula Vista

PROJECT CASE # IS21-0002 MITIGATED NEGATIVE DECLARATION

McKENNA LANIER GROUP, INC. DBE, WBE, SB Micro
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McKENNA LANIER GROUP, INC.

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1. **Name of Proponent:** VWP-OP Nirvana Owner, LLC

2. **Lead Agency Name and Address:** City of Chula Vista
Development Services Department
Oscar Romero, Project Planner
276 Fourth Avenue
Chula Vista, CA 91910
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oromero@chulavistaca.gov

3. **Addresses and Phone Number of Proponent:** Steven Schwarz
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4. **Name of Proposal:** Nirvana Business Park

5. **Public Review Period:** Begins on March 30, 2023, & ends at 5:00 p.m. on April 28, 2023

6. **Case No.** IS21-0002

7. **Project Location:**

821 Main Street, on the north side of Main Street, with access from Nirvana Avenue to the west, in the City of Chula Vista, California, as shown in Figures 2 & 3 – USGS Map & Aerial Project Site. The project site is identified on the Imperial Beach, California, USGS 7.5-minute quadrangle within Township 18 South, Range 1 West, Section 20. It comprises Tax Assessor parcel numbers – APNs 644-050-13-00, 644-050-14-00, and a portion of 644-050-08-00.

8. **General Plan Designation –** IL – Limited Industrial – (0.25 – 0.5 FAR)

The City's General Plan states, "The Limited Industrial designation is intended for light manufacturing; warehousing; certain public utilities; auto repair; auto salvage yards; and flexible-use projects that combine these uses with associated office space."

9. **Zoning Designation –** I-L – Limited Industrial

Per Title 19 of the Municipal Code – Planning and Zoning, "The purpose of the I-L zone is to encourage sound limited industrial development by providing and protecting an environment free from nuisances created by some industrial uses and to ensure the purity of the total environment of Chula Vista and San Diego County and to protect nearby residential, commercial and industrial uses from any hazards or nuisances."

10. Description of the Site and Project:

Environmental Setting

The project area is located within San Diego County within the Peninsular Ranges Geomorphic Province. The Peninsular Ranges make up the majority of San Diego County and contain a series of mountain ranges separated by northwest-trending valleys (California Department of Conservation, California Geological Survey, 2002). The project area is located within the Otay River Valley along the north bank of the Otay River.

Modern climate conditions within the project area consist of a Mediterranean climate, with an average rainfall of nine to ten inches per year, generally from January through March. The project area is currently undeveloped. Vegetation consists of Maritime succulent scrub, tamarisk scrub, disturbed habitat, and vegetated stream areas.

Table 2. Vegetation Communities and Land Cover within the Study Area	
Vegetation Community/ Land Cover	**Acres**
Non-Sensitive Vegetation Communities	
Disturbed Habitat	0.46
Non-sensitive vegetation communities/land covers subtotal	*0.46*
Sensitive Vegetation Communities	
Maritime succulent scrub	13.75
Tamarisk scrub	0.42
Unvegetated Stream	0.11
Sensitive vegetation communities subtotal	*14.28*
Total[1]	**14.74**
[1] May not total due to rounding.	

Table 1 - Table 2 of the Biological Technical Report – Vegetation Communities and Land Cover withing the Study Area

The project site is characterized by flat sections of land that abruptly give way to steep slopes that lead down toward the southern side of the site, adjacent to Main Street, which borders the bottom of the project site. Multiple drainages are present at the site, generally flowing north to south in deep cuts that divide the surrounding flat-topped bluffs. Elevations on the site range from 139 to 212 feet above mean sea level (amsl). Beyond Main Street, to the project's south, lies undeveloped lands dominated by riparian habitat associated with the Otay River Valley. The off-site riprap energy dissipators are located immediately south of Main Street along the border of the Otay River. Lands to the north and west consist of heavy industrial uses and auto-wrecking and storage yards. These lots directly abut the project's entire northern boundary. Open, undeveloped non-native grasslands border the project to the east (page 2, Biological Technical Report for the Nirvana Project, Appendix E).

Drainage

Topographically, the site slopes from the north to the southerly property boundary, comprised of four (4) drainage basins with four (4) discharge locations to mimic existing conditions. There are two (2) major off-site drainage conveyances through the project site.

Existing Drainage Basin A (as shown in Figure 5 – Existing Basin Map) comprises the western portion of the site and includes off-site runoff from an area northwest of the project site. Off-site runoff is conveyed through a 60" Corrugated Steel Pipe (CSP) storm drain and splits into two (2) 54" CSP storm drains before discharging through a headwall at the site's northwest corner. Flow then travels south through an open channel to an existing 6' x 2.5' double Reinforced Concrete Box

(RCB) culvert system underneath Main Street. The culvert system discharges south of Main Street and into the Otay River Valley.

Existing Drainage Basin B is located in the center of the site and includes off-site runoff from the north. Off-site runoff is conveyed through a 72" CSP storm drain and discharges through a headwall at the northern property boundary. Flow then travels south through an open channel to three (3) existing 48" Reinforce Concrete Pipe (RCP) storm drains underneath Main Street. The culvert system discharges south of Main Street and into the Otay River Valley.

Existing Drainage Basin C comprises the eastern portion of the site. Runoff surface flows down the existing hillside and onto Main Street across the southern property boundary. Runoff is then directed via curb and gutter to an existing Type B curb inlet on Main Street. The curb inlet discharges south through an existing 24" RCP storm drain and into the Otay River Valley.

Existing Drainage Basin D comprises the southern portion of the site. The runoff sheet flows down the existing hillside and onto Main Street across the southern property boundary. Runoff is then directed via curb and gutter to an existing Type B curb inlet on Main Street. The curb inlet discharges south through an 18" RCP storm drain and into the Otay River Valley. The Otay River travels west and outlets at the San Diego Bay and, ultimately, the Pacific Ocean (page 6, Preliminary Drainage Study, Appendix I).

Project Description

The proposed project is the development of three (3) existing vacant parcels, Parcels 1 and 2 of Parcel Map 21587 (APNs 644-050-13 and 644-050-14, respectively), and a portion of Lot 2, Section 20, Township 18 South, Range 1 West, San Bernardino Meridian (APN 644-050-08). A lot line adjustment (LLA21-0007) adjusted the common property line between Parcel 2 and a portion of Lot 2. The resultant parcels, Parcel 1 of PM 21587 and Parcel A of Adjustment Plat LLA21-0007, have a combined net area of 13.31 acres. The project's two parcels will be subdivided into four (4) parcels under TPM21-0003. The four parcels' public right-of-way is provided via a private access easement to Nirvana Avenue.

The project includes the construction of four buildings as follows:

- **Building 1** – a 60,430 gross square-foot warehouse, 36 feet high, single-story with mezzanine
  - Suite A – Ground floor 1,650-square-foot office with 1,650 square-foot office on the mezzanine
  - Suite B – Ground floor 1,159-square-foot of potential office space
  - Warehouse Area – 57,621 square feet
- **Building 2** – a 48,658 gross square-foot warehouse, 36 feet high, single-story with mezzanine
  - Suite A – Ground floor 1,594-square-foot office with 1,594 square-foot office on the mezzanine
  - Suite B – Ground floor 1,443 square-foot office with 1,443 square-foot office on the mezzanine
  - Suite C – Ground floor 951-square-foot office with a 951-square-foot office on the mezzanine
  - Warehouse Area 44,670-square-feet
- **Building 3** – a 140,802 gross square-foot, 40.5-feet high, 3-story self-storage building
  - Ground floor 2,378 square feet of potential office space

- **Building 4** – a 49,328 gross square-foot warehouse, 36 feet high, single-story with mezzanine
  - Suite A – Ground floor, 784-square-foot of potential office space
  - Suite B – Ground floor 813-square-foot office with 813 square-foot office on the mezzanine
  - Suite C – Ground floor 1,414-square-foot office with 1,414 square-foot office on the mezzanine
  - Warehouse Area 46,317-square-feet
- **Total Gross Floor Area** = 299,218 square feet

The project requires discretionary approval for the Design Review – DR21-0024 and Tentative Parcel Map – TPM21-0003.

Hours of operation for the business park are planned to be Monday through Friday, 6:00 a.m. to 6:00 p.m., and Saturday, 6:00 a.m. to noon. The self-storage facilities will have 24/7 access.

Warehouse distribution uses are proposed to serve the local and subregional San Diego County area. The project would create approximately 285 new jobs for the community, including management, warehousing, and driver positions, are proposed. Based on the Sweetwater Union High School District Fee Justification Report for New Residential and Commercial/Industrial Development[1], the following jobs are expected to be broken down by building.

- Building 1 – 107 employees
- Building 2 – 86 employees
- Building 3 – 5 employees
- Building 4 – 88 employees

The project provides 309 parking spaces, and 263 parking spaces are required based on the City's parking standards. "Section 19.62.050 – Number of Spaces Required for Designated Uses" of the Zoning Code states the following:

19.62.050 (6) Business and professional offices: One for each 300 square feet of gross floor area; minimum of four.

19.62.0505 (31) Wholesale establishments, warehouses, service and maintenance centers, and communication equipment buildings: One for each one and one-half persons employed at one time in the normal operation of the establishment, or one for each 1,000 square feet, whichever is greater.

The City does not have a parking standard for self-storage facilities and instead requires that each self-storage facility submit a parking study to justify its proposed parking arrangements. A parking study has been prepared and is submitted as Appendix U of this IS/MND. The recommended parking for Building 3, the self-storage facility, is 14 spaces.

Required Parking				
Use	**Sq. Ft. or Employment**	**Requirement**	**Required Spaces**	**Total**
Building 1				
Office	1,650	1:300	6	6
Potential Office	1,159	1:300	4	4
Mezzanine	1,650	1:300	6	6

[1] Sweetwater Union High School District Fee Justification Report, March 18, 2022.

Required Parking				
Use	**Sq. Ft. or Employment**	**Requirement**	**Required Spaces**	**Total**
Warehouse by Employment	117	117/1.5	78	78
Warehouse by Sq. Ft.	57,621	1:1,000	58	
			Building 1 Total	**94**
Building 2				
Office	1,594	1:300	5	5
Office	1,443	1:300	5	5
Office	951	1:300	3	3
Mezzanine	1,594	1:300	5	5
Mezzanine	1,443	1:300	5	5
Mezzanine	951	1:300	3	3
Warehouse by Employment	75	75/1.5	50	50
Warehouse by Sq. Ft.	44,670	1:1,000	45	
			Building 2 Total	**76**
Building 4				
Office	813	1:300	3	3
Office	1,414	1:300	5	5
Potential Office	784	1:300	3	3
Mezzanine	813	1:300	3	3
Mezzanine	1,414	1:300	5	5
Warehouse by Employment	90	90/1.5	60	60
Warehouse by Sq. Ft.	46,317	1:1,000	46	
			Building 4 Total	**79**
Building 3				
As recommended by the submitted parking study (Appendix U).				**14**
			Grand Total	**263**

Table 2 - Required Parking

The buildings will not be used for cold storage or refrigerated warehousing; therefore, Transport Refrigeration Unit (TRUs) trucks will not be expected at the site.

Grading Design

Development of the site will include four buildings on the 13.31-acre portion of the site. The grading will generally include 160,000 cubic yards of cut to a maximum depth of 36 feet, 175,000 cubic yards of fill to a maximum depth of 52 feet with anticipated spoils of 15,000 cubic yards, with no export/import. Proposed cuts and fills are estimated to be up to 36 feet and 52 feet, respectively, with proposed new slopes up to approximately 20 feet in height. Retaining walls are planned on the site's north, south, and west sides. The walls will have exposed height ranges up to approximately 48 feet. A soil nail wall is planned along the majority of the northern property line, where cuts will be made to reach pad grade.

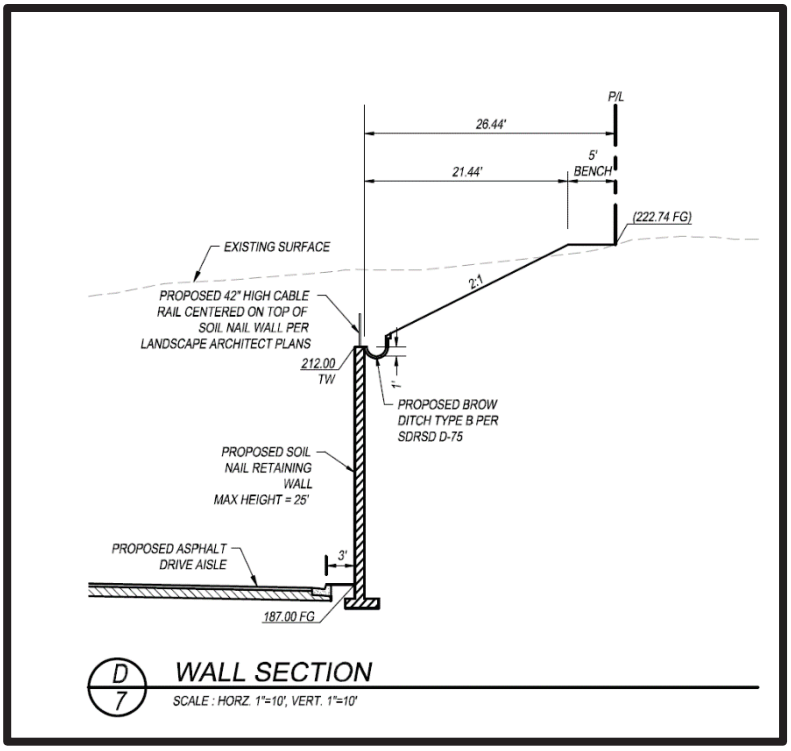

Figure 1 - Proposed Retaining Wall Along Northern Property Line Between Parcels 3 and 4

In the site's central portion, the soil nail wall will transition into a mechanically stabilized earth (MSE) wall where fill is planned to reach pad grades. MSE walls are designed to create proposed pad grades along the south and west sides of the property.

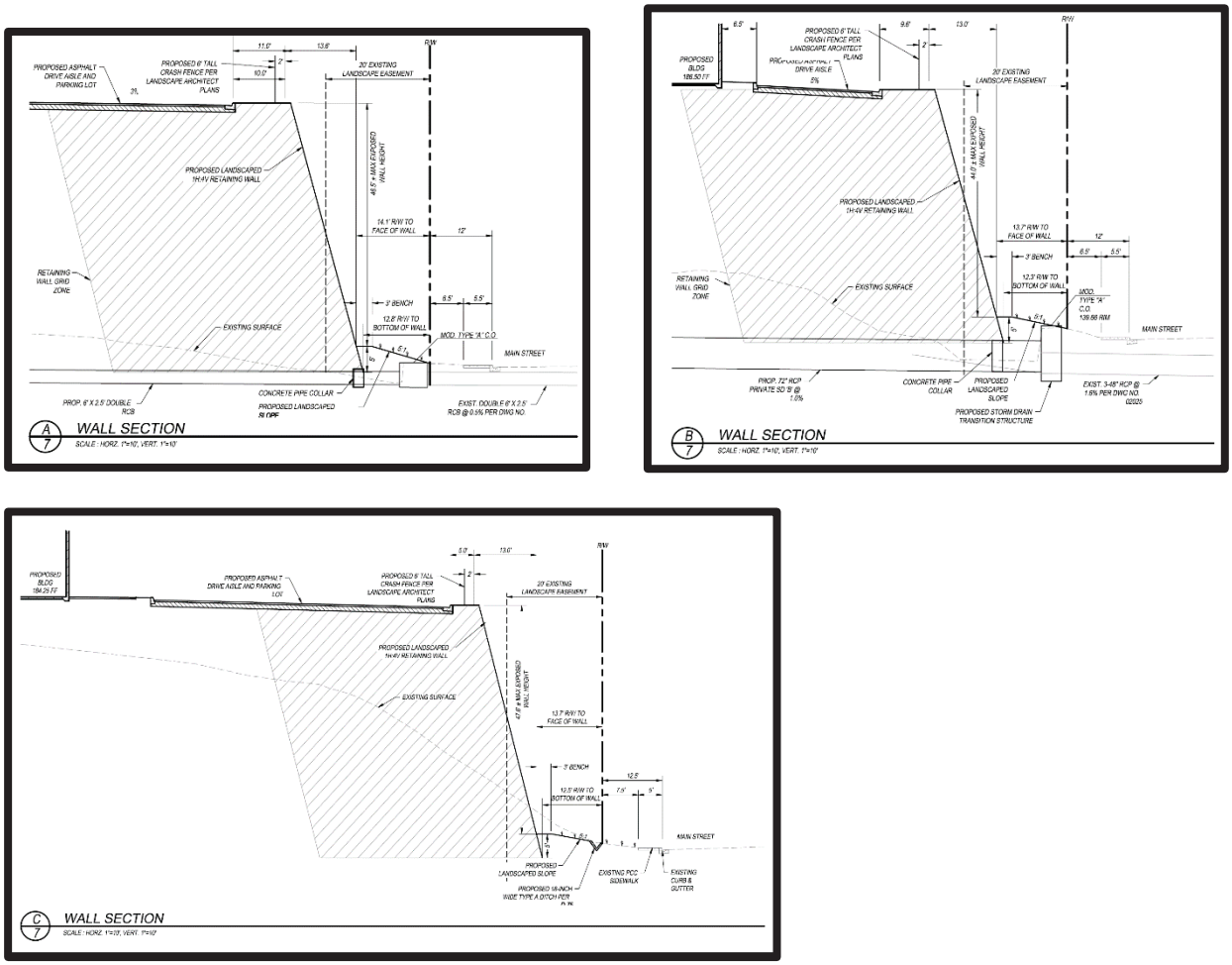

Figure 2 - Proposed MSE Wall Along Main Street

New 72-inch-diameter and 60-inch-diameter storm drains will be installed on the property to convey stormwater runoff from the properties to the north to the existing public storm drain system in Main Street.

Off-Site Grading

Off -site grading will include an additional 1.13 acres of land in five different areas. The first area is the 0.37 acres north of the project needed for the project driveway. The grading will include the project driveway and some additional area.

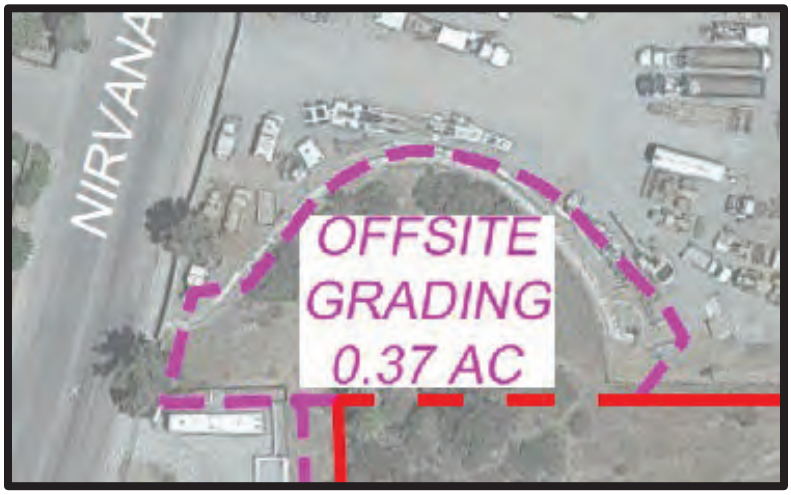

Figure 3 - Proposed Off-site Grading for the Project Driveway and Additional Area

The second area is the 0.21-acre easterly of the project site required to rebuild an existing slope for stabilization owned by HomeFed, which has permitted the off-site grading. The existing claystone bed will need to be removed, and the slope rebuilt to ensure stability.

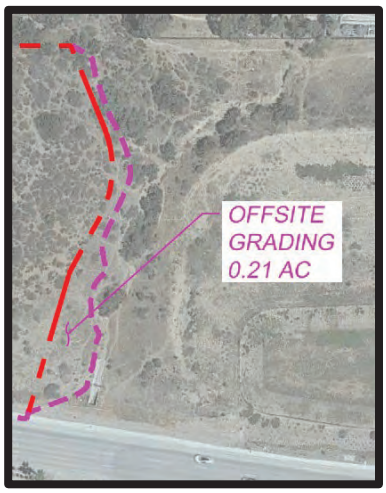

Figure 4 - Proposed Off-Site Grading to the East

The third area is the .22 acres of City right-of-way along the Main Street frontage (between the sidewalk and the property line) that will be graded as part of the project development.

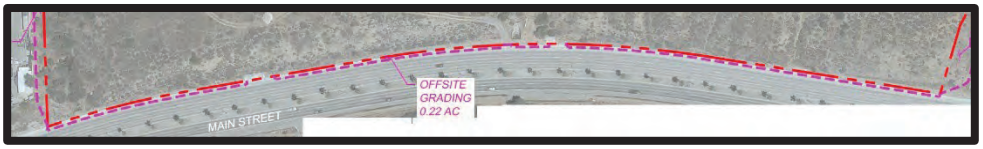

Figure 5 - Proposed Off-site Grading Along the Main Street Frontage

The fourth will occur if authorization from the property owner of 1879 Nirvana Avenue can be obtained. The .18 acres of land west of the project site will be used for offsite grading to eliminate low points and high points along the proposed retaining wall adjacent to the existing property line. This off-site grading will enable positive drainage in a concrete brow ditch along the base of the wall to flow via gravity out toward Main Street instead of relying on storm drain inlets to collect water at the base of the proposed retaining wall. If authorization from this property owner cannot be obtained, grading and wall design will occur as shown on the current grading plans (Appendix B – Civil Grading Plans).

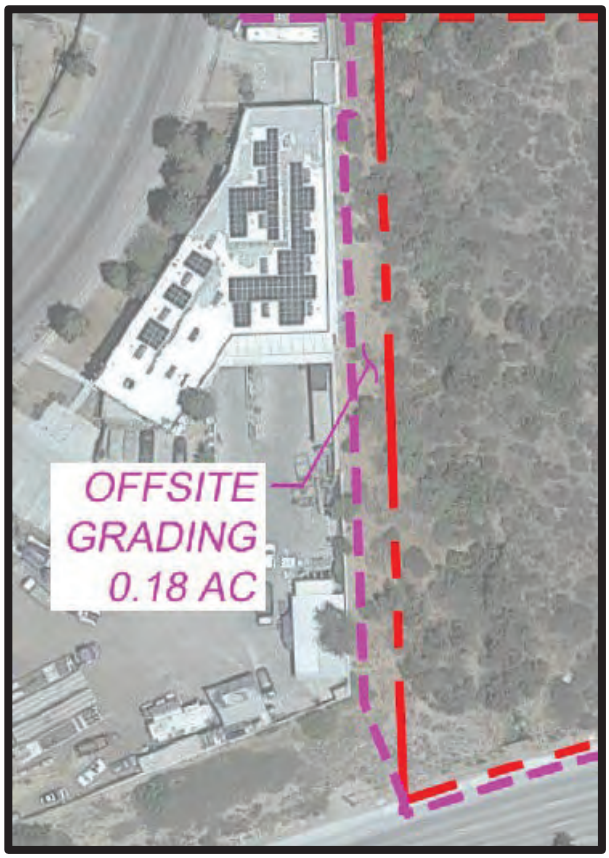

Figure 6 - Proposed Off-site Grading to the West

Lastly, there is the need to upgrade the two riprap energy dissipators on Main Street's south side, which total approximately .15 acres. The work will consist of the needed riprap replacement as described in the Preliminary Drainage Study (Appendix I).

Figure 7 - Proposed Off-site Grading/Construction Work for Two Riprap Energy Dissipators

If authorization is granted from the property owner at 850 Energy Way (APN 644-182-10), then during the grading operations of the project, approximately 25,000 cubic yards of project soil may be stockpiled, at any given time, on the subject property. Temporary access between the two

properties will be created to permit the stockpiling. If authorization is not granted, stockpiling will occur on the subject site, with the pile moving throughout the site as construction occurs.

Design Review – DR21-0024 – Appendix A

Warehouse buildings 1, 2, and 4 are contemporary single-story concrete tilt-up industrial building designs. The color palette uses white, medium gray, and dark charcoal colors. Elevation changes, pop-outs, and scoring are used to break up the massing of the building. At the entrances, storefront doors are provided with sectional windows and a shade canopy painted with a dark charcoal color. The maximum height within the Industrial Zone is three stories or 50 feet, and buildings 1, 2, and 4 will not exceed 36 feet, as noted above.

The self-storage building, building 3, is a three-story steel frame building. A color palette using white, medium gray, and dark charcoal colors with blue and yellow accents is proposed for this building. Elevation changes, pop-outs, scoring, and color panels are used to break up the massing of the building. At the entrances, storefront doors are provided with sectional windows and a shade canopy painted with an accent color of dark charcoal. The maximum height of building 3 is 40.5 feet, as noted above.

Preliminary landscape plans have been prepared and submitted for the project. The landscaping includes landscaping for the off-site driveway easement. Enhanced paving at the building entries and employee patio areas are provided. Parking lot shading has been calculated based on the growth of the trees at five years, consistent with City requirements. An approximate 50-foot tall Verdura plantable retaining wall for the Main Street frontage is proposed.

Tentative Parcel Map – TPM21-0003—Appendix C

TPM21-0003 proposes to divide two vacant parcels. Parcel 1 of Parcel Map 21587 and Parcel A per lot line adjustment Plat LLA21-0007 approved on April 14, 2022, with a combined net area of 13.31 acres. The project's two parcels will be subdivided into four (4) parcels under TPM21-0003. The proposed parcels are as follows:

Parcel 1	3.74 acres
Parcel 2	3.07 acres
Parcel 3	2.96 acres
Parcel 4	3.54 acres
Total	**13.31 acres**

Construction Characteristics

The applicant proposes grading in June 2023, with construction taking 24 months. The following project grading project design features are to be applied as conditions of approval for the project.

- The contractors, during all construction phases, shall ensure the following:

  - Construction will only occur during the permissible hours of 7:00 a.m. to 10:00 p.m. Monday through Friday and 8:00 a.m. and 10:00 p.m. on Saturdays and Sundays. No construction is permitted on Federal, state, or City holidays, per Municipal Code Section 17.24.040(C)(8).
  - All construction equipment shall be equipped with the appropriate noise-attenuating devices, such as mufflers, silencers, and other original equipment.

- The equipment staging areas shall be located to create the greatest distance between the construction-related noise/vibration sources and the residential (sensitive receptors) nearest the project site during all project construction phases.
- That idling equipment will be turned off when not in use.
- That equipment shall be maintained, so vehicles and their loads are secured from rattling and banging.

Construction Phasing	
Phase Name	**Length of Phase (days)**
Site Preparation	14
Grading	41
Building Construction	408
Paving	27
Architectural Coating	27

Table 3 - Construction Phasing

Construction Equipment					
Type of Equipment	**Phase**				
	Site Preparation	**Grading**	**Building Construction**	**Paving**	**Architectural Coating**
Grader		1			
Excavator		2			
Rubber Tired Dozer	3	1			
Earthmover/Tractor/Backhoe/Loader	4	2	3		
Scrapers		1			
Cranes			1		
Forklift/Tractor			3		
Generator			1		
Welder			1		
Pavers				2	
Rollers				2	
Paving Equipment				2	
Air Compressors					1

Table 4 - Construction Equipment

Off-Site Improvements

Off-site trenching activities will occur in Nirvana Avenue for sewer and water laterals and in Main Street for fire laterals and storm drain connections.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to AB 52 (Gatto, 2014), California Native American tribes traditionally and culturally affiliated with the project area can request notification of projects in their traditional cultural territory. No tribes have requested notification from the City of Chula Vista. Therefore AB 52 Tribal Consultation was not held on this project.

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

A. United States Army Corps of Engineers
B. Regional Water Quality Control Board
C. California Department of Fish and Wildlife
D. Statewide Construction General Permit
E. Otay Water District
F. San Diego County Air Pollution Control District

13. Appendices: (Found as Separate Documents and Incorporated by Reference into this IS/MND Pursuant to CEQA Guidelines Section 15150):

A. Architectural & Landscape Drawings
B. Civil Grading Plans
C. Tentative Parcel Map
D. Chula Vista Nirvana Business Park Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study 821 Main Street, City of Chula Vista, CA, prepared by MD Acoustics LLC, March 21, 2023
E. Biological Technical Report Nirvana Project, City of Chula Vista, San Diego County, California, prepared by Dudek, December 2022
F. Archaeological Resources Survey Report for the Nirvana Business Park Project, 821 Main Street, Chula Vista, San Diego County, California, prepared by Red Tail Environmental, April 2022
G. Preliminary Geotechnical Investigation Nirvana Industrial Buildings and Self Storage 821 Main Street Chula Vista, California, prepared by Geocon Incorporated, September 14, 2021
H. Supplemental Geotechnical Fault Investigation Nirvana Property 821 Main Street Chula Vista, California, prepared by Geocon Incorporated, November 15, 2021
I. Preliminary Drainage Study for Nirvana Business Park DR21-0024, prepared by Pasco Laret Suiter & Associates, Inc., May 5, 2022
J. Chula Vista Nirvana Business Park Noise Impact Study 821 Main Street, City of Chula Vista, CA, prepared by MD Acoustics LLC, January 24, 2023
K. Paleontological Resources Technical Report Nirvana Industrial Buildings and Self Storage Complex City of Chula Vista San Diego County, California, prepared by PaleoServices San Diego Natural History Museum, March 23, 2022, revised February 6, 2023
L. Phase I Environmental Site Assessment Assessor's Parcel Numbers 644-050-13 and -14 and the Western Portion of 644-050-08 821 Main Street, Chula Vista, California 91911, prepared by SCS Engineers, July 7, 2021
M. Phase II Environmental Site Assessment Assessor's Parcel Numbers 644-050-13 and -14 and the Western Portion of 644-050-08 821 Main Street, Chula Vista, California 91911, prepared by SCS Engineers, December 7, 2021
N. Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP), Nirvana Business Park, prepared by Pasco Laret Suiter & Associates, Inc., March 14, 2022
O. Local Mobility Analysis Chula Vista Nirvana, prepared by Linscott Law & Greenspan Engineers, May 3, 2022, & Technical Appendices Chula Vista Nirvana, prepared by Linscott Law & Greenspan Engineers, January 12, 2023
P. Chula Vista Nirvana Business Park – CEQA Energy Review, 821 Main Street, City of Chula Vista, prepared by MD Acoustics LLC, February 6, 2023
Q. Addendum to Geotechnical Investigation Nirvana Industrial Buildings and Self-Storage Complex 821 Main Street, Chula Vista, California, prepared by Geocon Incorporated, February 18, 2022

R. Addendum No. 2 to Geotechnical Investigation Nirvana Industrial Buildings and Self-Storage Complex 821 Main Street, Chula Vista, California, prepared by Geocon Incorporated, March 21, 2022
S. City of Chula Vista Preliminary Sewer Study for Nirvana Business Park DR21-0024, 821 Main Street, Chula Vista, CA 91911, prepared by Pasco Laret Suiter & Associates, Inc., March 4, 2022
T. Archaeological Resources Report Form for the Survey of Two Outfalls Associated with the Nirvana Industrial Project, Chula Vista, California, prepared by Red Tail Environmental, April 22, 2022
U. Nirvana Parking Study, prepared by Linscott Law & Greenspan Engineers, April 25, 2022
V. Existing + Project + Cumulative ADT Volumes

14. Acronyms:

ADA -	American with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
BMP -	Best Management Practice
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
CUP -	Conditional Use Permit
CVFD -	Chula Vista Fire Department
CVPD -	Chula Vista Police Department
DOSH -	Division of Occupational Safety and Health Administration
DP -	Development Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program
GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
GPU -	General Plan Update
HCM -	Highway Capacity Manual
HCP -	Habitat Conservation Plan
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
LID -	Low Impact Development
LOS -	Level of Service
LST -	Localized Significance Threshold
METRO -	City of San Diego’s Metropolitan Wastewater Department
MM -	Mitigation Measure
MSCP -	Multiple Species Conservation Plan
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services
OSHA -	Occupational Health and Safety Administration

OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works
PWQMP -	Preliminary Water Quality Management Plan
RCP -	Regional Comprehensive Plan
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
SANDAG -	San Diego Association of Governments
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCH -	State Clearinghouse
SDAPCD -	San Diego Air Pollution Control District
SDG&E -	San Diego Gas & Electric
SEIR -	Supplemental Environmental Impact Report
SWPPP -	Storm Water Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
SWQMP -	Storm Water Quality Management Plan
UBC -	Uniform Building Code
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey
VMT -	Vehicle Miles Traveled

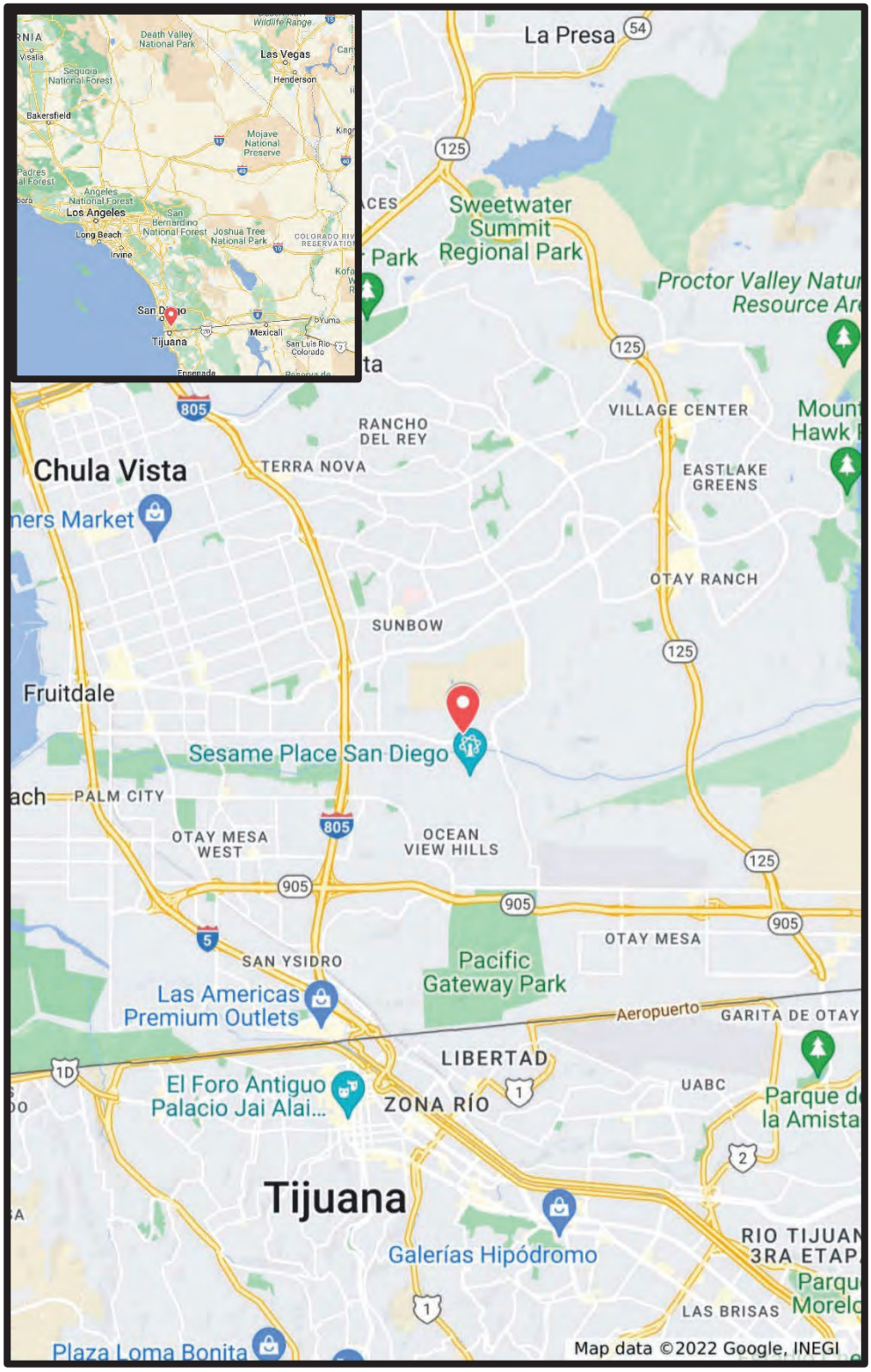

Figure 8 - Vicinity Map

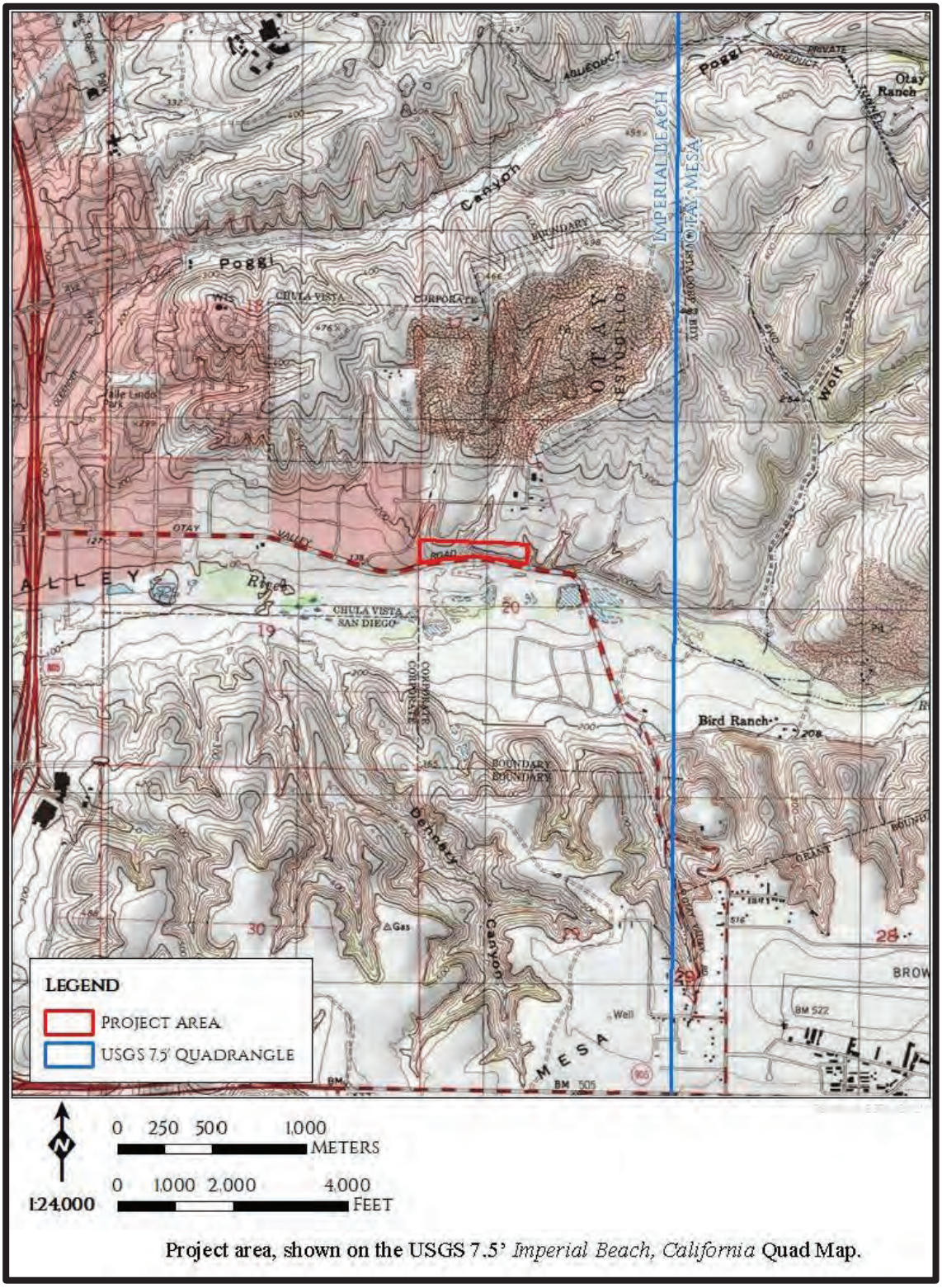

Figure 9 - USGS Map

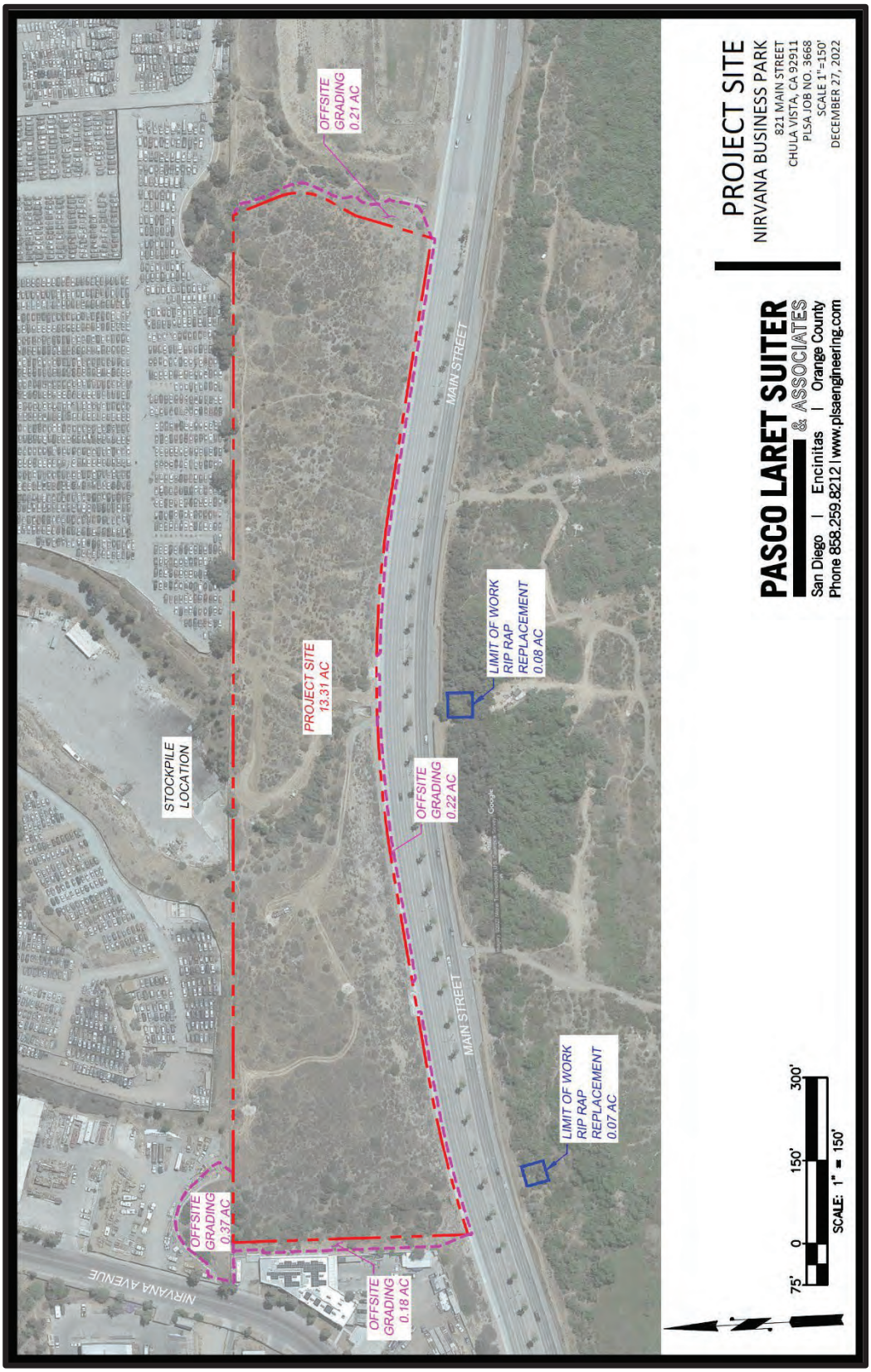

Figure 10 - Aerial Project Site

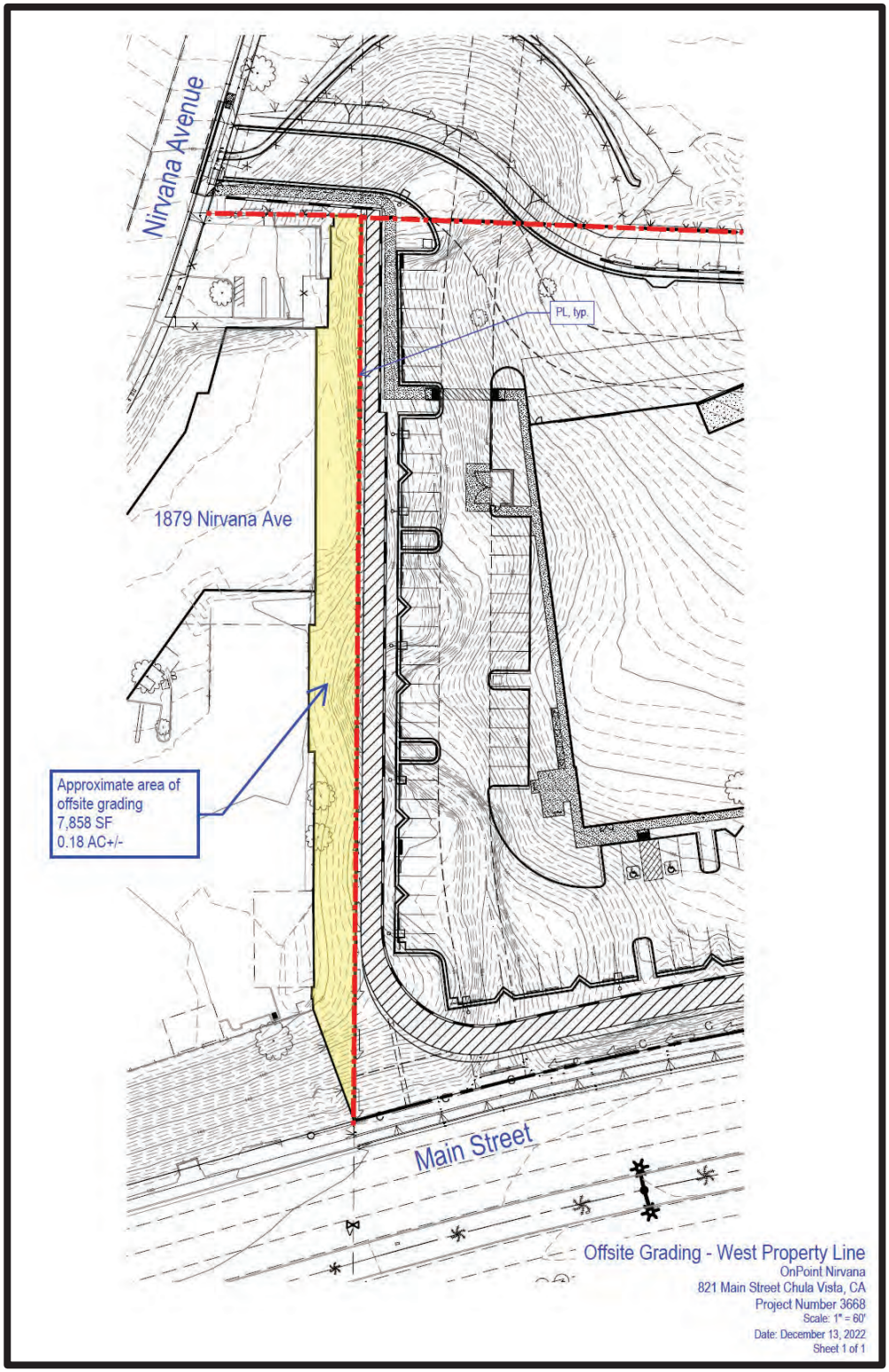

Figure 11 - Off-site Grading to West

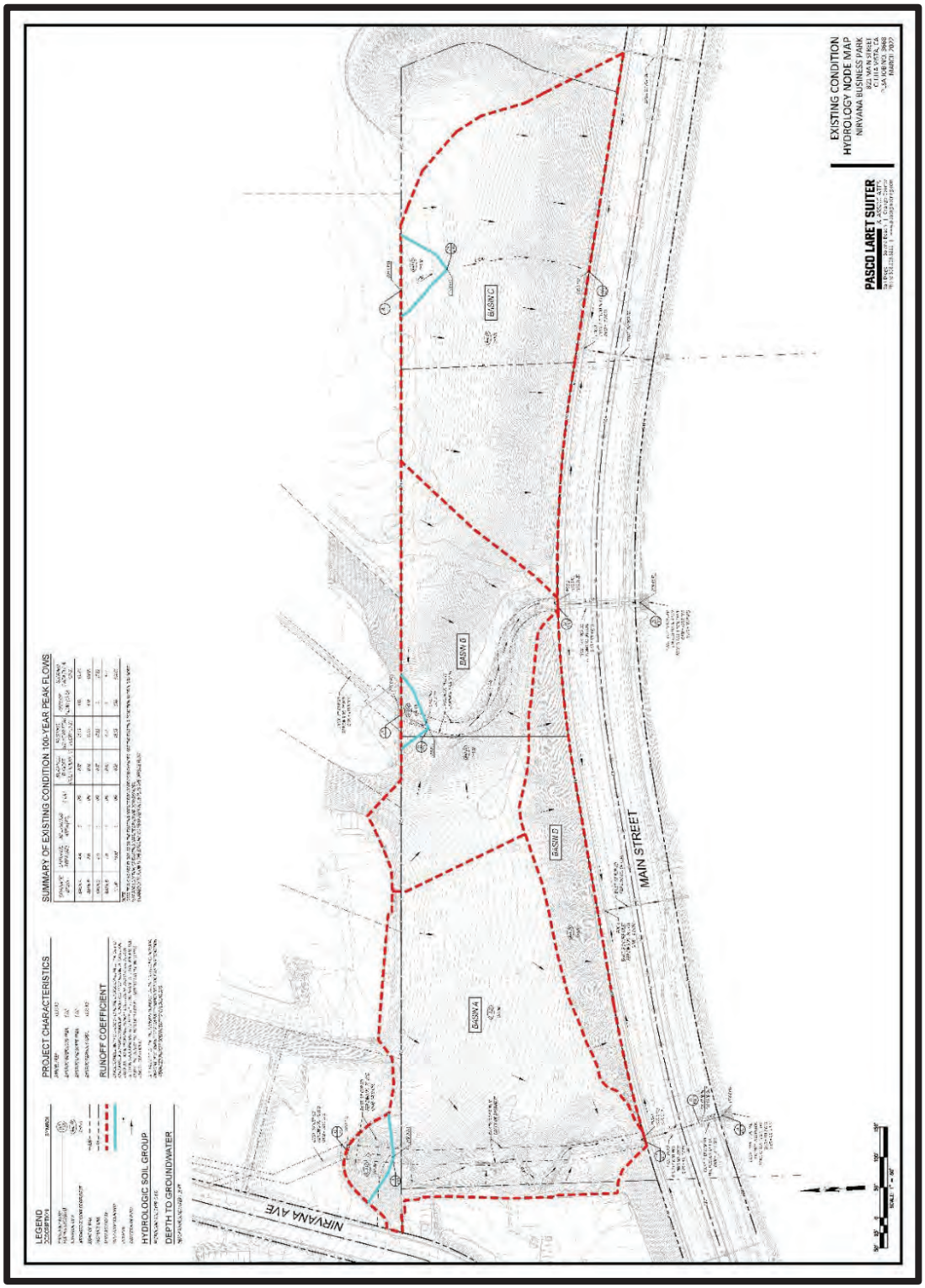

Figure 12 - Existing Basin Map

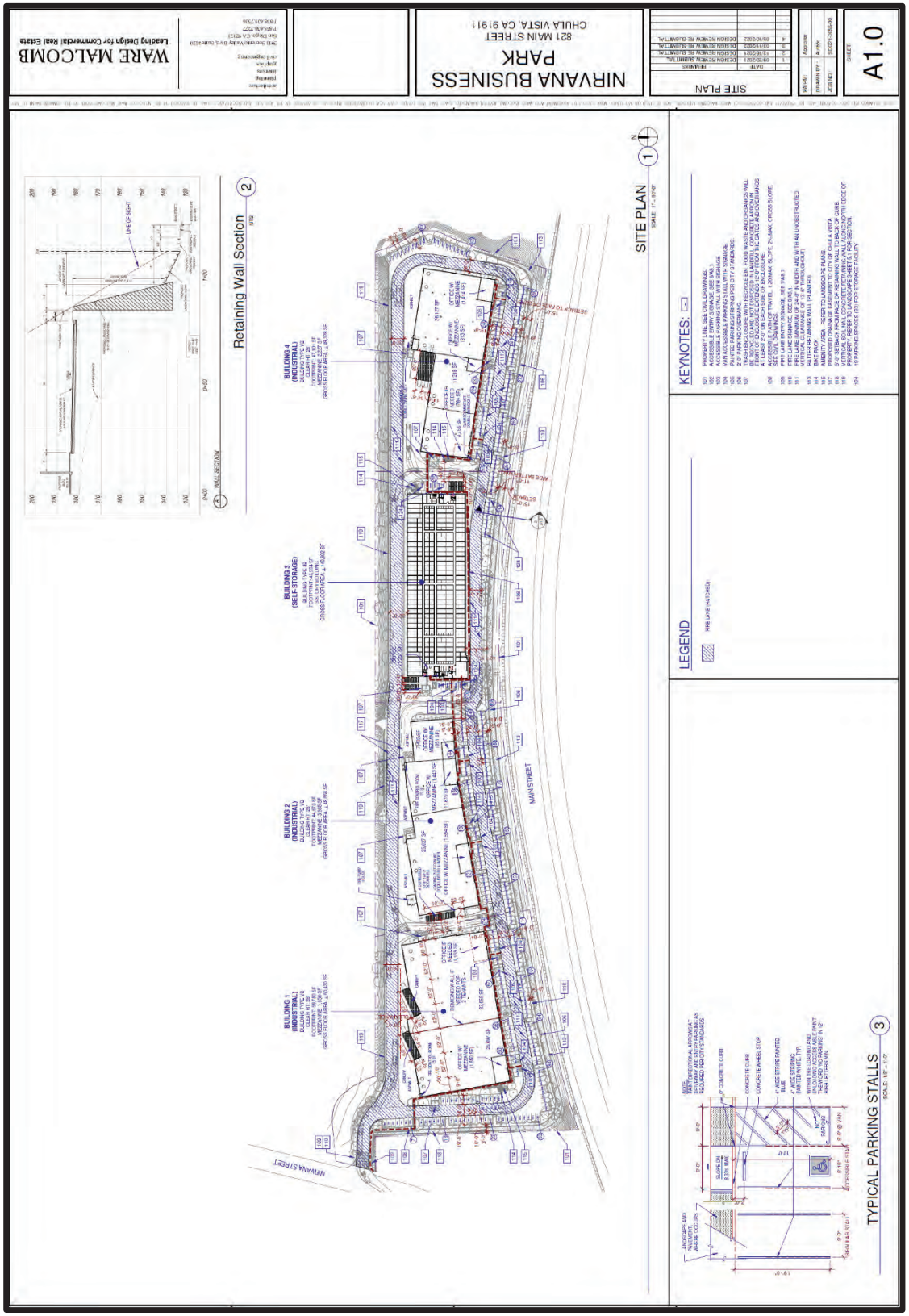

Figure 13 - Site Plan

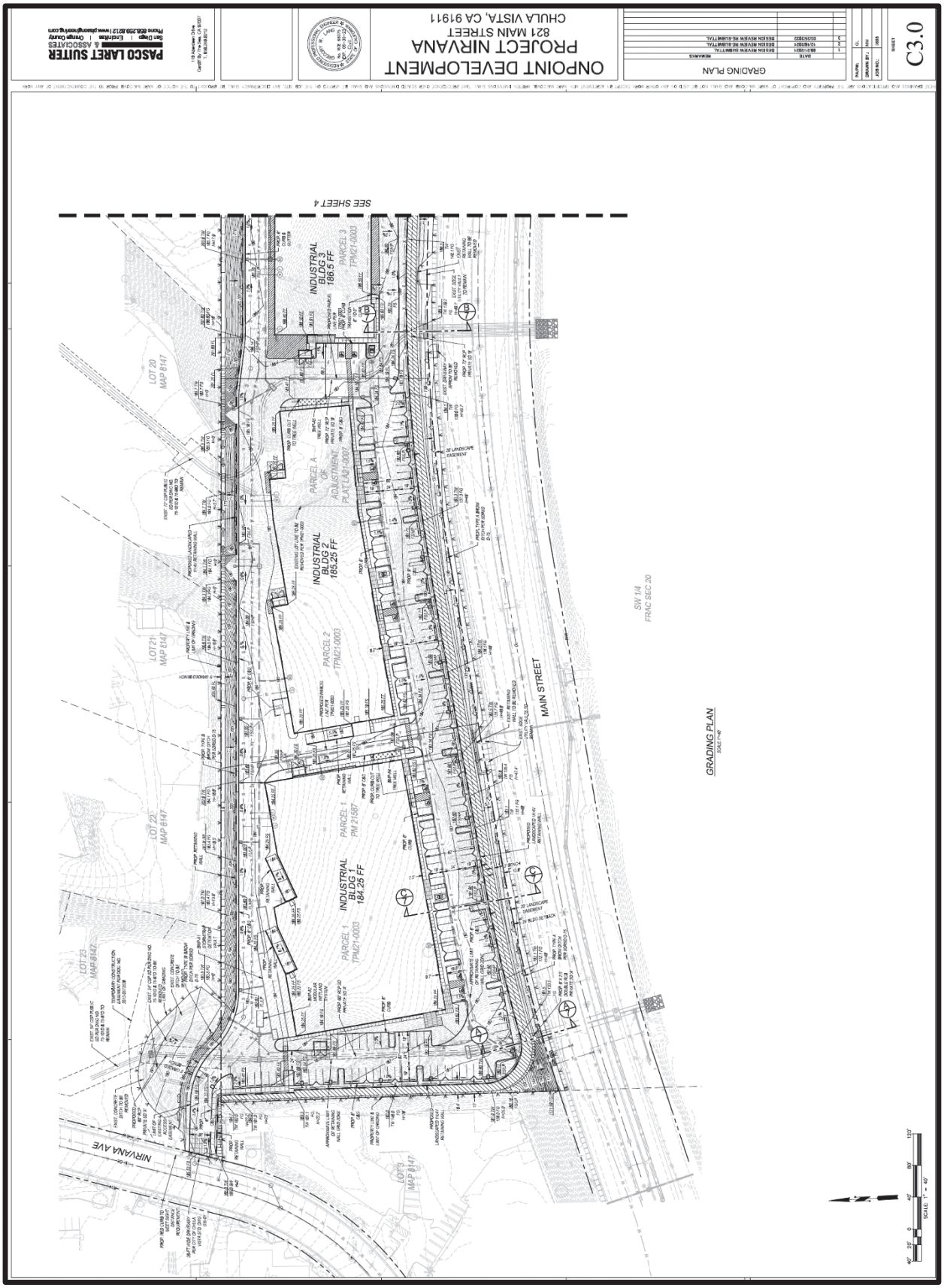

Figure 14 - Grading - Page 1

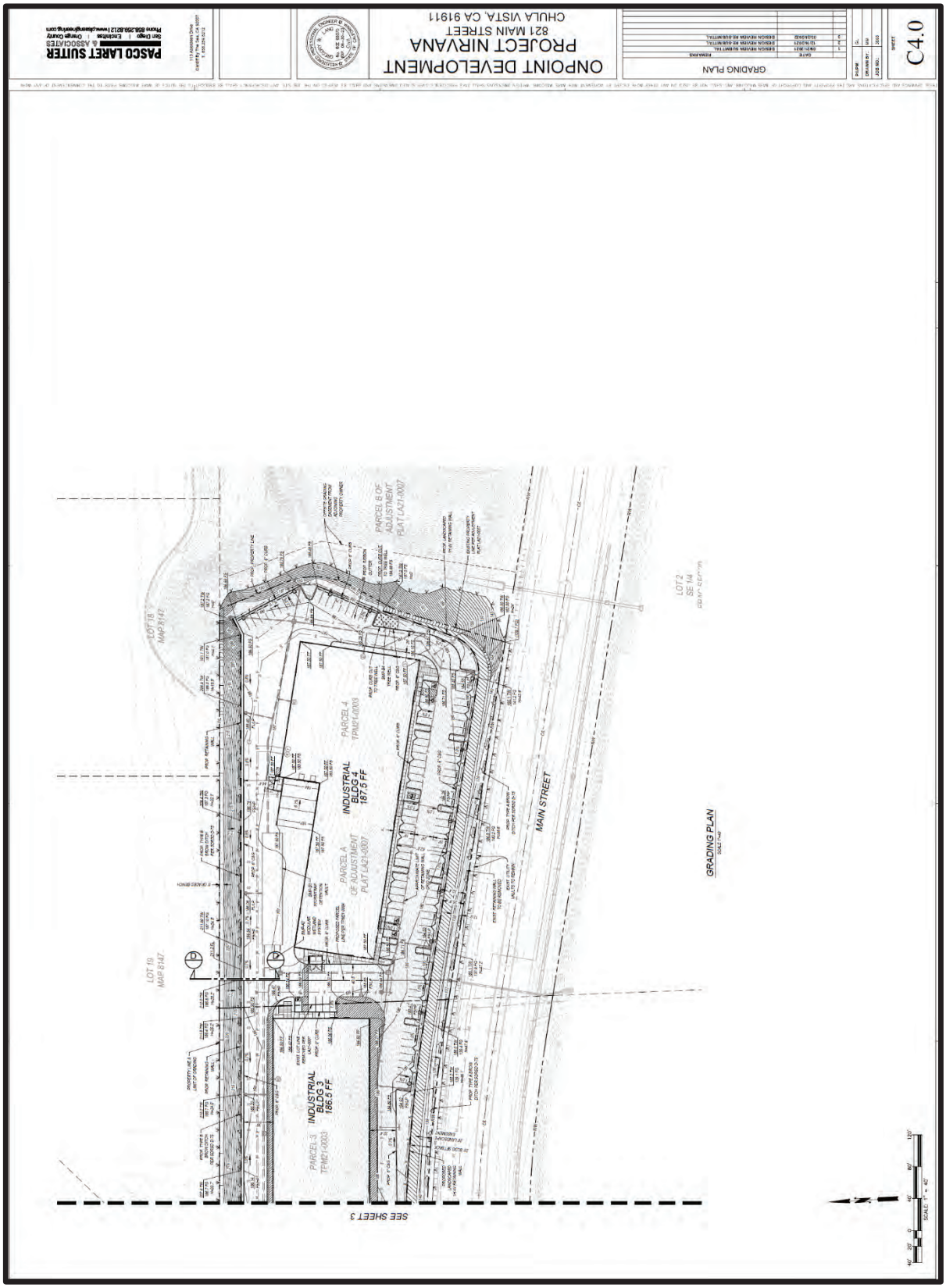

Figure 15 - Grading - Page 2

ENVIRONMENTAL ANALYSIS QUESTIONS:

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099 – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Comments:

a) **Less than significant impact**. The project will not have an impact on scenic vistas. The project site is undeveloped and zoned for industrial uses on Main Street's existing urban corridor. While the project would alter the existing site topography, the current views from the surrounding area are interrupted by existing industrial development.

The project is southwesterly of Rock Mountain (beyond the Escaya Development), easterly of the Otay Valley Regional Park, and north of the Otay River (across Main Street) with the Otay Mesa Open Space beyond. Mesas and canyons are the dominant landforms east of Interstate 805. The project will sit on a mesa above Main Street overlooking the Otay River. There are no views of scenic vistas across the project site. The buildings will not be visible from Main Street and have been designed with articulation to provide interest (Appendix A).

Per Figure 5-4 – Designated Scenic Roadways of the General Plan (page LUT-16), the project fronts a designated scenic roadway, Main Street. "Main Street is the southernmost major east/west connector between I-805 and areas to the east. Main Street currently terminates at Heritage Road. The designated scenic portion passes near or through the Chula Vista Greenbelt and includes existing and future segments from Heritage Road to Hunte Parkway. Scenic resources include the Otay Valley Regional Park and major visitor attractions." The project will not be visible from Main Street except for an approximately 50-foot-tall Verdura plantable retaining wall. This wall's design will keep with the City's requirements for a designated scenic corridor.[2]

[2] City of Chula Vista Original Design Manual and Updated Design Manual.

The applicant will develop the project according to the Chula Vista Municipal Code requirements, Title 19 – Planning and Zoning, including buildings, parking, landscaping, lighting features, and other amenities. The proposed buildings are of contemporary industrial design with white, medium gray, and dark charcoal colors (Appendix A). As such, the project will **have a less than significant impact,** directly, indirectly, or cumulatively, on scenic vistas and will not substantially change the scenic views available along Main Street or the surrounding area.

b) **No impact.** State scenic highways are designated by the California Department of Transportation (Caltrans) and are recognized as highways that maintain sensitive landscapes or valuable scenic resources within the highway viewshed. According to the Caltrans State Scenic Highway Program Mapping System, no officially designated State Scenic Highways are within the project area. The project includes a Design Review application, DR21-0024, where the project will be evaluated against the Chula Vista Municipal Code, Title 19 – Planning and Zoning, and, as designed and conditioned, will have **no impact,** directly, indirectly, or cumulatively, on scenic resources within a State scenic highway.

c) **Less than significant impact.** The project is in an urbanized area on Main Street. The project access off Nirvana Avenue is located within Otay Industrial Recycling Park. Heavy industry and large car storage lots dominate the existing industrial park.

Construction Impacts

The City does not have specific regulations to mitigate visual construction impacts. However, construction-related impacts would be short-term and temporary as construction activity would not be continuous. Visual impacts associated with construction activities would include exposed pads and staging areas for grading, excavation, and construction equipment. In addition, temporary structures could be located on the development site during various stages of construction, within materials storage areas, or associated with construction debris piles on site. Exposed trenches, roadway bedding, spoils/debris piles, and steel plates could be visible during street and utility infrastructure improvements. These could degrade the development site's existing visual character, quality, and surroundings during the construction phase.

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. 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.

Operational Impacts

The project site is located in an urbanized area that is industrially zoned and is appropriate and permitted for the project location. The project site is visible from areas to the south on the other side of the Otay River. The property is subject to compliance with the general development and design standards and parameters outlined in Title 19 – Planning and Zoning and the Chula Vista Design Guidelines. The development and design standards and parameters address development factors that would influence the visual character/quality of the development site and its surroundings. Namely, the general development standards address parcel size and coverage, density and intensity, setbacks, and building height. The design standards address site planning (i.e., site character, land use buffering, building placement, trash/loading/storage areas, and utility and mechanical equipment), parking (i.e., project entry), and architectural design (i.e., architectural style, design consistency, form/mass, roofs, building materials, and colors).

The project will be subject to compliance with general property development and use standards outlined in Title 19 – Planning and Zoning. These standards are intended to ensure that all development produces an environment of desirable character that is harmonious with current and future development and protects the use and enjoyment of neighboring properties.

In summary, the project would not conflict with appropriate zoning and other regulations governing scenic quality. The project would implement industrial zoning, which is permitted to construct industrial buildings as a matter of right. The development implements the vision of the General Plan for the subject property.

As previously stated, the project includes a Design Review, DR21-0024, where the project will be evaluated for compliance with the Chula Vista Municipal Code and Chula Vista Design Manuals. As designed and conditioned, the project will have a **less than significant impact,** directly, indirectly, or cumulatively, on the existing visual character.

d) **Less than significant impact.** The project lighting has been designed per Chula Vista's Municipal Code Section 15.26.020 – Outdoor Lighting Zones and Chapter 17.28 – Unnecessary Lights for operational and security purposes. Lighting would be shielded to direct light downward. Glare would be kept to a minimum as the project setback from Main Street, and building materials and colors would not contribute to substantial amounts of daytime glare. The Permittee/Owner will ensure that all lighting plans meet the Municipal Code requirements. The City Planning and Building Departments will review the plans to ensure they are designed per the Code requirement, and the City Building Inspectors will ensure that the lighting has been installed per the approved Plans. With the implementation of the City's lighting standards, the project would have a **less than significant impact,** directly, indirectly, or cumulatively, on creating new sources of substantial light or glare.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Comments:

a) **Less than significant impact.** A review of the Department of Conservation, California Farmland Mapping and Monitoring Program (FMMP) mapping system has found the project site has four mapping categories listed as Urban and Built-Up Land, Other Land, Farmland of Local Importance, and Grazing defined as:

URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. This category is used only in California and was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

Therefore, the project would not affect any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and **less than significant impact,** directly, indirectly, or cumulatively, would occur on farmland.

b) **No impact.** The property is zoned I-L – Limited Industrial. The purpose of this zone is to encourage sound limited industrial development by providing and protecting an environment free from nuisances created by some industrial uses to ensure the purity of the total environment of Chula Vista and San Diego County and to protect nearby residential, commercial, and industrial uses from any hazards or nuisances. Agricultural uses are not permitted in the I-L Zone.

As noted in the City of Chula Vista General Plan Vision 2020 General Plan Update Final Environmental Impact Report, December 2005 (Section 5.7 Agriculture page 277), there are no active Williamson Act contract properties in the City.

Given that the I-L Zone does not permit agricultural uses and the City has no Williamson Act contracts, the project will have **no impact**, directly, indirectly, or cumulatively, on zoning for agricultural use or on a Williamson Act contract.

c) **No impact**. In Southern California, including San Diego County and the City of Chula Vista, climate and topography limit forest land types and locations and potential for commercial or industrial timber utilization. Accordingly, there is no existing or currently proposed zoning of forest land, timberland, or Timberland Production Zones within the City of Chula Vista. Also, figures released by the State of California indicate that no "California forest land" ownership, either public or private, is mapped for the City of Chula Vista. Therefore, the project would not conflict with the existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. The project will have **no impact**, directly, indirectly, or cumulatively, on forest land.

d) **No impact**. There is no commercial forestry or timber production within the City of Chula Vista other than possibly nursery stock production (cultivated rather than wild-harvested). Therefore, the project would not result in forest land loss or conversion to a non-forest use. The project will have **no impact,** directly, indirectly, or cumulatively, on the loss of forest land or forest land conversion to non-forest use.

e) **No impact**. The project with the development of the area and, as discussed above, will have **no impact**, directly, indirectly, or cumulatively, on the conversion of Farmland to another use.

There is no commercial forestry or timber production industry within the City of Chula Vista other than possibly nursery stock production (cultivated rather than wild-harvested). Therefore, the project would not result in forest land loss or conversion to a non-forest use. The project will have **no impact**, directly, indirectly, or cumulatively.

Mitigation: No mitigation measures are required.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

Comments:

The Chula Vista Nirvana Business Park Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study 821 Main Street, City of Chula Vista, CA, prepared by MD Acoustics LLC, March 21, 2023 (Appendix D), indicates the project will not result in a cumulative net increase in a criteria pollutant for which the region is in non-attainment.

a) **No impact**. The project site is located in Chula Vista, San Diego County. It is part of the San Diego Air Basin (SDAB) under the San Diego County Air Pollution Control District (SDAPCD). San Diego County is in nonattainment for federal and state standards for ozone (8-hour) and state standards for ozone (1-hour), PM10, and PM2.5.[3]

The SDAPCD prepares air quality plans that include projected emissions inventories and account for emission reductions strategies to show how the region will achieve the ambient air quality standards by given deadlines. The applicable air quality plans for San Diego County are the Regional Air Quality Strategy (RAQS) and the 8-hour Ozone Attainment Plan (Attainment Plan).[4]

The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed project includes the RAQS. Therefore, this section discusses any potential inconsistencies of the proposed project with the RAQS.

This discussion aims to set forth the issues regarding consistency with the assumptions and objectives of the RAQS and discuss whether the proposed project would interfere with the region's ability to comply with Federal and State air quality standards. If the decision-makers determine that the proposed project is inconsistent, the lead agency may consider project modifications or the inclusion of mitigation to eliminate the inconsistency.

The RAQS relies on information from the California Air Resources Board (CARB) and San Diego Association of Governments (SANDAG), including projected growth in the County, mobile, area, and all other source emissions, to project future emissions and determine strategies necessary for the reduction of stationary source emissions. Therefore, those projects that propose development consistent with the City's General Plan are consistent with the RAQS.

SANDAG's Regional Growth Forecast notes that the City will add 42,107 new jobs between 2016 and 2050.[5] The project is an industrial use consisting of industrial warehouses and a self-storage building that

[3] San Diego County Air Pollution Control District website https://www.sdapcd.org/content/sdapcd/planning/attainment-status.html
[4] Ibid
[5] SANDAG Regional Growth Forecast appendix-f---regional-growth-forecast-and-scs-land-use-pattern.pdf (sdforward.com).

would include additional employees in the area. Chula Vista residents and others in the surrounding area would be expected to fill these positions. Because the project is not residential, it would not generate direct population or housing growth. The relatively small employment growth associated with the project (approximately 286 new jobs) would be consistent with and well within SANDAG's employment forecast and the City's General Plan. Therefore, the project is consistent with the RAQS and would have **no impact**.

b) **Less than significant impact**. As previously noted, San Diego County is in nonattainment for federal and state standards for ozone (8-hour) and state standards for ozone (1-hour), PM10, and PM2.5.[6]

Cumulative projects include local development and general growth within the project area. Appendix B of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix C) includes a list of projects that could contribute to cumulative impact with the project. However, as with most development, the most significant source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and would cover an even larger area when wind patterns are considered. Accordingly, the project's cumulative air quality analysis must be generic by nature.

The analysis must specifically evaluate the contribution to the cumulative increase in pollutants for incremental impacts from the project. The SDAB is designated as nonattainment for the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). If the project does not exceed thresholds and is determined to have less than-significant project-specific impacts, it may still contribute to a significant cumulative air quality impact if the emissions from the project, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of established thresholds. However, the project will only have a significant cumulative impact if its contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact).

The project area is out of attainment for Ozone (8-hour) for federal standards and Ozone (1-hour), PM10, and PM2.5 for state standards. Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the SDAB. As discussed in Section 6.1.1 (Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D)), construction-related emissions will be below the significance levels of SDAPCD. They would not result in significant impacts on air quality. Construction will be short-term and consistent with the size and scale of the project. The project will potentially be conducted simultaneously and in the same general vicinity as other major construction projects. However, project construction is not anticipated to result in a cumulatively significant impact related to particulate matter emissions as the other identified projects are not close enough to the project site to generate cumulatively considerable particulate matter emission levels. Impacts would be **less than significant**.

As stated in Section 2.1.2 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D), the RAQS relies on the San Diego Association of Governments (SANDAG) growth projections based on population, vehicle trends, and land use plans, developed by the cities and by the county as part of the development of their general plans. It is assumed that a project which conforms to the General Plan and does not have emissions exceeding operational thresholds will not create a cumulatively considerable net increase in ozone since the emissions were accounted for in the RAQS. According to the City of Chula Vista General Plan Land Use and Transportation Element – Figure 5-12 – General Plan Land Use Diagram, the project site has a Limited Industrial (IL) land use designation. Per the General Plan, the IL designation is intended for light manufacturing, warehousing, certain public utilities, auto repair, auto salvage yards, and flexible-use projects that combine these uses with associated office space. Therefore, the project would be consistent with the existing general plan and zoning for the City of Chula Vista. Thus, the project would be considered consistent with the RAQS.

[6] San Diego County Air Pollution Control District website https://www.sdapcd.org/content/sdapcd/planning/attainment-status.html

Furthermore, as shown in Section 6.2.1 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D), operational emissions generated by the project would be below the established significance thresholds for criteria pollutants. The project's operational emissions would not significantly contribute to the region's poor air quality. Cumulative air quality impacts would, therefore, be **less than significant**.

CO Hot Spot Emissions

CO is a pollutant of significant concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and indicate potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with project CO levels to the state and federal CO standards.

The SDAB is classified as a state attainment area and a federal maintenance area for CO. Until 2003, no violations of the state standard for CO had been recorded in the SDAB since 1991, and no violations of the national standard had been recorded in the SDAB since 1989. The violations in 2003 were likely the result of massive wildfires that occurred throughout the county. No violations of the state or federal CO standards have occurred since 2003.

Small-scale, localized concentrations of CO above the state and national standards can occur at intersections with stagnation points, such as those that occur on major highways and heavily traveled and congested roadways. Localized high concentrations of CO are called "CO hot spots" and are a concern at congested intersections, where automobile engines burn fuel less efficiently, and their exhaust contains more CO.

Localized CO concentration is a direct function of motor vehicle activity at signalized intersections (e.g., idling time and traffic flow conditions), particularly during peak commute hours and meteorological conditions. The SDAB is a CO maintenance area under the federal CAA. The SDAB was previously a non-attainment area and implemented a 10-year plan to meet and maintain air quality standards.

The SDAB is a CO maintenance area (the western and central part of the SDAB). To determine the impact of the project's contribution to the CO concentration of the area, a comparison can be made to analyses performed by the SCAQMD. As a screening analysis, the SCAQMD conducted CO modeling for the 2003 AQMP (Appendix V: Modeling and Attainment Demonstrations, SCAQMD 2003) for the four worst-case intersections in the SCAB: (1) Wilshire Boulevard and Veteran Avenue, (2) Sunset Boulevard, and Highland Avenue, (3) La Cienega Boulevard and Century Boulevard, and (4) Long Beach Boulevard and Imperial Highway. When the 2003 AQMP was prepared, Wilshire Boulevard and Veteran Avenue intersection was the most congested in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day. Using CO emission factors for 2002, the peak modeled CO 1-hour concentration was estimated to be 4.6 ppm at the intersection of Wilshire Boulevard and Veteran Avenue. The 2003 AQMP also projected 8-hour CO concentrations at these four intersections for 1997 and from 2002 through 2005. From 2002 through 2005, the maximum 8-hour CO concentration was 3.8 ppm at the Sunset Boulevard and Highland Avenue intersection. In 2002, the maximum 8-hour CO concentration was 3.4 ppm at Wilshire Boulevard and Veteran Avenue 2002. These concentrations did not exceed the 1-hour CO CAAQS of 20 ppm nor the 8-hour of 9 ppm. Therefore, an intersection would need over 200,000 vehicles per day to exceed the 8-hour CO CAAQS (9.0 ppm) or 400,000 vehicles per day to exceed the 1-hour CO CAAQS (20 ppm).

Accordingly, CO concentrations at congested intersections would not exceed the 8-hour CO CAAQS if projected daily traffic would generate less than 200,000 vehicles per day or the 1-hour CO CAAQS for less than 400,000 vehicles per day. Per the traffic study for the project (Linscott Law and Greenspan, Engineers (Appendix O), and as shown in the CalEEMod Output (see Appendix A of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D)), the project is anticipated to generate approximately 1,549 vehicle trips per day. The traffic volume on Main Street

adjacent to the project for the existing plus project plus cumulative traffic volumes was 16,719, with the largest traffic volume in the vicinity of the project recorded at 46,982west at the intersection of Main Street and Brandywine Avenue per the traffic study (Appendix V). Therefore, the project is anticipated to generate only 1,549 daily trips and would not be expected to increase daily traffic volumes at any study intersection to more than 100,000 vehicles per day. A CO hotspot is not anticipated to occur, and associated impacts would be **less than significant**.

c) Less than significant impact.

The nearest sensitive receptors to the project site are the existing single-family residential land uses located approximately 1,425 feet (~435 meters) northeast and 1,430 feet (~436 meters) southwest of the project site.

CalEEMod

The latest version of CalEEMod (Version 2022.1) was used to estimate the construction and operation emissions. The emissions incorporate SDAPCD Rules 50, 51, 52, 54, 55, 67.0.1, 1200, and 1210 (as identified in Section 4.1 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D)). Adherence to these rules is not considered mitigation, as the project is required to incorporate these rules during construction.

Air Quality Thresholds

The City evaluated project emissions based on the quantitative emission thresholds established by the South Coast Air Quality Management District (SCAQMD). The City of Chula Vista is located within the San Diego Air Pollution Control District (SDAPCD); however, the SDAPCD has only established thresholds for stationary sources and not for CEQA purposes. Therefore, the City chose to use thresholds from the adjacent district, SCAQMD. The SCAQMD sets forth quantitative emission significance thresholds below which a project would not significantly impact ambient air quality. It should be noted that the use of these significance thresholds is conservative, as the SCAQMD's significance thresholds were originally based on the South Coast Air Basin's extreme ozone nonattainment status for the 1-hour NAAQS, whereas the SDAB was designated as an attainment area for the 1-hour NAAQS. Project-related air quality impacts estimated in this environmental analysis would be considered significant if any of the applicable significance thresholds presented below are exceeded.

As discussed above, the City has established thresholds based on the quantitative emission thresholds established by the SCAQMD. These screening criteria can demonstrate whether a project's total emissions would result in a significant impact as defined by CEQA. These daily screening thresholds for construction and operations are shown in Table 7 below.

Table 7: City of Chula Vista Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
Pollutant	**Construction (pounds per day)**	**Operation (pounds per day)**
VOCs	75	55
NOx	100	55
CO	550	550
SOx	150	150
PM10	150	150
PM2.5	55	55
Lead*	3	3

Table 7: City of Chula Vista Air Quality Significance Thresholds
Criteria Pollutants Mass Daily Thresholds
Notes: Source: SCAQMD 2015. VOC = volatile organic compound; Nox = oxides of nitrogen; CO = carbon monoxide; Sox= sulfur oxides; PM10 = coarse particulate matter; PM2.5 = fine particulate matter. *The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

Table 5 - Table 7 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - City of Chula Vista Air Quality Significance Thresholds

The thresholds listed above and in Table 7 represent screening-level thresholds that can be used to evaluate whether project-related emissions could cause a significant impact on air quality. Emissions below the screening-level thresholds would not cause a significant impact. For nonattainment pollutants, if emissions exceed the thresholds shown in Table 7, the project could potentially result in a cumulatively considerable net increase in these pollutants. It would have a significant impact on the ambient air quality.

Temporary Construction Emissions

The construction emissions for the project would not exceed the City's screening level thresholds during project construction, as demonstrated in Table 8, and therefore would be considered **less than significant**. Construction modeling parameters and assumptions can be found in Section 4.1 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D).

Table 8: Estimated Maximum Daily Construction Criteria Air Pollutant Emissions						
Activity	**Pollutant Emissions[1]**					
	VOC	**NOx**	**CO**	**SO_2**	**PM10**	**PM2.5**
2023	7.83	77.30	68.90	0.11	15.00	8.57
2024	1.78	13.40	20.10	0.03	1.89	0.81
2025	54.60	12.60	18.90	0.03	1.83	0.75
Maximum Daily Emissions	**54.60**	**77.30**	**68.90**	**0.11**	**15.00**	**8.57**
Chula Vista Threshold	75	100	550	150	150	55
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Notes: Source: CalEEMod Version 2022.1 [1] Site Preparation and Grading phases incorporate anticipated emissions reductions required by SDAPCD Rules 52, 54, and 55 to reduce fugitive dust. The architectural coating phases incorporate anticipated emissions reductions required by SDAPCD Rule 67 (50 g/L VOC for building coatings & 100 g/L VOC for parking lot striping).						

Table 6 - Table 8 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Estimated Maximum Daily Construction Criteria Air Pollutant Emissions

Construction-Related Toxic Air Contaminant Impact

The most significant potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during the project's construction. The Office of Environmental Health Hazard Assessment (OEHHA) issued the Air Toxic Hot Spots Program Risk Assessment Guidelines and Guidance Manual for the Preparation of Health Risk Assessments in February 2015. It describes the algorithms, recommended exposure variates, cancer and noncancer health values, and the air modeling protocols needed to perform a health risk assessment (HRA) under the Air Toxics Hot Spots Information and Assessment Act of 1987. Hazard identification includes identifying all substances evaluated for cancer risk and/or noncancer acute, 8-hour, and chronic health impacts and identifying any multi-pathway substances that present a cancer risk or chronic noncancer hazard via non-inhalation routes of exposure.

CARB In-Use Off-Road Diesel-Fueled Fleets Regulation limits unnecessary idling to 5 minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment, and phases out Tier 1 and 2 equipment, thereby replacing fleets with cleaner equipment, and requires that fleets comply with Best Available Control Technology requirements.

The project's closest sensitive receptors are the single-family residential land uses located approximately 1,425 feet (~435 meters) northeast and 1,430 feet (~436 meters) southwest of the project site.

SDAPCD has not established guidance for conducting construction health risk assessments. Additionally, the SCAQMD, the adjacent air quality district to the north, does not require land use development projects to prepare quantitative construction HRAs and therefore has no guidance on the preparation of construction HRAs. Given the relatively limited number of heavy-duty construction equipment and the construction schedule, the project can qualitatively be determined not to result in a substantial long-term source of toxic air containment emissions and corresponding individual cancer risk. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any local or regional thresholds. Therefore, **no significant short-term toxic air contaminant impacts** would occur during the project's construction.

Operational Emissions

The project's operations-related criteria air quality impacts have been analyzed using the CalEEMod model. The operating emissions were based on 2025, which is the anticipated opening year for the project. The summer and winter emissions created by the project's long-term operations were calculated, and the highest emissions from either summer or winter are summarized in Table 9. Emissions were modeled according to the parameters and assumptions established in Section 4.2 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D).

Table 9: Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)[1]					
	VOC	NOx	CO	SO2	PM10	PM2.5
Area Sources[2]	8.96	0.11	13.00	0.00	0.02	0.02
Energy Usage[3]	0.06	1.18	0.99	0.01	0.09	0.09
Mobile Sources[4]	5.95	39.90	48.20	0.34	7.14	1.92
Total Emissions	**14.97**	**41.19**	**62.19**	**0.35**	**7.25**	**2.03**
Chula Vista Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[1] Source: CalEEMod Version 2020.4.0
[2] Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3] Energy usage consists of emissions from on-site natural gas usage.
[4] Mobile sources consist of emissions from vehicles and road dust.

Table 7 - Table 9 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Table 9 shows that emissions from the project's operation do not exceed City thresholds. Therefore, the impact is considered **less than significant**.

Health Risk Assessment

The ongoing operation of the project would generate toxic air contaminant (TAC) emissions from diesel truck emissions. The California Air Pollution Control Officers Association (CAPCOA) has developed TAC health risk assessment guidelines to provide consistent, statewide procedures for preparing the health risk assessments required under the Air Toxics "Hot Spots" Act. The title of these guidelines is CAPCOA Air Toxics "Hot Spots" Program Revised 1992 Risk Assessment Guidelines. The District recommends that lead agencies conduct TAC risk assessments in accordance with the CAPCOA Risk Assessment Guidelines, as supplemented by the District's supplemental guidelines. According to CAPCOA guidelines, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the standard risk-assessment methodology.

The SDAPCD TAC threshold of 10 in one million is defined as the "maximum incremental cancer risk" and is used as the threshold for said project. The nearest sensitive receptors to the project site are the

existing single-family residential land uses located approximately 1,425 feet (~435 meters) northeast and 1,430 feet (~436 meters) southwest of the project site.

The project will develop three industrial buildings totaling 158,418 square feet and one three-story self-storage building totaling 140,802 square feet. Per the traffic study for the project (Linscott Law and Greenspan, Appendix O), it is anticipated to have approximately 1,549 daily vehicle trips, with 200 of the trips anticipated to be truck trips per the CalEEMod fleet mix data. Furthermore, as per the project site plan, the industrial buildings are to have a total of five dock-high doors and sixteen grade-level doors for loading activities; however, the associated emissions from those loading docks would not be anticipated to exceed thresholds. Furthermore, truck idling is limited to 5 minutes per Rule 2485 (13 CCR § 2485 – Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling).

Finally, the most recent Health Risk Assessment for Proposed Land Use Projects prepared by CAPCOA (July 2009) recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). A summary of the basis for the distance recommendations can be found in the ARB Handbook Air Quality and Land Use Handbook: A Community Health Perspective.

The industrial buildings proposed as part of the project are unrefrigerated warehouses and would not include TRUs. In addition, sensitive receptors are located in excess of 1,000 feet from the project site boundaries. Therefore, a quantitative health risk assessment would not be required for the said project as emissions are far below thresholds. Significant TAC impacts from the project-related operational diesel particulate matter (DPM) sources are not anticipated. N**o significant long-term operations-related TAC impacts** from the project on nearby sensitive receptors would occur.

d) **No impact.** The nearest sensitive receptors to the project site are the existing single-family residential land uses located approximately 1,425 feet (~435 meters) northeast and 1,430 feet (~436 meters) southwest of the project site. Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature. The odor emissions are expected to cease upon the drying or hardening of the odor-producing materials. Diesel exhaust and VOCs would be emitted during the project's construction, which are objectionable to some; however, emissions would disperse rapidly from the project site and, therefore, should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor-producing materials being utilized, no significant impact related to odors would occur during the project's construction.

SDAPCD Rule 51 recommends addressing odor impacts qualitatively.[7] Such analysis shall determine whether the project would result in excessive nuisance odors, as defined under the California Code of Regulations and Section 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality.

Land uses and industrial operations typically associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, refineries, landfills, dairies, and fiberglass molding. The proposed operations include industrial warehouse uses totaling 150,471 square feet and 140,802 square feet of self-storage use. The anticipated uses for the proposed industrial warehouses are not typically associated with objectionable odors. Furthermore, the project will not contribute to any cumulative odor impacts through compliance with SDAPCD Rule 51, which prohibits emissions from a project that would cause injury, detriment, nuisance, or annoyance to public health or damage to property. Therefore, the anticipated uses for the proposed industrial project are not typically associated with objectionable odors.

[7] SDAPCD. https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-51.pdf.

Therefore, this project will have **no impact** on emissions (such as those leading to odors), adversely affecting a substantial number of people.

Health and Equity Impacts

While not a CEQA threshold, the new CalEEMod Version 2022.1 provides information on the existing pollution and socioeconomic vulnerability that are key factors in determining the full impact of a project. CalEnviroScreen (CES) 4.0 creates a score based on the existing pollution burden and population characteristics to demonstrate the effects of pollution burden. The maximum CES score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden than other state census tracts. The CES score for the project area is currently 32.

Additionally, the California Healthy Places Index (HPI) is based on a composite of all HPI indicators and scores the existing health of a community. The maximum HPI score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state. The HPI for the existing project area is 77.

The project would not exceed any significance thresholds, as demonstrated in sections 6.1 and 6.2 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D). It would not contribute to a cumulative impact in the area, as discussed in section 6.5 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D). Therefore, the project would not contribute to a worsening of the health and equity of the area.

Furthermore, the project will be implementing programs to improve social equity, encouraging community input in the project, and maintaining community communication. The complete list of health and equity measures to be implemented can be found in the CalEEMod output in Appendix A of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D). Based on these measures, the project would qualify for the first tier of the CalEEMod Health and Equity Evaluation Scorecard, the Acorn equity award level.

Mitigation: No mitigation measures are required.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural Community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.)	☐	☐	☐	☒

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Comments:

Biological Technical Report for the Nirvana Project City of Chula Vista, San Diego County, California, prepared by Dudek, December 2022 (Appendix E), has found the project will have a less than significant impact with mitigation on species identified as a candidate, sensitive or special status species. The Biological Technical Report is cited here using Section 5 – Anticipated Project Impacts and Section 6 – Mitigation (pages 33 – 49).

a) **Less than significant with mitigation.**

Vegetation Communities

Direct Impacts

Implementation of the proposed project would result in permanent impacts on 14.44 acres of the project site (both on-site and off-site areas), including 13.98 acres of upland areas. See Figure 6, Impacts to Biological Resources. Figure 7A shows the project site plan depicting proposed roads, facilities, parking, etc. Figure 7B shows the riprap modifications.

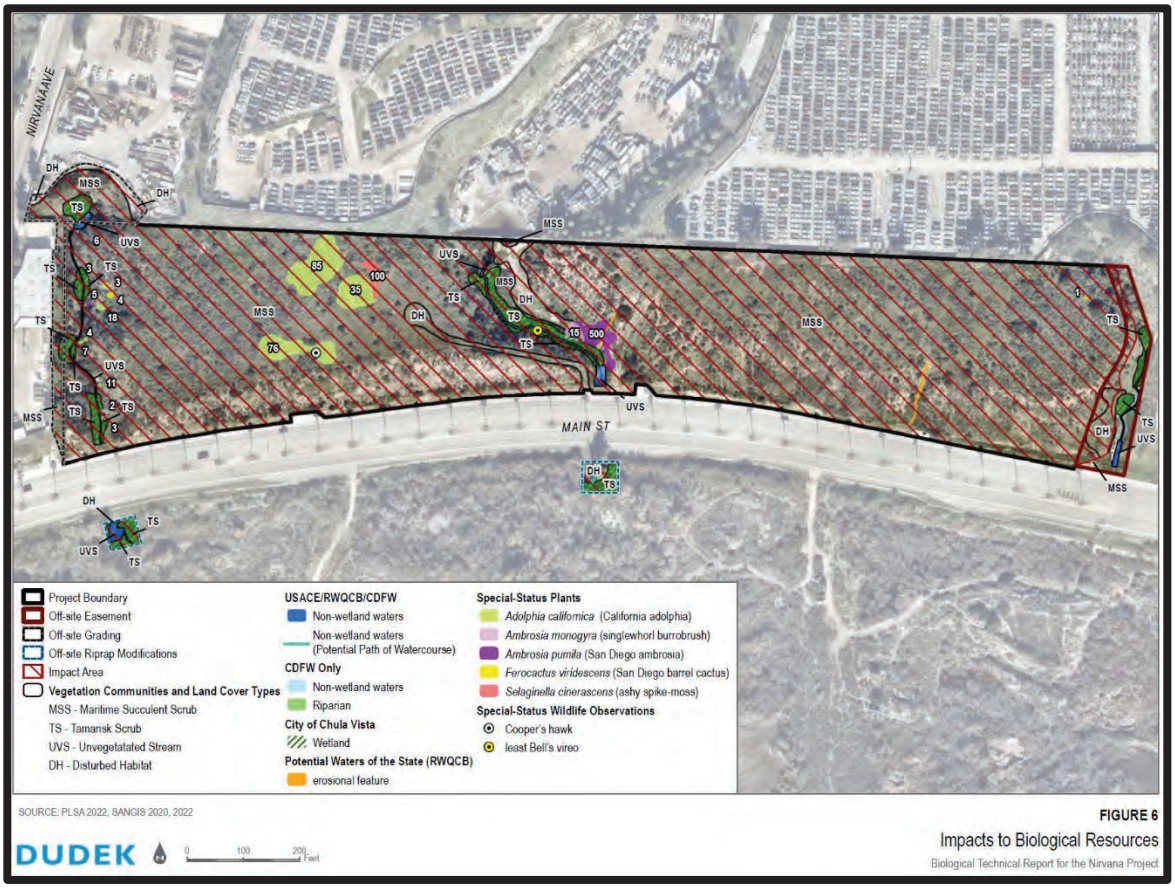

Figure 16 - Figure 6 of the Biological Technical Report - Impacts to Biological Resources

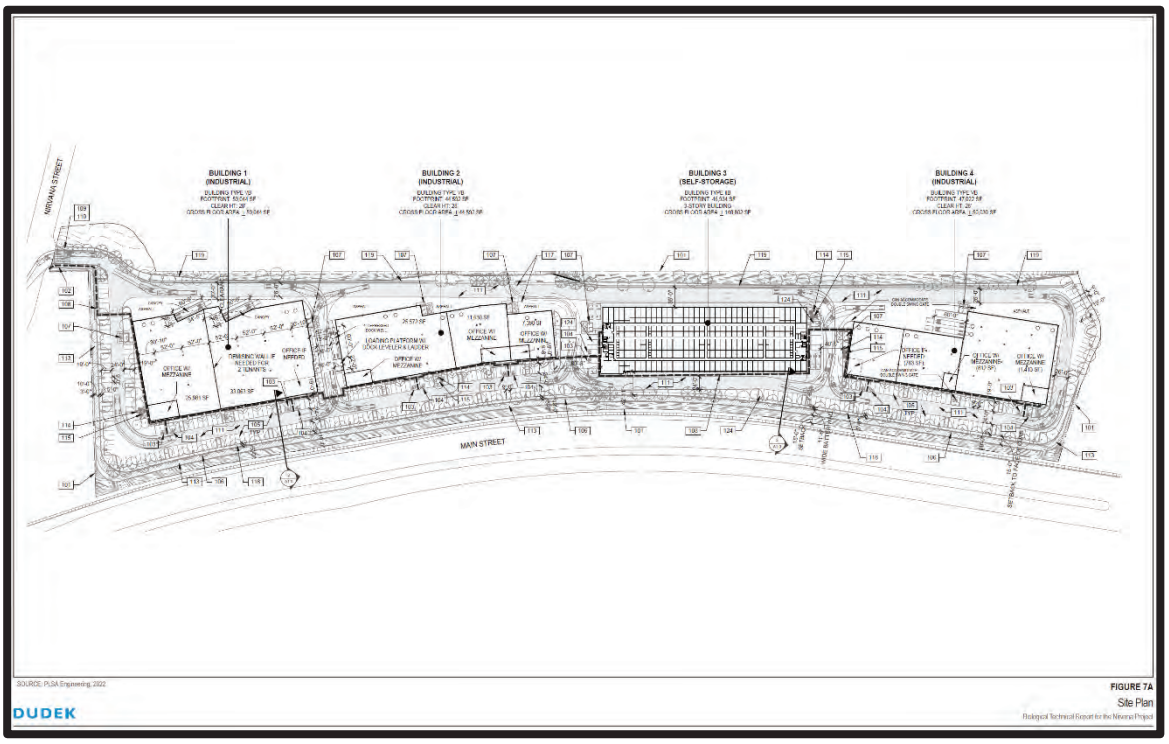

Figure 18 - Figure 7A of the Biological Technical Report – Site Plan

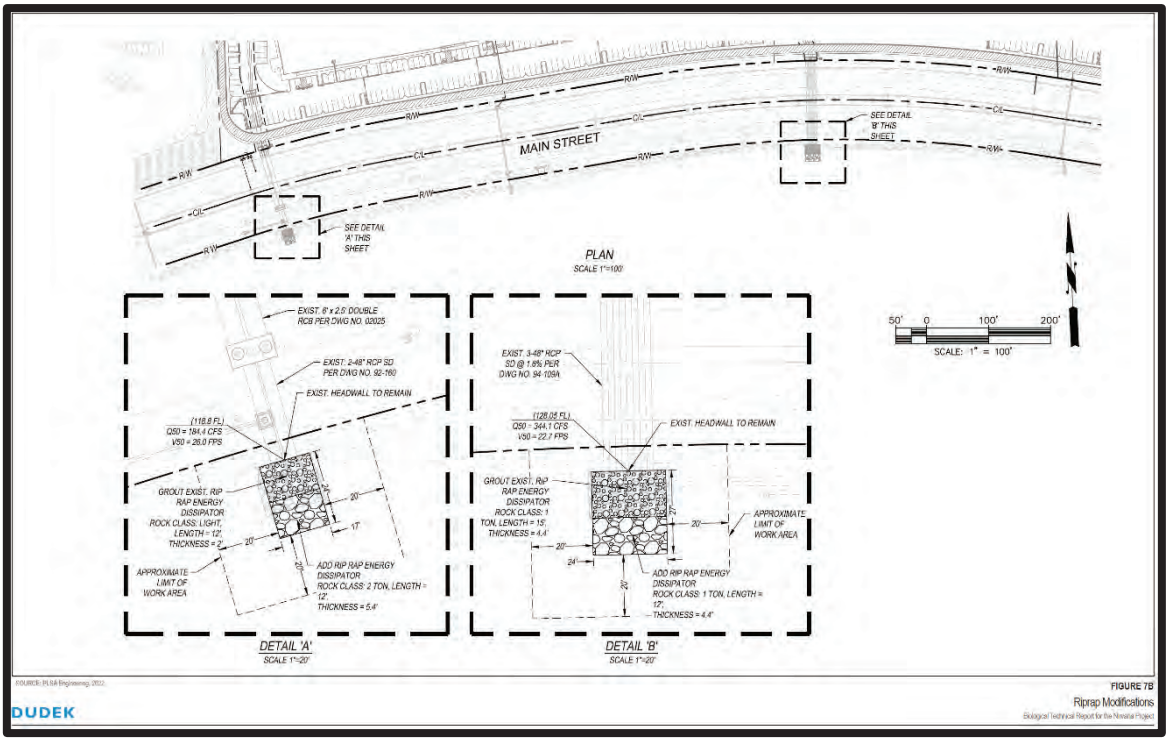

Figure 17 - Figure 7B of the Biological Technical Report – Riprap Modifications

Impacts to native upland vegetation communities and wetlands habitats are considered significant under the Subarea Plan of the Chula Vista Multiple Species Conservation Plan (MSCP) and, in accordance with

the City's Habitat Loss Incidental Take (HLIT) Ordinance, require mitigation (Subarea Plan Tables 5-3 and 5-6) (City of Chula Vista 2003). Sensitive vegetation communities permanently impacted within the project site include maritime succulent scrub, tamarisk scrub, and unvegetated channel. The impacts to tamarisk scrub and unvegetated channel are described in Section 5.2.4 of the Biological Technical Report (Appendix E). Impacts to sensitive vegetation communities (as noted in Table 6 below) are considered significant (Impact BIO-1) and would be reduced to a less-than-significant level by virtue of the biological mitigation (See **Mitigation Measure MM BIO-1**). In addition, the project will be required to obtain an HLIT permit in accordance with the HLIT Ordinance, as described in **MM BIO-2**. The required findings for issuance of an HLIT permit are included in Appendix F of the Biological Technical Report Appendix E.

Vegetation communities considered sensitive by the City are listed as wetlands or classified as Tier I through Tier III (City of Chula Vista 2003). Table 6 below summarizes the impacts to upland vegetation communities and land covers. These communities are expected to be directly impacted since project activities will result in soil disturbance and grading. Impacts to the City wetlands and regulated waters are described in Section 5.2.4 of the Biological Technical Report (Appendix E).

Table 6. Impacts and Mitigation Requirements for Upland Vegetation Communities and Land Cover

Habitat Type	Impacts (Ac.)	HLIT Habitat Tier/Type	MSCP Mitigation Ratio	Upland Required Mitigation (Ac.)
Maritime succulent scrub	13.53	I	1:1	13.53
Disturbed Habitat	0.45	IV	NA	0
Total	**13.98**	**--**	**--**	**13.53**

Notes: HLIT = Habitat Loss and Incidental Take (Ordinance); MSCP = Multiple Species Conservation Program

Table 8 - Table 6 of the Biological Technical Report - Impacts and Mitigation Requirements for Upland Vegetation Communities and Land Cover

Direct, temporary impacts could occur to native vegetation east of the project site if work extends beyond the approved limits of grading due to a lack of adequate construction fencing. This could result in significant impacts to vegetation communities that are not covered under the proposed project, which would be a significant impact (Impact BIO-2). This potential impact would be reduced to less than significant through the implementation of **MM BIO-3** and **MM BIO-4**.

Indirect Impacts

Four vegetation communities and landcovers–maritime succulent scrub, tamarisk scrub, disturbed habitat, and unvegetated stream–occur on the project site. Outside the project's boundaries, the site is surrounded by commercial facilities and roadways, except for some non-native grassland habitat that borders the project's eastern edge. Indirect impacts to this vegetation community would primarily result from adverse edge effects. During project construction, edge effects may include dust, which could disrupt plant vitality in the short term, as well as construction-related soil erosion and runoff.

However, in accordance with the City's Subarea Plan and the City's Best Management Practices (BMP) Design Manual (City of Chula Vista 2003), projects are required to implement site design, source control, and treatment control BMPs. As part of the project development, projects will be required to meet National Pollutant Discharge Elimination System regulations with the RWQCB, incorporate BMPs during construction, and install permanent BMPs as defined by the BMP Design Manual. With the implementation of construction discharge water quality BMPs and other standard construction BMPs, these short-term indirect impacts are not expected. Thus, the implementation of the proposed project is not expected to indirectly impact any adjacent vegetation communities.

Special-Status Plant Species

Direct Impacts

Implementation of the proposed project would result in the direct loss of special-status plant species occurring within the project site, as discussed in Section 4.5.1 of the Biological Technical Report (Appendix E). Six special-status plant species were recorded at the project site during focused surveys conducted in 2021 and 2022.

Impacts to special-status plants with CRPR 1 or 2 that are not covered under the MSCP are considered significant (Impact BIO-3). The proposed project would result in impacts to 239 California adolphia and 20 singlewhorl burrobrush. These impacts would be reduced to less than significant through the implementation of **MM BIO-1**, which requires the mitigation land to support these special-status species or provide relocation and/or re-seeding of these plants. Plants with a CRPR 3 are plants that need review and are taxonomically problematic; plants with a CRPR 4 are uncommon in California with limited distribution but are not considered extirpated, rare, or endangered. These are not considered rare from a statewide perspective, and thus impacts to these species are not considered a significant impact.

Covered plants under the MSCP are considered adequately conserved by virtue of implementing the Subarea Plan. No additional measures are required for the San Diego barrel cactus since that is a covered species; however, the applicant will salvage and translocate the 14 impacted species to the mitigation site per the request of CDFW. Additional measures are required under the conditions of coverage for San Diego ambrosia. Impacts to San Diego ambrosia (Narrow Endemic) exceed the allowable 20% of the population on site and therefore require mitigation to demonstrate a superior biological preservation alternative. **MM BIO-1** requires the mitigation land to establish San Diego ambrosia at a 2:1 mitigation ratio. Therefore, impacts to Covered plants would be reduced to less than significant through the implementation of mitigation measures.

Direct, temporary impacts could occur to special-status plants if present in the native vegetation east of the project site if work extends beyond the approved limits of grading. This could result in significant impacts to special-status plants that are not covered under the proposed project, which would be a significant impact (Impact BIO-4). This potential impact would be reduced to less than significant through the implementation of **MM BIO-3** and **MM BIO-4**.

Indirect Impacts

The indirect impacts to vegetation communities noted above can also affect special-status plants. The implementation of the stated measures would serve to eliminate impacts to off-site special-status plant species.

Special-Status Wildlife Species

Direct Impacts

Implementation of the proposed project could result in the direct loss of habitat for the special-status wildlife species discussed in Section 4.5.2 of the Biological Technical Report (Appendix E). Figure 3 shows the special-status wildlife species occurrences on-site, and Figure 5 shows the CNDDB records within 1 mile of the study area.

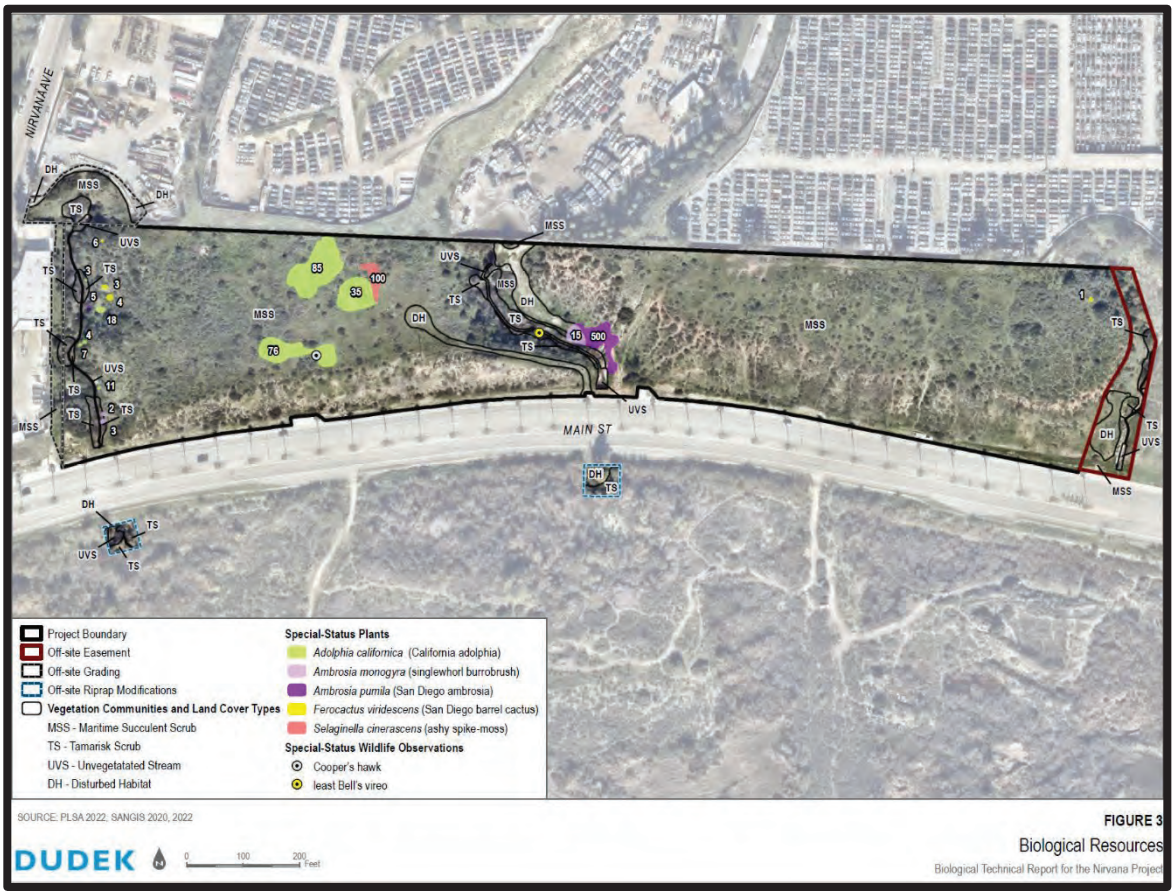

Figure 20 - Figure 3 of the Biological Technical Report – Biological Resources

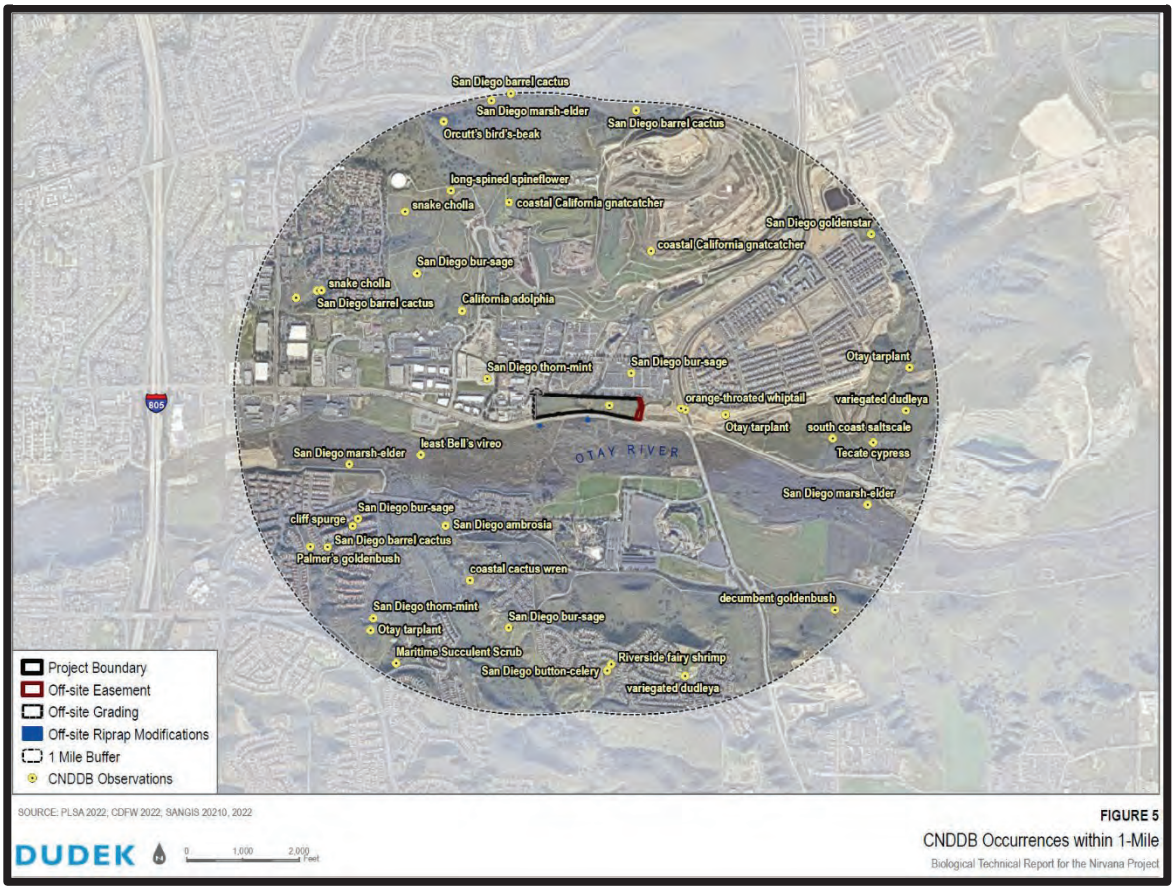

Figure 19 - Figure 5 of the Biological Technical Report – CNDDB Occurrences within 1-Mile

Impacts to habitat for special-status wildlife species observed or listed as having a moderate to high potential to occur within the study area that are not covered under the MSCP are considered significant (Impact BIO-5). These impacts would be reduced to less than significant through habitat preservation (**MM BIO-1** and **MM BIO-2** would preserve habitat for wildlife species) and avoiding direct and indirect impacts to nesting birds (**MM BIO-5**).

Covered wildlife species under the MSCP are considered adequately conserved by virtue of implementing the Subarea Plan. Significant impacts would occur if the proposed project did not implement species-specific conditions of coverage (Impact BIO-6). **MM BIO-1** and **MM BIO-2** would preserve habitat for wildlife species, and **MM BIO-5** would be implemented to adhere to the conditions of coverage, which are summarized in Section 5.2.6 of the Biological Technical Report (Appendix E), Consistency with Chula Vista MSCP Subarea Plan. These impacts would be reduced to less than significant through the implementation of the mitigation measures.

Direct, temporary impacts could occur to special-status wildlife species or their habitat if present in the native vegetation east of the project site if work extends beyond the approved limits of grading due to a lack of adequate construction fencing. This could result in significant impacts to special-status wildlife species or their habitat that are not covered under the proposed project, which would be a significant impact (Impact BIO-7). This potential impact would be reduced to less than significant through the implementation of **MM BIO-3** and **MM BIO-4**, which requires the installation of construction fencing and pre-construction meetings with the contractor and biologist.

The Migratory Bird Treaty Act (MBTA) prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, "take" is defined as pursuing, hunting, shooting, capturing, collecting, killing, or attempting to commit any of these acts (16 U.S.C. 703 et seq.). Additionally, Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, requires that any project with federal involvement address the impacts of federal actions on migratory birds with the purpose of promoting the conservation of migratory bird populations (66 FR 3853–3856). The executive order requires federal agencies to work with the U.S. Fish and Wildlife Service (USFWS) to develop a memorandum of understanding. The USFWS reviews actions that might affect these species. Fish and Game Code 3503 affords protection over the destruction of nests or eggs of native bird species. If any active nests or the young of nesting special-status bird species are impacted through direct grading, these impacts would be considered significant, absent mitigation (Impact BIO-8). Impacts to potential nesting covered species shall be mitigated through avoidance of clearing occupied habitat between February 15 and September 14 (avoidance of nesting season) or conducting a pre-construction survey for nesting birds (**MM BIO-5**).

Indirect Impacts

Indirect impacts associated with the project could affect special-status wildlife. However, with the implementation of required construction discharge water quality BMPs, and other standard construction BMPs (including dust control, use of approved access and staging areas, use of trash receptacles, sediment control measures, and more), these short-term indirect impacts are not expected.

In addition, wildlife may be indirectly affected in the short-term and long-term by noise and lighting, which can disrupt normal activities and subject wildlife to higher predation risks. Breeding birds can be affected by short-term construction-related noise, which can disrupt foraging, nesting, and reproductive activities.

The disturbed habitat surrounding the study area may support the habitat for nesting birds. Indirect impacts from construction-related noise may occur to nesting birds if construction occurs during the breeding season (i.e., February 15 through September 14 for most bird species). These impacts would be considered significant absent mitigation (Impact BIO-5). Impacts to potential nesting covered species shall be

mitigated through avoidance of clearing occupied habitat between February 15 and August September 14 (avoidance of nesting season) or conducting a pre-construction survey for nesting birds (**MM BIO-5**).

The project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. However, as discussed above, with the implementation of mitigation measures **MM BIO-1** through **MM BIO-5,** the impacts will be **less than significant with mitigation**.

b) **Less than significant with mitigation.** See also Section IV a) for a discussion of maritime succulent scrub above.

Direct Impacts

Impacts to jurisdictional aquatic resources would occur as a result of the project, as shown on Figure 6 and summarized in Table 7 below. The proposed project would result in impacts to jurisdictional aquatic resources within the project. Impacts to jurisdictional waters and wetlands are considered significant (Impact BIO-9); however, through the implementation **of MM BIO-1**, **MM BIO-2**, and **MM BIO-6**, these impacts would be reduced to less than significant.

Table 7. Impacts to City Wetlands and Jurisdictional Wetlands and Waters at the Project Site

Wetlands Vegetation Community/ Water Feature	Jurisdiction	Total Impacts (Ac.)	Mitigation Ratio	Required Mitigation (Ac.)
Tamarisk scrub (riparian)	CDFW; City	0.36	1:1	0.36
Unvegetated channel	USACE/CDFW/RWQCB Non-wetlands waters	0.09	1:1	0.09
Maritime succulent scrub (top of bank)	CDFW	0	1:1	0
Erosional Feature	RWQCB Non-wetland waters	0.01	1:1	0.01
Total		**0.46**	**--**	**0.46**

Table 9 - Table 7 of the Biological Technical Report - Impacts to City Wetlands and Jurisdictional Wetlands and Waters at the Project Site

Direct, temporary impacts could occur to jurisdictional aquatic resources east of the project site if work extends beyond the approved limits of grading due to a lack of adequate construction fencing. This could result in significant impacts to aquatic resources that are not covered under the proposed project, which would be a significant impact (Impact BIO-10). This potential impact would be reduced to less than significant through the implementation of **MM BIO-3** and **MM BIO-4**.

Section 5.2.4 of the Subarea Plan states that development projects are required to demonstrate that impacts to wetlands have been avoided or minimized to the greatest extent practicable. The entire project site will be impacted due to the proposed activities; therefore, no feasible avoidance or minimization is realistically practicable.

Indirect Impacts

The potential short-term indirect impacts to vegetation communities described above also apply to off-site jurisdictional waters only. On-site waters would be 100% impacted, and the offsite riprap modifications would result in additional impacts to non-wetland waters and riparian areas. Potential edge effects to any jurisdictional aquatic resources outside of the study area are not anticipated since BMPs will be incorporated into the proposed project work area to eliminate any indirect impacts (e.g., dust, erosion, and runoff) to jurisdictional waters. Indirect project impacts will be further minimized in compliance with any agency permits that are issued for construction.

Therefore, the project will have a substantial adverse effect on any riparian habitat or other sensitive natural Community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. However, as discussed above, the impacts can be reduced to **less than significant with mitigation** by implementing **MM BIO-1** through **MM BIO-4** and **MM BIO-6**.

c) **No impact.** The project disturbed area does not have any state or federally protected wetlands. Therefore, the project will have **no adverse impact** on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d) **No impact.**

Direct Impact

The project lies near the Otay River Valley, which supports a large riparian zone extending north and south of the river's channel. The river is located south of the project, outside the Development Area, separated from the site by the approximately 100-foot-wide Main Street. As such, the study area sits near a major center for regional wildlife movement but is not a linkage or corridor itself. The proposed direct impacts associated with the construction of the buildings would occur within the limits of the project site north of Main Street, and the project will not adversely affect the habitat connectivity or wildlife movement functions of the Otay River.

The riprap modification will occur in two small areas (0.07 acres and 0.08 acres) immediately south of Main Street near the Otay River. This work will be contained within the small work areas as all equipment will operate entirely from Main Street. The riprap will be placed at existing headwall structures, with the riprap extending approximately 10 feet from Main Street. The work is taking place in already disturbed areas with some encroaching into tamarisk scrub. There are no long-term activities associated with this activity. The Otay River will still remain a regional wildlife movement, with wildlife likely using the more interior portions of the river rather than alongside the road where the activities will occur.

Indirect Impact

The Otay River Valley is south of the project site. Implementation of the project would only result in direct impacts to the project site, and the site is at least 100 feet away from the Otay River, separated by Main Street, a wide and busy road. No indirect impacts to the Otay River are anticipated, and because the site does not abut the preserve, the project is not subject to the Adjacency Management Issues.

The offsite riprap modification areas are located immediately south of Main Street near the edge of the Otay River. This work will be contained within the small work areas as all equipment will operate entirely from Main Street. The riprap will be placed at existing headwall structures, with the riprap extending approximately 10 feet from Main Street. The work is taking place in already disturbed areas with some encroaching into tamarisk scrub. All of the potential short-term indirect impacts and associated minimization measures described for vegetation communities and jurisdictional resources would apply to these activities. There are no long-term activities associated with this activity, and the work is consistent with the Adjacency Management Issues (see Section 5.4.3); therefore, there are no long-term indirect impacts.

The project will not adversely affect the Otay River's habitat connectivity or wildlife movement functions. Therefore, there are **no significant impacts** on wildlife corridors or habitat linkages.

e) **Less than significant impact.** The City does have a Tree Preservation Policy (Policy Number 576-05) City Council Resolution No. 6192. However, this Policy is regarding the preservation of street trees. However, no street trees are proposed for removal with the project.

The project site is located within the Development Area of the City Planning Component as identified in the Subarea Plan of the MSCP. It has not been identified as a strategic preserve area within the City, nor is it located within a designated conservation area; therefore, the project would not impact the goals and objectives of the City's Subarea Plan.

The project will impact native vegetation and wetlands (i.e., maritime succulent scrub; tamarisk scrub), and the project is subject to conformance with the City's HLIT Ordinance. The HLIT Ordinance findings are provided in Appendix F of the Biological Technical Report (Appendix E).

Implementation of the project would not conflict with any local policies or ordinances protecting biological resources, and the project would have **less than significant impact**.

f) **No impact.**

The proposed project design is consistent with the MSCP Subarea Plan through specific adherence to mitigation/conveyance requirements for Development Projects Outside of Covered Projects as defined in the City MSCP Subarea Plan. As noted in Section 1, Introduction, the project is located within the Development Area of the City Planning Component as identified in the Subarea Plan. It has not been identified as a strategic preserve area within the City, nor is it located within a designated conservation area/preserve. The project site is separated from the Otay River preserve by Main Street and, therefore, is not subject to the Adjacency Management Issues. The offsite riprap modification within the Preserve is consistent with the Adjacency Management Issues (see Section 5.4.3 of the Biological Technical Report (Appendix E)). Overall, the proposed project is consistent with the goals and objectives of the City's Subarea Plan.

Land uses within the Preserve are limited to those considered compatible with the need to permanently protect Covered Species and their habitats. The offsite riprap modification activities are described in Section 5.4.2 of the Biological Technical Report (Appendix E).

Table 8 (pages 39-42, of the Biological Technical Report (Appendix E) includes a list of the plant and wildlife species observed or with potential to occur on-site that are Covered species under the MSCP and their conditions of coverage from Table 3-5 of the Subarea Plan.

Equivalency Analysis for Narrow Endemic Species

Equivalency finding requirements are provided in Section 5.2.3.6 of the Subarea Plan. Equivalency findings are required when a project impacts Narrow Endemic Species beyond the threshold limits identified in the Subarea Plan. The proposed project would result in a net loss of Narrow Endemic plants (San Diego ambrosia) within the project area but would provide compensation for the species through off-site mitigation within a Preserve.

1. **Definition of the project area.**

   The project is the development of three vacant parcels, Parcels 1 and 2 of Parcel Map 21587 (APNs 644-050-13 and 644-050-14, respectively), and a portion of Lot 2, Section 20, Township 18 South, Range 1 West, San Bernardino Meridian (APN 644-050-08). A proposed lot line adjustment (LLA21-0007) will adjust the common property line between Parcel 2 and a portion of Lot 2. Once the lot line adjustment is complete, the resultant parcels, Parcel 1 of PM 21587 and Parcel A of Adjustment Plat LLA21-0007, will have a combined net area of 13.31 acres.

2. **A written description of the project.**

   The proposal includes the development of two parcels with four buildings, the construction of a driveway to access the project, and slope stabilization. Off-site trenching activities will occur in Nirvana Avenue for sewer and water laterals and in Main Street for Fire laterals and storm drain

connections. Riprap modification is required on the south side of Main Street, where the western and middle drainages outlet toward the Otay River. The modifications at these locations will add riprap to dissipate energy as a result of estimated increased runoff. Mitigation for the site has been preliminarily identified through habitat restoration with the Preserve.

3. **A written description of biological information available for the project site, including the results of Narrow Endemic surveys.**

   Refer to Section 4 of the Biological Technical Report (Appendix E) for a written description of biological information available for the project area. During the general site visit, one Narrow Endemic plant species was detected within the project area: San Diego ambrosia (also listed as federally endangered). Approximately 500 San Diego ambrosia are mapped within the project site, which is entirely impacted. No additional Narrow Endemic species occur on site.

4. **Written finding of the infeasibility of total avoidance of Narrow Endemic species' population(s).**

   Based on the steep slopes and slope stabilization required to achieve a factor of safety for grading the site, it would be infeasible to modify the site plan and still be able to develop the site. As described in this report, this project area is identified as a Development Area in the Subarea Plan. The riprap modifications are located within the 100% Preserve areas. No rare plants, including Narrow Endemic species, exist within the 100% Preserve areas.

5. **Quantification of impacts to Narrow Endemic Species associated with the project, including direct and indirect effects.**

   There are approximately 500 San Diego ambrosia mapped within the impact area. There are no indirect impacts since the entire population would be impacted.

6. **A written description of project design features that reduce indirect effects such as edge treatments, landscaping, elevation differences; minimization; and/or compensation through restoration or enhancement.**

   During project construction, edge effects may include dust, which could disrupt plant vitality in the short term, and construction-related soil erosion and runoff. **MM-BIO-3** requires temporary construction fencing to ensure no impacts occur outside the approved impact footprint.

   Additionally, in accordance with the City's Subarea Plan and the City's Best Management Practices (BMP) Design Manual (City of Chula Vista 2003), projects are required to implement site design, source control, and treatment control BMPs. As part of the project development, projects will be required to meet National Pollutant Discharge Elimination System regulations with the RWQCB, incorporate BMPs during construction, and install permanent BMPs as defined by the BMP Design Manual. With the implementation of construction discharge water quality BMPs and other standard construction BMPs, these short-term indirect impacts are not expected. Thus, the implementation of the proposed project is not expected to indirectly impact any adjacent populations of Narrow Endemic plant species if present.

7. **Description of measures proposed to compensate for identified impacts in a manner that demonstrates that the proposed design, including compensation, would result in a long-term Preserve design for the species of concern that is functionally equivalent to or better than the Preserve design that would occur in the absence of the identified impact. The equivalency analysis will be based on the particular requirements of the species of concern.**

   The upland mitigation will occur through habitat restoration to create maritime succulent scrub within the Otay Ranch Preserve. The restoration will provide compensatory mitigation for maritime

succulent scrub at a 1:1 mitigation ratio. The mitigation sites include areas that are identified as suitable to support the establishment of San Diego ambrosia at a 2:1 mitigation ratio. This includes suitable soils, topography, elevation, and associated vegetation. The Resource Salvage Plan shall, at a minimum, evaluate options for plant salvage and relocation, native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within the mitigation site. The Resource Salvage Plan shall include the incorporation of relocation and/or establishment of San Diego ambrosia at the mitigation site. Relocation efforts may include the establishment and/or transplantation to the mitigation site and will be based on the most reliable methods of successful relocation of San Diego Ambrosia on other translocation projects, ultimately achieving a functionally equivalent or better Preserve design. The Resource Salvage Plan shall also contain recommendations for methods of establishment, salvage and/or relocation/application based on the feasibility of implementation and likelihood of success. The Resource Salvage Plan shall include, at a minimum, an implementation plan, maintenance and monitoring program, success criteria, estimated completion time, and any relevant contingency measures.

The mitigation sites chosen within the Otay Ranch Preserve would achieve a greater Preserve design because it will 1) include restoration of disturbed habitat, consisting of either non-native grassland or heavily disturbed scrub with minimal native vegetation; 2) have appropriate rocky clay loam soils suitable for maritime succulent scrub; and 3) have appropriate exposures for maritime succulent scrub, with south or west facing slopes, or areas that are relatively flat and on fully exposed landscapes. The sites chosen include the appropriate microhabitats to support the establishment of San Diego ambrosia which will, in turn, allow for the natural expansion of this species within the Preserve, which is already afforded long-term conservation.

The three sites identified for restoration are adjacent to existing restoration or managed preserves. One of the sites is specifically designed to complement the proposed Phase 2 Otay Valley Wetland Mitigation Bank being planned by HomeFed. The other two sites are near areas where the City's Preserve Manager, RECON Environmental, has conducted past maritime succulent scrub restoration. Therefore, the mitigation results in a functionally greater design and thus will be consistent with Section 5.2.3.6 of the Subarea Plan and the HLIT.

The restoration includes a 7-Year Restoration, Maintenance, and Monitoring Plan. An endowment shall be funded to provide for the long-term management of these sites. The Otay Ranch Preserve relies on Community Facilities District (CFD) taxes paid by the resident annually, and these funds primarily go for the maintenance of the Preserve. There are no other continuous funding sources other than the CFD, and because this funding is limited to maintenance, there is limited ability to fund more expensive habitat enhancement and restoration activities. With this limited funding from the CFD, the City is finding some habitat enhancement and restoration work need to be deferred.

The Nirvana project mitigation will provide the City and Otay Ranch Preserve with another resource to not only maintain the Nirvana mitigation sites in perpetuity but also fund enhancement and restoration in other areas of the Preserve system.

8. **A summary conclusion, including findings of consistency with the applicable percentage criterion.**

Based on the information summarized above, the proposed project will provide the conservation of Covered Narrow Endemic Species and restoration and enhancement of maritime succulent scrub within a Preserve. Specifically, the mitigation sites chosen within the Otay Ranch Preserve would achieve a greater Preserve design because they will 1) include restoration of disturbed habitat, consisting of either non-native grassland or heavily disturbed scrub with minimal native vegetation; 2) have appropriate rocky clay loam soils suitable for maritime succulent scrub; and 3) have appropriate exposures for maritime succulent scrub, with south or west facing slopes, or areas that are relatively flat and on fully exposed landscapes. The sites chosen include the appropriate microhabitats to support the establishment of San

Diego ambrosia which will in turn allow for natural expansion of this species within the Preserve which is already afforded long-term conservation. The restoration includes a 7-Year Restoration, Maintenance, and Monitoring Plan. An endowment shall be funded to provide for the long-term management of these sites. As described above, the Otay Ranch Preserve is an underfunded Preserve lacking the necessary resources to provide adequate maintenance, enhancement of native habitat, and regular monitoring of the Preserve. Through restoration in areas identified for suitable maritime succulent scrub and San Diego ambrosia, combined with contributing to the CFD for management of the restoration areas in the Preserve, the Preserve will achieve high-quality habitat over the long term.

Future Facilities Siting Criteria

The offsite riprap modification will occur within a 100% Conservation Area. Section 6 of the Subarea Plan describes the land uses allowed within the Preserve. This includes existing legal uses, compatible uses (i.e., Public Access and Recreation, Preserve Management, Scientific and Biologic Activities, Emergency, Safety, and Police Services), and conditionally compatible uses. The riprap modifications fall into the "conditionally compatible uses" category. Section 6.3.3 of the Subarea Plan differentiates these uses as "Planned Facilities" and "Future Facilities." There are no Planned Facilities associated with this project. Future Facilities are those necessary to support planned development that was not identified at the time of the Subarea Plan but were anticipated to be required. Table 6-2 of the Subarea Plan identifies Future Facilities and Implementation Criteria. These facilities include storm drain and flood control/detention facilities.

Future Facilities located within the Preserve are subject to the Facilities Siting Criteria contained in Section 6.3.3.4 of the City's MSCP Subarea Plan. Compliance with the Facilities Siting Criteria ensures that the facilities within the Preserve have been sited within the least environmentally sensitive areas and that impacts to the Preserve have been minimized to the maximum extent practical.

The following is a summary of the Facilities Siting Criteria (Section 6.3.3.4 and Table 6-1 of the Subarea Plan) as required for the project's Future Facilities:

1. Such facilities will be located in the least environmentally sensitive location feasible, and use existing roads, trails, and other disturbed areas, including use of the active recreation areas in the Otay River Valley, as much as possible (except where such areas are occupied by the QCB [Quino checkerspot butterfly]). Facilities should be routed through developed or developing areas where possible. If no other routing is feasible, alignments should follow previously existing roads, easements, rights of way, and disturbed areas, minimizing habitat fragmentation.

2. Such facilities shall avoid, to the maximum extent practicable, impacts to Covered Species and Wetlands, and will be subject to the provisions, limits, and mitigation requirements for Narrow Endemic Species and Wetlands pursuant to Section 5.2.3 and 5.2.4 of the Subarea Plan.

3. Where roads cross the Preserve, they should provide for wildlife movement in areas that are graphically depicted on and listed in the MSCP Subregional Plan Generalized Core Biological Resource Areas and Linkages map as a core biological area or a regional linkage between core biological areas. All roads crossing the Preserve should be designed to result in the least impact feasible to Covered Species and Wetlands. Road bridges for vehicular traffic rather than tunnels for wildlife use will be employed where possible at wildlife crossings. Culverts will only be used when they can achieve the wildlife crossing/movement goals for a specific location. To the extent feasible, crossings will be designed as follows: the substrate will be left in a natural condition or revegetated if soils engineering requirements force subsurface excavation and vegetated with native vegetation if possible; a line-of-sight to the other end will be provided; and if necessary, low-level illumination will be installed in the tunnel.

4. To minimize habitat disruption, habitat fragmentation, impediments to wildlife movement and impact to breeding areas, road and/or right-of-way width shall be narrowed from existing City design and

engineering standards, to the maximum extent practicable. In addition, roads shall be located in lower quality habitat or disturbed areas to the maximum extent practicable.

5. Impacts to Covered Species and habitats within the Preserve resulting from construction of Future Facilities will be evaluated by the City during project review and permitting. The City may authorize Take for impacts to Covered Species and habitats resulting from construction of Future Facilities outside the Preserve, pursuant to the Subarea Plan and consistent with the Facility Siting Criteria in this Section.

6. The City may authorize "Take" for impacts to Covered Species resulting from construction of Future Facilities located within the Preserve, subject to a limitation of 2 acres of impact for individual projects and a cumulative total of 50 acres for all Future Facilities. Wildlife Agency concurrence will be required for authorization of Take for any impacts to Covered Species and habitat within the Preserve that exceed 2 acres that may result from the construction of any individual Future Facility. Wildlife Agency concurrence will be required to authorize Take for impacts to Covered Species and habitat within the Preserve that exceed 50 acres that may result from all Future Facilities combined.

7. Planned and Future Facilities must avoid impacts to covered Narrow Endemic Species and the QCB [Quino checkerspot butterfly] to the maximum extent practicable. When such impacts cannot be avoided, Planned and Future facilities within the Preserve are subject to Section 5.2.3.6 of the Subarea Plan. Impacts to QCB that will result from construction of Planned and Future Facilities within the Preserve are subject to the provisions of Section 5.2.8 of the Subarea Plan.

This section outlines the Future Facilities associated with the proposed project and how they adhere to the Facilities Siting Criteria. The facilities necessary to support the proposed project were sited in primarily disturbed habitat adjacent to Main Street with equipment limited to working from the road. The riprap will be placed at the existing headwall where flows outlet is on the south side of Main Street. Because the proposed work is required for energy dissipation associated with an estimated increase in flow within the existing channels, the flexibility to site the riprap placement is limited. The least impactful approach is to place riprap at each headwall as shown on Figure 7B. The work area is limited to the areas needed to prepare and install the riprap; equipment will work from the road to further reduce impacts from access.

The facilities were analyzed by overlaying potential Future Facility locations with biological resources, including vegetation communities and jurisdictional aquatic resources. There are impacts to sensitive resources; however, the effects of shifting or modifying the facilities to achieve the energy dissipation would have been more impactful.

Impact Summary for Future Facilities

The locations of the riprap modifications are shown in Figure 7B. These modifications would result in permanent impacts to 0.15 acres of tamarisk scrub, unvegetated stream channel, and disturbed habitat (Table 9).

Table 9. Impacts to Vegetation Communities and Land Cover Associated with Future Facilities

Habitat Type	Impacts (Ac.)
Tamarisk Scrub	0.09
Unvegetated Stream Channel	0.02
Disturbed Habitat	0.04
Total	**0.15**

Table 10 - Table 9 of the Biological Technical Report - Impacts to Vegetation Communities and Land Cover Associated with Future Facilities.

The western and middle drainage features continue south of the headwalls, and the riprap modifications would result in permanent impacts to 0.11 acres of jurisdictional aquatic resources that are likely regulated by USACE, RWQCB, and/or CDFW (Table 10).

Table 10. Jurisdictional Wetlands and Waters at the Project Site Associated with Future Facilities		
Wetlands Vegetation Community/ Water Feature	**Jurisdiction**	**Acres**
Tamarisk scrub (riparian)	CDFW; City	0.09
Unvegetated channel	USACE/CDFW/RWQCB Non-wetlands waters	0.02
	Total	**0.11**

Table 11 - Table 10 of the Biological Technical Report - Jurisdictional Wetlands and Waters at the Project Site Associated with Future Facilities.

There is no suitable habitat for coastal California gnatcatcher within the riprap modification areas, and special-status plants will be surveyed in April and June 2022.

The Otay River is known to support the least Bell's vireo, a Covered species. While it is unlikely to nest in the tamarisk adjacent to Main Street, the riprap modification activities could result in indirect noise and human presence effects if activities occurred during the nesting season.

Table 11 summarizes the facilities as they relate to the Facilities Siting Criteria.

Table 11. Summary Facilities Siting Criteria Detention Basin and Associated Facilities	
Facilities Siting Criteria	**Riprap Modification**
Least environmentally sensitive location	The riprap will be placed at the existing headwalls at the base of the slope immediately south of Main Street. A portion of each area is already disturbed. They are placed as close to the existing road and away from the Otay River as possible.
Avoid wetlands and covered species and address Narrow Endemic Species	The riprap modification will be placed at existing headwalls where the drainages outlet on the south side of Main Street and will result in impacts to 0.11 acres of non-wetland waters and riparian areas. Alternative designs would likely result in increased impacts to jurisdictional resources since the proposed location is sited at the existing outlet and close to the road. No rare plants exist, including Narrow Endemic species, within the riprap modification areas.
Provide for wildlife movement	There are no proposed roads in the Preserve. Placement of the riprap will not preclude wildlife from using the area since there is no barrier to movement by wildlife.
Road widths are narrowed and in lower quality habitat	N/A. There are no proposed roads.
Impacts to Covered Species within the Preserve	The City is evaluating these impacts and their consistency with the Future Facilities Siting Criteria.
Future facilities are limited to 2 acres or cumulative total of 50 acres	The impacts associated with the riprap modification are 0.15 acres.
Avoid impacts to covered Narrow Endemic Species and Quino Checkerspot Butterfly	The riprap modification will not impact suitable quino checkerspot butterfly habitat. No rare plants exist, including Narrow Endemic species, within the riprap modification areas.

Table 12 - Table 11 of the Biological Technical Report - Summary Facilities Siting Criteria Detention Basin and Associated Facilities.

Equivalency Analysis for Future Facilities

Equivalency finding requirements are contained in Section 5.2.3.6 of the Subarea Plan. Per the MSCP Subarea Plan: "Impacts to covered Narrow Endemic Species from Planned and Future Facilities located within the 100% Conservation Areas of Covered Projects will be avoided to the maximum extent practicable. Where impacts are demonstrated to be unavoidable, impacts will be limited to 5% of the total Narrow Endemic Species population within the Project Area. The City will make findings of equivalency for such Take Authorization for covered Narrow Endemic Species, pursuant to Section 5.2.3.6 of this Subarea Plan." No Narrow Endemic Species occur within the 100% Conservation Area.

The equivalency analysis for impacts to Narrow Endemic Species is described in Section 4.5.5.

Adjacency Management Issues

The offsite riprap modifications will be consistent with the Adjacency Management Issues per Section 7.5.2 of the Subarea Plan. See Table 12.

Table 12. Adjacency Management Issues (Section 7.5.2)

Findings for New Development	Analysis	Consistency
Drainage	The project will collect runoff from the new development in private, on-site storm drain systems. The collected runoff will be routed through a hydrodynamic separator system for the removal of trash, debris, oil, and sediment. Then, the collected runoff will enter underground detention chambers that provide peak storm water flow control (detention) to mimic pre-development peak flow rates. Next, the attenuated flows flow through proposed Modular Wetlands storm water treatment devices, TAPE certified proprietary biofiltration, which provide water quality treatment prior to the runoff leaving the proposed project site.	Consistent
Toxic substances	There are no agricultural or recreational uses on-site that would contribute potentially toxic substances into the Preserve.	Consistent
Lighting	All lighting associated with the project is separated from the Preserve by Main Street and is not adjacent. The offsite riprap modification would not have any associated lighting and no work would be done at night.	Consistent
Noise	Temporary noise would be associated with the riprap modification. Pre-construction surveys are required if the work is done during the bird breeding season (February 15 to September 14) and clearance limitations and avoidance measures are described in **MM-5**.	Consistent
Invasives	No landscaping or other planting is planned as part of the offsite riprap modification.	Consistent
Buffers	The offsite riprap modification is required to be placed at the existing headwalls and no buffer requirements apply to this activity.	Consistent

Table 13 - Table 12 of the Biological Technical Report - Adjacency Management Issues

The project design is consistent with the MSCP Subarea Plan through specific adherence to mitigation/conveyance requirements for Development Projects Outside of Covered Projects as defined in the City MSCP Subarea Plan. Therefore, the project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan and has **no impact**.

Habitat Loss Incidental Take Ordinance

The proposed project will impact native vegetation and City wetlands (i.e., maritime succulent scrub; tamarisk scrub), and as such, the proposed project is subject to conformance with the City's HLIT Ordinance. The HLIT Ordinance findings are provided in Appendix F of the Biological Technical Report (Appendix E).

Wetland Protection

Wetland protection must be provided throughout the Subarea, and an evaluation of wetlands avoidance and minimization is required. If impacts are unavoidable, no net loss of wetlands must be achieved through compensatory mitigation as prescribed by the Subarea Plan Table 5-6. As stated previously, the proposed project will impact City wetlands (i.e., tamarisk scrub), which are unavoidable due to the small overall size of the project, topography, the location of the wetlands in the middle of the site, and the project plan to build large warehouses facility with associated infrastructure.

Mitigation:

Table 13 lists the significant impacts on vegetation communities and the required mitigation per the City's Subarea Plan and HLIT Ordinance (Subarea Plan Tables 5-3 and 5-6). As noted in Section 5.2.4 of the Biological Technical Report (Appendix E), the City Subarea Plan Wetlands Protection Program requires that impacts on wetlands be avoided to the maximum extent possible. Where impacts are unavoidable, compensatory mitigation within the Chula Vista Subarea or Chula Vista Planning Area shall be required resulting in no overall net loss of City wetlands.

Table 13. Mitigation for Significant Impacts to Sensitive Vegetation Communities and Wetlands				
Vegetation Community	**MSCP Subarea Plan Tier**	**Mitigation Ratio***	**Impact Acreage**	**Mitigation Acreage Required**
Uplands				
Maritime succulent scrub	Tier I	1:1	13.53	13.53
Waters or Wetlands				
Unvegetated Stream	N/A	1:1	0.09	0.09
Tamarisk scrub	Wetlands	1:1	0.37	0.37
Erosional Feature	N/A	1:1	0.01	0.01
	Grand Total	**—**	**14.00**	**14.00**

Table 14 - Table 13 of the Biological Technical Report - Mitigation for Significant Impacts to Sensitive Vegetation Communities and Wetlands

MM BIO-1: Compensatory Mitigation: Per the HLIT ordinance, 14.00 acres of impacts to sensitive uplands, jurisdictional resources, and City wetlands shall be mitigated at the required mitigation ratios (Table 13). All impacts to wetlands will be mitigated at a 1:1 ratio, upland impacts may be mitigated at a 1:1 ratio. Prior to the issuance of any land development permits (including clearing, grubbing, and/or grading permits), the Permittee/Owner shall finalize the mitigation option(s) with concurrence from the City of Chula Vista. Mitigation would be provided through one of the following options, and the ratio would be determined by the location of the proposed mitigation site.

Mitigation Bank. Mitigation would occur through purchasing credits at a City-approved mitigation bank to achieve the required Tier I and wetland mitigation per the mitigation ratios in Table 5-3 of the Subarea Plan.

Habitat Preservation. Prior to issuing any grading permit, the Permittee/Owner shall provide evidence to the City of Chula Vista Planning Division that City-approved Tier I and wetland habitat are provided as mitigation through compensatory preservation per the mitigation ratios in Table 5-3 of the Subarea Plan. The habitat preservation mitigation site shall (1) be protected by a conservation easement or other City-approved mechanism that provides preservation in perpetuity, (2) have a permanent, responsible party clearly designated, and (3) be managed in accordance with a Habitat Management Plan (or similar) in perpetuity. The Habitat Management Plan (or similar) shall also include Property Analysis Report (PAR) analysis to identify yearly maintenance and monitoring costs pursuant to meeting those performance criteria, as well as identify an initial management fund endowment to provide for management in perpetuity. Prior to grading permit issuance, the Permittee/Owner shall provide proof that such funds have been provided to the permanent, responsible party.

Habitat Restoration. Prior to issuing any grading permit, the Permittee/Owner shall provide evidence to the City of Chula Vista Planning Division that Tier I and wetland habitat type are being restored and/or enhanced per the mitigation ratios in Table 5-3 of the Subarea Plan. In addition, the Permittee/Owner shall provide a performance bond to the City prior to issuing a grading permit to ensure the completion of the restoration and funds for enhancement are provided. The habitat restoration mitigation site shall (1) be protected by a conservation easement or other City-approved mechanism that provides preservation in perpetuity, (2) have a permanent, responsible party clearly designated, and (3) be managed in accordance

with a Habitat Management Plan (or similar) in perpetuity. If mitigation credits are not purchased, the Permittee/Owner shall prepare a Habitat Mitigation and Monitoring Plan to the satisfaction of the City. The Habitat Mitigation and Monitoring Plan shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; maintenance, monitoring, and reporting program; estimated completion time; contingency measures; and identify a long-term funding source. The Permittee/Owner shall also be required to implement the Habitat Mitigation and Monitoring Plan subject to the oversight and approval of the Development Services Director (or their designee).

Special-Status Plants. If special-status plants require salvage, relocation, and/or re-seeding at the mitigation site, the Resource Salvage Plan shall be written by a City-approved biologist to the satisfaction of the Development Services Director (or their designee). Impacts to Covered Narrow Endemic plants require mitigation at a 1:1 to 3:1 ratio. The Resource Salvage Plan shall, at a minimum, evaluate options for plant salvage (during appropriate bloom periods for identification of special-status plants) and relocation, native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within the mitigation site. The Resource Salvage Plan shall include the incorporation of relocation and reseeding efforts for Narrow Endemic plants to achieve a 2:1 mitigation ratio, as well as San Diego barrel cactus and non-covered plant species at a 1:1 mitigation ratio that are considered special status according to the California Environmental Quality Act and would be impacted with project implementation. Relocation efforts may include seed collection and/or transplantation to the mitigation site and are based on the most reliable methods of a successful relocation to achieve a functionally equivalent or better Preserve design. Compensatory mitigation may also include restoration of the mitigation site with supplemental seeds or live plants from native seedbanks/plant nurseries. The Resource Salvage Plan shall also contain a recommendation for the method of salvage and relocation/application based on the feasibility of implementation and likelihood of success. The Resource Salvage Plan shall include, at a minimum, a discussion of the compensatory mitigation required for the Covered Narrow Endemic plants and a discussion of the appropriate mitigation ratio, an implementation plan, maintenance, and monitoring program, estimated completion time, and any relevant contingency measures. The Resource Salvage Plan shall also be subject to the oversight of the Development Services Director (or their designee).

MM BIO-2: Prior to issuance of any land development permits (including clearing, grubbing, and/or grading permits), the Permittee/Owner will be required to obtain an HLIT Permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to MSCP Tier I habitat and wetland resources and Narrow Endemic Species.

MM BIO-3: Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits, the Permittee/Owner shall install temporary construction fencing in accordance with Chula Vista Municipal Code (CVMC) 17.35.030 to avoid any unexpected accidental impacts (i.e., encroachment) into sensitive vegetation and/or jurisdictional waters. Prominently colored, well-installed fencing and signage shall be in place to demarcate all approved access paths and construction work areas wherever the grading limits are adjacent to sensitive vegetation communities or other biological resources, as identified by the qualified monitoring biologist. The limits of work, including the designated temporary off-site construction access, will be delineated with temporary construction fencing as appropriate, which will be installed prior to the initiation of work activities.

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 all off-site facilities constructed within the preserve. Prior to the release of grading and/or improvement bonds, a qualified

biologist shall provide evidence that work was conducted as authorized under the approved land development permit and associated plans.

A pre-construction meeting should be held between all contractors and the qualified project biologist. The biologist will educate the contractors on sensitive habitat and project avoidance measures during this meeting. All project personnel shall provide written acknowledgment of their receiving avoidance training. This training shall include information on the location of the approved access paths and work areas, the necessity of preventing damage and impacts to sensitive habitat, and the discussion of work practices that will accomplish such. Lastly, the project biologist will be on-site to monitor all project activities within natural habitats.

Any unauthorized impacts to jurisdictional waters/wetlands would require reporting to the USACE, CDFW, RWQCB, and the City and developing a Waters/Wetlands Restoration Plan to restore pre-impact conditions as directed by the agencies. The Revegetation Plan and/or Waters/Wetlands Restoration Plan shall include a description of the suitability of the restoration area, planting and irrigation plan, maintenance and monitoring requirements, and performance standards that ensure that the intended restoration is achieved. The plan(s) and associated monitoring reports shall be submitted to City staff.

MM BIO-4: Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits, the Permittee/Owner shall provide written confirmation that a City-approved biological monitor has been retained and shall be on-site during clearing, grubbing, and/or grading activities. The biological monitor shall attend all preconstruction 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 be authorized to halt all associated project activities that may violate the City's MSCP Subarea Plan and/or permits issued by any other agencies having jurisdictional authority over the project.

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

MM BIO-5: To avoid any direct impacts on nesting birds, construction activities should occur outside the breeding season (February 15 to September 14). If construction activity is scheduled during the general bird breeding season, a qualified biologist shall conduct a pre-construction survey to determine the presence or absence of nesting bird species within the proposed work areas. The pre-construction survey shall be conducted within four (4) calendar days prior to the start of construction activities. The Permittee/Owner shall submit the results of the pre-construction survey to City Staff for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the applicable local, state, and federal law (i.e., appropriate follow-up surveys, monitoring schedules, construction, noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall also describe any species-specific measures to comply with the MSCP's conditions of coverage:

- Active Cooper's hawk nest requires a 300-foot avoidance area.
- No clearing of occupied coastal cactus wren habitat will occur between February 15 and September 14.
- No clearing of occupied coastal California gnatcatcher habitat will occur between March 1 and August 15.

- No clearing of occupied least Bell's vireo habitat will occur between March 16 and September 14. If an occupied least Bell's vireo nest is identified in a pre-construction survey, noise reduction techniques, such as temporary noise walls or berms, shall be incorporated into the construction plans to reduce noise levels below 60 LEQ (equivalent continuous sound level).

The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The project Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

If nesting birds are not detected during the pre-construction survey, no further mitigation is required. Implementation of pre-construction surveys for nesting birds and any required follow-up protection measures will reduce the potential impact levels below significant.

MM BIO-6: Prior to issuance of land development permits, including clearing, grubbing, grading, and/ or construction permits that impact jurisdictional waters, the Permittee/Owner shall notify the resource agencies and obtain all necessary permits from the USACE, RWQCB, and CDFW. All terms and conditions of required permits shall be implemented.

The Applicant shall secure wetland creation mitigation credits within a City-approved Conservation Bank in accordance with the terms and conditions of the Subarea Plan and all required permits. Verification of mitigation credit purchase by the Applicant to the City and resource agencies is required prior to the issuance of any land development permits.

Prior to issuance of land development permits, including clearing, grubbing, and grading permits for areas that impact jurisdictional waters, the Permittee/Owner shall provide evidence that all required regulatory permits, such as those required under Section 404 of the federal Clean Water Act, Section 1600 of the California Fish and Game Code, and the Porter-Cologne Water Quality Act, have been obtained.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?	☐	☒	☐	☐

Comments:

Red Tail Environmental prepared the Archaeological Resources Survey Report (Appendix F) dated April 2022, the Archaeological Resources Report Form for the Survey of Two Outfall Associated with the Nirvana Industrial Project (Appendix T) April 22, 2022, and conducted an archaeological investigation within the

project area. The main goal of the archaeological investigations was to gather and analyze the information needed to determine if the project would impact cultural resources.

a) **No impact**. As defined by CEQA, no historic resources are present within the project area, and project implementation will not cause an adverse change to a historical resource (page 42 Archaeological Resources Survey Report (Appendix F) and page 1 Archaeological Resources Report Form (Appendix T)). Therefore, the project will have **no impact** or cause a substantial adverse change in the significance of a historical resource, directly, indirectly, or cumulatively.

b) **Less than significant with mitigation.** The record search and survey identified six cultural resources within the project area previously recommended as not significant under CEQA. However, no artifacts within the previously mapped site boundaries were identified during the archaeological survey.

Due to the presence of cultural resources within the project area, the presence of numerous cultural resources within one mile of the project area, early historic use within the vicinity of the project area, the overall poor to moderate ground visibility within the project area due to dense vegetation, and the possibility of buried cultural resources within the alluvial Otay River Valley (Gallegos et al. 1998:2-23) construction monitoring by an archaeologist and tribal monitor is recommended for the initial ground disturbance for the project (page 42 Archaeological Resources Survey Report (Appendix F)). Therefore, the project will have a **less than significant impact with mitigation** on archaeological resources. See Section XVIII – Tribal Cultural Resources for impacts on tribal cultural resources.

c) **Less than significant with mitigation.** No cemeteries or human remains are known to occur on-site, and it is unlikely that human remains will be uncovered during project development. Pursuant to Public Resources Code §5097.98 and Health and Safety Code §7050.5, in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

(1) There shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains until:

(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and

(B) If the coroner determines the remains to be Native American:

1. The coroner shall contact the Native American Heritage Commission within 24 hours.
2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98, or

(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

(A) The Native American Heritage Commission is unable to identify a most likely descendent, or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.

(B) The descendant identified fails to make a recommendation; or

(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Following the requirements of Public Resources Code §5097.98 and Health and Safety Code §7050.5, as noted in the City standard condition, will ensure that if human remains are discovered, they will be handled appropriately. Therefore, the project will have a **less than significant impact with mitigation** on human remains.

Mitigation:

MM CUL-1: Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.) within the project area or off-site grading areas, the Permittee/Owner shall provide the City verification that a certified archaeological monitor has been retained. The archaeological monitor shall be on-site during all ground-disturbing activities in an effort to identify any unknown cultural resources. If cultural resources are identified, the archaeologist shall be authorized to divert the construction activities, investigate the cultural resources, and salvage material to ascertain the find's significance. In addition, any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. This measure shall be implemented to the satisfaction of the City Planning Department. See also **MM TCR-1.**

MM CUL-2: If human remains are encountered, all work within 200 feet of the remains must cease immediately until the San Diego County Coroner has made the necessary findings as to its origin. The project Archaeologist will notify the Permittee/Owner and the Planning Department of the discovery. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision regarding the treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendants(s)" to receive notification of discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Comments:

Chula Vista Nirvana Business Park – CEQA Energy Review, 821 Main Street, City of Chula Vista, prepared by MD Acoustics LLC, February 6, 2023 (Appendix P), determined the project would not potentially cause a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

a) Less than significant impact.

Construction Energy Demand

The construction schedule is anticipated to begin no earlier than early June 2023, be completed in 2025, and be completed in one phase.[8] Staging of construction vehicles and equipment will occur on-site.

Construction Equipment Electricity Usage Estimates

SDG&E will provide electrical service. This section focuses on the energy implications of the construction process, specifically the power cost from on-site electricity consumption during construction. Based on the 2017 National Construction Estimator, Richard Pray (2017)[9], the typical monthly power cost per 1,000 square feet of building construction is estimated to be $2.32. The project plans to develop the site with three industrial buildings totaling 158,418 square feet and one three-story self-storage building totaling 140,802 square feet over approximately 24 months. Based on Table 3, the total power cost of the on-site electricity usage during the project's construction is estimated to be approximately $16,660.57. Furthermore, SDG&E's service rate for the schedule is approximately $0.24 per kWh of electricity for the industrial project.[10] As shown in Table 3, the total electricity usage from project construction-related activities is estimated to be approximately 70,298 kWh.

Table 3: Project Construction Power Cost and Electricity Usage

Power Cost (per 1,000 square foot of building per month of construction)	Total Building Size (1,000 Square Foot)	Construction Duration (months)	Total Project Construction Power Cost
$2.32	299.220	24	$16,660.57

Cost per kWh	Total Project Construction Electricity Usage (kWh)
$0.24	70,298
*Assumes the project will be under Schedule TOU-A rate under SDG&E and, to be conservative, uses the lower anticipated cost per kWh. Source: https://www.sdge.com/sites/default/files/regulatory/3-1-21%20Small%20Commercial%20Total%20Rates%20Table.pdf	

Table 15 - Table 3 of the CEQA Energy Review - Project Construction Power Cost and Electricity Usage

Construction Equipment Fuel Estimates

Fuel consumed by construction equipment would be the primary energy resource expended for project construction. Fuel consumed by construction equipment was evaluated with the following assumptions:

- Construction schedule of approximately 24 months
- All construction equipment was assumed to run on diesel fuel
- Typical daily use of 8 hours, with some equipment operating from ~6-7 hours

[8] Per the project applicant, the project is to be operational in September 2024. Therefore, the estimated construction timeline was generated based on CalEEMod default construction timelines for each phase of construction and a completion date of September 2024.

[9] Pray, Richard. 2017 National Construction Estimator. Carlsbad: Craftsman Book Company, 2017.

[10] Assumes the project will be under Schedule TOU-A rate under SDG&E and, to be conservative, uses the lower anticipated cost per kWh. Source: https://www.sdge.com/sites/default/files/regulatory/3-1-21%20Small%20Commercial%20Total%20Rates%20Table.pdf

- Aggregate fuel consumption rate for all equipment was estimated at 18.5 hp-hr/day (from CARB's 2017 Emissions Factors Tables and fuel consumption rate factors as shown in Table D-21 of the Moyer Guidelines:(https://ww2.arb.ca.gov/sites/default/files/2020-06/2017_cmpgl.pdf).
- Diesel fuel would be the responsibility of the equipment operators/contractors and would be sourced within the region.
- Project construction represents a "single-event" for diesel fuel demand and would not require an ongoing or permanent commitment of diesel fuel resources during long-term operation.

Using the CalEEMod data input from the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D), the project's construction phase would consume electricity and fossil fuels as a single energy demand. That is, once construction is completed, their use would cease. CARB's 2017 Emissions Factors Tables show that aggregate fuel consumption (gasoline and diesel fuel) would be approximately 18.5 hp-hr-gal. Table 4 shows the results of the analysis of construction equipment.

Table 4: Construction Equipment Fuel Consumption Estimates

Phase	Number of Days	Offroad Equipment Type	Amount	Usage Hours	Horse power	Load Factor	HP hrs/day	Total Fuel Consumption (gal diesel fuel)[1]
Site Preparation	14	Rubber Tired Dozers	3	8	367	0.4	3,523	2,666
	14	Earthmovers/Tractors/Loaders/Backhoes	4	8	84	0.37	995	753
Grading	41	Excavators	2	8	36	0.38	219	485
	41	Graders	1	8	148	0.41	485	1,076
	41	Rubber Tired Dozers	1	8	367	0.4	1,174	2,603
	41	Scrapers	2	8	423	0.48	3,249	7,200
	41	Earthmovers/Tractors/Loaders/Backhoes	2	8	84	0.37	497	1,102
Building Construction	408	Cranes	2	7	367	0.29	745	16,430
	408	Forklifts	3	8	82	0.2	394	8,680
	408	Generator Sets	1	8	14	0.74	83	1,828
	408	Earthmovers/Tractors/Loaders/Backhoes	3	7	84	0.37	653	14,394
	408	Welders	1	8	14	0.45	166	3,652
Paving	27	Pavers	2	8	81	0.42	544	794
	27	Paving Equipment	2	8	89	0.36	513	748
	27	Rollers	2	8	89	0.38	219	319
Architectural Coating	27	Air Compressors	1	6	37	0.48	107	156
CONSTRUCTION FUEL DEMAND (gallons of diesel fuel)								**60,221**

Notes:
[1] Using Carl Moyer Guidelines Table D-21 Fuel consumption rate factors (bhp-hr/gal) for engines less than 750 hp. (Source: https://ww2.arb.ca.gov/sites/default/files/2020-06/2017_cmpgl.pdf)
[2]Totals may not add up precisely due to rounding.
[3]Total Fuel Consumption = (Number of Days x Amount x Usage Hours x Horsepower x Load Factor) / 18.5 bhp-hr-gal

Table 16 - Table 4 of the CEQA Energy Review - Construction Equipment Fuel Consumption Estimates

As presented in Table 4, project construction activities would consume an estimated 60,221 gallons of diesel fuel. Project construction would represent a "single-event" diesel fuel demand and would not require an ongoing or permanent commitment of diesel fuel resources for this purpose.

Construction Worker Fuel Estimates

All construction worker trips are assumed to be from light-duty autos (LDA) along area roadways. With respect to estimated VMT, the construction worker trips would generate an estimated 642,668 VMT. Data regarding project-related construction worker trips were based on CalEEMod 2022.1 model defaults.

Vehicle fuel efficiencies for construction workers were estimated in the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D) using information generated from CARB's

EMFAC model (see Appendix A of the Energy Review (Appendix P) for details). The aggregate fuel efficiency of 32.12 miles per gallon (mpg) was used to calculate vehicle miles traveled for construction worker trips. Table 5 shows an estimated 20,008 gallons of fuel would be consumed for construction worker trips.

Table 5: Construction Worker Fuel Consumption Estimates

Phase	Number of Days	Worker Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Site Preparation	14	17.5	12	2,940	32.12	92
Grading	41	20	12	9,840	32.12	306
Building Construction	408	126	12	616,896	32.12	19,206
Paving	27	15	12	4,860	32.12	151
Architectural Coating	27	25.1	12	8,132	32.12	253
Total Construction Worker Fuel Consumption						**20,008**

Notes:
[1] Assumption for the worker trip length and vehicle miles traveled are consistent with CalEEMod 2022.1 defaults.

Table 17 - Table 5 of the CEQA Energy Review Construction Worker Fuel Consumption Estimates

Construction Vendor/Hauling Fuel Estimates

Tables 6 and 7 show the estimated fuel consumption for vendor and hauling during building construction and architectural coating. With respect to the estimated VMT, the vendor and hauling trips would generate an estimated 158,293 VMT. Data regarding project-related construction worker trips were based on CalEEMod 2022.1 model defaults.

For the architectural coatings, it is assumed that the contractors would be responsible for bringing coatings and equipment with them in their light-duty vehicles. Therefore, vendors delivering construction material or hauling debris from the site during grading would use medium to heavy-duty vehicles with average fuel consumption of 8.39 mpg for medium heavy-duty trucks and 6.48 mpg for heavy heavy-duty trucks (see Appendix A of the Energy Review (Appendix P) for details). Tables 6 and 7 show that an estimated 19,069 gallons of fuel would be consumed for vendor and hauling trips.

Table 6: Construction Vendor Fuel Consumption Estimates (MHD Trucks)[1]						
Phase	**Number of Days**	**Vendor Trips/Day**	**Trip Length (miles)**	**Vehicle Miles Traveled**	**Average Vehicle Fuel Economy (mpg)**	**Estimated Fuel Consumption (gallons)**
Site Preparation	14	0	7.63	0	8.39	0
Grading	41	0	7.63	0	8.39	0
Building Construction	408	49	7.63	152,539	8.39	18,181
Paving	27	0	7.63	0	8.39	0
Architectural Coating	27	0	7.63	0	8.39	0
Total Construction Vendor Fuel Consumption						**18,181**
Notes: [1] The assumptions for the vendor trip length and vehicle miles traveled are consistent with CalEEMod 2022.1 defaults.						

Table 7: Construction Hauling Fuel Consumption Estimates (HHD Trucks)[1]						
Phase	**Number of Days**	**Hauling Trips/Day**	**Trip Length (miles)**	**Vehicle Miles Traveled**	**Average Vehicle Fuel Economy (mpg)**	**Estimated Fuel Consumption (gallons)**
Site Preparation	14	1.07	20	300	6.48	46
Grading	41	0	20	0	6.48	0
Building Construction	408	0	20	0	6.48	0
Paving	27	10.1	20	5,454	6.48	842
Architectural Coating	27	0	20	0	6.48	0
Total Construction Hauling Fuel Consumption						**888**
Notes: [1] Assumption for the hauling trip length and vehicle miles traveled are consistent with CalEEMod 2022.1 defaults.						

Table 18 - Tables 6 & 7 of the CEQA Energy Review - Construction Vendor and Hauling Fuel Consumption Estimates

Construction Energy Efficiency/Conservation Measures

Construction equipment used over the approximately 24-month construction phase would conform to CARB regulations and California emissions standards and is evidence of related fuel efficiencies. Construction of the industrial development would require the typical use of energy resources. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy-intensive than is used for similar activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in the project's construction would not result in inefficient, wasteful, or unnecessary fuel consumption.

CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Additionally, as required by California Code of Regulations Title 13, "Motor Vehicles, section 2449(d)(3) Idling," limits idling times of construction vehicles to no more than five minutes. The regulation minimizes or eliminates unnecessary and wasteful fuel consumption due to the unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials and/or in response to citizen complaints. Compliance with these measures would result in more efficient use of construction-related energy and minimize or eliminate wasteful or unnecessary energy consumption. Idling restrictions and newer engines and equipment would result in less fuel combustion and energy consumption.

Operation Energy Demand

Energy consumption in project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

Transportation Fuel Consumption

The largest source of operational energy use would be the vehicle operation of customers. The site is located in an urbanized area along Main Street east of the 805 Freeway. Furthermore, there are existing transit services provided by the San Diego Metropolitan Transit System (SDMTS), which is approximately one mile walking distance from the project site. The nearest transit service is SDMTS Routes 703 and 704, with a stop along Brandywine Avenue and Auto Park Drive.

Using the CalEEMod output from the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D), it is assumed that an average one-way trip for autos and light trucks was 9.5 miles, and 3- 4-axle trucks were assumed to be an average of 7.3 miles.[11] It was assumed that vehicles would operate 365 days per year to be conservative. Table 8 shows the estimated annual fuel consumption for all vehicles, from autos to heavy heavy trucks.[12] The project would generate approximately 1,549 trips per day.[13] The vehicle fleet mix was used from the CalEEMod output from the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D). Table 8 shows that an estimated 625,108 gallons of fuel would be consumed per year to operate the project.

Table 8: Estimated Vehicle Operations Fuel Consumption

Vehicle Type	Vehicle Mix	Number of Vehicles	Average One-Way Trip (miles)[1]	Daily VMT	Average Fuel Economy (mpg)	Total Gallons per Day	Total Annual Fuel Consumption (gallons)[2]
Light Auto	Automobile	786	9.5	7,466	32.12	232.45	84,844
Light Truck	Automobile	88	9.5	838	26.41	31.73	11,580
Light Truck	Automobile	252	9.5	395	26.62	89.95	32,832
Medium Truck	Automobile	168	9.5	593	20.43	77.99	28,467
Light Heavy Truck	2-Axle Truck	34	9.5	323	11.46	28.16	10,278
Light Heavy Truck 10,000 lbs +	2-Axle Truck	9	9.5	84	11.86	7.07	582
Medium Heavy Truck	3-Axle Truck	12	7.3	90	8.39	10.71	3,907
Heavy Heavy Truck[3]	4-Axle Truck	200	7.3	8,000	6.48	1,234.57	450.617
Total		549	--	20,788	--	1,712.62	--
Total Annual Fuel Consumption							**625,108**

Notes:
[1] Based on the size of the site and relative location, heavy heavy truck trips were assumed to be regional, and all other trips were assumed to be local.
[2] Totals may not add up precisely due to rounding.
[3] Heavy heavy duty truck trips increased from CalEEMod defaults of 0.63% to approximately 3% of all trips to account for additional industrial trips.

Table 19 - Table 8 of the CEQA Energy Review - Estimated Vehicle Operations Fuel Consumption

Trip generation and VMT generated by the project are consistent with similar industrial uses of similar scale and configuration, as reflected in the (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (April 2002). The project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. Furthermore, California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015.[14][15] Therefore, the increase in fuel consumption from the project is insignificant compared to the state's demand. Therefore, project transportation energy consumption **would not be considered inefficient, wasteful, or otherwise unnecessary**.

Facility Energy Demands (Electricity and Natural Gas)

Building operation and site maintenance (including landscape maintenance) would result in the consumption of electricity and natural gas (provided by SDG&E). The project's operation would involve

[11] CalEEMod default distance for H-W (home-work) or C-W (commercial-work) is 9.5 miles; 7.3 miles for H-O (home-other) or C-O (commercial-other).
[12] Average fuel economy based on aggregate mileage calculated in EMFAC 2017 for opening year (2022). See Appendix A for EMFAC output.
[13] Per traffic study from Linscott Law and Greenspan (2021)
[14] https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics
[15] https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics

energy for heating, cooling, and equipment operation. These facilities would comply with all applicable California Energy Efficiency Standards and 2019 CALGreen Standards.

The annual natural gas and electricity demands were provided per the CalEEMod output from the Air Quality and Greenhouse Gas Analysis Impact Study (Appendix D) in Table 9.

Table 9: Project Annual Operational Energy Demand Summary[1]	
Natural Gas Demand	**kBTU/year**
Unrefrigerated Warehouse - No Rail	4,388,697
Total	4,388,697
Electricity Demand	**kWh/year**
Unrefrigerated Warehouse - No Rail	1,304,286
Parking Lot	250,320
Total	**1,554,606**

Notes:
[1] Taken from the CalEEMod 2020.4.0 annual output in the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D).

Table 20 - Table 9 of the CEQA Energy Review - Project Annual Operational Demand Summary

As shown in Table 9, the estimated electricity demand for the project is approximately 1,554,606 kWh per year. In 2020, the non-residential sector of the County of San Diego consumed approximately 11,658 million kWh of electricity.[16] In addition, the estimated natural gas consumption for the project is approximately 4,388,697 kBTU per year. In 2020, the non-residential sector of the County of San Diego consumed approximately 202 million therms of gas.[17] Therefore, the project's increase in electricity and natural gas demand is insignificant compared to the County's 2019 non-residential sector demand. It is noted that gas is only being stubbed out to the project site, and it will be the tenant's choice to use gas. Some tenants may prefer to be an all-electric facility, in which case the gas consumption figures noted here are a worst-case scenario.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building, such as plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use or "plug-in" energy use can be subdivided by specific end-use (refrigeration, cooking, appliances, etc.).

Furthermore, the project energy demands would be comparable to other industrial projects of similar scale and configuration. Therefore, the project facilities' energy demands, and consumption **would not be considered inefficient, wasteful, or otherwise unnecessary**.

As supported by the preceding analyses, neither construction nor operation of the project would result in wasteful, inefficient, or unnecessary energy consumption or wasteful use of energy resources. The project does not include any unusual project characteristics or construction processes that would require the use of equipment that would be more energy-intensive than is used for similar activities and is an industrial project that is not proposing any additional features that would require a larger energy demand than other industrial projects of similar scale and configuration. As the project is consistent with the existing General Plan land use designation, the energy demands of the project are anticipated to be accommodated within the context of available resources and energy delivery systems. Therefore, the project would not cause or result in the need for additional energy-producing or transmission facilities. The project would not engage in wasteful or inefficient energy uses and aims to achieve energy conservation goals within California. Therefore, the project would have a **less than significant impact**.

[16] California Energy Commission, Electricity Consumption by County. https://ecdms.energy.ca.gov/elecbycounty.aspx
[17] California Energy Commission, Gas Consumption by County. http://ecdms.energy.ca.gov/gasbycounty.aspx

b) No impact.

Plan Consistency

Regarding federal transportation regulations, the project site is located in an already developed area. Access to/from the project site is from existing roads. These roads are already in place, so the project would not interfere with nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SANDAG is not planning for intermodal facilities in the project area.

Regarding the State's Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant must comply with the California Green Building Standard Code requirements for energy-efficient buildings and appliances and utility energy efficiency programs implemented by SDG&E.

Regarding the State's Renewable Energy Portfolio Standards, the project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

As shown in the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D) – Section 7.3 – Greenhouse Gas Plan Consistency, the project is also consistent with the reduction strategies of the City of Chula Vista Climate Action Plan (CAP).

Site Conditions for Renewable Energy Usage

On-site renewable energy sources have been considered. Geothermal energy, the use of heat naturally present in shallow soil or groundwater or rock to provide building heating/cooling and to heat water, requires the installation of a heat exchanger consisting of a network of below-ground pipes to convey heated or cooled air to a building. The presence of natural-occurring methane and hydrogen sulfide gases in the soil beneath the project site and the project area, associated with underlying and nearby oil and gas fields, requires the implementation of a Gas Mitigation and Monitoring System to ensure subsurface gases do not pose significant health or safety risk and makes the construction and operation of a heat exchanger for project buildings infeasible. Installation of a heat exchanger would also require additional excavation compared to the project, which could increase impacts on paleontological resources.

Although methane is a renewable derived biogas, it is not available on the project site in commercially viable quantities or form (i.e., a form that could be used without further treatment), and its extraction and treatment for energy purposes would result in secondary impacts.

Wind power represents variable-energy, or intermittent, resources generally used to augment, but not replace, natural gas-fired energy power generation since the reliability of energy availability and transmission is necessary to meet demand, which is constant. The Energy Information Administration (EIA) states that "Good places for wind turbines are where the annual average wind speed is at least 9 miles per hour (mph)."[18] The annual average wind speed in Chula Vista is approximately 7 miles per hour, with a maximum monthly windspeed of 8 miles per hour in December.[19] Therefore, wind power would not be a feasible solution at this location.

Concerning other on-site renewable energy sources, because of the project's location, there are no local sources of energy from the following sources: biodiesel, biomass hydroelectric and small hydro, digester

[18] U.S. Energy Information Administration. Wind explained. March 30, 2022. https://www.eia.gov/energyexplained/wind/where-wind-power-is-harnessed.php#:~:text=Wind%20power%20plants%20require%20careful%20planning&text=Good%20places%20for%20wind%20turbines,)%20for%20utility%2Dscale%20turbines.

[19] Weather Spark. Climate and Average Weather Year Round in Chula Vista. 2022. https://weatherspark.com/y/1804/Average-Weather-in-Chula-Vista-California-United-States-Year-Round.

gas, fuel cells, landfill gas, municipal solid waste, ocean thermal, ocean wave, and tidal current technologies, or multi-fuel facilities using renewable fuels.

Future Renewable Energy Usage

The project will include pre-installed conduit and an engineered roof for future solar energy panels. At this time, the tenants are unknown, so the feasibility of installing rooftop solar at the time of the completion of warehouse construction and beginning of operation (the anticipated build-out year is 2025) will depend on the tenant's needs. Factors evaluated will include the cost of the solar system, tax incentives, rebates, or incentives from the electricity provider, how much power the system will produce, and the utility cost of electricity.

Additionally, while natural gas lines would be connected to the project, future tenants may decide not to use natural gas and only power the project with electricity. As shown in Table 2, 31.3% of the power provided by SDG&E was from renewable sources in 2019, which would further renewable energy usage for the project.

Therefore, the project **will not** conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Mitigation: No mitigation measures are required.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater	☐	☐	☐	☒

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
disposal systems where sewers are not available for the disposal of wastewater?				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Comments:

The Preliminary Geotechnical Investigation Nirvana Industrial Buildings and Self Storage Complex 821 Main Street Chula Vista, California, prepared by Geocon Incorporated, September 14, 2021 (Appendix G), Supplemental Geotechnical Fault Investigation Nirvana Property 821 Main Street Chula Vista, California, prepared by Geocon Incorporated, November 15, 2021 (Appendix H), Addendum Geotechnical Investigation Nirvana Industrial Buildings and Self-Storage Complex 821 Main Street, Chula Vista, California, prepared by Geocon Incorporated, February 18, 2022 (Appendix Q), and the Addendum No. 2 to Geotechnical Investigation Nirvana Industrial Buildings and Self-Storage Complex 821 Main Street, Chula Vista, California, prepared by Geocon Incorporated, March 21, 2022 (Appendix R), found no soil or geologic conditions were observed that would preclude the development of the property as presently proposed, provided that the recommendations of the reports are followed.

a)

i) **Less than significant impact.** An active fault is defined by the California Geological Survey (CGS) as a fault showing evidence of activity within the last 11,700 years. The site is not located within the State of California Earthquake Fault Zone. A review of Figure 9-7 – Geologic Hazards of the General Plan (page E-55) indicates that the property may be located between two fault traces.

A review of the referenced geologic materials indicates that active faults do not underlie the site. A fault strand related to the potentially active La Nacion Fault is mapped on regional fault maps transecting the west property boundary (pages 5 -6 Geotechnical Investigation (Appendix G)).

On November 4, 2021, Geocon performed a supplemental geotechnical investigation to evaluate the presence or absence of a segment of the La Nacion Fault (Supplemental Geotechnical Fault Investigation (Appendix H)). The USGS database shows a segment of the La Nacion Fault transecting the site's western edge with the designation "location inferred," implying that no direct field evidence is available supporting the presence of the fault segment in the mapped location. The regional San Diego geologic map (Kennedy and Tan, 2008) shows the fault segment mapped in the same location as the USGS database. However, the regional geologic map depicts the fault as "concealed," implying it is not visible at the ground surface (or inferred at the ground surface by juxtaposed unconformable geologic units). It is buried by surficial geologic units such as the Older Alluvium or Terrace Deposits mapped at the site (References 1 and 2). The Terrace Deposits are interpreted as middle to late Pleistocene in age or between approximately 12,000 and 1.8 million years old, substantially older than the State definition of an active fault.

Figure 1 of the Supplemental Geotechnical Fault Investigation (Appendix H) shows the locations of fault trenches performed by Advanced Geotechnical Solutions and by Geocon Incorporated.

There is no evidence of faulting or offset in the Pleistocene age Terrace Deposits exposed in the fault trench excavation. The field observations support the conclusions presented in the referenced geotechnical reports. Therefore, Geocon opined that the La Nacion fault segment depicted on regional maps and fault databases is not active as no evidence of faulting in Pleistocene age sediments has been observed on the site. If present at the site, the La Nacion fault segment is confined to the Oligocene

age Otay Formation (approximately 23 to 34 million years old) that underlies the Quaternary Terrace Deposits at the site and will not impact site development. A fault setback for the proposed development is not required (pages 1-3 Supplemental Geotechnical Fault Investigation (Appendix H)).

Considerations important in seismic design include the frequency and duration of motion and the soil conditions underlying the site. The seismic design of structures should be evaluated in accordance with the California Building Code (CBC) guidelines currently adopted by the local agency (page 7 Geotechnical Investigation (Appendix G)).

Surface Ground Rupture

Surface ground rupture associated with ground shaking represents primary or direct seismic hazards to structures. The risk associated with ground rupture hazard is low due to the absence of active faults at the subject site (page 7 Geotechnical Investigation (Appendix G)).

Compliance with the Geotechnical Investigation Report (Appendix G) and the California Building Code will ensure risks will be minimal associated with primary surface ground rupture and ground shaking. The project will have a **less than significant effec**t, directly or indirectly.

ii) **Less than significant impact.** See Section VII a) i) above.

iii) **No impact.** Seismic disturbances, when compounded with liquefaction, can be very destructive. Liquefaction is when strong earthquake shaking causes sediment layers saturated with groundwater to lose strength and behave as a fluid. This sub-surface process can lead to near-surface or surface ground failure resulting in property damage and structural failure. If surface ground failure does occur, it is usually expressed as lateral spreading, flow failures, ground oscillation, and/or general loss of bearing strength. Sand boils (injections of fluidized sediment) can commonly accompany these different types of failure.

As noted in Section VII a) i) above, there are no known active faults in the project site area. A review of Figure 9-7 – Geologic Hazards of the General Plan (page E-55) indicates that the property is not within a liquefaction area. As well, per the Geotechnical Investigation Report (Appendix G) (page 8), due to the lack of a permanent, near-surface groundwater table and the dense nature of the underlying geologic units on the property, the liquefaction potential is low.

Given the Geotechnical Investigation (Appendix G) findings, implementing existing state and local laws and regulations concerning soil liquefaction and ground failure will ensure the Project will have **no impact** related to liquefaction and ground failure directly, indirectly, or cumulatively**.**

iv) **Less than significant.** A review of Figure 9-7 – Geologic Hazards of the General Plan (page E-55) found that the project site was not in a landslide hazard area or an area of steep slopes. However, steep slopes are present, and the project will include a Verdura plantable retaining wall from the project pad down to Main Street and other nail and retaining walls. All walls will be designed and constructed per the recommendations of the Geotechnical Investigation and the California Building Code.

The Geotechnical Investigation did not observe evidence of previous or incipient slope instability at the site during the study. Published geologic mapping indicates landslides are not present on or immediately adjacent to the site (page 8 Geotechnical Investigation Report (Appendix G)).

A Slope Stability Evaluation was performed for the project site (Appendix D of the Geotechnical Investigation (Appendix G)). The evaluation of the bentonitic claystone exposed near the toe of the natural hillside slope on the east side of the property found that buttressing is needed for this existing off-site slope (page D-3). Essentially the 0.21-acre slope will need to be removed and re-built for stabilization (see attached Figure 3 – Aerial Project Site).

Impacts related to landsliding and slope failure would be **less than significant,** directly, indirectly, or cumulatively through compliance with the Geotechnical Investigation and the California Building Code.

b) **Less than significant**. Project construction would be subject to local and state codes and erosion control and grading requirements. Because construction activities would disturb one or more acres, the project must adhere to the NPDES Construction General Permit provisions. Construction activities subject to this permit include clearing, grading, and other soil disturbances, such as stockpiling and excavating. The NPDES Construction General Permit requires implementing a Storm Water Pollution Prevent Plan (SWPPP), including temporary project construction features (i.e., BMPs) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent.

In addition, grading activities would be required to conform to the most current version of the California Building Code, the City Code, the approved grading plans, and BMP's engineering practices. The project must also comply with San Diego Air Pollution Control District Rules 50 (Visible Emissions), 51 (Nuisance), and 55 (Fugitive Dust), as noted under Section III – Air Quality and on page 9 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D). Compliance with these federal, regional, and local requirements would reduce the potential for both on-site and off-site erosion effects to accepted levels during project construction.

Upon completion of construction activities, ground surfaces would be stabilized by project structures, paving, and landscaping. Therefore, impacts associated with soil erosion and the loss of topsoil would be **less than significant,** directly, indirectly, or cumulatively.

c) **Less than significant**.

Landslides

A landslide is a movement of surface material down a slope. As noted in Section VII a) iv) above, impacts related to landsliding and slope failure would be **less than significant,** directly, indirectly, or cumulatively through compliance with the Geotechnical Investigation and the California Building Code.

Lateral Spreading

Lateral spread refers to landslides that commonly form on gentle slopes with rapid fluid-like flow movement, like water. Per the Geotechnical Investigation (Appendix G), the proposed structures or facilities are expected to withstand predicted ground softening and/or vertical and lateral ground spreading/displacements to an acceptable level of risk. However, due to the height of the mechanically stabilized earth (MSE) walls, some settlement/lateral wall movement will occur. The movement could result in cracking in flatwork and pavement placed within the reinforced and retained zones of the wall. Buildings or other improvements planned near the top of a slope steeper than 3:1 could also experience this type of damage. Therefore, the Geotechnical Investigation lays out recommendations to limit the risk of lateral spreading. Adherence to the recommendations of the Geotechnical Investigation (Appendix G) and the California Building Code will ensure that lateral spreading risks are **less than significant**, directly, indirectly, and cumulatively.

Subsidence

Subsidence is the sinking of the land surface. Evidence of subsidence includes ground cracking and damage to roadways, aqueducts, and structures. Subsidence caused by excessive groundwater pumping is a common occurrence in areas of California where groundwater is pumped for agricultural and municipal wells. Some shrinkage and subsidence are expected during the project grading activities as the pad is prepared for the project. Adherence to the recommendations of the Geotechnical Investigation

(Appendix G) will ensure that the project site meets all City Code requirements, and the effect of subsidence will be **less than significant**, directly, indirectly, and cumulatively.

Liquefaction

Liquefaction is when strong earthquake shaking causes sediment layers saturated with groundwater to lose strength and behave as a fluid. This sub-surface process can lead to near-surface or surface ground failure resulting in property damage and structural failure. If surface ground failure does occur, it is usually expressed as lateral spreading, flow failures, ground oscillation, and/or general loss of bearing strength. Sand boils (injections of fluidized sediment) can commonly accompany these different types of failure.

As noted in Response VII a) iii) above, Figure 9-7 – Geologic Hazards of the General Plan (page E-55) indicates that the property is not within a liquefaction area, and the project will have **no impact** related to liquefaction**.**

Collapsible Soils

Collapsible Soils are low-density, silty to very fine-grained, predominantly granular soils containing minute pores and voids. When saturated, these soils undergo a rearrangement of their grains and a loss of cementation, causing substantial, rapid settlement under even relatively light loads. A rise in the groundwater table or an increase in surface water infiltration, combined with the weight of a building or structure, can cause rapid settlement and consequent cracking of foundations and walls. Collapsible soils generally result from rapid deposition close to the source of the sediment where the materials have not been sufficiently moistened to form a compact soil.

Soils encountered at the site are underlain by Tertiary Otay Formation capped with Terrace Deposits, alluvium, topsoil, slope wash, and undocumented fill. Adherence to the recommendations of the Geotechnical Investigation (Appendix G) will ensure that the project site meets all City Code requirements. The effect of project grading will be **less than significant**, directly, indirectly, and cumulatively.

d) **Less than significant.**

Expansive soils contain certain types of clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semi-arid areas with seasonal soil moisture changes experience a much higher frequency of problems from expansive soils than areas with higher rainfall and more constant soil moisture.

Table 18-1 -B of the Uniform Building Code read as follows:

TABLE 18-1-B – CLASSIFICATION OF EXPANSIVE SOILS	
EXPANSION INDEX	**POTENTIAL EXPANSION**
0 – 20	Very Low
21 – 50	Low
51 – 90	Medium
91 – 130	High
Above 130	Very High

Table 21 - Table 18-1-B of the Uniform Building Code

The California Building Code (CBC) 2016, Volume 2, Chapter 18, Division 1 Section 1803.2 mandates that special foundation design consideration is employed if the soil expansion Index is 20 or greater in accordance with Table 18-1-B. The methodology and scope for a geotechnical investigation are described in UBC Section 1803 and require an assessment of various factors, such as slope stability, soil strength, load-bearing soils' adequacy, compressible or expansive presence of soils, and the liquefaction potential. The required content of the geotechnical report includes recommendations for foundation type and design criteria. These recommendations can include foundation design provisions intended to mitigate

the effects of expansive soils, liquefaction, and differential settlement. In general, mitigation can be accomplished by combining ground modification techniques (i.e., stone columns, reinforcing nails and anchors, deep soil mixing, etc.), selecting an appropriate foundation type and configuration, and using appropriate building/structural foundation systems. Section 1804.5 Excavation, Grading, and Fill require preparing a geotechnical report where a building will be constructed on compacted fill.

The International Building Code (IBC) replaced earlier regional building codes (including the Uniform Building Code) in 2000 and established consistent construction guidelines for the nation. In 2006, the IBC was incorporated into the 2007 California Building Code (CBC) and currently applies to all structures being constructed in California. Therefore, the national model codes are incorporated by reference into the building codes of local municipalities. The CBC includes building design and construction criteria that consider the state's seismic conditions.

The fine-grained clay beds within the Otay Formation may possess a "high" to "very high" expansion potential (expansion index of 91 to greater than 130). Geocon expects topsoil, Terrace Deposits, and sandy portions of the Otay Formation will likely possess a "medium" to "high" expansive potential (Expansion Index of 51 to 130).

By adhering to state and local seismic and structural regulations (i.e., California Seismic Hazards Mapping Act, California Building Code, and Chula Vista Municipal Code), the impacts of expansive soils will be **less than significant** directly, indirectly, or cumulatively.

e) **No impact.** Not applicable as the City of Chula Vista provides sewer to the project area, and the project must connect to the sewer. **No impact**.

f) **Less than significant with mitigation.** The Paleontological Resources Technical Report Nirvana Industrial Buildings and Self Storage Complex City of Chula Vista San Diego County, California, prepared by PaleoServices San Diego Natural History Museum, March 23, 2022, revised February 6, 2023 (Appendix K), found that with the implementation of mitigation measures, project-related impacts to paleontological resources will be reduced to a level that is less than significant with mitigation.

Based on a review of the available project design review grading plans (dated September 22, 2021) and geotechnical design recommendations (Geocon, Inc. 2021 & 2022), it appears that the proposed earthwork will primarily involve grading to create a level building pad located between approximately 183 and 186 feet above sea level (asl). The building pad is proposed to be constructed as a transition pad, with cuts primarily required in the northern portion of the site and fill required in the southern portion. The estimated maximum cut depth outlined in the grading plans is 35 vertical feet, with planned fill depths of 52 vertical feet. The geotechnical report also recommends remedial grading to remove the bentonitic claystone horizons present within the Otay Formation (or Mission Valley Formation) at or near the proposed finished pad grade. Current plans suggest that this remedial grading extends excavation depths ten or more feet below the finished grade. Trenching for subgrade utilities and storm drains is also anticipated to require deeper excavations.

It is anticipated that all undocumented fill, all Holocene-age alluvium, slope wash, topsoil, and the vast majority of the Pleistocene-age old alluvial flood plain deposits present within the project site will be removed during grading. In addition, the underlying older geologic unit (Otay Formation or Mission Valley Formation) will be impacted near the base of excavations and during remedial grading to remove the bentonitic claystone horizons and during trenching for deep utilities.

Figure 21 - Figure 3 of the Paleontological Resources Technical Report - Paleontological Sensitivity Rating

The project site is underlain by geologic units ranging from zero sensitivity (undocumented fill deposits) to low sensitivity (Holocene-age young alluvium, slope wash, and topsoil) to moderate sensitivity (Pleistocene-age old alluvial flood plain deposits) to high sensitivity (the Otay Formation or Mission Valley Formation). Only excavation activities within Pleistocene-age old alluvial flood plain deposits, the Otay Formation, and/or Mission Valley Formation have the potential to impact paleontological resources. It is anticipated that Pleistocene-age old alluvial flood plain deposits during grading across the majority of the project site (see Figure 3), while the underlying older geologic unit (Otay Formation or Mission Valley Formation) will be impacted near the base of excavations during remedial grading to remove the bentonitic claystone horizons, and during trenching for deep utilities. Therefore, these excavation activities have the potential to result in impacts on paleontological resources.

Implementation of a paleontological mitigation program, with monitoring, is recommended for the project where previously undisturbed deposits of the Mission Valley Formation, Otay Formation, and/or Pleistocene-age old alluvial flood plain deposits may be impacted. Implementing the following mitigation measures will reduce any project-related impacts on paleontological resources to a less than significant level (pages 10 -13 Paleontological Resources Technical Report (Appendix K)).

Mitigation:

MM PAL-1:

1. Pre-construction (personnel and repository): Prior to the commencement of construction within the project site or the off-site grading areas, a qualified Project

Paleontologist shall be retained to oversee the mitigation program (a Project Paleontologist is a person with a Ph.D. or M.S. Degree in paleontology or related field, and who has a working knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques). In addition, a regional fossil repository shall be designated to receive any discovered fossils. Because the project is located in San Diego County, the recommended repository is the San Diego Natural History Museum.

2. Pre-construction (meeting): The Project Paleontologist should attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.

3. During construction (monitoring): A paleontological monitor (working under the direction of the Project Paleontologist) should be on-site on a full-time basis during earthwork (for the project site and off-site grading areas) impacting previously undisturbed deposits of high paleontological sensitivity (e.g., Mission Valley Formation and/or Otay Formation) and moderate paleontological sensitivity (e.g., Pleistocene-age old alluvial flood plain deposits) to inspect exposures for unearthed fossils. It is anticipated that these geologic units will be impacted during site grading and other miscellaneous excavations occurring at or below finished grade (e.g., storm drain excavations, trenching for subgrade utilities and foundations, grading of driveways). Monitoring may be reduced or terminated at the discretion of the Project Paleontologist based on the results of initial monitoring.

4. During construction (fossil recovery): If fossils are discovered, the Project Paleontologist (or paleontological monitor) should recover them. In most cases, fossil recovery can be completed in a short period of time. However, some fossil specimens (e.g., a bone bed or a complete large mammal skeleton) may require an extended recovery period. In these instances, the Project Paleontologist (or paleontological monitor) has the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner.

5. Post-construction (treatment): Fossil remains collected during monitoring, and recovery should be cleaned, repaired, sorted, and cataloged as part of the mitigation program.

6. Post-construction (curation): Prepared fossils, along with copies of all pertinent field notes, photos, and maps, should be deposited (as a donation) in the designated fossil repository. Donation of the fossils shall be accompanied by financial support for initial specimen processing and storage.

7. Post-construction (final report): A final summary paleontological mitigation report should be completed that outlines the results of the mitigation program. This report should include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, inventory lists of cataloged fossils, and significance of recovered fossils.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**

VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☒	☐

Comments:

The Chula Vista Nirvana Business Park Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study 821 Main Street, City of Chula Vista, CA, prepared by MD Acoustics LLC, March 21, 2023 (Appendix D), indicates the project will not result in greenhouse gas emissions, either directly or indirectly that may have a significant impact on the environment.

a) Less than significant impact.

Greenhouse Gas Thresholds of Significance

The City has not adopted Greenhouse (GHG) emission thresholds for land development projects. The City of Chula Vista Climate Action Plan does not establish GHG emission thresholds. The SDAPCD is considered the most appropriate agency with special knowledge in the subject area as the City is located within the SDAPCD jurisdiction. However, the SDAPCD has not issued guidance for assessing GHG impacts from land use development projects. In the absence of a threshold of significance for GHG emissions and as has been done with previous projects in the City, the project is evaluated based on the recommendation from the next closest air district, the South Coast AQMD (SCAQMD).

This analysis follows guidance from the South Coast AQMD's Interim CEQA GHG Significance Thresholds (SCAQMD 2008). South Coast AQMD's draft thresholds are a tiered approach; projects may be determined to be less than significant under each tier or require further analysis under subsequent tiers. As identified in the Working Group meeting in September 2010, the five tiers are:

- Tier 1 evaluates whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 determines whether or not the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions.
- Tier 3 consists of screening values, which the lead agency can choose but must be consistent. A project's construction emissions are averaged over 30 years and are added to a project's operational emissions. If a project's emissions are under one of the following screening thresholds, then the project is less than significant:
    - All land-use types: 3,000 MTCO2e per year
    - Based on land use types: residential is 3,500 MTCO2e per year; commercial is 1,400 MTCO2e per year, industrial is 10,000 MTCO2e per year, and mixed-use is 3,000 MTCO2e per year
- Tier 4 has the following options:
    - Option 1: Reduce emissions from business as usual by a certain percentage; this percentage is currently undefined
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures
    - Option 3: The year 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO2e/SP/year for projects and 6.6 MTCO2e/SP/year for plans
    - Option 3, 2035 target: 3.0 MTCO2e/SP/year for projects and 4.1 MTCO2e/SP/year for plans
- Tier 5 involves mitigation offsets to achieve the target significance threshold.

Tier 1 and Tier 2 thresholds are based on planning consistency. This approach, referred to in the CEQA Guidelines as "tiering," allows agencies to rely on programmatic analysis of GHG emissions to determine that subsequent development consistent with the regional plan would result in incremental GHG emissions contribution representing a less than significant contribution to cumulative effects.

Tier 3 significance screening levels from SCAQMD guidance are based on the concept of establishing a 90 percent GHG emission market capture rate. A 90 percent emission capture rate means that 90 percent of total emissions from new development projects would be subject to CEQA analysis and mitigation. The market capture rate of 90 percent was developed to capture a substantial fraction of GHG emissions from new development projects while excluding small projects that will, in the aggregate, contribute a relatively small fraction of the cumulative statewide GHG emissions. This market capture rate approach is based on guidance from the CAPCOA report CEQA & Climate Change, dated January 2008 (CAPCOA 2008). Following the rationale presented in the CAPCOA Guidance, the aggregate emissions from all projects with individual annual emissions equal to or less than the identified screening levels for a 90 percent market capture rate would not impede the achievement of the statewide GHG emissions reduction targets.

Tier 4 and Tier 5 interim thresholds are intended to demonstrate project consistency with the AB 32 goal of achieving 1990 emission levels by 2020 and the SB 32 goal of reducing GHG emissions to 40 percent below 1990 levels by 2030.

Therefore, although this project is an industrial use, it has been initially compared to the SCAQMD draft Tier 3 threshold of 10,000 MTCO2e per year. SCAQMD's Tier 2 thresholds are assessed in compliance with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan to reduce or mitigate GHG emissions. As a land-use development project, the most directly applicable adopted regulatory plan to reduce GHG emissions is the SANDAG's Regional Plan, designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the state's long-term climate goals. This analysis also considers consistency with regulations and requirements adopted by the Scoping Plan and the City's CAP.

Construction Greenhouse Gas Emissions Impact

The greenhouse gas emissions from project construction equipment and worker vehicles are shown in Table 10. The emissions are from all phases of construction. As the City has not established thresholds for construction-related GHG emissions, construction-related emissions are amortized over 30 years in conjunction with the project's operational emissions as recommended by the Association of Environmental Professionals (AEP 2016).[20]

The total construction emissions amortized over 30 years are estimated at 36.63 metric tons of CO2e per year. Annual CalEEMod output calculations are provided in Appendix A of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D).

Table 10: Estimated Annual Construction Greenhouse Gas Emissions

Year		Metric Tons Per Year				
	Bio-CO2	NBio-CO2	Total CO2	CH4	N20	CO2e (MT)
2023	0.00	380.00	380.00	0.02	0.01	384.00
2024	0.00	570.00	570.00	0.03	0.03	579.00
2025	0.00	134.00	134.00	0.01	0.01	136.00
Total	0.00	1,084.00	1,084.00	0.06	0.05	1,099.00
					Annualized Construction Emissions[3]	**36.63**

Notes:
[1.] Source: CalEEMod output (Appendix A of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D))
[1.] $MTCO_2e$=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, and nitrous oxide).
[2.] The emissions are averaged over 30 years per recommendations by AEP (2016).

[20] https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf.

Table 22 - Table 10 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Estimated Annual Construction Greenhouse Gas Emissions

Operational Greenhouse Gas Impact

Operational emissions occur over the life of the project. Table 11 shows that the total for the project's emissions (baseline emissions without credit for any reductions from sustainable design and/or regulatory requirements) would be 8,573.93 metric tons of CO2e per year.

Table 11: Opening Year Project-Related Greenhouse Gas Emissions

	Greenhouse Gas Emissions (Metric Tons/Year)[1]						
Category	**Bio-CO2**	**NonBio-CO_2**	**CO_2**	**CH_4**	**N_2O**	**R**	**CO_2e**
Area Sources[2]	0.00	4.37	4.37	0.00	0.00	0.00	4.50
Energy Usage[3]	0.00	648.00	648.00	0.04	0.00	0.00	650.00
Mobile Sources[4]	0.00	5,998.00	5,998.00	0.31	0.80	6.61	6,251.00
Solid Waste[5]	25.10	0.00	25.10	2.51	0.00	0.00	87.80
Water[6]	22.00	127.00	149.00	2.26	0.05	0.00	224.00
Refrigerants	0.00	0.00	0.00	0.00	0.00	1,320.00	1,320.00
Subtotal Emissions	47.10	6,777.37	6,824.47	5.12	0.85	1,326.61	**8,537.30**
						Amortized Construction Emissions	**36.63**
						Total Emissions	**8,573.30**
						Threshold	**10,000**
						Exceeds Threshold?	**No**

Notes:
[1] Source: CalEEMod Version 2022.1
[2] Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.
[3] Energy usage consists of GHG emissions from electricity and natural gas usage.
[4] Mobile sources consist of GHG emissions from vehicles.
[5] Solid waste includes the CO_2 and CH_4 emissions created from the solid waste placed in landfills.
[6] Water includes GHG emissions from electricity used to transport water and process wastewater.
[7] Construction GHG emissions based on a 30-year amortization rate.

Table 23 - Table 11 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Opening Year Project Related Greenhouse Gas Emissions

Therefore, as the project's total emissions (Construction and Operation) would not exceed the SCAQMD draft Tier 3 industrial threshold of 10,000 MT of CO2e per year, impacts are considered **less than significant**.

b) **Less than significant impact.** The project could potentially conflict with an applicable plan, policy, or regulation of an agency adopted to reduce greenhouse gas emissions. The project's GHG impacts are evaluated by assessing the project's consistency with applicable statewide, regional, and local GHG reduction plans and strategies.

The Office of Planning and Research (OPR) encourages lead agencies to use programmatic mitigation plans and tier programs when performing individual project analyses. The City has adopted the City of Chula Vista CAP, which encourages and requires applicable projects to implement energy efficiency measures. In addition, the California Climate Action Report (CAT) Report provides recommendations for specific emission reduction strategies for reducing GHG emissions and reaching the targets established in AB 32 and Executive Order S-3-05. The 2008 Climate Change Scoping Plan provides measures to achieve AB 32 targets statewide. On a regional level, the San Diego Association of Governments' (SANDAG) Regional Plan contains measures to achieve Vehicle Miles Traveled (VMT) reductions required under SB 375. Thus, if the project complies with these plans, policies, regulations, and requirements, it will have a **less than significant impact** because it would be consistent with the overarching state, regional, and local plans for GHG reduction.

A consistency analysis is provided below and describes the project's compliance with or exceedance of performance-based standards included in the regulations outlined in the applicable portions of the City of Chula Vista CAP, 2008 and 2017 Climate Change Scoping Plan, and SANDAG's Regional Plan.

City of Chula Vista CAP Consistency Analysis

The City's updated CAP focused on promoting energy- and water-efficient buildings, smart growth, clean transit, zero-waste policies, and increased local energy generation and water resources. Table 12 summarizes reduction strategies from the CAP and evaluates project consistency with each strategy. As shown in Table 12, as many of the CAP reduction strategies would be implemented directly by the City, they do not apply to individual development projects. The project would be consistent with all applicable CAP reduction strategies; therefore, the project **would not conflict with the CAP**.

Table 12: Project Consistency with the City of Chula Vista Climate Action Plan

Category	Reduction Strategy	Project Consistency
Water Conservation & Reuse		
Water Education and Enforcement	Expand education and enforcement targeting landscape water waste.	**Not applicable.** The project would not impede the City's efforts to expand education or enforcement targeting landscaping water waste.
Water Efficiency Upgrades	Update the City's Landscape Water Conservation Ordinance to promote more water-wise landscaping designs.	**Not applicable.** The project would not impede efforts to update the City's Landscape Water Conservation Ordinance.
	Require water-saving retrofits in existing buildings at a specific point in time.	**Not applicable.** The project does not include the re-use of existing buildings and would not impede efforts to require water-saving retrofits in existing buildings.
Water Reuse Plan & System Installations	Develop a Water Reuse Master Plan to maximize the use of stormwater, graywater, and onsite water reclamation.	**Not applicable.** The project would not impede the City's efforts to develop a Water Reuse Master Plan.
	Streamline complex graywater system's permit review.	**Not applicable.** The project would not impede the City's efforts to streamline permit reviews for graywater systems.
Waste Reduction		
Zero Waste Plan	Develop a Zero Waste Plan to supplement statewide green waste, recycling, and plastic bag ban efforts.	**Not applicable.** The project would not impede the City's efforts to develop a Zero Waste Plan.
Renewable & Energy Efficient		
Energy Education & Enforcement	Expand education targeting key community segments and facilitating energy performance disclosure.	**Not applicable.** The project would not impede the City's efforts to expand energy education and performance disclosure.
	Leverage the building inspection process to distribute energy-related information and to deter unpermitted, low-performing energy improvements.	**Not applicable.** The project would not impede the City's efforts to distribute energy-related information
Clean Energy Sources	Incorporate Solar Photovoltaic into all new residential and commercial buildings.	**Not applicable.** The project is industrial and would not impede efforts to adopt pre-wiring standards or develop a solar photovoltaic requirement in residential and commercial buildings.
	Provide more grid-delivered clean energy through Community Choice Aggregation or other mechanism.	**Not applicable.** The project would not impede efforts to provide grid-delivered clean energy.
Energy Efficiency Upgrades	Expand the City's "cool roof" standards to include re-roofs and western areas.	**Not applicable.** The project would not impede efforts to revise the City's "cool roof" standards to include re-roofs and western areas.
	Facilitate more energy upgrades in the community through incentives, permit streamlining and education.	**Not applicable.** The project would not impede efforts to facilitate energy upgrades in the community.
	Require energy-savings retrofits in existing buildings at a specific point in time.	**Not applicable.** The project would not impede efforts to require energy savings retrofits in existing buildings.

Table 12: Project Consistency with the City of Chula Vista Climate Action Plan		
Category	**Reduction Strategy**	**Project Consistency**
Robust Urban Forests	Plant more shade trees to save energy, address heat island issues, and improve air quality.	**Consistent.** The project will be required to plant shade trees within the parking lot, along the project perimeter, etc., as per specifications identified within the City's Municipal Code for industrial uses.
Smart Growth & Transportation		
Complete Streets & Neighborhoods	Incorporate "Complete Streets" principles into municipal capital projects and plans.	**Not applicable.** The project would not impede efforts to improve municipal capital projects and plans.
	Encourage higher density and mixed-use development in Smart Growth areas, especially around trolley stations and other transit nodes.	**Not applicable.** The project would not impede efforts to construct additional high-density and mixed-use development in Smart Growth areas.
Transportation Demand Management	Utilize bike facilities, transit access/passes and other Transportation Demand Management and congestion management offerings.	**Consistent.** The project would not impede efforts to develop Transportation Demand Management and congestion management offerings. Furthermore, the project site is close to existing transit stops, with stops as close as approximately 1 mile west of the project site. The project will provide 15 lockers for bicycle storage on-site.
	Expand bike-sharing, car-sharing, and other "last mile" transportation options.	**Consistent.** The project would not impede efforts to develop Transportation Demand Management and congestion management offerings. Furthermore, the project site is close to existing transit stops, with stops as close as approximately 1 mile west of the project site, and would have 15 bicycle parking stalls on-site.
Alternative Fuel Vehicle Readiness	Support the installation of more local alternative fueling stations.	**Consistent.** The project would not impede efforts to install more local alternative fueling stations.
	Designate preferred parking for alternative fuel vehicles.	**Consistent.** The project will designate 8 percent of parking to clean air vehicles and 6 percent to electric vehicle charging. The project would be designed to comply with minimum 2019 CalGreen requirements for the provision of electric vehicle charging equipment.
	Design all new residential and commercial buildings to be "Electric Vehicle Ready."	**Consistent.** The project is not a residential or commercial use; however, it would be designed to comply with 2019 CalGreen requirements for electric vehicle charging equipment.
Notes: [1] Source: Chula Vista Climate Action Plan, September 2017.		

Table 24 - Table 12 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Project Consistency with the City of Chula Vista Climate Action Plan

Consistency with SANDAG's San Diego Forward: The Regional Plan

Regarding consistency with SANDAG's Regional Plan, the project would include site design elements and Project Design Features (PDFs) developed to support the policy objectives of the RTP and SB 375.

Table 13 illustrates the project's consistency with all applicable goals and policies of the Regional Plan (SANDAG 2021).

Table 13: Project Consistency with San Diego Forward: The Regional Plan[1]		
Category	**Policy Objective or Strategy**	**Consistency Analysis**
The Regional Plan - Policy Objectives		
Mobility Choices	Provide safe, secure, healthy, affordable, and convenient travel choices between the places where people live, work and play.	**Consistent.** The project is located near MTS bus route 703/704 and Interstate 805.
Mobility Choices	Take advantage of new technologies to make the transportation system more efficient and environmentally friendly.	**Consistent.** The project would not impair SANDAG's ability to employ new technologies to make travel more reliable and convenient.
Habitat and Open Space Preservation	Focus growth in areas that are already urbanized, allowing the region to set aside and restore more open space in our less developed areas.	**Consistent.** The project is surrounded by existing industrial development and would be located close to major urban centers. Furthermore, the project would also be a source of employment.
Habitat and Open Space Preservation	Protect and restore our region's urban canyons, coastlines, beaches, and water resources.	**Consistent.** The project would not impair the ability of SANDAG to protect and restore urban canyons, coastlines, beaches, and water resources. Furthermore, the project is located in an already developed area. The project is providing habitat mitigation and restoration of open space areas.
Regional Economic Prosperity	Invest in transportation projects that provide access for all communities to a variety of jobs with competitive wages.	**Not Applicable.** The project would not impair the ability of SANDAG to invest in transportation projects available to all members of the Community.
Regional Economic Prosperity	Build infrastructure that makes the movement of freight in our community more efficient and environmentally friendly.	**Consistent.** The project proposes the development of the site with industrial and self-storage buildings close to other industrial uses and near Interstate 805.
Partnerships/Collaboration	Collaborate with Native American tribes, Mexico, military bases, neighboring counties, infrastructure providers, the private sector, and local communities to design a transportation system that connects to the mega-region and national network, works for everyone, and fosters a high quality of life for all.	**Consistent.** The project would not impair the ability of SANDAG to provide transportation choices to better connect the San Diego region with Mexico, neighboring counties, and tribal nations. As well, under AB 52 collaboration with Native American tribes did occur.
Partnerships/Collaboration	As we plan for our region, recognize the vital economic, environmental, cultural, and community linkages between the San Diego region and Baja California.	**Not Applicable.** The project would not impair the ability of SANDAG to provide transportation choices to connect the San Diego region with Mexico better.
Healthy and Complete Communities	Create great places for everyone to live, work, and play.	**Consistent.** The project is an industrial project with a current land use designation of Limited Industrial (IL), according to the City of Chula Vista General Plan Land Use Diagram. The project is near MTS bus route 703/704 and Interstate 805 and is surrounded by existing industrial uses.
Healthy and Complete Communities	Connect communities through a variety of transportation choices that promote healthy lifestyles, including walking and biking.	**Consistent.** The project is an industrial and self-storage project located near MTS bus route 703/704 and Interstate 805. Existing industrial uses also surround the project site.
Environmental Stewardship	Make transportation investments that result in cleaner air, environmental protection, conservation, efficiency, and sustainable living.	**Consistent.** The project is an industrial and self-storage project located near MTS bus route 703/704 and Interstate 805.
Environmental Stewardship	Support energy programs that promote sustainability.	**Consistent.** The project would comply with the current building standards.
Sustainable Communities Strategy - Strategies		

Table 13: Project Consistency with San Diego Forward: The Regional Plan[1]		
Category	**Policy Objective or Strategy**	**Consistency Analysis**
Strategy Number 1	Focus housing and job growth in urbanized areas where there is existing and planned transportation infrastructure, including transit.	**Consistent.** The project would be located close to major urban centers as it is situated near MTS bus route 703/704 and Interstate 805 and is surrounded by existing industrial development. Furthermore, the project would also be a source of employment.
Strategy Number 2	Protect the environment and help ensure the success of smart growth land-use policies by preserving sensitive habitat, open space, cultural resources, and farmland.	**Consistent.** The project would be located close to major urban centers as it is situated near MTS bus route 703/704 and Interstate 805 and is surrounded by existing industrial development.
Strategy Number 3	Invest in a transportation network that gives people transportation choices and reduces greenhouse gas emissions.	**Consistent.** The project is an industrial and self-storage project located near MTS bus route 703/704 and Interstate 805.
Strategy Number 4	Address the housing needs of all economic segments of the population.	**Not Applicable.** The project would not impair the ability of SANDAG to address the housing needs of all economic segments of the population.
Strategy Number 5	Implement the Regional Plan through incentives and collaboration.	**Not Applicable.** The project would not impair the ability of SANDAG to implement the Regional Transportation Plan through incentives and collaborations.
Notes: MTS = San Diego Metropolitan Transit System; SANDAG = San Diego Association of Governments. [1] Source: SANDAG, 2021.		

Table 25 - Table 13 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Project Consistency with the San Diego Forward: The Regional Plan

As shown in Table 13, the project is consistent with all applicable Regional Plan Policy Objectives or Strategies. Impacts would be **less than significant**.

CARB Scoping Plan Consistency

The California Air Resources Board (CARB) approved a Climate Change Scoping Plan in December 2008. The Scoping Plan outlines the State's strategy to achieve the 2020 greenhouse gas emissions limit. The Scoping Plan "proposes a comprehensive set of actions designed to reduce overall greenhouse gas emissions in California. The plan will improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health" (California Air Resources Board, 2008). The measures in the Scoping Plan have been in place since 2012.

This Scoping Plan calls for an "ambitious but achievable" reduction in California's greenhouse gas emissions, cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 10 percent from today's levels. On a per-capita basis, which means reducing annual emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020.

In May 2014, CARB released its First Update to the Climate Change Scoping Plan (CARB 2014). The Update identifies the next steps for California's leadership on climate change. While California continues on its path to meet the near-term 2020 greenhouse gas limit, it must also set a clear path toward long-term, deep GHG emission reductions. The report highlights California's success in reducing its GHG emissions and lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.

In November 2017, CARB released the 2017 Scoping Plan. The Scoping Plan incorporates, coordinates, and leverages many existing and ongoing efforts and identifies new policies and actions to accomplish the State's climate goals, and includes a description of a suite of specific actions to meet the State's 2030

GHG limit. In addition, Chapter 4 provides a broader description of the many actions and proposals being explored across the sectors, including the natural resources sector, to achieve the State's mid and long-term climate goals.

Guided by legislative direction, the actions identified in the 2017 Scoping Plan reduce overall GHG emissions in California and deliver policy signals that will continue to drive investment and certainty in a low-carbon economy. The 2017 Scoping Plan builds upon the successful framework established by the Initial Scoping Plan and First Update while identifying new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The Plan includes policies requiring direct GHG reductions at some of the State's largest stationary and mobile sources. These policies include lower GHG fuels, efficiency regulations, and the Cap-and-Trade Program, constraining and reducing emissions at covered sources.

As the latest 2017 Scoping Plan builds upon previous versions, project consistency with applicable strategies of the 2008 and 2017 Plans are assessed in Table 14. As shown in Table 14, the project is consistent with the applicable strategies, resulting in a **less than significant impact**.

Table 14: Project Consistency with CARB Scoping Plan Policies and Measures[1]

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
California Light-Duty Vehicle Greenhouse Gas Standards – Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Energy Efficiency – Maximize energy efficiency building and appliance standards; pursue additional efficiency, including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	**Consistent.** The project will be compliant with the current Title 24 standards.
Low Carbon Fuel Standard – Develop and adopt the Low Carbon Fuel Standard.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Vehicle Efficiency Measures – Implement light-duty vehicle efficiency measures.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Medium/Heavy-Duty Vehicles – Adopt medium and heavy-duty vehicle efficiency measures.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Green Building Strategy – Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	**Consistent.** The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards that are mandatory in the 2019 edition of the Code on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The project will be subject to these mandatory standards.
High Global Warming Potential Gases – Adopt measures to reduce high global warming potential gases.	**Consistent.** CARB identified five measures that reduce HFC emissions from vehicular and commercial refrigeration systems; vehicles that access the project are required to comply with the measures that will comply with the strategy.
Recycling and Waste – Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	**Consistent.** The state is currently developing a regulation to reduce methane emissions from municipal solid waste landfills. The project will be required to comply with City programs, such as any City recycling and waste reduction programs, which comply with the 75 percent reduction required by 2020 per AB 341.

Table 14: Project Consistency with CARB Scoping Plan Policies and Measures[1]	
2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	**Project Compliance with Measure**
Water – Continue efficiency programs and use cleaner energy sources to move and treat water.	**Consistent.** The project will comply with all applicable City ordinances and CAL Green requirements.
2017 Scoping Plan Recommended Actions to Reduce Greenhouse Gas Emissions	**Project Compliance with Recommended Action**
Implement Mobile Source Strategy: Further, increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Car regulations.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Implement Mobile Source Strategy: At least 1.5 million zero-emission and plug-in hybrid light-duty electric vehicles by 2025 and at least 4.2 million zero-emission and plug-in hybrid light-duty electric vehicles by 2030.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Implement Mobile Source Strategy: Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero-emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOX standard.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Implement Mobile Source Strategy: Last-Mile Delivery: New regulation that would result in the use of low NOX or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last-mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.	**Consistent.** These are CARB-enforced standards; vehicles that access the project are required to comply with the standards, and the project will comply with the strategy.
Implement SB 350 by 2030: Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.	**Consistent.** The project will be compliant with the current Title 24 standards.
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	**Consistent.** The project will be required to comply with City programs, such as any City recycling and waste reduction programs, which comply with the 75 percent reduction required by 2020 per AB 341.
Notes: [1] Source: CARB Scoping Plan (2008 and 2017)	

Table 26 - Table 14 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study - Consistency with CARB Scoping Plan Policies and Measures

Therefore, the project will not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce greenhouse gas emissions. Impacts are considered to be **less than significant.**

Mitigation: No mitigation measures are required.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Comments:

a) Less than significant with mitigation.

Construction

Various hazardous substances and wastes would be transported, stored, used, and generated during construction. These would include fuels for machinery and vehicles, new and used motor oils, and storage containers and applicators containing such materials. The handling of hazardous materials would be a temporary activity and coincide with the short-term construction phase of the project. Only the amounts of hazardous materials needed are expected to be kept on-site, and any handling of such materials will be limited in both quantities and concentrations. Accident prevention and containment are the responsibility of the construction contractors, and provisions to properly manage hazardous substances and wastes are typically included in construction specifications. Hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or surface water. A totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid debris, petroleum products, and other potentially hazardous materials, shall be removed to a waste facility permitted to treat, store, or dispose of such materials.

The County of San Diego Vector Control Program (VCP) is responsible for protecting public health through the surveillance and control of mosquitoes that are vectors for human diseases, including the West Nile virus. The VCP requires the project to be constructed in a manner to minimize possible mosquito breeding sources. Mitigation measure **MM HAZ-1** has been applied to ensure the construction process does not create breeding sources for mosquitos, a hazard to humans.

Construction contractors would be required to comply with all applicable federal, state, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to requirements imposed by the Environmental Protection Agency (EPA), California Department of Toxic Substances Control (DTSC), San Diego County Air Pollution Control District (APCD), San Diego County Department of Environmental Health, and San Diego Regional Water Quality Control Board (RWQCB). With mandatory compliance with applicable hazardous materials regulations, the project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. In addition, the implementation of the SWQMP, which contains construction BMPs for handling hazardous materials, such as requiring stockpiles and other sources of pollutants to be covered when there is a chance of rain. With the implementation of applicable health and safety laws and the BMPs of the SWQMP, impacts related to hazardous materials during construction would be **less than significant with mitigation,** directly, indirectly, and cumulatively.

Operation

The three buildings' future occupants (s) are not yet identified. However, the project is designed to house warehouse distribution occupants, and hazardous materials could be transported and used during daily operations. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Any business that occupies a building on the project site and handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a Chula Vista Fire Department permit to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law. This law requires immediate reporting to the Hazardous Materials Division of the County of San Diego's Environmental Health and Quality Department and the State Office of Emergency Services regarding any release or threatened release of hazardous material, regardless of the amount handled by the business. The plan must include pre-emergency planning of emergency response procedures, notifications, coordination of affected government agencies and responsible parties, training, and follow-up.

In addition, any business handling at any one time greater than 500 pounds of solid, 55 gallons of liquid, or 200 cubic feet of gaseous hazardous material, is required, under Assembly Bill 2185 (AB 2185), to file a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of hazardous material. The HMBEP intends to satisfy federal and state Community Right-To-Know laws and provide detailed information for use by emergency responders.

If businesses that use or store hazardous materials occupy the project, the business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances (as described above).

All tenants will prepare and submit an acceptable Business Plan and Risk Management Prevention Program to the County Department of Environmental Health, as applicable, and obtain all other necessary licenses and permits.

The project also includes a self-storage facility. Typically, self-storage facilities prohibit tenants from storing such items as:

- Gasoline, oil, fuel, grease, or flammable chemicals.
- Explosives, fireworks, or ammunition.
- Corrosive, toxic, or hazardous materials or waste.
- Asbestos or asbestos-containing construction materials.
- Construction debris, tires, oil, or batteries, whether new or used.
- Prohibited weapons under State Statutes.

- Items are illegal for self-storage under any law.
- Store guns, ammunition, weapons, and/or illegal drugs.
- Store or abandon hazardous materials, including, without limitation, substances that are toxic, reactive, volatile

In addition to the above, the proposed land uses will also have the typical use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. The project's operation would be required to comply with relevant federal, state, and local health and safety laws intended to minimize the health risk to the public associated with hazardous materials. In addition, the project would implement the Priority Development Project Storm Water Quality Management Plan (PDP SWQMP), which includes structural BMPs that ensure compliance with pollutant control requirements. With mandatory regulatory compliance, potentially hazardous materials impacts associated with the long-term operation of the project are determined to **be less than significant**, directly, indirectly, and cumulatively.

b) **Less than significant.** Accidents involving hazardous materials would not be significant to the public or the environment when handled as required and discussed under Section IX a) above.

Construction

The transport, use, and handling of hazardous materials on the project site during construction will be handled according to all regulations to ensure the risk is **less than significant**, directly, indirectly, or cumulatively.

Operation

Upon buildout, the project site would operate as a warehouse distribution center and self-storage facility. Based on the operational characteristics of warehouse distribution centers and self-storage facilities, hazardous materials could be used during a future occupant's daily operations. However, as discussed above under Section IX a) above, the project Applicant would be required to comply with all applicable local, state, and federal regulations related to the transport, handling, and usage of hazardous materials. Accordingly, impacts associated with the accidental release of hazardous materials would be **less than significant** during the long-term operation of the project, directly, indirectly, and cumulatively.

c) **No impact.** No schools are within 0.25 miles of the project site (City of Chula Vista CVMapper, accessed February 2, 2023). Therefore, if the project emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste in accordance with all rules and regulations, it will have **no impact** on a school or proposed school within one-quarter mile of the project.

d) **Less than significant with mitigation.** The Phase I Environmental Site Assessment Assessor's Parcel Numbers 644-050-13 and -14 and the Western Portion of 644-050-08 821 Main Street, Chula Vista, California 91911, prepared by SCS Engineers, September 23, 2021 (Appendix L), included a search of regulatory databases, including the California EPA's Regulated Site Portal, the San Diego RWQCB's Geotracker database, and Department of Toxic Substance Control's (DTSC's) EnviroStor database (EDR). In addition, the Phase II Environmental Site Assessment Assessor's Parcel Numbers 644-050-13 and -14 and the Western Portion of 644-050-08 821 Main Street, Chula Vista, California 91911, prepared by SCS Engineers, December 7, 2021 (Appendix M), provides laboratory results of soil sampling supporting the Phase I ESA. The project site is not included on any hazardous materials list compiled pursuant to Government Code Section 65962.5.

During SCS's site reconnaissance, it was noted that the central portion of the northern adjacent property at 800 to 880 Energy Way, identified as LKQ Pick Your Part (LKQ) that, serves as an automobile maintenance/storage yard (former wrecking yard), was interpreted to drain into the central drainage system that transects the site. Based on observations made from the northern property line on the site, what appeared to be minor surficial staining (interpreted to be from automotive lubricants) was observed

in the north adjacent LKQ maintenance/storage yard, and no obvious indications of staining or odors were observed in the accessible drainage channels areas on site.

A review of the Department of Environmental Health (DEH) records for the north adjacent properties is described in the "Additional SCS Research" section of the Phase I ESA (Appendix L) and indicates minor violations and spills. These spills include the DEH reportedly observing minor spills of oil or transmission fluid to the ground surface and concrete wash water disposed of to the storm drain. The spills and disposals were considered minor, and corrective action was requested to clean the spills and maintain the waste in the designated containers. Due to their minor nature, unauthorized release cases were not opened by the DEH at that time. However, SCS could not fully assess whether releases of hazardous materials have occurred to the ground surface from possible off-site disposals in connection with the full storm drain system that flows through the site based on the available information. The types and amounts of hazardous materials/wastes used at the adjacent facilities that are connected to the site through the storm drain system are considered to represent an environmental concern to the site - soil sampling would be required to assess whether they have resulted in a recognized environmental condition at the site (pages 8 -9 Phase I ESA (Appendix L)).

SCS conducted soil sampling on July 13, 2021. The results are found in the Phase II ESA provided in Appendix M. A total of three surface soil samples were collected – with one sample (SB1) collected from the bottom of the slope of the western drainage channel and two samples collected from the central larger drainage channel (sample SB2 from the top of slope and SB3 from the bottom of the slope). Each of the soil samples was analyzed for Total Petroleum Hydrocarbons (TPH) (EPA Method 8015B) and Volatile Organic Compounds (VOCs) (EPA 8260B).

Overall, the laboratory results show relatively low concentrations of total petroleum hydrocarbons in samples SB1 and SB2. VOC results were non-detect in all samples, and Title 22 metals concentrations are within naturally occurring background concentrations on average.

The maximum TPHd concentration reported was 128 mg/kg, and the maximum TPHo concentration reported was 352 mg/kg, both reported in sample SB7-0.5. Therefore, based on the collected samples and the reported concentrations of TPH, there is no health risk to the site's future commercial/industrial occupants. However, the reported detections of TPH exceed applicable waste-based screening criteria. If soil with detectable concentrations of chemical constituents such as TPH is exported from the site, it must be disposed of as a regulated waste, likely as a non-hazardous regulated waste. The Phase II ESA was submitted to the County of San Diego Department of Environmental Health (DEH), which was granted project oversight on April 25, 2022. DEH will not issue a concurrence letter granting site closure until a Property Closure Report is submitted, which cannot be submitted until after grading has occurred. Prior to grading permit issuance and a Limited Soil Management Plan/Community Health and Safety Plan (CHSP) will be required, see **MM HAZ -2**. In addition, **MM HAZ-3** through **MM HAZ-7** shall also be required.

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. With the inclusion of a mitigation measure concerning the export of soil from the site, the project's impacts would be **less than significant with mitigation**, directly, indirectly, and cumulatively.

e) **No impact.** The project is in Area 2 of the Brown Field Municipal Airport Land Use Compatibility Plan (ALUCP). It is not within the noise contours of the ALUCP. The project will include graded pads ranging in height from 184.25 to 187.5 average mean sea level (amsl), with the tallest building at 45.5 feet. The project will have **no impact** on an airport land use plan, nor would the project result in a safety hazard or excessive noise for people residing or working in the project area

f) **No impact.** The City of Chula Vista does not have an adopted emergency response plan or emergency evacuation plan. However, the City of Chula Vista Fire Department has the following scenarios that require disaster preparedness: wildfire, earthquakes, flood, terrorism, and tsunami. The only scenario with

an evacuation route map is the tsunami scenario. The evacuation routes are along the coast and direct evacuees inland. According to the tsunami evacuation map, a tsunami would not affect the project site.

Project access will be provided through an easement from a driveway off Nirvana Avenue. The road is an existing street within the City's established street system. The project will not significantly alter the road or the current circulation pattern in the area.

Construction activities may temporarily restrict vehicular traffic. However, even temporary changes to the existing roadway network require the approval of the City and notification to all emergency responders.

The project provides adequate emergency vehicle access, including street widths and vertical clearance. Implementing federal, state, and local laws and regulations in the project's construction would result in **no impact,** directly, indirectly, or cumulatively, on adopted emergency response or evacuation plans.

g) **Less than significant.** Figure 9-9 – Wildland Fire Hazards Map of the General Plan (page E-61) indicates that the property is not in an area of High or Very High Wildland Fire Hazard. However, the CalFire Fire Hazard Severity Zone Viewer demonstrates that the western portion of the property is in the Very High Fire Severity Zone of local responsibility. As designed, the project will have the required defensible space needed in a Very High Fire Severity Zone. Therefore, the project will have a **less than significant** impact directly, indirectly, and cumulatively on the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires.

Mitigation:

MM HAZ-1: The following notes shall be added to all construction drawings ensuring that the contractors are aware not to create construction-related depressions created by grading activities and vehicle tires resulting in depressions that will hold standing water. In addition, the contractors shall ensure that drainage areas and other structures do not create a potential mosquito breeding source (any area capable of accumulating and holding at least ½ inch of water for more than 96 hours can support mosquito breeding and development).

Vector Control Notes:

1. The contractor shall ensure construction-related depressions created by grading activities and vehicle tires do not result in depression that will hold standing water.

2. The contractor shall ensure that drainage areas and other drainage structures do not create a potential mosquito breeding source. Any area capable of accumulating and holding at least ½ inch of water for more than 96 hours can support mosquito breeding and development.

MM HAZ-2: Prior to grading permit issuance, the Permittee/Owner shall have the soils engineer prepare a Limited Soil Management Plan/Community Health and Safety Plan (CHSP) for submittal and approval by the Department of Environmental Healthto include, at a minimum, the following elements:

- Summary/map/tables of previous results
- A stipulation that any soil export from construction/grading needs to be tested and characterized for proper disposal
- A section on how to handle currently unknown discoveries
- A brief CHSP section, including the stipulation that public notices be posted on the construction project fencing prior to the start of grading

MM HAZ-3: Due to the previous detections of total petroleum hydrocarbons (TPH) and polynuclear aromatic hydrocarbons (PAHs) and metals at the site, the grading plans shall include a note indicating that in the event that soil is to be transported off the site, the soil proposed for export is to be tested for the identified constituents of concern (CoCs) for the site including TPH, PAHs, and Title 22 metals so the soil can be characterized for proper disposal. The Building Department will ensure the note is on the plans prior to grading permit issuance.

If soils are to be exported, the soils engineer will evaluate the soil sample analytical data for the soil proposed for export and assist in the proper characterization, transport, and disposal of the soil to be exported. The receiving facility may require additional laboratory analysis beyond what is described above. Any regulated waste exported from the site shall be disposed of at a properly licensed facility. Completed signed waste manifests shall be provided for each truckload exported to document proper disposal.

MM HAZ-4: The grading plans shall include the following information on what to do in the event of an "Unexpected Discovery of Releases During Construction." The Building Department will ensure the note is on the plans prior to grading permit issuance.

If previously unidentified constituents of concern (CoC)-impacted soil are observed during grading operations through the obvious indications of staining and/or odors, the Permittee/Owner and general contractor shall contact SCS Engineers to assess the soils further. The soils will be segregated from non-impacted soil by field screening with a photoionization detector (PID) and/or x-ray fluorescence (XRF) meter, visual and olfactory observations, and ultimately by confirmation sampling. The existing data from previous assessments will assist in identifying the initial areas and depths to excavate CoC-bearing soil.

If the results of the prior soil samples and confirmation sampling indicate the CoC-impacted soil has been removed or is demonstrated to be below the human health-risk-based screening levels for commercial/industrial users, then the remaining soil in that area will be considered non-impacted. If the confirmation sampling indicates CoC-impacted soil is still present, then additional rounds of excavation and confirmation sampling will be conducted until all the CoC-impacted soil has been removed. Excavation of non-impacted soil will continue to be monitored in case isolated pockets of CoCs not previously identified are present.

Additional assessment and confirmation samples will be collected and analyzed to evaluate the significance of any discovered releases and the need to mitigate the condition beyond the actions described in the Soil Management Plan (SMP) and Community Health and Safety Plan (CHSP). Should conditions be encountered that vary significantly from those described or that cannot be addressed by the mitigation criteria proposed herein, the DEH will be contacted and consulted regarding assessment and/or mitigation.

MM HAZ-5: Prior to grading permit issuance, the Permittee/Owner shall post notices around the site perimeter in accordance with the requirements of the DEH Site Assessment and Mitigation Manual, notifying the public of health and safety issues associated with the excavation. City Inspectors will ensure the notices are posted during inspections.

MM HAZ-6: The Grading Contractor shall be responsible for fugitive dust monitoring during grading operations.

Fugitive dust control methods must be followed to limit potential exposure to adjacent properties. It will be the responsibility of the grading contractor to conduct excavation and grading activities in accordance with Rule 55, Fugitive Dust Control, which was promulgated by the County of San Diego Air Pollution Control District (APCD) and dated December 24, 2009.

The following dust control methods should be implemented during excavation and grading activities:

- Dust emissions will be controlled by spraying with water to reduce dust emissions as excavation, grading, stockpiling, and loading activities are conducted.
- If visual observations indicate dust emission into the atmosphere beyond the property line, dust suppression efforts will be increased. If visual observations indicate dust emission into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period, excavation activities will be stopped until further dust suppression measures can be implemented.
- If stockpiles are left overnight, the grading contractor must spray them with a soil binding agent such as M-Binder to further reduce dust emissions or cover stockpiles with plastic sheeting.
- Use of track-out grates or gravel beds at each egress point, wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks: using secured tarps or cargo covering, watering, or treating of transported material.
- If necessary, a street sweeper certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements will be used to remove any track-out/carry-out dust in the roadway.

Non-compliance will be noted by complaints to the City and/or San Diego APCD, and the Grading Contractor will be notified to correct it immediately.

MM HAZ-7: Upon completion of grading, the Permittee/Owner will have the soils engineer prepare a Property Closure Report (PCR) for DEH approval based on the findings of the above scope of services. The PCR will cover the various areas investigated at the site, including field observations, as well as any soil sampling, excavation, field screening, sampling activities, soil waste characterization, and soil reuse activities (if any). Unanticipated discovery of hazardous substances during mass excavation will also be reported, if encountered, and mitigated prior to the completion of the PCR. The PCR will include any laboratory reports, chain-of-custody records, soil sample locations, tabulated analytical results, any waste manifests, and appropriate support documentation. The PCR will be peer-reviewed and signed by appropriately licensed professionals. The work conducted at the site will be overseen by a professional geologist as required by the state.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge	☐	☐	☒	☐

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
such that the project may impede sustainable groundwater management of the basin?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Comments:

The analysis for this Section, Section X, is based upon the information found in the Preliminary Drainage Study Project for Nirvana Business Park DR21-0024, prepared by Pasco Laret Suiter & Associates, Inc., May 5, 2022 (Appendix I), and the Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP), Nirvana Business Park, prepared by Pasco Laret Suiter & Associates, Inc., March 14, 2022 (Appendix N).

a) Less than significant impact.

National Pollutant Discharge Elimination System (NPDES)

The project site is located in the San Diego Bay Watershed, comprising three (3) smaller watersheds. The project is situated in the smaller Otay River Watershed that discharges into San Diego Bay. As part of Section 402 of the Clean Water Act, the EPA established regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct stormwater discharges. On May 8, 2013, the California Regional Water Quality Control Board, San Diego Region (RWQCB), adopted an updated National Pollutant Discharge Elimination System (NPDES) Municipal Permit, Order No. R9-2013-0001, as Amended by R9-2015-0001 and R9-2015-0100 (MS4 Permit). In the City of Chula Vista, the San Diego Regional Water Quality Control Board (RWQCB) administers the NPDES permitting program and develops NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, including construction activities.

The two basic types of NPDES permits issued are individual and general permits. An individual permit is a permit specifically tailored to a particular facility. Once a facility submits the appropriate application(s),

the permitting authority develops a permit for that facility based on the information contained in the permit application (e.g., type of activity, nature of discharge, receiving water quality). The authority issues the permit to the facility for a specific time period (not to exceed five years) with a requirement that the facility reapplies before the expiration date.

The General Construction Permit requires construction sites with 1.0 acre or greater soil disturbance or less than 1.0 acre, but part of a greater common plan of development, apply for coverage for discharges under the General Construction Permit. By submitting a Notice of Intent (NOI) for coverage, developing a Stormwater Pollution Prevention Plan (SWPPP), and implementing Best Management Practices (BMPs) to address construction site pollutants, the General Construction permit requirements are met. Since the project is greater than one acre, these requirements are in place. The applicant shall abide by all the provisions outlined in the RWQCB NPDES general permit for construction activities.

Jurisdictional Runoff Program (JRMP)

The City of Chula Vista has prepared the Jurisdictional Runoff Program (JRMP) San Diego Region (pages ES-1 – ES-4) to describe the specific runoff management programs and activities implemented to comply with the requirements of the Municipal Permit. The JRMP includes information and regulations applicable to construction activities and industrial facilities that are applicable to this project.

Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP)

The site slopes steeply to the south from the northern property boundary, forming four (4) drainage basins with four (4) discharge locations to mimic existing conditions. There are two (2) major off-site drainage conveyances through the project site. Existing Drainage Basin A (as shown in Figure 5 – Existing Basin Map) comprises the western portion of the site and includes off-site runoff from the northwest. Off-site runoff is conveyed through a 60" Corrugated Steel Pipe (CSP) storm drain and discharges through a headwall at the site's northwest corner. The existing 100-year peak source flow is 146 cubic feet per second. Flow then travels south through a natural open channel to an existing 6' x 2.5' double Reinforced Concrete Box (RCB) culvert system underneath Main Street. The culvert system discharges south of Main Street and into the Otay River.

Existing Drainage Basin B is located in the center of the site and includes off-site runoff from the north. Off-site runoff is conveyed through a 72" CSP storm drain and discharges through a headwall at the northern property boundary. Flow then travels south through an open channel to three (3) existing 48" Reinforce Concrete Pipe (RCP) storm drains underneath Main Street. The culvert system discharges south of Main Street and into the Otay River.

Existing Drainage Basin C comprises the eastern portion of the site. Runoff surface flows down the existing hillside and onto Main Street across the southern property boundary. Runoff is then directed via curb and gutter to an existing Type B curb inlet on Main Street. The curb inlet discharges south through an existing 24" RCP storm drain and into the Otay River

Existing Drainage Basin D comprises the southern portion of the site. The runoff sheet flows down the existing hillside and onto Main Street across the southern property boundary. Runoff is then directed via curb and gutter to an existing Type B curb inlet on Main Street. The curb inlet discharges south through an 18" RCP storm drain and into the Otay River. The Otay River travels west and outlets at the San Diego Bay and, ultimately, the Pacific Ocean (page 3 of 10, Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP), Appendix N).

The proposed private stormwater infrastructure will be located beneath the proposed fill and retaining walls and will be privately maintained. Access to the new private stormwater system will be provided by storm drain cleanouts located at the connection points to the existing public storm drain systems along the northern property line (at various locations in the project's parking lot and at the base of the proposed

retaining wall along Main Street at the grade of Main Street where the new private stormwater infrastructure connects to the existing public storm drain system).

The proposed site will consist of four (4) major drainage basins with four (4) discharge locations to mimic existing conditions. The site will consist of six (6) Drainage Management Areas (DMAs) based on on-site drainage patterns and BMP locations.

The two major off-site drainage conveyances will be channeled and routed south through the project site to their existing culverts underneath Main Street. A 60" RCP storm drain is proposed to convey off-site runoff from the northwest and discharge to the existing 6' x 2.5' double RCB culvert system underneath Main Street. The culvert system discharges south of Main Street and into the Otay River. A 72" RCP storm drain is proposed to convey off-site runoff from the north and discharge to the three (3) existing 48" RCP storm drains underneath Main Street. The culvert system discharges south of Main Street and into the Otay River.

Stormwater runoff from the western portion of the proposed development (DMA-A) is routed to the northwest corner for stormwater treatment and detention and discharged into the proposed 60" RCP off-site runoff storm drain system. Stormwater from the eastern portion of the proposed development (DMA-B) is routed to the northeast corner for stormwater treatment and detention and discharged into the proposed 72" RCP off-site runoff storm drain system.

Runoff from the cut slope at the site's northwest corner will discharge directly to the 60" RCP storm drain system. This area (DMA-C) is considered a Self-Mitigating DMA per Chapter 5.2.1 of the City of Chula Vista BMP Design Manual. Fill slope runoff along the northern property boundary will discharge directly into the proposed 72" RCP storm drain system. This area (DMA-D) is also considered a Self-Mitigating DMA per the BMP Design Manual.

Slope runoff along the southern property boundary will sheet flow onto Main Street. There is a high point on Main Street forming two Self-Mitigating DMAs. Runoff from Self-Mitigating DMA-E will discharge into the existing Type B curb inlet and existing 18" RCP storm drain under Main Street. Runoff from Self-Mitigating DMA-F will discharge into the existing Type B curb inlet and existing 24" RCP storm drain under Main Street.

All developed site runoff discharges through existing storm drain infrastructure and into the Otay River. The Otay River travels west and outlets at the San Diego Bay and, ultimately, the Pacific Ocean.

Prior to discharge from the project site, developed site runoff is drained to a series of BMPs, including trash screen devices, Contech pretreatment units, StormTrap underground detention vaults, and BioClean Modular Wetland Systems. The underground detention vaults have been designed to meet 100-year peak flow detention requirements. The Modular Wetland Systems (MWS) have been designed for stormwater treatment. The project is exempt from hydromodification management requirements because the project directly discharges into an exempt river reach via a hardened conveyance (a combination of a private and public storm drain system).

The underground detention vaults have been designed to provide flow control in the form of volume reduction and peak flow attenuation. The vaults have been modified to include low-flow and mid-flow orifice outlets and an overflow weir to control peak flows. The required water quality treatment flow is diverted to the downstream Modular Wetland System in accordance with Worksheet B.5-5 of the City of Chula Vista BMP Design Manual. Overflow relief for the 100-year storm event is provided with a partition weir installed within the vaults and discharged directly to the proposed 60" diameter and 72" diameter storm drainpipes conveying off-site runoff through the project site (pages 5 of 10, Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP), Appendix N).

Conclusion

The project must comply with the City of Chula Vista's NPDES Permit, SWPPP requirements, Jurisdictional Runoff Management Program, Municipal Code Section 14.20 – Storm Water Management and Discharge Control, and Chapter 15.04 – Excavation, Grading, Clearing, Grubbing and Fills, and the PDP SWQMP. Therefore, the project will be designed for compliance with existing federal, state, and local water quality laws and regulations pertaining to water quality standards, ensuring a **less than significant impact,** directly, indirectly, or cumulatively, on water quality and discharge.

b) Less than significant impact.

According to the San Diego County Water Authority's 2020 Urban Water Management Plan (UWMP), which provides water to the Otay Water District who provides water to the project, the Authority will be able to meet demands for water up to the year 2045. The Otay Water District does not pump groundwater for distribution within its boundaries.

Per the Geotechnical Investigation (Appendix G, page 5), groundwater was encountered at depths ranging from 65 to 87 feet below the existing grade. The project's construction would create a less impervious area, approximately 424,544 square feet, where 579,977 square feet currently exist. As noted in Section X a) above, the natural drainage channels on the site are placed into storm drains underneath the development.

According to the PDP SWQMP, the project would include areas where stormwater will flow from impervious to pervious areas. The project would comply with the conditions set forth by the San Diego RWQCB NPDES permitting program. Additionally, the construction of stormwater facilities and the implementation of the PDP WQMP will ensure that adverse project impacts on groundwater supplies will be **less than significant**.

c)

i) **Less than significant impact.** Project construction would be subject to local and state codes and erosion control and grading requirements. Because construction activities would disturb one or more acres, the project must adhere to the NPDES Construction General Permit provisions to prevent sediment from leaving the project site. Construction activities subject to this permit include clearing, grading, and other soil disturbances, such as stockpiling and excavating. The NPDES Construction General Permit requires implementing a Storm Water Pollution Prevent Plan (SWPPP), including temporary project construction features (i.e., BMPs) designed to prevent erosion and sediment, leaving the project site protecting the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent.

Per the General Construction Permit, construction sites with 1.0 acre or greater soil disturbance or less than 1.0 acre but part of a greater common development plan must apply for coverage for discharges under the General Construction Permit. By submitting a Notice of Intent (NOI) for coverage, developing a Stormwater Pollution Prevention Plan (SWPPP), and implementing Best Management Practices (BMPs) to address construction site pollutants, the General Construction permit requirements are met. Since the project is greater than one acre, these requirements are in place. The applicant shall abide by all the provisions outlined in the RWQCB NPDES general permit for construction activities.

In conformance with PDP SWQMP, the project is required to implement structural and non-structural Best Management Practices (BMPs) to retain and treat pollutants of concern (in dry-weather runoff and first-flush stormwater runoff) and minimize hydrologic conditions of concern (HCOCs), both during and post-construction.

In addition, grading activities would be required to conform to the most current version of the California Building Code, the City Code, the approved grading plans, and best management engineering practices. The project must also comply with San Diego Air Pollution Control District Rules 50 (Visible

Emissions), 51 (Nuisance), and 55 (Fugitive Dust), as noted under Section III – Air Quality and on page 9 of the Air Quality/Greenhouse Gas/Health Risk Assessment Impact Study (Appendix D). Compliance with these federal, regional, and local requirements would reduce the potential for both on-site and off-site erosion effects to accepted levels during project construction.

For project operation, ground surfaces would be stabilized by project structures, paving, and landscaping upon completion of construction activities. Therefore, impacts associated with soil erosion and the loss of topsoil would be **less than significant**.

ii) **Less than significant impact.** The design and implementation of these facilities will be reviewed and approved by the City Engineer to ensure compliance with all applicable local, state, and federal standards.

Implementation of the required NPDES and PDP SWQMP requirements discussed above, and other applicable requirements will ensure that drainage and stormwater runoff will not create or contribute to water runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the project will have a **less than significant impact**, directly, indirectly, or cumulatively, on the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

iii) **Less than significant impact.** Implementation of the required NPDES and PDP SWQMP requirements discussed above, and other applicable requirements will ensure that runoff water will not exceed the capacity of existing or planned stormwater drainage systems. These regulations will also ensure that the project will not provide additional sources of polluted runoff. Therefore, the project will directly, indirectly, and cumulatively have a **less than significant impact**.

iv) **Less than significant impact.** Flood flows will be re-directed. As noted in the Preliminary Drainage Study (Appendix I), topographically, the site slopes from the north to the southerly property boundary, forming four (4) drainage basins with four (4) discharge locations to mimic existing conditions. The site grading and onsite storm drain system have been designed to avoid drainage diversion.

The two existing open channel drainage conveyances that transport off-site storm water from upstream public storm drain infrastructure will be replaced with a new 60" RCP pipe and a 72" RCP pipe. The existing open channels will be replaced by pipe storm drain infrastructure to allow the grading and development of the property since the existing channels bisect the property from its access point out to Nirvana Avenue. The proposed alignment of these two new drainage systems will be slightly adjusted from the existing open channel flow paths through the property but maintain the same connection points to the existing public storm drain infrastructure north of the project site and south of the project site as in the existing condition. The new on-site storm drain infrastructure will convey the off-site run-on to the existing discharge points along the southerly property line to the existing public storm drain infrastructure underneath Main Street. The existing public storm drain easements per PM 21587 will be vacated, and new public storm drain easements will be prepared to align with the proposed public, on-site storm drain infrastructure.

A 60"-diameter RCP storm drain will convey offsite runoff from the northwest and discharge to the existing 6' x 2.5' double RCB culvert system underneath Main Street. The existing culvert system discharges south of Main Street and into the Otay River. A 72"-diameter RCP storm drain will convey offsite runoff from the north and discharge to the three (3) existing 48"-diameter RCP storm drains underneath Main Street. The three (3) existing 48"-diameter RCP storm drains discharge south Main Street and into the Otay River.

Storm water runoff from the western portion of the proposed development (Drainage Basin A) is routed to the site's northwest corner for storm water treatment and detention and discharged into the proposed 60" RCP offsite runoff storm drain system. Runoff from the cut slope at the site's northwest

corner will discharge directly to the 60" RCP storm drain system. The proposed 60" RCP storm drain will connect to the existing 6' x 2.5' double RCB culvert system underneath Main Street.

Storm water from the eastern portion of the proposed development (Drainage Basin B) is routed to the site's northeast corner for storm water treatment and detention and discharged into the proposed 72" RCP offsite runoff storm drain system. Slope runoff along the northern property boundary will discharge directly into the proposed 72" RCP storm drain system. The proposed 72" RCP storm drain will connect to the existing triple 48" RCP storm drain system underneath Main Street.

All developed site runoff discharges through existing storm drain infrastructure and into the Otay River. The Otay River travels west and outlets at the San Diego Bay and, ultimately, the Pacific Ocean.

Prior to discharge from the project site, developed site runoff is drained to a series of BMPs, including Contech pretreatment units, StormTrap underground detention vaults, and BioClean Modular Wetland Systems. The underground detention vaults have been designed to meet 100-year peak flow detention requirements. The Modular Wetland Systems (MWS) have been designed for stormwater treatment. Treatment of stormwater runoff from the site has been addressed in a separate report- "Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) (Appendix N) for Nirvana Business Park" by Pasco Laret Suiter & Associates. The project is exempt from hydromodification management requirements because the project directly discharges into an exempt river reach via a hardened conveyance (a combination of a private and public storm drain system).

The underground detention vaults have been designed to provide flow control in the form of volume reduction and peak flow attenuation. The vaults have been modified to include low-flow and mid-flow orifice outlets and an overflow weir to control peak flows. The required water quality treatment flow is diverted to the downstream Modular Wetland System in accordance with the City of Chula Vista BMP Design Manual. Overflow relief for the 100-year storm event is provided with a partition weir installed within the vaults and discharged directly to the proposed 60" diameter and 72" diameter storm drainpipes conveying off-site runoff through the project site (pages 7-9, Preliminary Drainage Study (Appendix I)).

Energy Dissipation For Storm Drain Out Falls South of Main Street

The proposed flow velocity at the downstream end of the existing public storm drain facilities was calculated. The size of existing riprap energy dissipation at the existing storm drain systems' outfalls are per As-Built Drawing No. 92-160 for the existing double 48" RCP storm drain outfall under Main Street (50-Year Existing Condition Hydrology Node 14) and Drawing No. 94-103 for the existing triple 48" RCP storm drain outfall under Main Street (50-Year Existing Condition Hydrology Node 23). The proposed peak 50-year velocities were compared to the design velocity rating of the existing riprap rock class and thickness per the table found in San Diego Regional Standard Drawing (SDRSD) D-40. Since the existing riprap energy dissipaters are not sufficiently sized for energy dissipation, the proposed 50-year peak flow rates, and velocities, the existing riprap pads will be re-constructed. The existing riprap pads will be grouted, and additional riprap will be placed down gradient of the grouted riprap at lengths shown on the Proposed Condition Hydrology Node Map – 50-Year Storm Frequency. See 50-Year Proposed Condition Hydrology Nodes 124 and 221 for proposed riprap locations.

The sizes of the new riprap pads have been calculated using HEC-RAS software. Refer to Appendix 7 of the Preliminary Drainage Study (Appendix I) for HEC-RAS output.

The 50-year storm was analyzed for the storm drains that convey the off-site run-on and the existing public storm drain infrastructure per the City of Chula Vista's Subdivision Manual Section 3 General Design Criteria in Section 3-201.3.

Summary

The Preliminary Drainage Study (Appendix I) analyzed the 100-year storm event hydrology for the proposed site using Advanced Engineering Software (AES). It demonstrated that the post-developed peak flow rates are less than the pre-developed peak flow rates at the project's discharge locations. In addition, the proposed storm drain systems are sized to convey the proposed flow rates, and calculations can be found in the report's appendices. The proposed project will not contribute to stormwater runoff exceeding the capacity of existing or planned storm water drainage systems.

While the 50-year peak flow velocity in the two existing public storm drain systems in Main Street is higher than in the existing condition, the proposed redesigned riprap energy dissipaters will effectively attenuate the flows per the County of San Diego's Hydraulic Design Manual. The proposed riprap energy dissipaters at the existing public storm drain outfalls into the Otay River have been adequately sized to handle the increased peak 50-year velocities from the proposed project.

The project will be required to comply with all applicable water quality standards. The project will be connected to the sewer system and on-site/off-site stormwater conveyance system to further minimize potential water quality degradation. Therefore, the project will not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The impacts will be **less than significant**, directly, indirectly, or cumulatively.

d) **No impact.** The project site is located within a minimal flood hazard zone (Zone X) as mapped by FEMA (FEMA Flood Insurance Rate Map No. 06073C2157G). Although the project site is not shown to be in a flood zone, the project site is shown to be subject to dam inundation from the Sweetwater Dam, Upper Otay Dam, and Savage Dam in case of dam failures, in Figure 9-8 – Flood and Dam Inundation Hazard Map General Plan (page E-59).

Dams typically fail due to overtopping by reservoir water during heavy rainfall episodes, structural damage, and earthquake-related hazards such as landsliding, ground shaking, and seiches, which are waves in an enclosed or semi-enclosed body of water, such as a lake or bay (page E-57 General Plan). However, a review of the California Dam Breach Inundation Maps, Dam Breach Inundation Map Web Publisher indicates a breach of the Savage Dam at the Sweetwater Reservoir will have water staying within Main Street up the natural channels of the site. Since these channels will be undergrounded into storm drainpipes and a Verdura retaining wall will be placed along Main Street as part of the project, the water will traverse Main Street, completely bypassing the project in the event of a dam failure.

Tsunamis, long-wavelength seismic sea waves generated by sudden movements of the ocean bottom during submarine earthquakes, landslides, or volcanic activity, conceivably could have adverse effects on the coastal areas of Chula Vista. However, because the City is adjacent to a relatively protected part of San Diego Bay, the potential for significant wave damage is considered low. In the unlikely event of the development of noticeable seiches, it is conceivable that local areas adjacent to the Otay Lakes and the San Diego Bay could be impacted by wave activity (page E-57 General Plan).

The City of Chula Vista Fire Department has a disaster preparedness scenario for tsunami, and it is the only scenario with an evacuation route map. The evacuation routes are along the coast and direct evacuees inland. According to the tsunami evacuation map, a tsunami would not affect the project site.

The project location, as well as compliance with existing federal, state, and local flood hazard laws and regulations pertaining to the project's design, will ensure **no impact** on flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation, directly, indirectly, or cumulatively.

e) **Less than significant impact.** As described throughout this section, Section X, the project is required to comply with the City of Chula Vista's NPDES Permit, SWPPP requirements, Jurisdictional Runoff Management Program, Municipal Code Section 14.20 – Storm Water Management and Discharge Control, and Chapter 15.04 – Excavation, Grading, Clearing, Grubbing and Fills, and the PDP SWQMP. Therefore, the project will be designed to comply with existing federal, state, and local water quality laws

and regulations pertaining to water quality standards, ensuring a **less than significant impact**, directly, indirectly, or cumulatively, on the water quality control and groundwater management plan.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Comments:

a) **Less than significant impact.** The project site is in an urbanized area currently Zoned and General Plan designated for industrial uses. The project will take its access from a driveway off Nirvana Avenue in the Otay Industrial Recycling Park and is an appropriate and permitted use at this location. The project site is bounded by Main Street, a six-lane "Prime" Roadway in the City's General Plan and constructed as a six-lane divided roadway. Heavy industrial users like Bradford Powder Coating and F. J. Willert Contracting and automobile dismantlers like LKQ Pick Your Part are to the west and north. To the east is a detention area for the Escaya project. The project would utilize the existing roadway network. It would not result in improvements physically dividing an existing community or otherwise impacting circulation on public roads surrounding the site. Therefore, a **less than significant impact** will occur directly, indirectly, or cumulatively to an established community.

b) **Less than significant impact.** The City has designated the property as IL – Limited Industrial in the City's General Plan. Per the General Plan, the IL designation is intended for light manufacturing, warehousing, certain public utilities, auto repair, auto salvage yards, and flexible-use projects that combine these uses with associated office space. Therefore, the project would be consistent with the existing general plan and zoning for the City of Chula Vista. The project is generally consistent with policies and regulations established in the General Plan and Zoning Code. In particular, the following Land Use Objectives and Policies:

LUT-1: Provide a balance of residential and non-residential development throughout the City that achieves a vibrant development pattern, enhances the character of the City, and meets the present and future needs of all residents and businesses.

Policies: LUT 1.1, 1.4, 1.5, and 1.12

LUT-6: Ensure adjacent land uses are compatible with one another.

Policies: 6.1, 6.2, and 6.8

LUT-10: Create attractive street environments that complement private and public properties, create attractive public rights-of-way, and provide visual interest for residents and visitors.

Policies: 10.1, 10.4, and 10.5

LUT-11: Ensure that buildings and related site improvements for public and private development are well-designed and compatible with surrounding properties and districts.

Policies: 11.1, 11.2, 11.3, 11.4, and 11.5

Therefore, a **less than significant impact** will occur directly, indirectly, or cumulatively on land use plans or zoning.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Comments:

a) **No impact.** According to the California Geological Survey Surface Mining and Reclamation Act (SMARA) Mineral Land Classification system and Figure 9-4 – MRZ-2 Area Map General Plan (page E-29), the project site is located on the northern side of Main Street, just outside of the Regionally Significant MRZ-2 Aggregate Resource Area on the south side of Main Street. The project site is not designated as a mineral resource area. The project site is not known to have mineral resources; therefore, the project's implementation will have **no impact** on mineral resources directly, indirectly, or cumulatively.

b) **No impact.** The project site is not delineated for mineral resources on a local general plan, specific plan, or other land-use plans. Therefore, the project will have **no impact** directly, indirectly, or cumulatively on the availability of important mineral resources.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Comments:

The Chula Vista Nirvana Business Park Noise Impact Study 821 Main Street, City of Chula Vista, CA, prepared by MD Acoustics, LLC, January 24, 2023 (Appendix J), analyzed the project's noise impact and found the project's noise impact on the surrounding environment to be less than significant.

a) **Less than significant impact**.

Study Method and Procedure

The following section describes the noise modeling procedures and assumptions used for this assessment.

Noise Measurement Procedure and Criteria

Noise measurements are taken to determine the existing noise levels. A noise receiver or receptor is any location in the noise analysis in which noise might produce an impact. The following criteria are used to select measurement locations and receptors:

- Locations expected to receive the highest noise impacts, such as the first row of houses
- Locations that are acoustically representative and equivalent to the area of concern
- Human land usage
- Sites clear of major obstruction and contamination

MD Acoustics LLC conducted the sound level measurements in accordance with the City's noise ordinance, the Federal Highway Transportation (FHWA), and Caltrans (TeNS) technical noise specifications. All measurement equipment meets American National Standards Institute (ANSI) specifications for sound level meters (S1.4-1983 identified in Chapter 19.68.020.AA). The following gives a brief description of the Caltrans Technical Noise Supplement procedures for sound level measurements:

- Microphones for sound level meters were placed 5 feet above the ground for all measurements
- Sound level meters were calibrated (Larson Davis CAL 200) before and after each measurement
- Following the calibration of equipment, a windscreen was placed over the microphone
- Frequency weighting was set on "A" and slow response
- Results of the long-term noise measurements were recorded on field data sheets
- During any short-term noise measurements, any noise contaminations such as barking dogs, local traffic, lawn mowers, or aircraft flyovers were noted
- Temperature and sky conditions were observed and documented

Noise Measurement Locations

Noise monitoring locations were selected based on the project site's boundary. Three (3) short-term 10-minute noise measurements were conducted at the site's property lines and are illustrated in Exhibit E. Appendix A of the Noise Impact Study (Appendix J) includes photos, field sheet, and measured noise data.

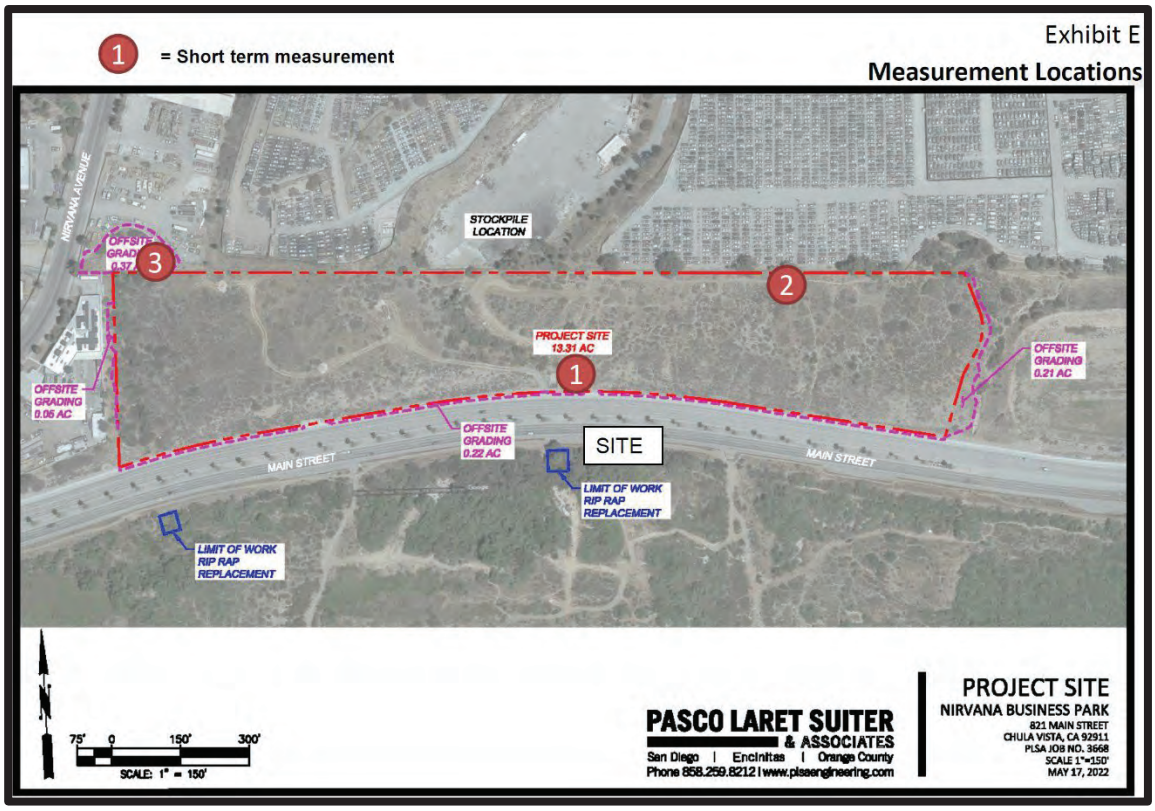

Figure 22 - Exhibit E of the Noise Impact Study - Noise Measurement Locations

Stationary Noise Modeling

SoundPLAN (SP) acoustical modeling software was utilized to model future worst-case stationary noise impacts on adjacent land uses. SP can evaluate multiple stationary noise source impacts at various receiver locations. SP's software utilizes algorithms (based on the inverse square law and reference equipment noise level data) to calculate noise level projections. The software allows the user to input specific noise sources, spectral content, sound barriers, building placement, topography, and sensitive receptor locations.

The future worst-case noise level projections were modeled using referenced sound level data for the various stationary on-site sources (parking spaces and loading docks). The model assumes that the building has five (5) dock-high truck doors, sixteen (16) grade-level truck doors for loading and unloading, and approximately 309 parking spaces.

Trucks idling at the dock high doors loading and unloading area were modeled as a point source with a reference noise level of 74 dBA 10 feet from the source idling continuously for an hour. This is a conservative measure as the trucks will likely only idle for a few minutes within an hour.

Truck back up beepers at the grade level door loading and unloading areas were modeled as a point source with a reference noise level of 69 dBA Leq at 5 ft active for 5 minutes in an hour.

MD Acoustics, LLC, added two 7.5-ton HVAC units to the corners of each building to account for HVAC noise. There are no parapets in the model as a worst-case. The actual HVAC equipment will likely be much quieter and placed further from the edges of the building.

The cars idling and coming and going in the parking spots were modeled at three (3) cars per hour.

The SP model assumes that all noise sources are operating simultaneously (worst-case scenario) when in actuality, the noise will be intermittent and lower in noise level.

Finally, the model can evaluate the noise-attenuating effects of any existing or proposed property line walls. Input and output calculations are provided in Appendix C of the Noise Impact Study (Appendix J).

Table 3: Reference Sound Level Measurements for SoundPlan Model[1]			
Source	**Source Type**	**Reference Level (dBA)**	**Descriptor**
Idling Semi Truck	Point Source	74	10ft
Parking	Area (SP Parking Tool)	-	3 cars per hr
Back-Up Beeper	Point Source	69	5ft
Carrier 7.5 ton HVAC units	Point	83	Sound Power
1. Reference noise levels in Appendix B of the Noise Impact Study (Appendix J)			

Table 27 - Table 3 of the Noise Impact Study - Reference Sound Level Measurements for SoundPlan Model

FHWA Traffic Noise Prediction Model

Per the Local Mobility Analysis provided by Linscott Law & Greenspan Engineers (Appendix O), existing traffic counts measured 14,260 ADT. The project is anticipated to create 153 ADT. Existing plus Project ADT is anticipated to create a 0.7 dB increase in noise level. Therefore, the increase in traffic noise would be negligible when compared to the existing noise

Traffic noise from vehicular traffic was projected using a computer program replicating the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA model predicts a noise level increment of 3 dB per doubling the traffic volume. Roadway volumes and percentages correspond to the project's traffic scoping agreement as prepared by Linscott Law & Greenspan Engineers (Appendix O), The City's traffic counts, and roadway classification. The traffic data is included in Appendix D of the Noise Impact Study (Appendix J).

Table 4 indicates the roadway parameters and vehicle distribution utilized for this study.

Table 4: Roadway Parameters and Vehicle Distribution						
Roadway	**Segment**	**Existing ADT[1]**	**Existing Plus Project ADT[1]**	**Cumulative Distribution[1]**	**Speed (MPH)**	**Site Conditions**
Main Street	Nirvana Ave to Heritage Rd	14,260	14,413	16,719	50	Hard
Vehicle Distribution (Truck Mix)[2]						
Motor-Vehicle Type		**Daytime % (7 AM to 7 PM)**	**Evening % (7 PM to 10 PM)**	**Night % (10 PM to 7 AM)**	**Total % of Traffic Flow**	
Automobiles		77.5	12.9	9.6	97.42	
Medium Trucks		84.8	4.9	10.3	1.84	
Heavy Trucks		86.5	2.7	10.8	0.74	
Notes: [1] Traffic counts provided by Linscott Law and Greenspan Engineers Appendix D of the Noise Impact Study (Appendix J). 2. Vehicle mix distribution per SANDAG.						

Table 28 - Table 4 of the Noise Impact Study - Roadway Parameters and Vehicle Distribution

FHWA Roadway Construction Noise Model

The construction noise analysis utilizes the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RNCM), together with several key construction parameters. Key inputs include distance to the sensitive receiver, equipment usage, % usage factor, and baseline parameters for the project site.

The project was analyzed based on the different construction phases. Construction noise is expected to be loudest during construction's grading, paving, and building phases. The construction noise calculation output worksheet is located in Appendix E of the Noise Study (Appendix J). The following assumptions relevant to short-term construction noise impacts were used:

- It is estimated that construction will be carried out over 24 months. Daily construction hours are expected to be during allowable daytime hours per the City's Municipal Code. The model includes key inputs like distance to the sensitive receiver, equipment type, and 40% usage factor. Construction noise is expected to be the loudest during the grading, paving, and building phases.

Existing Noise Environment

Three (3) ten-minute short-term ambient noise measurements were conducted at the property boundary to the south, northwest, and northeast (See Appendix A of the Noise Impact Study (Appendix J). The measurement measured the Leq, Lmin, Lmax, and other statistical data (e.g., L2, L8…). The noise measurement was taken to determine the existing ambient noise levels. Noise data indicates that traffic along Main Street and general industrial noise is the primary source of noise impacting the site and the adjacent uses. This assessment utilizes the ambient noise data as a basis and compares project operational levels to said data.

Short-Term Noise Measurement Results

The results of the noise data are presented in Table 5.

Table 5: Short-Term Noise Measurement Data (dBA)

Location	Time	dB(A)							
		L_{EQ}	L_{MAX}	L_{MIN}	L_2	L_8	L_{25}	L_{50}	L_{90}
1	7:29 PM-7:39 PM	74	89	51	82	79	75	70	56
2	7:40 PM-7:50 PM	56	69	49	63	60	56	54	52
3	1:23 PM-1:33 PM	62	74	54	66	64	63	61	90

Notes:
1. The short-term noise monitoring location is illustrated in Exhibit E.

Table 29 - Table 5 of the Noise Impact Study - Short Term Noise Measurement Data (dBA)

Noise data indicates the ambient noise level ranged between 56 dBA Leq to 74 dBA Leq near the project site and surrounding area. Maximum levels reach 89 dBA as a result of traffic along Main Street. Appendix A of the Noise Impact Study (Appendix J) provides additional field notes and photographs.

For this evaluation, MD Acoustics LLC has utilized the ambient noise level and has compared the project's projected noise levels to the said ambient level.

Future Noise Environment Impacts

The Noise Impact Study (Appendix J) analyzes future noise impacts resulting from the project. The analysis details the estimated exterior noise levels. Stationary noise impacts are analyzed from the on-site noise sources such as trucks loading and unloading.

Future Exterior Noise

The following outlines the exterior noise levels associated with the project.

Noise Impacts to Off-Site Receptors Due to Stationary Sources

Adjacent uses that may be affected by project operational noise include general industrial to the north, south, and west, with a detention basin for the Escaya project to the east. The single-family residential land uses located approximately 1,425 feet (~435 meters) northeast and 1,430 feet (~436 meters) southwest of the project site will not be affected. The worst-case stationary noise was modeled using SoundPLAN, an acoustical modeling software. Worst-case assumes that all project activities are always operational when the noise is intermittent and cycles on/off depending on usage.

A total of three (3) receptors were modeled to evaluate the project's operational impact. A receptor is denoted by a yellow dot. All yellow dots represent a property line or building facade.

The Noise Impact Study (Appendix J) compares the project's operational noise levels to two (2) different noise assessment scenarios: 1) Project Only operational noise level projections, 2) Project plus ambient noise level projections.

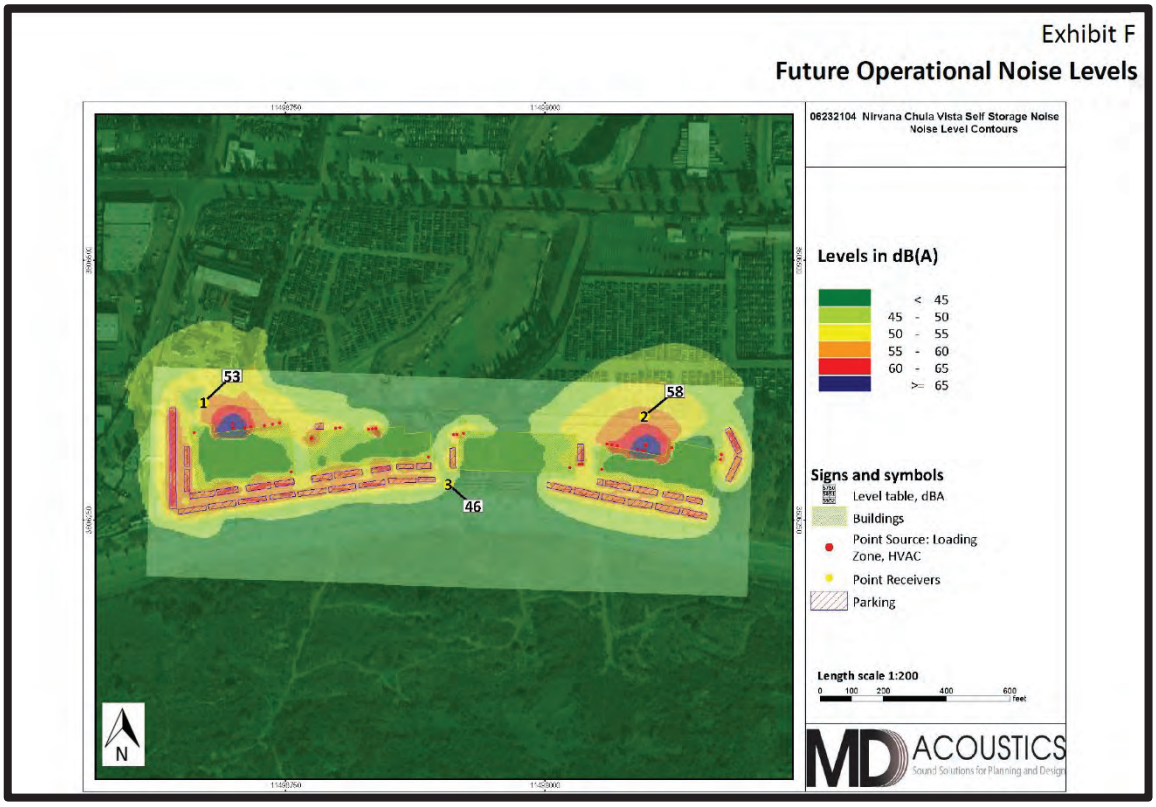

Figure 23 - Exhibit F of the Noise Impact Study - Future Operational Noise Levels

Project Operational Noise Levels

Exhibit F (above) shows the "project only" operational noise levels at the property lines and adjacent areas. Exhibit F shows the noise contours at the project site and illustrates how the noise will propagate at the site. The project only noise levels range from 46 to 58 dBA.

Project Plus Ambient Operational Noise Levels

Table 6 (below) demonstrates Project Plus ambient noise levels. Project Plus ambient noise level projections are anticipated to measure 60 to 74 dBA Leq at receptors (R1 – R3).

Table 6: Worst-case Predicted Operational Leq Noise Level[1]					
Receptor[1]	**Existing Ambient Noise Level (dBA, Leq)[2]**	**Project Noise Level (dBA, Leq)**	**Total Combined Noise Level (dBA, Leq(h))**	**Exterior Noise Limit Nighttime 10PM to 7AM (dBA, Leq)[3]**	**Change in Noise Level as Result of Project (dBA, Leq)**
1	62	53	63	**70**	1
2	56	58	60		4
3	74	46	74		0

Notes:
1. Receptor 1 to Receptor 3 represent the nearest property lines
2. The measured existing ambient condition.
3. Per Chula Vista Municipal Code Sec 19.68.030 Nighttime Industrial noise limit is 70 dBA.

Table 30 - Table 6 of the Noise Impact Study - Worst-case Predicted Operational Leq Noise Level

As shown in Table 6, the project-only noise levels will not exceed the City's exterior nighttime noise limit of 70 dBA. The project plus ambient noise levels will increase the worst-case noise level by approximately 0 to 4 dBA Leq, depending on location. It takes a change of 3 dBA to hear a noticeable difference. The increase in noise level is below the typical noticeable difference in change in noise levels.

Table 7 provides the characteristics associated with changes in noise levels.

Table 7: Change in Noise Level Characteristics[1]	
Changes in Intensity Level, dBA	**Changes in Apparent Loudness**
1	Not perceptible
3	Just perceptible
5	Clearly noticeable
10	Twice (or half) as loud
https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm	

Table 31 - Table 7 of the Noise Impact Study - Change in Noise Level Characteristics

The change in noise level would fall within the "Not Perceptible" to "Clearly Noticeable" acoustic characteristic depending on location. Based on the industrial land use of the receiving property, the lack of sensitive receptors to the location, and that the City of Chula Vista noise limit is not exceeded at the property line, the change in noise level would be **less than significant**.

Noise Impacts to On/Off-Site Receptors Due to Project-Generated Traffic

A worst-case project-generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model - FHWA-RD-77-108. Traffic noise levels were calculated 50 feet from the centerline of the analyzed roadway. The modeling is theoretical and does not take into account any existing barriers, structures, and/or topographical features that may further reduce noise levels. Therefore, the levels are shown for comparative purposes only to show the difference with and without project conditions. In addition, the noise contours for 60, 65, and 70 dBA CNEL were calculated. The potential off-site noise impacts caused by an increase in traffic from the operation of the proposed project on the nearby roadways were calculated for the following scenarios:

Existing Year (without Project): This scenario refers to existing year traffic noise conditions.

Existing Year (Plus Project): This scenario refers to existing year + project traffic noise conditions.

Cumulative (Plus Project): This scenario refers to existing year + cumulative traffic + project traffic noise conditions.

Table 8 compares the existing, existing with project scenario, and cumulative project and shows the change in traffic noise levels as a result of the proposed project. It takes a change of 3 dB or more to hear a perceptible difference. As demonstrated in Table 8, the project is anticipated to change the noise by 0.7 dBA CNEL in the worst-case scenario.

Although there is an increase in traffic noise levels, the impact is considered to have a **less than significant** impact, as the noise levels at or near any existing proposed sensitive receptor would be 70 dBA CNEL or less, and the change in noise level is 3 dBA or less.

Table 8: Existing Scenario - Noise Levels Along Roadways (dBA CNEL)

Existing Without Project Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Main Street	Nirvana Ave to Heritage Rd	69.3	45	97	208	449

Existing With Project Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Main Street	Nirvana Ave to Heritage Rd	69.3	45	97	210	452

Cumulative Projects Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Main Street	Nirvana Ave to Heritage Rd	70.0	50	107	232	499

Change in Existing Noise Levels as a Result of Project

Roadway[1]	Segment	CNEL at 50 Feet dBA[2]			
		Existing Without Project	Cumulative Project	Change in Noise Level	Potential Significant Impact
Main Street	Nirvana Ave to Heritage Rd	69.3	70.0	0.7	No

Notes:
[1] Exterior noise levels calculated at 5 feet above ground level.
[2] Noise levels calculated from centerline of subject roadway.

Table 32 - Table 8 of the Noise Impact Study - Existing Scenario - Noise Levels Along Roadways (dBA CNEL)

Noise Impacts to On/Off-Site Receptors Due to Project Maintenance Equipment

Project maintenance activities such as parking lot sweeper machines and/or landscaping machinery would be used in compliance with accordance Section 17.24.040(C)(8) of the City's Municipal Code which prohibits the use of such machinery before 7 a.m. or after 10 p.m. except for emergency repairs required for the health and safety of any member of the community.

Construction Noise Impact

The degree of construction noise may vary for different project site areas and vary depending on the construction activities. Noise levels associated with the construction will vary with the different construction phases.

Construction Noise

The Environmental Protection Agency (EPA) has compiled data regarding the noise-generated characteristics of typical construction activities. The data is presented in Table 9.

Table 9: Typical Construction Equipment Noise Levels[1]	
Type	**Lmax (dBA) at 50 Feet**
Backhoe	80
Truck	88
Concrete Mixer	85
Pneumatic Tool	85
Pump	76
Saw, Electric	76
Air Compressor	81
Generator	81
Paver	89
Roller	74
Notes: [1] Referenced Noise Levels from FTA noise and vibration manual.	

Table 33 - Table 9 of the Noise Impact Study - Typical Construction Equipment Noise Levels

Construction is considered a short-term impact and would be significant if construction activities are taken outside the allowable times described in the City's Municipal Code 17.24.0409(C)(8). Construction would only occur during the permissible hours of 7:00 a.m. to 10:00 p.m. on weekdays and 8:00 a.m. to 10:00 p.m. on Saturdays and Sundays, according to the City's Municipal Code. Construction noise will have a temporary or periodic increase in the ambient noise level above the existing ambient noise level within the project vicinity. Furthermore, noise reduction measures are provided to reduce construction noise further. The impact is considered **less than significant**. However, construction noise level projections are provided.

Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. Noise levels will be the loudest during the grading phase. During grading, a likely worst-case construction noise scenario assumes using one (1) grader, one (1) dozer, two (2) excavators, two (2) backhoes, and two (2) scrapers operating at the center of the site 250 feet from the property boundary.

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 250 feet have the potential to reach 73 dBA Leq at the property boundary during building construction.

Construction Noise Reduction Policies

Construction operations must follow the City's General Plan and the Noise Ordinance, which states that construction, repair, or excavation work performed must occur within the permissible hours. To further ensure that construction activities do not disrupt the adjacent land uses, the following best management practices/policies shall be taken and will be applied as conditions of approval:

1. Construction shall occur during the permissible hours (7:00 a.m. to 10:00 p.m. on weekdays and 8:00 a.m. to 10:00 p.m. Saturdays and Sundays) as defined in Section 17.24.0409(C)(8) of the City's Municipal Code.

2. During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise-attenuating devices.

3. The contractor shall locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

4. Idling equipment shall be turned off when not in use.

5. Equipment shall be maintained to secure vehicles and their loads from rattling and banging.

During the operation and construction of the project, the project will have a **less than significant impact** on the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project.

b) Less than significant impact.

Construction activities can produce vibration that may be felt by adjacent land uses. The project's construction would not require equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary vibration source during construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second peak particle velocity (PPV) at 25 feet, which is perceptible but below any risk of architectural damage.

The fundamental equation used to calculate vibration propagation through average soil conditions and distance is as follows:

$$PPV_{equipment} = PPV_{ref} (100/D_{rec})^n$$

Where: PPV_{ref} = reference PPV at 100ft.
D_{rec} = distance from equipment to receiver in ft.
n = 1.1 (the value related to the attenuation rate through ground)

The Caltrans Transportation and Construction Induced Vibration Guidance Manual in Table 10 (below) provides general thresholds and guidelines for the vibration damage potential from vibratory impacts.

Table 10: Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Table 19, Transportation and Construction Vibration Guidance Manual, Caltrans, Sept. 2013.
Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Table 34 - Table 10 of the Noise Impact Study - Guideline Vibration Damage Potential Threshold Criteria

Table 11 gives approximate vibration levels for particular construction activities. The data provides a reasonable estimate for a wide range of soil conditions.

Table 11: Vibration Source Levels for Construction Equipment[1]		
Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58
[1] Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.		

Table 35 - Table 11 of the Noise Impact Study - Vibration Source Levels for Construction Equipment

At a distance of 24 feet (the distance of the nearest structure from the site's western boundary), a large bulldozer during grading along the western property line would yield a worst-case 0.093 PPV (in/sec), which may be perceptible for short periods but is below any applicable threshold of damage. The impact is **less than significant**, and no mitigation is required.

c) **No impact.** The project is in Area 2 of the Brown Field Municipal Airport Land Use Compatibility Plan (ALUCP). It is not within the noise contours of the ALUCP. The project will have **no impact** on exposing people residing or working in the area to excessive noise levels.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Comments:

a) **Less than significant impact.** The project will not induce growth as it is consistent with the City's General Plan policies for industrial development. The City has designated the property as IL – Limited Industrial in the City's General Plan. This designation is consistent with policies and regulations established in the General Plan and Zoning Code. The City's General Plan establishes the development potential to accommodate the City's growth. As proposed, the project will help accommodate that growth but will not induce it.

SANDAG's Regional Growth Forecast notes that the City will add 42,107 new jobs between 2016 and 2050.[21] The project is projected to create 285 new jobs, or .677%, less than 1%, of the 42,107 new jobs projected by SANDAG over the next 34 years. As the tenants (except for one) are unknown at this time, the projection of 285 new jobs may be high, but it illustrates what may occur on the site and that the project will not result in substantial growth in employment.

The site's development will result in three industrial buildings and one self-storage building. The project site is located on existing streets, and utilities and public facilities are all available in the immediate area. No new road or utility infrastructure is required. Therefore, project-related impacts are expected to be **less than significant**, directly, indirectly, or cumulatively.

b) Less than significant impact. The project site is vacant and will not displace any persons or require the construction of replacement housing. In addition, the project site is Zoned IL – Limited Industrial. Therefore, there is a **less than significant impact** on housing directly, indirectly, or cumulatively.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

Comments: In *City of Hayward v. Board of Trustee of California State University* (2015) 242 Cal. App. 4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services and it is reasonable to conclude that the City will comply with that provision to ensure that public safety services are provided.[22]

a)

i) **Less than significant impact**. The project site would be served by the Chula Vista Fire Department (CVFD), which has ten (10) fire stations and approximately 170 personnel (City of Chula Vista 2021). As part of standard development practices, prior to construction, project plans will be reviewed by the CVFD, and the project will be required to incorporate the CVFD's recommendations into the final project design. The CVFD review and approval of plans would ensure that the project complies with the California Fire Code (24 CCR, Part 9). The project applicant will be required to install fire alarms and sprinklers to improve safety and emergency response.

[21] SANDAG Regional Growth Forecast appendix-f---regional-growth-forecast-and-scs-land-use-pattern.pdf (sdforward.com)
[22] *City of Hayward v. Board Trustee of California State University* (2015) 242 Cal. App. 4th 833, 847.

The project will be required to pay development impact fees (DIF) related to fire protection. The fire protection facility DIF fees are determined based on the City's Master Fee Schedule. These fees would provide funding for capital improvements such as land, equipment purchases, and fire station construction.

Operations of the project would involve the development of three (3) industrial buildings and a self-storage facility. Project construction could result in additional emergency calls to this location. Still, it is not anticipated to increase the overall demand for fire protection and services to the degree that new or improved facilities would be required. Implementing the project would not substantially increase demand for fire protection services. Therefore, impacts associated with fire protection would be **less than significant**, directly, indirectly, and cumulatively.

ii) **Less than significant impact.** The project will be served by Chula Vista Police Department (CVPD), currently employing approximately 270 sworn officers (City of Chula Vista 2021). The project will be required to pay a development impact fee (DIF) related to police services. The police protection facility DIF fees are determined based on the City's Master Fee Schedule. These fees would provide funding for capital improvements for police services. Project construction could result in additional enforcement calls and emergency responses to this location. Still, it is not anticipated to increase the overall demand for law enforcement personnel and services in the project area such that new or improved facilities would be required. The CVPD has a goal to meet all Priority 1 Emergency calls (life-threatening) within six (6) minutes and all Priority 2 Emergency calls (urgent calls) within 7.5 minutes.

The project would involve the development of three (3) industrial buildings and a self-storage facility. Project construction could result in additional enforcement calls and emergency responses to this location. Still, it is not anticipated to increase the demand for law enforcement personnel and services such that new or improved facilities would be required. Therefore, the implementation of the project would not substantially increase the demand for police protection services. Therefore, impacts associated with police protection would be **less than significant**, directly, indirectly, and cumulatively.

iii) **No impact.** The project is in the Sweetwater Union High School District (SUHSD) and the Chula Vista Elementary School District (CVESD). The project would not directly or indirectly increase the population. Construction and operational workers would come from the local labor pool or commute from the San Diego region. The project would not substantially increase enrollment at schools. The project is required to pay the state-mandated school fees in place when development occurs. These fees are designed to mitigate impacts on schools by providing funds to construct new facilities. The Building Division collects the fees from the Permittee/Owner at the request for occupancy. By implementing all regulations and City and School Districts' policies for development projects, the project will have **no impacts** associated with schools that would occur directly, indirectly, or cumulatively.

iv) **No impact**. The project will not add new residents to the area, and thus use of parks is not anticipated to increase because of the project. Construction and operational workers would come from the local labor pool or commute from the San Diego region and are expected to use parks in their off-work hours near where they live. Therefore, the project would not result in a substantial increase in park demand or create adverse physical impacts on parks, and **no impact** will occur directly, indirectly, or cumulatively.

v) **No Impact.** The project would not increase the population as construction, and operational workers would come from the local labor pool or commute from the San Diego region. As the project is not expected to increase population, the project would not increase patronage at libraries, community centers, or other public facilities. Therefore, **no impacts** on other public facilities would occur directly, indirectly, or cumulatively.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Comments:

a) **Less than significant impact**. The project would not result in population growth, as construction and operational workers would come from the local labor pool or commute from the San Diego region. It is not anticipated that people would relocate to the City due to the construction or operation of the project. Therefore, the project is not expected to cause any substantial physical deterioration to nearby recreational facilities. Workers from the project may use the local parks during breaks and lunches, but their use will be minimal. Therefore, no significant increased usage of existing neighborhoods, regional parks, or other recreational facilities is expected to occur due to the project, and a **less than significant** impact would arise directly, indirectly, or cumulatively.

b) **No Impact.** The project will consist of three (3) industrial buildings and a storage facility that does not include any recreational facilities, except for the outdoor employee patio areas that can be used for breaks and lunches. The project will not increase the area's population and require the construction or expansion of recreational facilities. Therefore, the project will have **no impact**, directly, indirectly, or cumulatively on the requirement for additional recreational facilities.

Reviewing the City's General Plan and the Otay Valley Regional Park Concept Plan clarifies that no trails are proposed through or adjacent to the project site, as noted in Figure 34.

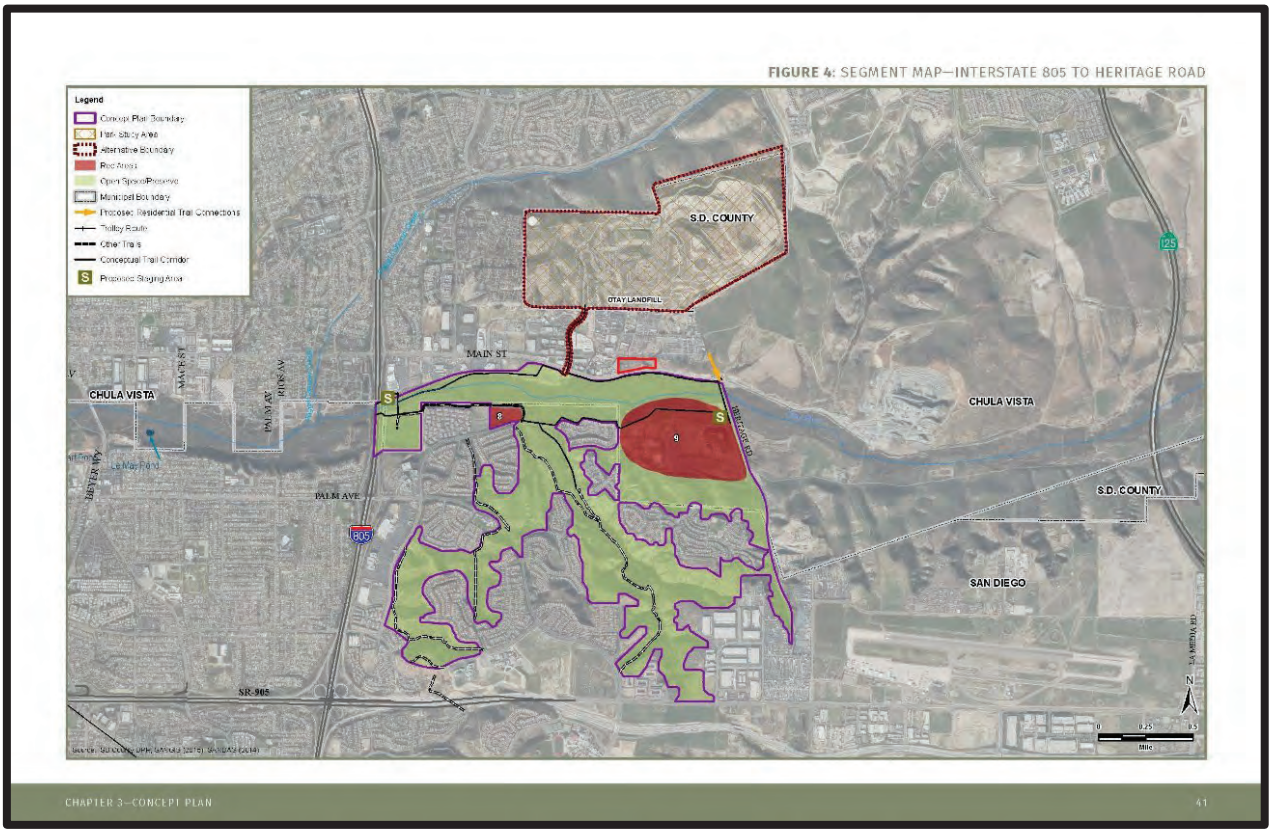

Figure 24 - Figure 4 of the Otay Valley Ranch Regional Park Concept Plan

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Comments:

The Local Mobility Analysis Chula Vista Nirvana, prepared by Linscott Law & Greenspan Engineers, January 12, 2023 (Appendix O), has found the project will have a less than significant impact on transportation.

a) **Less than significant impact.**

GENERAL PLAN – CIRCULATION ELEMENT

The project is located at 821 Main Street but will take driveway access from Nirvana Avenue through an easement. Main Street and Nirvana Avenue are the two main roadways adjacent to the project. Other roadways that the project may impact are also listed here.

Main Street is classified as a six (6) Lane Prime on the City of Chula Vista General Plan Land Use and Transportation Element. It is currently constructed as a six-lane divided roadway from west of Brandywine Avenue to the east of Auto Park Avenue. From approximately 800 feet west of Maxwell Road to east of Nirvana Avenue, Main Street is built as a five-lane divided roadway (three westbound lanes and two eastbound lanes). Sidewalks and Class II bike lanes are provided on both sides of the roadway. Curbside parking is not permitted. The posted speed limit west of Brandywine Avenue is 45 mph, and 50 mph east of Brandywine Avenue. In addition, it should be noted that Main Street serves as the primary access to the North Island Credit Union Amphitheater, which hosts many events throughout the year. Project traffic will mix with event traffic at times. However, most of these events are held in the evening and on weekends outside peak project commuter times.

Brandywine Avenue is classified as a Class I Collector in the City of Chula Vista Land Use and Transportation Element. It is currently constructed as a four-lane undivided roadway with a two-way left-turn lane north of Main Street. Sidewalks and Class II bike lanes are provided on both sides of the roadway. Curbside parking is permitted on both sides of the roadway between Olympic Boulevard and Mendocino Drive. The posted speed limit is 35 mph.

Auto Park Place is a non-classified roadway in the City of Chula Vista Land Use and Transportation Element. It is currently constructed as a two-lane undivided roadway with a two-way left-turn lane. Sidewalks are provided on both sides of the roadway, and bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. There is no posted speed limit.

Auto Park Avenue is a non-classified roadway in the City of Chula Vista Land Use and Transportation Element. It is currently constructed as a two-lane undivided roadway. Sidewalks are provided on both sides of the roadway, and bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. There is no posted speed limit.

Maxwell Road is a non-classified roadway in the City of Chula Vista Land Use and Transportation Element. It is currently constructed as a three-lane undivided roadway with intermittent turning lanes north of Main Street. Sidewalks are provided on both sides of the roadway, and bike lanes and curbside parking are not permitted. The posted speed limit is 35 mph.

Nirvana Avenue is a non-classified roadway on the City of Chula Vista Land Use and Transportation Element. It is currently constructed as a two-lane undivided roadway. Sidewalks are provided on both sides of the roadway, and bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. The posted speed limit is 25 mph.

These roadways are consistent with the General Plan – Land Use and Transportation Element, and the project will not cause a conflict with this plan.

<u>Trucks</u>

As noted in the City of Chula Vista General Plan Land Use and Transportation Element, page LUT-81, "*Chula Vista has designated select roadways as truck routes to provide for the regulated movement of trucks throughout the City. This is intended to route truck traffic to those streets where neighborhood intrusion, noise, and other potential impacts are minimized. Roadways providing access to the freeways and major activity centers are the most likely candidates for truck*

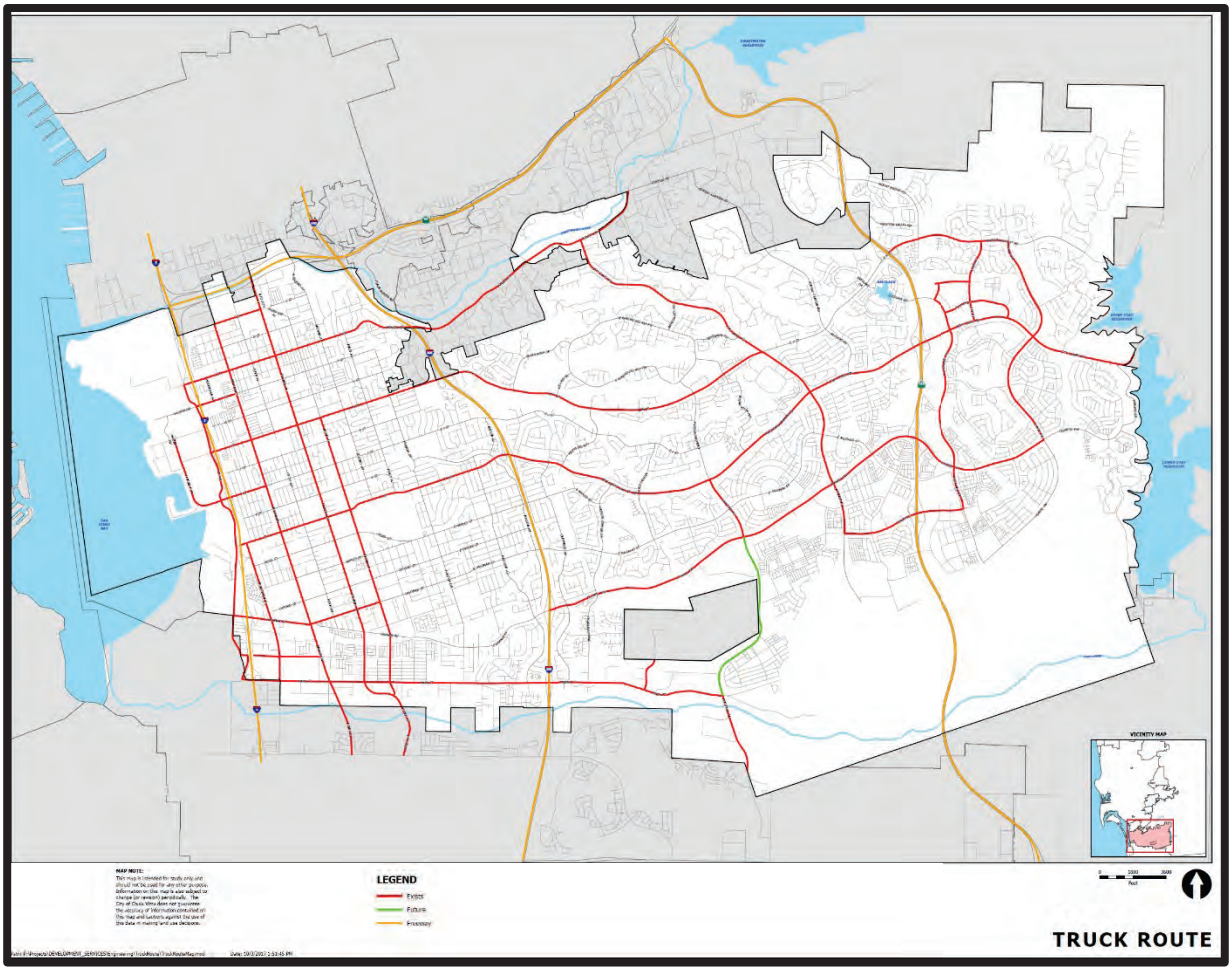

Figure 25 - The City's Truck Routes

route designation. The designation of truck routes does not prevent trucks from using any other streets to make deliveries or for other reasons, as defined in the Vehicle Code of the State of California."

The City will encourage future tenants to instruct truck drivers to turn south off Shinohara Lane onto Brandywine Avenue to get to the closest Truck Route, Main Street, thereby avoiding residential areas to the north on Brandywine Avenue.

The project will not cause a conflict with the City of Chula Vista General Plan Land Use and Transportation Elements.

CHULA VISTA ACTIVE TRANSPORTATION PLAN

Pedestrian Mobility

Nirvana Avenue – Within the study area, Nirvana Avenue currently provides contiguous sidewalks on both sides, north and south of the project site. The nearest signalized intersection is less than ½ mile south of the project site, at the Main Street/Nirvana Avenue intersection, and provides a controlled crossing location with pedestrian push buttons and crosswalks.

Main Street – Within the study area, Main Street currently provides contiguous sidewalks on the north side and non-contiguous sidewalks on the south side, except east of Nirvana Avenue, where contiguous sidewalks are provided on the north side only. Signalized intersections are less than ½ mile apart along Main Street and provide a controlled crossing location with pedestrian push buttons and crosswalks.

Crosswalks with pedestrian phases are provided on the north and east legs of the Main Street/Nirvana Avenue intersection. ADA curb ramps with detectable warning strips are provided as well. Based on the City of Chula Vista Active Transportation Plan, no sidewalk improvements are planned within ½ mile of the project site. The project will generate very little walking time since the project is industrial. There are no retail or restaurant opportunities within a mile of the project site to encourage pedestrian activity.

Per the City of Chula Vista Capital Improvement Projects, STM388 states that Main Street would be widened eastbound to include a third thru lane, a continuation of the Class II bike lane, curb, gutter, and sidewalk. The timing and bidding for this improvement are expected to occur in Fall 2022.

Bicycle Mobility

A bicycle network inventory was conducted for the study area. Based on a review of the General Plan, a Class II bike lane is provided along Main Street within the study area. Currently, no bike lanes or bike routes are provided on Nirvana Avenue within the study area. None are planned along this new Mobility Element street.

Based on the City of Chula Vista Active Transportation Plan, a Class IV Cycle Track is planned to be constructed on Heritage Road east of the project site. The project will generate very little biking time since the project is industrial. There are no retail or restaurant opportunities within a mile of the project site to encourage bicycle activity. The project is proposing 15 bicycle lockers on-site.

Transit Mobility

The nearest bus stop is approximately 1 mile from the project site, at the Main Street/Brandywine Avenue intersection. There are multiple bus stops along Main Street. These stops are served by San Diego Metropolitan Transit System (MTS) bus route 704, which runs from the E Street Transit Center to the Palomar Street Transit Center. MTS bus route 704 runs along 3rd Avenue, Naples Street, Brandywine Avenue, Main Street, and Orange Avenue. Weekday service begins at 5:22 AM with 30-minute headways and ends at 9:53 PM. Saturday service begins at 5:51 AM with 1-hour headways and ends at 9:19 PM. Sunday service starts at 7:22 AM with 1-hour headways and ends at 6:54 PM. Appendix G of the Local Mobility Analysis (Appendix O) contains the bus route schedule and map.

OTHER PLANS

City Capital Improvement Program (CIP)

A review of the interactive GIS Map of City CIP Projects accessed on December 14, 2021, indicates that Main Street was designed for widening on the south side between Nirvana Avenue and Heritage Road to a six-lane major as part of the 2015/16 program with the buildout of streets and pavement occurring in 2020.

As mentioned above, the City of Chula Vista Capital Improvement Projects, STM388, states that Main Street would be widened eastbound to include a third thru lane, a continuation of the Class II bike lane, curb, gutter, and sidewalk. The timing and bidding for this improvement are expected to occur in Fall 2022.

No other CIP projects are proposed in the project area, and the project will not conflict with this program.

Congestion Management Plan (CMP) & Regional Transportation Plan (RTP)

The San Diego Association of Governments (SANDAG) meets the federal congestion management provisions through existing SANDAG planning and performance monitoring activities, such as the Regional Transportation Plan (RTP) and other multimodal performance monitoring efforts. Federal congestion management provisions are more flexible and utilize the RTP as the primary tool to solve

congestion. The RTP includes identifying and evaluating anticipated performance and expected benefits of appropriate congestion management strategies (demand management, operational improvements, transit improvements, systems management improvements, etc.). Since the City and SANDAG work together for consistency between the City's General Plan and SANDAG's 2014 Regional Transportation Plan (RTP), and the project is consistent with the City's General Plan, it is also consistent with the CMP and RTP.

SUMMARY

As designed and conditioned, the project will not conflict with any of the above-noted plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. It will have a **less than significant** impact directly, indirectly, or cumulatively.

b) **Less than significant impact.** Per the City of Chula Vista Transportation Study Guidelines:

An assessment was conducted to determine the project's impacts on Vehicle Miles Traveled (VMT). This assessment utilizes methodologies presented within the Governor's Office of Planning and Research (OPR) Technical Advisory developed to assist with the implementation of Senate Bill 743 (SB 743), which resulted in a shift in the measure of effectiveness for determining transportation impacts from Level of Service (LOS) and vehicular delay to VMT. VMT analyses are required for use in all California Environmental Quality Act (CEQA) documents no later than July 1, 2020. Also, in reference to CEQA Guidelines Section 15064.3, the OPR states that "'vehicle miles traveled' refers to the amount of distance of **AUTOMOBILE** travel attributable to a project. Here, the term 'automobile' refers to on-road passenger vehicles, specifically cars and light trucks." Therefore, heavy vehicles are not considered.

Per the City of Chula Vista Transportation Study Guidelines:

"Industrial Employment projects located within a VMT-efficient area may be presumed to have a less than significant impact absent substantial evidence to the contrary. A VMT-efficient area for industrial employment projects is any area with an average VMT/Employee at or below the baseline regional average for the census tract it is located within."

Significance Threshold
A SANDAG Vehicle Miles Traveled (VMT) calculation tool was used instead of the SANDAG regional travel demand model. The project is in a VMT efficient area (at or below the base year average VMT/employee) based on the applicable location-based screening map produced by SANDAG. The baseline average regional VMT/employee is 18.9 per the SANDAG Series 14 (Year 2016) ABM2+ data.

Project VMT
Using the SANDAG screening map for industrial projects under "per employee measurements," the project would be expected to generate 16.43 VMT/employee. Hence, the project would not require a VMT analysis, and the project is presumed to have a **less than significant** VMT impact. Table 4–1 shows the VMT analysis results. Appendix B of the Local Mobility Analysis (Appendix O) includes the two SANDAG screening maps.

TABLE 4–1
PROJECT VEHICLE MILES TRAVELED ANALYSIS

VMT per Employee		
Geography	**VMT per Employee**	**Exceeds Threshold?**
San Diego Region	18.9	--
Significance Threshold for Industrial Employment (at Regional Average VMT)	18.9	--
Project Site		
Chula Vista Nirvana	16.43	**No**

Source: SANDAG VMT Employee Screening Tool for the City of Chula Vista

Table 36 - Table 4-1 of the Local Mobility Analysis – Project Vehicle Miles Travels Analysis

c) **Less than significant impact.** The project site will be provided access via a driveway easement from Nirvana Avenue. The driveway will be constructed in compliance with recommended roadway classifications and respective cross-sections in the City of Chula Vista General Plan Chula Vista Vision 20 or as directed by the City. The City Engineer will review the project site plan for sight distance at the access point with respect to standard Caltrans and City sight distance standards. In addition, further review will take place at the time of final grading, landscaping, and street improvement plans. Signing/striping will be implemented in conjunction with detailed construction plans for the project site.

LLG performed a field survey (no drawings/plans were prepared, rather, only field measurements were conducted) to determine whether or not the minimum required intersection sight distances can be achieved for drivers turning left from the project driveway. Per the *AASHTO Geometric Design of Highways and Street Manual*, the point of observation for their review is offset 14.5 feet from the edge of the traveled way. The driver's eyes are measured at 3.5 feet from the ground surface, and the object to be observed is also 3.5 feet from the ground. The location of the object to be observed is located in the middle of the travel lane.

Based on the proposed traffic control at the project driveway, the appropriate sight distance formula would reflect the left-turn from the minor road, with stop control would represent the appropriate constraint on drivers leaving the project site. The formula below has variables that are dependent on the design speed of the major road (V_{major}) and expected maneuver time (t_g) pertaining to each specific turning movement. AASHTO recommends adjusting the intersection sight distance accordingly only for approaches with vertical grades exceeding -3% or +3%.

TABLE 10–2
SIGHT DISTANCE CALCULATIONS

Equation	V_{major}[a]	Viewing Direction	t_g[b]	ISD[c]
ISD = 1.47 V_{major} t_g	25 mph	Traffic approaching minor road from the left	10.5 seconds	386 feet
		Traffic approaching minor road from the right	11.5 seconds	423 feet

Footnotes:
a. V_{major} = design speed of major road (mph)
b. t_g = time gap for minor road vehicle to enter the major road (s)
c. ISD = intersection sight distance (length of the leg of sight triangle along the major road) (ft)

General Notes:
1. Equation per *AASHTO's* Case B – Intersections with stop control on the minor road (Section 9.5.3.2). Excerpt included in *Appendix F.*

Table 37 - Table 10-2 of the Local Mobility Analysis - Sight Distance Calculations

Per the above guidelines, the intersection distance for both left and right approaches of the minor leg must be determined for vehicles turning left out of the driveway. Looking left from the driveway, the minimum required intersection sight distance is 386 feet, and looking right from the driveway towards the westbound approach, the sight distance is 423 feet. LLG's field observations show that sight distance requirements are met for eastbound (386 feet) and westbound (423 feet) approaches. These sight distances can be achieved as shown in the following Sight Distance Figure.

Figure 26 - Sight Distance

In addition, truck-turning template analyses were conducted at the project driveway as part of the civil engineering plan preparation. Main Street and Nirvana Avenue currently serve heavy trucks. Therefore, heavy trucks can be accommodated in the study area.

The project will have a **less than significant** impact, directly, indirectly, or cumulatively, on creating or increasing hazards or incompatible uses with the above provisions.

d) **Less than significant impact.** The project site will be provided access via a driveway easement from Nirvana Avenue. Emergency access to the site will be provided during the development's construction and operational phases. The project driveway is calculated to operate at LOS B. Per the Vehicle Code, emergency vehicles should be given priority while responding to and during emergencies, and all other vehicles will have to yield; therefore, adequate emergency can and will be achieved to support the project. As designed, the project will be reviewed for both on-site and off-site safety hazards by Engineering and Fire to ensure adequate emergency access. The project will have **less than significant impact** on emergency access, directly, indirectly, or cumulatively.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Comments:

The Archaeological Resources Survey Report (Appendix F) dated April 2022 and the Archaeological Resources Report Form for the Survey of Two Outfall Associated with the Nirvana Industrial Project (Appendix T) April 22, 2022, prepared by Red Tail Environmental have been relied upon for the following analysis.

a)

i) **Less than significant impact with mitigation.** Due to the presence of cultural resources within the project area, the presence of numerous cultural resources within one mile of the project area, early historic use within the vicinity of the project area, the overall poor to moderate ground visibility within the project area due to dense vegetation, and the possibility of buried cultural resources within the alluvial Otay River Valley (Gallegos et al. 1998:2-23) construction monitoring by an archaeologist and tribal monitor is recommended for the initial ground disturbance for the project (page 42 Archaeological Resources Survey Report (Appendix F)). Therefore, the project will have a **less than significant impact with mitigation** on tribal cultural resources. See Section V – Cultural Resources for impacts on cultural resources.

ii) **Less than significant impact with mitigation.** Pursuant to California Public Resources Code Section 21080.3.1 (Assembly Bill 52), California Native American tribes traditionally and culturally affiliated with the project area can request notification of projects in their traditional cultural territory. No tribes requested notification from the City of Chula Vista. However, if a tribal cultural resource is unexpectedly identified during the ground-disturbing activities of the project, the City has chosen to use Public Resources Code Section 21084.3 (b) as mitigation.

Mitigation:

MM TCR-1: Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.) on the project site or the off-site grading areas, the Permittee/Owner shall provide the City verification that a tribal monitor has been retained to work with the archeological monitor required by **MM CUL-1**. The tribal monitor shall be on-site during all ground-disturbing activities in an effort to identify any unknown tribal cultural resources. If tribal cultural resources are identified, the tribal monitor and archaeologist shall be authorized to divert the construction activities, investigate the tribal cultural resources, and salvage material to ascertain the find's significance.

If a tribal cultural resource is unexpectedly identified during implementation of the project, and the archaeologist and tribal monitor determine that the project may cause a substantial adverse change to a tribal cultural resource, the archaeologist and tribal monitor will work with the City of Chula Vista and the Permittee/Owner to employ one or more of the following standard mitigation measures, pursuant to Public Resources Code Section 21084.3 (b).

1. Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

2. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

   i. Protecting the cultural character and integrity of the resource
   ii. Protecting the traditional use of the resource
   iii. Protecting the confidentiality of the resource
   iv. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places

3. Protecting the resource.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Comments:

a) Less than significant impact.

Water

Using the Otay Water District 2015 Water Facilities Master Plan Update, prepared March 2016, it was determined the following potable water demand for the project would be required using Table C-3 from the Facilities Master Plan.

893 gpd/ac x 13.31 acres = 11,885 gpd/ac of potable water demand

gpd/ac = gallons per day per acre

The irrigation water demand is expected to be 8,381 gpd/ac using the State Model Water Efficient Landscape Ordinance (MWELO).

The Otay Water District will provide potable water to the project site via an existing 16-inch potable main within Main Street southerly of the project. On September 10, 2021, the Otay Water District provided a "Will Serve Letter"; therefore, the project would have a **less than significant impact** on the need to relocate or construct new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects.

Wastewater

The project will connect to the existing 8-inch PVC public sewer main in Nirvana Avenue via a new sewer lateral. The existing public sewer was installed per drawing number 75-107D and connects to the 10-inch PVC sewer main located on Main Street.

Per the Preliminary Sewer Study prepared by Pasco Laret Suiter & Associates (Appendix S), the 8-inch sewer main in Nirvana Avenue flows southwesterly. It connects to an existing 10-inch sewer main in Main Street at an existing manhole located at the intersection of Nirvana Avenue and Main Street. There is no additional sanitary sewer flow from the east along Main Street at this manhole location. The existing 10-inch sanitary sewer main flows westerly in Main Street, approximately 5,800 lineal feet to the intersection of I-805 and Main Street and then an additional 2,100 linear feet to the intersection of Otay Valley Road and Main Street. Please refer to the City of Chula Vista's CV Mapper website for GIS wastewater systems.

The existing 8-inch sewer mains in both Energy Way and Nirvana Avenue and Main Street's existing 10-inch sewer main were all constructed during the 1970s and generally comprised of PVC pipe. The systems were installed under Work Order No. EY026 (Drawing No. 75-105D through Drawing No. 75-111D). The existing branch connecting sewers along Main Street and west of Brandywine Avenue are generally comprised of vitrified clay pipe (VCP).

Preliminary sewer generation rates for the proposed development are based on the planning requirements provided in the City of Chula Vista Subdivision Design Manual and the City of Chula Vista Wastewater Collection System Master Plan, May 2014. The Wastewater Master Plan methodology calculates sanitary flows based on the current or planned parcel zoning, lot area, and duty factor demands obtained from Table 3-2 of the Wastewater Master Plan. The Average Dry Weather Flow (ADWF) was calculated for the proposed site was 9,477 gallons per day. As a comparison, an alternative method for calculating the ADWF is provided in Table 2-2 of the Sewer Study (Appendix S) Page 8. The alternative method utilizes a combination of duty factor demands and known building square footage. Proposed building areas ASWF would be 23,557 gallons per day.

Based on the above methods of calculating the ADWF, the more conservative ADWF of 23,557 gpd was utilized to determine the proposed site's equivalent population and sanitary flows during sewer modeling. As noted in Section 3 of the Preliminary Sewer Study, a Sanitary Sewer Analysis was performed, and the results can be found in the report.

The analysis demonstrates that while there is an increase in the planned flow in the existing sewer main in Nirvana Avenue with the proposed project, the projected peak wet weather flows in the analyzed existing sewer mains do not exceed a d/D of 0.7 as required per Table 4-1 of the City of Chula Vista Wastewater Collection System Master Plan (May 2014) and per page 36 of the City of Chula Vista Sewer System Management Plan (April 2021).

Therefore, Pasco Laret Suiter & Associates determined that the existing sewer infrastructure in Nirvana Avenue and Main Street has sufficient capacity to convey the anticipated sewer flows from the proposed project per the criteria listed in the City's Wastewater Master Plan. Furthermore, the project should not be required to upsize the existing sewer mains in Nirvana Avenue since an impact on the existing sewer infrastructure does not occur in the area analyzed.

Stormwater Drainage

As discussed in Section X – Hydrology and Water Quality, Drainage improvements will include catch basins, curb inlets, and storm drainpipes. Proprietary Modular Wetland Systems are proposed for stormwater treatment. Underground detention vaults are proposed for peak flow attenuation.

The proposed site will consist of four (4) major drainage basins with four (4) discharge locations to mimic existing conditions. The site will consist of six (6) Drainage Management Areas (DMAs) based on on-site drainage patterns and BMP locations.

The two major off-site drainage conveyances will be channeled south through the project site to their existing culverts underneath Main Street. The proposed private stormwater infrastructure will be located beneath the proposed fill and retaining walls and will be privately maintained. Access to the new private stormwater system will be provided by storm drain cleanouts located at the connection points to the existing public storm drain systems along the northern property line (at various locations in the project's parking lot and at the base of the proposed retaining wall along Main Street at the grade of Main Street where the new private stormwater infrastructure connects to the existing public storm drain system).

A 60" RCP storm drain is proposed to convey off-site runoff from the northwest and discharge to the existing 6' x 2.5' double RCB culvert system underneath Main Street. The culvert system discharges south of Main Street and into the Otay River. A 72" RCP storm drain is proposed to convey off-site runoff

from the north and discharge to the three (3) existing 48" RCP storm drains underneath Main Street. The culvert system discharges south of Main Street and into the Otay River.

Stormwater runoff from the western portion of the proposed development (DMA-A) is routed to the northwest corner for stormwater treatment and detention and discharged into the proposed 60" RCP off-site runoff storm drain system. Stormwater from the eastern portion of the proposed development (DMA-B) is routed to the northeast corner for stormwater treatment and detention and discharged into the proposed 72" RCP off-site runoff storm drain system.

Runoff from the cut slope at the site's northwest corner will discharge directly to the 60" RCP storm drain system. This area (DMA-C) is considered a Self-Mitigating DMA per Chapter 5.2.1 of the City of Chula Vista BMP Design Manual. Fill slope runoff along the northern property boundary will discharge directly into the proposed 72" RCP storm drain system. This area (DMA-D) is also considered a Self-Mitigating DMA per the BMP Design Manual.

Slope runoff along the southern property boundary will sheet flow onto Main Street. There is a high point on Main Street forming two Self-Mitigating DMAs. Runoff from Self-Mitigating DMA-E will discharge into the existing Type B curb inlet and existing 18" RCP storm drain under Main Street. Runoff from Self-Mitigating DMA-F will discharge into the existing Type B curb inlet and existing 24" RCP storm drain under Main Street.

All developed site runoff discharges through existing storm drain infrastructure and into the Otay River. The Otay River travels west and outlets at the San Diego Bay and, ultimately, the Pacific Ocean.

Prior to discharge from the project site, developed site runoff is drained to a series of BMPs, including trash screen devices, Contech pretreatment units, StormTrap underground detention vaults, and BioClean Modular Wetland Systems. The underground detention vaults have been designed to meet 100-year peak flow detention requirements. The Modular Wetland Systems (MWS) has been designed for stormwater treatment. The project is exempt from hydromodification management requirements because the project directly discharges into an exempt river reach via a hardened conveyance (a combination of a private and public storm drain system).

The underground detention vaults have been designed to provide flow control in the form of volume reduction and peak flow attenuation. The vaults have been modified to include low-flow and mid-flow orifice outlets and an overflow weir to control peak flows. The required water quality treatment flow is diverted to the downstream Modular Wetland System in accordance with Worksheet B.5-5 of the City of Chula Vista BMP Design Manual. Overflow relief for the 100-year storm event is provided with a partition weir installed within the vaults and discharged directly to the proposed 60" diameter and 72" diameter storm drainpipes conveying off-site runoff through the project site (pages 5 and 6 of 10, Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP), Appendix N).

Therefore, the project would have a **less than significant impact** on the need to relocate or construct new or expanded stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects.

Electric Power, Natural Gas & Telecommunications

The project will connect to existing electric and natural gas facilities through San Diego Gas and Electric (SDG&E). On June 29, 2021, SDG&E provided a "Will Serve" for the project.

The annual natural gas and electricity demands have been provided per the CalEEMod output from the Air Quality and Greenhouse Gas Analysis Impact Study (Appendix D). They are provided in Table 9 of the CEQA Energy Review (Appendix P).

Table 9: Project Annual Operational Energy Demand Summary[1]	
Natural Gas Demand	**kBTU/year**
Unrefrigerated Warehouse - No Rail	4,388,697
Total	4,388,697

Electricity Demand	**kWh/year**
Unrefrigerated Warehouse - No Rail	1,304,286
Parking Lot	250,320
Total	**1,554,606**

Notes:
[1]Taken from the CalEEMod 2022.1 annual output in the Chula Vista Self -Storage Air Quality and Greenhouse Gas Impact Study (Appendix D).

Table 38 - Table 9 of the CEQA Energy Review - Project Annual Operation Energy Demand Summary

As shown in Table 9, the estimated electricity demand for the project is approximately 1,554,606 kWh per year. In 2020, the non-residential sector of the County of San Diego consumed approximately 11,658 million kWh of electricity.[23] In addition, the estimated natural gas consumption for the project is approximately 4,388,697 kBTU per year. In 2020, the non-residential sector of the County of San Diego consumed approximately 202 million therms of gas.[24] Therefore, the project's increase in electricity and natural gas demand is insignificant compared to the County's 2019 non-residential sector demand. It is noted that gas is only being stubbed out to the project site, and it will be the tenant's choice to use gas. Some tenants may prefer to be an all-electric facility, in which case the gas consumption figures noted here are a worst-case scenario.

Telecommunications will be provided via AT&T, whose lines are on overhead power poles parallel to Main Steet from Nirvana Avenue to Heritage Road across the subject property. At one time, SDG&E also had overhead powerlines running on the same power poles. The SDG&E lines have since been undergrounded and are now in Main Street. The conduit has also been placed in Main Street for the AT&T lines. As part of this project, the AT&T lines will be placed into the existing conduit in Main Street, and the poles and cables along Main Street will be removed.

Therefore, the project would have a **less than significant impact** on the need to relocate or construct new or expanded electric power or natural gas facilities, the construction or relocation of which could cause significant environmental effects.

Internet and Cable Facilities

Cox Communications will provide internet and cable services to the project. Cox has cable facilities located in the area that can be extended to the project. Cox will coordinate system design changes required to extend their system to the project. Cox Communications provided a "Will Serve" letter for the project on October 4, 2021.

Therefore, the project would have a **less than significant impact** on the need to relocate or construct new or expanded internet or cable facilities, the construction or relocation of which could cause significant environmental effects.

b) **Less than significant impact.** The Otay Water District (OWD) supplies potable water to the project site and its region. As discussed in the San Diego County 2020 Urban Water Management Plan (UWMP), adequate water supplies are projected to be available to meet Otay Water District's estimated water demand through 2045 under normal, historic single-dry, and historic multiple-dry year conditions (pages ES-6 and ES-7). OWD forecasts for projected water demand are based on the population projections of SANDAG, which rely on the adopted land use designations contained within the general plans that cover the geographic area within OWD's service area. The water use projections utilized in the San Diego County 2020 UWMP were based on the site's existing industrial land use designation on the City's Land

[23] California Energy Commission, Electricity Consumption by County. https://ecdms.energy.ca.gov/elecbycounty.aspx
[24] California Energy Commission, Gas Consumption by County. http://ecdms.energy.ca.gov/gasbycounty.aspx

Use Map. OWD will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. The project will have a **less than significant impact**.

c) **Less than significant impact**. During sewer modeling, the more conservative ADWF of 23,557 gpd was utilized to determine equivalent population and sanitary flows from the proposed site.

Under existing conditions, City currently has 20.86 million gallons per day (mgd) of allocated wastewater treatment capacity rights in the Metro system and generates about 16 mgd. Based on current trends, the City could reach 22 mgd in the next decade. The City is currently exploring options for increasing capacity (City of Chula Vista Water Reclamation Facility Feasibility Study – Accessed December 15, 2021).

Implementation of the project would utilize approximately 1% of the treatment capacity. Accordingly, sufficient capacity to treat wastewater generated by the project and existing commitments exist. The project would not require new or expanded wastewater facilities (such as conveyance lines, treatment facilities, or lift stations). However, as previously stated, the City is aware that additional capacity will be needed in the next ten years. Because there is adequate capacity at the existing treatment facility to serve the project's projected sewer demand, impacts would be **less than significant**.

d) **Less than significant impact.** Implementing the project would increase solid waste volumes requiring off-site disposal during short-term construction and long-term operational activities.

According to the San Diego County Integrated Waste Management Plan 5-Year Review Report 2017, approved in January 2018, solid waste from Chula Vista is landfilled at the Otay Landfill (Closure Date 2030). After the closure of the Otay Landfill, the project site area will be served by the Sycamore Landfill (Closure Date: 2054, with plans to extend the date of closure through expansion). The two landfills have 131.1 million cubic yards of remaining capacity. Therefore, the region has more than adequate landfill capacity to serve the City of Chula Vista's disposal needs for the foreseeable future. The project would not generate solid waste in excess of state or local standards or excess of local infrastructure capacity or otherwise impair the attainment of solid waste reduction goals. Therefore, the impacts would be **less than significant**.

e) **Less than significant impact.** All land uses that generate waste must coordinate with the City's contracted waste hauler to collect solid waste on a standard schedule established in applicable local, regional, and state programs. Additionally, all development within the City must comply with applicable state requirements for recycling and waste reduction and other local and federal solid waste disposal standards, thereby ensuring that the solid waste sent to landfills is reduced according to existing regulations. Therefore, impacts related to compliance with federal, state, and local management and reduction statutes and regulations pertaining to solid waste are considered **less than significant**, directly, indirectly, or cumulatively.

Mitigation: No mitigation measures are required.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations	☐	☐	☐	☒

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
from a wildfire or the uncontrolled spread of a wildfire?				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk, or that may result in temporary or ongoing impacts on the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Comments:

a) **No impact.** The City of Chula Vista does not have an adopted emergency response plan or emergency evacuation plan. However, the City of Chula Vista Fire Department has the following scenarios that require disaster preparedness: wildfire, earthquakes, flood, terrorism, and tsunami. The only scenario with an evacuation route map is the tsunami scenario. The evacuation routes are along the coast and direct evacuees inland. According to the tsunami evacuation map, a tsunami would not affect the project site.

Project access will be provided through an easement from a driveway off Nirvana Avenue. The road is an existing street within the City's established street system. The project will not significantly alter the road or the current circulation pattern in the area.

Construction activities may temporarily restrict vehicular traffic. However, even temporary changes to the existing roadway network require the approval of the City and notification to all emergency responders.

The project provides adequate emergency vehicle access, including street widths and vertical clearance. Implementing federal, state, and local laws and regulations in the project's construction would result in **no impact,** directly, indirectly, or cumulatively, on adopted emergency response or evacuation plans.

b) **No impact.** A review of Figure 9-7 – Geologic Hazards of the General Plan (page E-55) found that the project site was not in a landslide hazard area or an area of steep slopes. However, steep slopes are present, and the project will include a Verdura plantable retaining wall from the project pad down to Main Street and other nail and retaining walls. All walls will be designed and constructed per the recommendations of the Geotechnical Investigation and the California Building Code. The project's landscape plan and maintenance will create a defensible space, changing the existing natural slope conditions to a defendable slope condition. The project will have **no impact** on exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled wildfire spread.

c) No impact. The project will not require installing or maintaining associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or result in temporary or ongoing environmental impacts. The project is in an industrial park area and is zoned and planned for industrial uses.

d) **No impact.** The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes. The project will include a graded pad for the buildings with a Verdura plantable retaining wall from the project pad down to Main Street and other nail and retaining walls. All walls will be designed and constructed per the recommendations of the Geotechnical Investigation and the California Building Code. The

project's landscape plan and maintenance will create a defensible space, changing the existing natural slope conditions to a defendable slope condition. The project will have **no impact** on exposing people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes.

Mitigation: No mitigation measures are required.

Issues:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XXI. THRESHOLDS. *Will the proposal adversely impact the City's Threshold Standards?*				
A. Library				
The City shall construct 60,000 gross square feet (GSF) of additional library space, over the June 30, 2000, GSF total, in the area east of Interstate 805 by buildout. The construction of said facilities shall be phased such that the City will not fall below the city-wide ratio of 500 GSF per 1,000 population. Library facilities are to be adequately equipped and staffed.	☐	☐	☐	☒
B) Police				
a) Emergency Response: Properly equipped and staffed police units shall respond to 81 percent of "Priority One" emergency calls within seven (7) minutes and maintain an average response time to all "Priority One" emergency calls of 5.5 minutes or less.	☐	☐	☐	☒
b) Respond to 57 percent of "Priority Two" urgent calls within seven (7) minutes and maintain an average response time to all "Priority Two" calls of 7.5 minutes or less.				
C) Fire and Emergency Medical				
Emergency response: Properly equipped and staffed fire and medical units shall respond to calls throughout the City within 7 minutes in 80% of the cases (measured annually).	☐	☐	☐	☒
D) Traffic				
The Threshold Standards require that all intersections must operate at a Level of Service (LOS) "C" or better, with the exception that Level of Service (LOS) "D" may occur during the peak two hours of the day at signalized intersections. Signalized intersections west of I-805 are not to operate at a LOS below their 1991 LOS. No intersection may reach LOS "E" or "F" during the	☐	☐	☐	☒

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
average weekday peak hour. Intersections of arterials with freeway ramps are exempted from this Standard.				
E) Parks and Recreation Areas				
The Threshold Standard for Parks and Recreation is 3 acres of neighborhood and community parkland with appropriate facilities /1,000 population east of I-805.	☐	☐	☐	☒
F) Drainage				
The Threshold Standards require that stormwater flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with the Drainage Master Plan(s) and City Engineering Standards.	☐	☐	☒	☐
G) Sewer				
The Threshold Standards require that sewage flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with Sewer Master Plan(s) and City Engineering Standards.	☐	☐	☒	☐
H) Water				
The Threshold Standards require that adequate storage, treatment, and transmission facilities are constructed concurrently with planned growth and that water quality standards are not jeopardized during growth and construction.	☐	☐	☒	☐
Applicants may also be required to participate in whatever water conservation or fee off-set program the City of Chula Vista has in effect at the time of building permit issuance.				

Comments:

A. **No impact.** Although the project is east of Interstate 805, it is an industrial project which would not create a demand on or for libraries. See Section XV – Public Services v) Other public facilities.

B. **No impact**. See Section XV – Public Services ii) Police protection.

C. **No impact.** See Section XV – Public Service i) Fire protection.

D. **No impact.** Per the Local Mobility Analysis Chula Vista Nirvana, prepared by Linscott Law & Greenspan Engineers, January 4, 2023 (Appendix O), the project does meet the LOS D or better during the AM and PM peak hours at signalized intersections, the threshold per the recent City of Chula Vista Transportation Study Guidelines of determining a project's substantial traffic effect. See Section XVII – Transportation.

E. **No impact**. Although the project is east of Interstate 805, it is an industrial project which would not create a demand on or for parks and recreation facilities. See Section XV – Public Services iv) Parks and Section XVI – Recreation.

F. **Less than significant impact.** See Sections X – Hydrology and Water Quality and XIX – Utilities and Service Systems.

G. **Less than significant impact.** See Section XIX – Utilities and Service Systems.

H. **Less than significant impact.** See Sections X – Hydrology and Water Quality and XIX – Utilities and Service Systems.

Mitigation: No mitigation measures are required.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Comments:

a) **Less than significant with mitigation.**
Implementation of the project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal with the implementation of **MM BIO-1** through **MM BIO-6**. As described in Section IV – Biological Resources, the project impacts on special-status plants and wildlife with the implementation of **MM BIO-1** through **MM BIO-6** would be **less than significant with mitigation**.

The project will not eliminate important examples of the major periods of California's history or prehistory. It will have a **less than significant impact with mitigation** as described in Sections V – Cultural Resources, Section VII – Geology and Soils f) Paleontological, and Section XVIII – Tribal Cultural Resources. The project would not impact any known historic, archaeological, paleontological, or tribal cultural resources. Nevertheless, it is possible that resources would be encountered at subsurface levels during ground-disturbing construction activities. To reduce potential adverse effects to post-review discoveries during project implementation, procedures for inadvertent discovery of resources will be implemented through **MM CUL-1** through **MM CUL-2**, **MM PAL-1**, and **MM TCR-1**.

b) **Less than significant with mitigation.** The project cumulatively adds to the impacts of aesthetics, air quality, biological resources, cultural resources, energy, greenhouse gas emission, hazards & hazardous materials, hydrology/water quality, noise, paleontological resources, public services, recreation, transportation, tribal cultural resources, and utilities/service systems. However, the project is consistent with the City's General Plan land use designation and, therefore, will not impact population and housing as it was planned and analyzed under the General Plan EIR. Through the project design features, proposed mitigation measures, and consistency with the General Plan, cumulative impacts are less than significant with mitigation. Cumulatively considerable impacts associated with the project are **less than significant with mitigation** incorporated (**MM CUL-1** through **MM CUL-2**, **MM PAL-1**, **MM HAZ-1 – MM HAZ-7**, and **MM TCR-1**). The project does not have impacts that are individually limited but cumulatively considerable.

c) **Less than significant impact with mitigation.** Direct and indirect environmental effects on human beings were analyzed in the following sections: aesthetics, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use and planning, noise, population/housing, public services, recreation, transportation, and utilities/services systems. As found in the discussion of each relevant section, there are no potential impacts that cannot be fully mitigated to less-than-significant levels. Furthermore, the project would comply with all applicable federal, state, and local policies and regulations. The project would not result in environmental effects that would cause substantial adverse effects on human beings, and impacts would be **less than significant with mitigation**. With the **MM HAZ-1 – MM HAZ-7,** impacts can be mitigated to less than significant.

XXIII. IDENTIFICATION OF ENVIRONMENTAL EFFECTS:

An Initial Study (IS) conducted by the City of Chula Vista determined that the proposed Nirvana Business Park (project) may have potentially significant environmental impacts; however, mitigation measures (MMs) have been incorporated into the project to reduce these impacts to a less-than-significant level. This Mitigated Negative Declaration (MND) has been prepared in accordance with Section 15070 of the California Environmental Quality Act (CEQA) Guidelines.

XXIV. PROJECT REVISIONS OR MITIGATION MEASURES:

No project revisions are proposed, and the mitigation measures are called out in each section above where they are required.

XXV. AGREEMENT TO IMPLEMENT MITIGATION MEASURES:

By signing the line(s) provided below, the Applicant(s) and/or Operator(s) stipulate that they have each read, understood, and have their respective company's authority to and do agree to the mitigation measures contained herein, and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign the line(s) provided below shall indicate the Applicant's and/or Operator's desire that the Project be held in abeyance without approval.

Steven Schwarz
VWP-OP Nirvana Owner, LLC

Printed Name and Title of Authorized Representative

DocuSigned by:
DF4D7EF82932448...

03-29-2023 | 13:13 PDT

Signature of Authorized Representative Date

XXVI. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐	Aesthetics	☐	Agriculture & Forestry Resources	☐	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology & Soils	☐	Greenhouse Gas Emissions	☒	Hazards & Hazardous Materials
☐	Hydrology & Water Quality	☐	Land Use & Planning	☐	Mineral Resources
☐	Noise	☐	Population & Housing	☐	Public Services
☐	Recreation	☐	Transportation	☒	Tribal Cultural Resources
☐	Utilities & Service Systems	☐	Wildfire	☒	Mandatory Findings of Significance*

* Potentially Significant Impacts have been reduced below a level of significance.

XXVII. DETERMINATION:

On the basis of this initial evaluation:

I find that the project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared. ☐

I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared. ☒

I find that the project **may** have a significant effect on the environment, and an **Environmental Impact Report** is required. ☐

I find that the project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the project, nothing further is required. ☐

Desmond Corley Principal Planner City of Chula Vista	*3/29/2023* Date

XXVIII. CUMULATIVE PROJECT LIST:

1. **Project Site** – 821 Main Street – Nirvana Business Park – located 5,000 feet to the east – Design Review – DR21-0024 for the review of the site plan and the three proposed warehouse buildings, and the self-storage building. Building 1 is proposed as 59,044 square feet, Building 2 is proposed as 44,592 square feet, Building 3 is proposed as three-stories 140,802 square feet for self-storage, and building 4 is proposed as 50,030 square feet. A Tentative Parcel Map – TPM21-0003 is also proposed to subdivide the 13.31-acre property into four (4) parcels, one for each of the buildings. The four parcels' public right-of-way is provided via a private access easement to Nirvana Avenue.

2. 1810 Main Court – In-N-Out Restaurant.

3. 1891 Nirvana Avenue – Cannabis Dispensary – Conditional Use Permit to allow the operation of a storefront retail cannabis business within an existing 3,221 sq. ft. industrial building on a 1.05-acre site located within the General Industrial (I) zone.

4. NWC Heritage/Santa Maya – Escaya Industrial – Design Review Permit to allow the construction of three industrial shell buildings. The site is in the Otay Ranch Village 3 Sectional Planning Area (SPA) and has a zoning designation of Industrial (I) and a General Plan designation of Limited Industrial (IL).

5. 1855 Maxwell Road – CV School District Vehicle Repair Shop – Design Review to construct a proposed one-story, 15,500 sq. ft. building for vehicle repair of school buses and office space for the Chula Vista Elementary School District.

6. 517 Shinohara – Shinohara Business Center – DR21-0032 – To develop a 178,156 square-foot single-story industrial building for warehousing and office uses on a vacant 9.72-acre parcel. Hours of operation are proposed as a 24-hour operation, seven days a week, with 3 varying shifts. The subject site is zoned ILP (Limited Industrial Precise Plan) and a General Plan designation of IL (Limited Industrial). The project will include one entitlement for a Design Review DR21-0032 and a Mitigated Negative Declaration with Mitigation Measures and Reporting Program IS21-0006, subject to review and approval by the Planning Commission of the City of Chula Vista.

7. 750 Main Street – Maxwell @ Main Development of 8.21 gross-acre site within the Auto Park East Specific Plan. The project includes a Design Review, a Tentative Tract Map (seven lots), and a Notice of Exemption (under the Auto Park East Specific Plan Mitigated Negative Declaration. The site is General Plan designated IL – Limited Industrial and Zoned (ILP) Limited Industrial and is located within the Auto Park East Specific Plan. The seven commercial buildings proposed are as follows:

   - Building A – a 2,551-square-foot drive-through restaurant
   - Building B – a 2,164-square-foot drive-through restaurant
   - Building C – a 4,446-square-foot retail car wash
   - Building D – a 2,400-square-foot drive-through restaurant
   - Building E – a gasoline station with a 4,620-square-foot convenience store (with a type 20 off-site beer and wine license) and a 4,596-square-foot canopy covering eight dispensers,
   - Building F– a 2,221-square-foot drive-through restaurant
   - Building G – a 1,689-square-foot collision (auto-repair) facility

8. 1875 Auto Park Avenue – Mossy Chrysler Dodge Ram & Jeep Chula Vista Showroom & Sales Office – DR20-0025 – Design Review for a two-story, 54,400 square foot building and a detached 1,200 square foot carwash for a Mossy automobile dealership with automotive repair services and associated carwash on approximately 6.51 acres within the Auto Park North Specific Plan.

9. 670 Main Street – BMW – DR17-0031 – Design Review consideration of a two-story, 37,600 sq. ft. building for a BMW auto dealership with auto repair/service and associated carwash on approximately 4.2 acres.

10. 1880 Auto Park Place – Automotive Repair – DR19- 0025 – Design Review consideration of a 27, 821 square-foot building with a 4, 185 square-foot covered entryway for supportive uses to include a vehicle collision and automotive repair facility.

XXIX. REFERENCES:

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City of Chula Vista Jurisdictional Runoff Management Program, June 2015, updated January 2017 and January 2018

City of Chula Vista Municipal Code, Title 14 – Watercourses
- Chapter 14.20 – Storm Water Management and Discharge Control

City of Chula Vista Municipal Code, Title 15 – Buildings and Construction
- Chapter 15.04 – Excavation, Grading, Clearing, Grubbing and Fills
- Chapter 15.26 – Energy Code
  - Section 15.26.020 – Outdoor Lighting Zones
  - Outdoor Lighting Zones Map

City of Chula Vista Municipal Code, Title 17 – Environmental Quality
- Chapter 17.28 – Unnecessary Lights

City of Chula Vista Municipal Code, Title 19 – Planning and Zoning
  - Section 19.62.120 – Parking Areas – Lighting Arrangements

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San Diego County Integrated Waste Management Plan 5-Year Review Report 2017, approved in January 2018 – Accessed February 6, 2023

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15. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) FOR THE NIRVANA BUSINESS PARK PROJECT

1. **Project Case Number(s):** Design Review – DR21-0024
   Tentative Parcel Map – TPM21-0003
   Environmental Review – IS21-0002

2. **Project Title:** Nirvana Business Park

3. **Lead Agency:** City of Chula Vista
   Oscar Romero, Project Manager
   Development Services, Planning
   276 Fourth Avenue
   Chula Vista, CA 91910
   (619) 691-5098
   oromero@chulavistaca.gov

4. **Project Sponsor**: Steven Schwarz
   VWP-OP Nirvana Owner, LLC
   2390 E. Camelback Rd. Ste. 305
   Phoenix, AZ 85016
   (602) 427-6972
   sschwarz@viawestgroup.com

5. **Project Location:**

821 Main Street, on the north side of Main Street, with access from Nirvana Avenue to the west, 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, Section 20. It comprises Tax Assessor parcel numbers – APNs 644-050-13-00, 644-050-14-00, and a portion of 644-050-08-00.

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
BIOLOGICAL RESOURCES						
MM BIO-1:	Compensatory Mitigation: Per the HLIT ordinance, 14.00 acres of impacts to sensitive uplands, jurisdictional resources, and City wetlands shall be mitigated at the required mitigation ratios (Table 13). All impacts to wetlands will be mitigated at a 1:1 ratio, upland impacts may be mitigated at a 1:1 ratio. Prior to the issuance of any land development permits (including clearing, grubbing, and/or grading permits), the Permittee/Owner shall finalize the mitigation option(s) with concurrence from the City of Chula Vista. Mitigation would be provided through one of the following options, and the ratio would be determined by the location of the proposed mitigation site. Mitigation Bank. Mitigation would occur through purchasing credits at a City-approved mitigation bank to achieve the required Tier I and wetland mitigation per the mitigation ratios in Table 5-3 of the Subarea Plan. Habitat Preservation. Prior to issuing any grading permit, the Permittee/Owner shall provide evidence to the City of Chula Vista Planning Division that City-approved Tier I and wetland habitat are provided as mitigation through compensatory preservation per the mitigation ratios in Table 5-3 of the Subarea Plan. The habitat preservation mitigation site shall (1) be protected by a conservation	Permittee/Owner	Prior to Grading Permit Issuance	Permittee/Owner shall provide evidence to the Planning Division		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	easement or other City-approved mechanism that provides preservation in perpetuity, (2) have a permanent, responsible party clearly designated, and (3) be managed in accordance with a Habitat Management Plan (or similar) in perpetuity. The Habitat Management Plan (or similar) shall also include Property Analysis Report (PAR) analysis to identify yearly maintenance and monitoring costs pursuant to meeting those performance criteria, as well as identify an initial management fund endowment to provide for management in perpetuity. Prior to grading permit issuance, the Permittee/Owner shall provide proof that such funds have been provided to the permanent, responsible party. Habitat Restoration. Prior to issuing any grading permit, the Permittee/Owner shall provide evidence to the City of Chula Vista Planning Division that Tier I and wetland habitat type are being restored and/or enhanced per the mitigation ratios in Table 5-3 of the Subarea Plan. In addition, the Permittee/Owner shall provide a performance bond to the City prior to issuing a grading permit to ensure the completion of the restoration and funds for enhancement are provided. The habitat restoration mitigation site shall (1) be protected by a conservation easement or other City-approved mechanism that provides preservation in perpetuity, (2) have a permanent, responsible party clearly					

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	designated, and (3) be managed in accordance with a Habitat Management Plan (or similar) in perpetuity. If mitigation credits are not purchased, the Permittee/Owner shall prepare a Habitat Mitigation and Monitoring Plan to the satisfaction of the City. The Habitat Mitigation and Monitoring Plan shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; maintenance, monitoring, and reporting program; estimated completion time; contingency measures; and identify a long-term funding source. The Permittee/Owner shall also be required to implement the Habitat Mitigation and Monitoring Plan subject to the oversight and approval of the Development Services Director (or their designee). Special-Status Plants. If special-status plants require salvage, relocation, and/or re-seeding at the mitigation site, the Resource Salvage Plan shall be written by a City-approved biologist to the satisfaction of the Development Services Director (or their designee). Impacts to Covered Narrow Endemic plants require mitigation at a 1:1 to 3:1 ratio. The Resource Salvage Plan shall, at a minimum, evaluate options for plant salvage (during appropriate bloom periods for identification of special-status plants) and relocation, native plant mulching, selective soil					

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within the mitigation site. The Resource Salvage Plan shall include the incorporation of relocation and reseeding efforts for Narrow Endemic plants to achieve a 2:1 mitigation ratio, as well as San Diego barrel cactus and non-covered plant species at a 1:1 mitigation ratio that are considered special status according to the California Environmental Quality Act and would be impacted with project implementation. Relocation efforts may include seed collection and/or transplantation to the mitigation site and are based on the most reliable methods of a successful relocation to achieve a functionally equivalent or better Preserve design. Compensatory mitigation may also include restoration of the mitigation site with supplemental seeds or live plants from native seedbanks/plant nurseries. The Resource Salvage Plan shall also contain a recommendation for the method of salvage and relocation/application based on the feasibility of implementation and likelihood of success. The Resource Salvage Plan shall include, at a minimum, a discussion of the compensatory mitigation required for the Covered Narrow Endemic plants and a discussion of the appropriate mitigation ratio, an implementation plan, maintenance, and monitoring program, estimated completion time, and any relevant contingency measures.					

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	The Resource Salvage Plan shall also be subject to the oversight of the Development Services Director (or their designee).					
REMARKS:						
MM BIO-2:	Prior to issuance of any land development permits (including clearing, grubbing, and/or grading permits), the Permittee/Owner will be required to obtain an HLIT Permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to MSCP Tier I habitat and wetland resources and Narrow Endemic Species.	Permittee/Owner	Prior to Issuance of Land Development Permits including Grading	HLIT Permit		
REMARKS:						
MM BIO-3:	Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits, the Permittee/Owner shall install temporary construction fencing in accordance with Chula Vista Municipal Code (CVMC) 17.35.030 to avoid any unexpected accidental impacts (i.e., encroachment) into sensitive vegetation and/or jurisdictional waters. Prominently colored, well-installed fencing and signage shall be in place to demarcate all approved access paths and construction work areas wherever the grading limits are adjacent to sensitive vegetation communities or other biological resources, as identified by the qualified monitoring biologist. The limits of work, including the	Permittee/Owner	Prior to Issuance of Land Development Permits including Grading Preparation of Construction drawing grading plans	Qualified Biologist shall provide evidence that work was conducted as authorized under the approved land development permit and associated plans Building Division shall be sure the fencing plan note is on the plans		

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	designated temporary off-site construction access, will be delineated with temporary construction fencing as appropriate, which will be installed prior to the initiation of work activities. 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 all off-site facilities constructed within the preserve. Prior to the release of grading and/or improvement bonds, a qualified biologist shall provide evidence that work was conducted as authorized under the approved land development permit and associated plans. A pre-construction meeting should be held between all contractors and the qualified project biologist. The biologist will educate the contractors on sensitive habitat and project avoidance measures during this meeting. All project personnel shall provide written acknowledgment of their receiving avoidance training. This training shall include information on the location of the approved access paths and work areas, the necessity of preventing damage and impacts to sensitive habitat, and the discussion of work practices that will accomplish such. Lastly, the project biologist will be on-site to monitor all project activities within natural habitats.					

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	Any unauthorized impacts to jurisdictional waters/wetlands would require reporting to the USACE, CDFW, RWQCB, and the City and developing a Waters/Wetlands Restoration Plan to restore pre-impact conditions as directed by the agencies. The Revegetation Plan and/or Waters/Wetlands Restoration Plan shall include a description of the suitability of the restoration area, planting and irrigation plan, maintenance and monitoring requirements, and performance standards that ensure that the intended restoration is achieved. The plan(s) and associated monitoring reports shall be submitted to City staff.					
REMARKS:						
MM BIO-4:	Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits, the Permittee/Owner shall provide written confirmation that a City-approved biological monitor has been retained and shall be on-site during clearing, grubbing, and/or grading activities. The biological monitor shall attend all preconstruction 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 be	Permittee/Owner	Prior to Issuance of Land Development Permits including Grading	Written confirmation that a City-approved biological monitor has been retained shall be provided to the Planning Division		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	authorized to halt all associated project activities that may violate the City's MSCP Subarea Plan and/or permits issued by any other agencies having jurisdictional authority over the project. Before construction activities occur in areas containing sensitive biological resources, all workers shall be educated by a City-approved biologist to recognize and avoid those areas that have been marked as sensitive biological resources.					
REMARKS:						
MM BIO-5:	To avoid any direct impacts on nesting birds, construction activities should occur outside the breeding season (February 15 to September 14). If construction activity is scheduled during the general bird breeding season, a qualified biologist shall conduct a pre-construction survey to determine the presence or absence of nesting bird species within the proposed work areas. The pre-construction survey shall be conducted within four (4) calendar days prior to the start of construction activities. The Permittee/Owner shall submit the results of the pre-construction survey to City Staff for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the applicable local, state, and federal law (i.e.,	Permittee/Owner	Prior to Issuance of Land Development Permits including Grading – but outside the breeding season (February 15 to September 14).	Submit the results of the pre-construction survey to the Planning Division for review and approval		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	appropriate follow-up surveys, monitoring schedules, construction, noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall also describe any species-specific measures to comply with the MSCP's conditions of coverage: • Active Cooper's hawk nest requires a 300-foot avoidance area. • No clearing of occupied coastal cactus wren habitat will occur between February 15 and September 14. • No clearing of occupied coastal California gnatcatcher habitat will occur between March 1 and August 15. • No clearing of occupied least Bell's vireo habitat will occur between March 16 and September 14. If an occupied least Bell's vireo nest is identified in a pre-construction survey, noise reduction techniques, such as temporary noise walls or berms, shall be incorporated into the construction plans to reduce noise levels below 60 LEQ (equivalent continuous sound level).					

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The project Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the pre-construction survey, no further mitigation is required. Implementation of pre-construction surveys for nesting birds and any required follow-up protection measures will reduce the potential impact levels below significant.					
REMARKS:						
MM BIO-6:	Prior to issuance of land development permits, including clearing, grubbing, grading, and/ or construction permits that impact jurisdictional waters, the Permittee/Owner shall notify the resource agencies and obtain all necessary permits from the USACE, RWQCB, and CDFW. All terms and conditions of required permits shall be implemented. The Applicant shall secure wetland creation mitigation credits within a City-approved Conservation Bank in accordance with the terms and conditions of the Subarea Plan and all required permits. Verification of mitigation credit purchase by the Applicant to the City	Permittee/Owner	Prior to Issuance of Grading Permit and/or during construction	Submitted to the Planning Division for review and approval		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	and resource agencies is required prior to the issuance of any land development permits. Prior to issuance of land development permits, including clearing, grubbing, and grading permits for areas that impact jurisdictional waters, the Permittee/Owner shall provide evidence that all required regulatory permits, such as those required under Section 404 of the federal Clean Water Act, Section 1600 of the California Fish and Game Code, and the Porter-Cologne Water Quality Act, have been obtained.					
REMARKS:						
CULTURAL RESOURCES						
MM CUL-1:	Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.) within the project area or off-site grading areas, the Permittee/Owner shall provide the City verification that a certified archaeological monitor has been retained. The archaeological monitor shall be on-site during all ground-disturbing activities in an effort to identify any unknown cultural resources. If cultural resources are identified, the archaeologist shall be authorized to divert the construction activities, investigate the cultural resources, and salvage material to ascertain the find's significance. In addition, any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. This measure	Permittee/Owner	Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.)	Provide the Planning Division verification that a certified archaeological monitor has been retained		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	shall be implemented to the satisfaction of the City Planning Department. See also **MM TCR-1.**					
REMARKS:						
MM CUL-2:	If human remains are encountered, all work within 200 feet of the remains must cease immediately until the San Diego County Coroner has made the necessary findings as to its origin. The project Archaeologist will notify the Permittee/Owner and the Planning Department of the discovery. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision regarding the treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendants(s)" to receive notification of discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.	Permittee/Owner	If human remains are encountered	Contact the San Diego County Coroner who makes the necessary findings as to its origin. The Project Archaeologist will notify the Permittee/Owner and the Planning Department of the discovery.		
REMARKS:						

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
GEOLOGY & SOILS						
MM PAL-1:	1. <u>Pre-construction (personnel and repository):</u> Prior to the commencement of construction within the project site or the off-site grading areas, a qualified Project Paleontologist shall be retained to oversee the mitigation program (a Project Paleontologist is a person with a Ph.D. or M.S. Degree in paleontology or related field, and who has a working knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques). In addition, a regional fossil repository shall be designated to receive any discovered fossils. Because the project is located in San Diego County, the recommended repository is the San Diego Natural History Museum.	Permittee/Owner	Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.)	Provide the Planning Division verification that a qualified Project Paleontologist has been retained		
REMARKS:						
	2. <u>Pre-construction (meeting):</u> The Project Paleontologist should attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.	Permittee/Owner	Pre-Construction Meeting	Project Paleontologist should attend the pre-construction meeting		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
REMARKS:						
	3. <u>During construction (monitoring):</u> A paleontological monitor (working under the direction of the Project Paleontologist) should be on-site on a full-time basis during earthwork (for the project site and off-site grading areas) impacting previously undisturbed deposits of high paleontological sensitivity (e.g., Mission Valley Formation and/or Otay Formation) and moderate paleontological sensitivity (e.g., Pleistocene-age old alluvial flood plain deposits) to inspect exposures for unearthed fossils. It is anticipated that these geologic units will be impacted during site grading and other miscellaneous excavations occurring at or below finished grade (e.g., storm drain excavations, trenching for subgrade utilities and foundations, grading of driveways). Monitoring may be reduced or terminated at the discretion of the Project Paleontologist based on the results of initial monitoring.	Permittee/Owner	During Construction	A paleontological monitor (working under the direction of the Project Paleontologist) should be on-site on a full-time basis		
REMARKS:						

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	4. <u>During construction (fossil recovery):</u> If fossils are discovered, the Project Paleontologist (or paleontological monitor) should recover them. In most cases, fossil recovery can be completed in a short period of time. However, some fossil specimens (e.g., a bone bed or a complete large mammal skeleton) may require an extended recovery period. In these instances, the Project Paleontologist (or paleontological monitor) has the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner.	Permittee/Owner	During construction if fossil recovery	Project Paleontologist (or paleontological monitor) should recover them.		
REMARKS:						
	5. <u>Post-construction (treatment):</u> Fossil remains collected during monitoring, and recovery should be cleaned, repaired, sorted, and cataloged as part of the mitigation program.	Permittee/Owner	Post-construction treatment if fossil discovery	Fossil remains collected during monitoring and recovery should be cleaned, repaired, sorted, and cataloged as part of the mitigation program		
REMARKS:						
	6. <u>Post-construction (curation):</u> Prepared fossils, along with copies of all pertinent field notes, photos, and	Permittee/Owner	Post-construction curation if fossil discovery	Prepared fossils, along with copies of all pertinent field		

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	maps, should be deposited (as a donation) in the designated fossil repository. Donation of the fossils shall be accompanied by financial support for initial specimen processing and storage.			notes, photos, and maps, should be deposited (as a donation) in the designated fossil repository.		
REMARKS:						
	7. <u>Post-construction (final report):</u> A final summary paleontological mitigation report should be completed that outlines the results of the mitigation program. This report should include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, inventory lists of cataloged fossils, and significance of recovered fossils.	Permittee/Owner	Post-construction (final report) if fossil discovery	A final summary paleontological mitigation report should be completed that outlines the results of the mitigation program.		
REMARKS:						
HAZARDS & HAZARDOUS MATERIALS						
MM HAZ-1:	The following notes shall be added to all construction drawings ensuring that the contractors are aware not to create construction-related depressions created by grading activities and vehicle tires resulting in depressions that will hold standing water. In addition, the contractors shall ensure that drainage areas and other structures do not create a potential mosquito breeding source (any area capable of accumulating and holding	Permittee/Owner	Prior to Grading Permit Issuance	City Building Department or City Engineer shall ensure that the notes are on the plans.		

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	at least ½ inch of water for more than 96 hours can support mosquito breeding and development). Vector Control Notes: 3. The contractor shall ensure construction-related depressions created by grading activities and vehicle tires do not result in depression that will hold standing water. 4. The contractor shall ensure that drainage areas and other drainage structures do not create a potential mosquito breeding source. Any area capable of accumulating and holding at least ½ inch of water for more than 96 hours can support mosquito breeding and development.					
REMARKS:						
MM HAZ-2:	Prior to grading permit issuance, the Permittee/Owner shall have the soils engineer prepare a Limited Soil Management Plan/Community Health and Safety Plan (CHSP) for submittal and approval by the Department of Environmental Healthto include, at a minimum, the following elements:	Permittee/Owner & SCS Engineers	Prior to Grading Permit Issuance	Approval by the Department of Environmental H		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	• Summary/map/tables of previous results • A stipulation that any soil export from construction/grading needs to be tested and characterized for proper disposal • A section on how to handle currently unknown discoveries • A brief CHSP section, including the stipulation that public notices be posted on the construction project fencing prior to the start of grading					
REMARKS:						
MM HAZ-3:	Due to the previous detections of total petroleum hydrocarbons (TPH) and polynuclear aromatic hydrocarbons (PAHs) and metals at the site the grading plans shall include a note indicating that in the event that soil is to be transported off the site the soil proposed for export is to be tested for the identified constituents of concern (CoCs) for the site including TPH, PAHs, and Title 22 metals so the soil can be characterized for proper disposal. The Building Department will ensure the note is on the plans prior to grading permit issuance. If soils are to be exported, the soils engineer will evaluate the soil sample analytical data for the soil proposed for export and assist in the proper characterization, transport, and	Permittee/Owner & Civil Engineer	Prior to Grading Permit Issuance	Building Department Shall Ensure the Note is on the Plans		

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	disposal of soil to be exported. The receiving facility may require additional laboratory analysis beyond what is described above. Any regulated waste exported from the site shall be disposed of at a properly licensed facility. Completed signed waste manifests shall be provided for each truckload exported to document proper disposal.					
REMARKS:						
MM HAZ-4:	The grading plans shall include the following information on what to do in the event of an "Unexpected Discovery of Releases During Construction." The Building Department will ensure the note is on the plans prior to grading permit issuance. If previously unidentified constituents of concern (CoC)-impacted soil is observed during grading operations through the obvious indications of staining and/or odors, the Permittee/Owner and general contractor shall contact SCS Engineers to assess the soils further. The soils will be segregated from non-impacted soil by field screening with a photoionization detector (PID) and/or x-ray fluorescence (XRF) meter, visual and olfactory observations, and ultimately by confirmation sampling. The existing data from previous assessments will assist in identifying the initial areas and depths to excavate CoC-bearing soil.	Permittee/Owner & Civil Engineer	Prior to Grading Permit Issuance	Building Department Shall Ensure the Note is on the Plans		

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	If the results of the prior soil samples and confirmation sampling indicate the CoC-impacted soil has been removed or is demonstrated to be below the human health-risk based screening levels for commercial/industrial users, then the remaining soil in that area will be considered non-impacted. If the confirmation sampling indicates CoC-impacted soil is still present, then additional rounds of excavation and confirmation sampling will be conducted until all the CoC-impacted soil has been removed. Excavation of non-impacted soil will continue to be monitored in case isolated pockets of CoCs not previously identified are present. Additional assessment and confirmation samples will be collected and analyzed to evaluate the significance of any discovered releases and the need to mitigate the condition beyond the actions described in the Soil Management Plan (SMP) and Community Health and Safety Plan (CHSP). Should conditions be encountered that vary significantly from those described or that cannot be addressed by the mitigation criteria proposed herein, the DEH will be contacted and consulted regarding assessment and/or mitigation.					
REMARKS:						

NIRVANA BUSINESS PARK PROJECT						
Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
MM HAZ-5:	Prior to grading permit issuance, the Permittee/Owner shall post notices around the site perimeter in accordance with the requirements of the DEH Site Assessment and Mitigation Manual, notifying the public of health and safety issues associated with the excavation. City Inspectors will ensure the notices are posted during inspections.	Permittee/Owner	Prior to Grading Permit Issuance	City Inspectors will Ensure the Notices are Posted During Inspections		
REMARKS:						
MM HAZ-6:	The Grading Contractor shall be responsible for fugitive dust monitoring during grading operations. Fugitive dust control methods must be followed to limit potential exposure to adjacent properties. It will be the responsibility of the grading contractor to conduct excavation and grading activities in accordance with Rule 55, Fugitive Dust Control, which was promulgated by the County of San Diego Air Pollution Control District (APCD) and dated December 24, 2009. The following dust control methods should be implemented during excavation and grading activities: • Dust emissions will be controlled by spraying with water to reduce dust emissions as excavation, grading,	Grading Contractor	During Grading Operations	Complaints to San Diego APCD or the City which will Notify the Grading Contractor for Immediate Compliance		

Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	stockpiling, and loading activities are conducted. • If visual observations indicate dust emission into the atmosphere beyond the property line, dust suppression efforts will be increased. If visual observations indicate dust emission into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period, excavation activities will be stopped until further dust suppression measures can be implemented. • If stockpiles are left overnight, the grading contractor must spray them with a soil binding agent such as M-Binder to further reduce dust emissions or cover stockpiles with plastic sheeting. • Use of track-out grates or gravel beds at each egress point, wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks: using secured tarps or cargo covering, watering, or treating of transported material.					

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Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	• If necessary, a street sweeper certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements will be used to remove any track-out/carry-out dust in the roadway. Non-compliance will be noted by complaints to the City and/or San Diego APCD, and the Grading Contractor will be notified to correct it immediately.					
REMARKS:						
MM HAZ-7:	Upon completion of grading, the Permittee/Owner will have the soils engineer prepare a Property Closure Report (PCR) for DEH approval based on the findings of the above scope of services. The PCR will cover the various areas investigated at the site, including field observations, as well as any soil sampling, excavation, field screening, sampling activities, soil waste characterization, and soil reuse activities (if any). Unanticipated discovery of hazardous substances during mass excavation will also be reported, if encountered, and mitigated prior to the completion of the PCR. The PCR will include any laboratory reports, chain-of-custody records, soil sample locations, tabulated analytical results, any waste manifests, and appropriate support documentation. The PCR will be peer-reviewed and signed by appropriately licensed professionals. The work	Permittee/Owner & SCS Engineers	Completion of Grading	Submit PCR Report to DEH for Approval		

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Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	conducted at the site will be overseen by a professional geologist as required by the state.					
REMARKS:						
TRIBAL CULTURAL RESOURCES						
MM TCR-1:	Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.) on the project site or the off-site grading areas, the Permittee/Owner shall provide the City verification that a tribal monitor has been retained to work with the archeological monitor required by **MM CUL-1**. The tribal monitor shall be on-site during all ground-disturbing activities in an effort to identify any unknown tribal cultural resources. If tribal cultural resources are identified, the tribal monitor and archaeologist shall be authorized to divert the construction activities, investigate the tribal cultural resources, and salvage material to ascertain the find's significance.	Permittee/Owner	Prior to any ground-disturbing activities (grubbing, clearing, grading, etc.)	Provide the Planning Division verification that a tribal monitor has been retained		
	If a tribal cultural resource is unexpectedly identified during implementation of the project, and the archaeologist and tribal monitor determine that the project may cause a substantial adverse change to a tribal cultural resource, the archaeologist and tribal monitor will work with the City of Chula Vista and the Permittee/Owner to employ one or more of the following standard mitigation measures, pursuant to Public Resources Code Section 21084.3 (b).	Permittee/Owner	If a tribal cultural resource is found	The archaeologist and tribal monitor will work with the City of Chula Vista and the Permittee/Owner pursuant to Public Resources Code Section 21084.3 (b).		

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Mitigation Measures		Responsible Party	Monitoring Timing or Frequency	Type of Verification	Verification of Compliance	
					Initials	Date
	3. Avoidance and preservation of the resources in place including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. 4. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following: i. Protecting the cultural character and integrity of the resource ii. Protecting the traditional use of the resource iii. Protecting the confidentiality of the resource iv. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places 3. Protecting the resource.					
REMARKS:						