



County of San Diego

ERIC GIBSON
DIRECTOR

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

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Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents FOR PURPOSES OF CONSIDERATION OF SUNROAD OTAY TECH CENTRE 3100 5538 (TM)

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

1. Background on the previously certified Environmental Impact Report:

An Environmental Impact Report (GPA 94-02; Log No. 93-19-6) was certified by the County of San Diego Board of Supervisors on July 27, 1994 for the East Otay Mesa Specific Plan. The certified EIR found that the project would cause significant effects to Land Use, Aesthetics, Cultural Resources, Geology, Hydrology/Water Quality, Traffic, Air Quality, Health/Safety, Public Services, and Population/Housing. These effects were avoided or mitigated to a level below significance.

A Supplemental EIR (SEIR) for Sunroad Otay Industrial Subdivision, TM 5139RPL6, ER 98-19-013 was certified by the County Planning Commission on December 15, 2000. The certified SEIR found that the project would cause significant effects to Land Use, Biological Resources, Cultural Resources, Transportation/Circulation, and Air Quality. Impacts to Traffic and Air Quality required a Statement of Overriding Considerations for significant and unmitigable impacts. The other effects were avoided or mitigated to a level below significance.

An addendum dated March 28, 2002 was approved by the Board of Supervisors on June 12, 2002 (4), for the Amendment to the East Otay Mesa Specific Plan, SPA 00-005; GPA 02-CE1; Log No. 93-19-006A. The purpose of the amendment was to update the land use plan and permit processing requirements and split the Specific Plan Area into Subareas 1 and 2.

An Addendum to the previously certified EIR for the East Otay Mesa Specific Plan and Supplemental EIR for the East Otay Mesa Specific Plan Sunroad Centrum was approved by the Planning Commission for the Revised Sunroad Otay Project, TM5139RPL6R2, ER 98-19-013A, on April 11, 2003. No new significant effects were identified, although biological mitigation measures were modified due to change in circumstances and some additional traffic mitigation measures were required.

Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on November 2, 2005 (3) for an Amendment to the East Otay Mesa Specific Plan (SPA 05-005), approved by Resolution No. 05-216. The Specific Plan Amendment revised the parking requirements in Subarea 1 to conform to the standards in place for Subarea 2.

An Addendum to the previously certified EIR for the East Otay Mesa Specific Plan dated June 15, 2007 was approved by the Board of Supervisors on August 1, 2007 (1) for the East Otay Mesa Update, SPA 06-003, GPA 06-013, ER 93-19-006Y. The main purpose of the Amendment was to re-align/delete certain Specific Plan/Circulation Element roads and bicycle transportation paths to accommodate Caltrans realignment of State Routes (SR)-125, SR 905 and SR 11. Other minor amendments were included to address fencing, sidewalk design standards, noise and parks.

Reliance on the existing EIR with no modification was approved by the Board of Supervisors on April 8, 2009(1) for an Amendment to the East Otay Mesa Specific Plan (SPA 06-005), approved by Resolution No. 09-055. The amendment was for minor modifications to the East Otay Mesa Business Park Specific Plan Subarea 1 to correct minor issues related to landscaping requirements for public roads, modify the land use plan for the Heavy Industrial area, define development standards for correctional facilities in the Heavy Industrial, and miscellaneous corrections.

An addendum dated June 1, 2010 was approved by the County of San Diego Board of Supervisors on September 15, 2010 for an Amendment to the East Otay Mesa Specific Plan, SPA 10-001, Log No. 93-19-006MM. The Amendment combined Subareas 1 and 2 and revised and clarified certain development standards and requirements. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).

2. Lead agency name and address:

County of San Diego, Department of Planning and Land Use
5201 Ruffin Road, Suite B,
San Diego, CA 92123-1666

- a. Contact: Beth Ehsan, Land Use/ Environmental Planner II
 - b. Phone number: (858) 694-3103
 - c. E-mail: Beth.Ehsan@sdcounty.ca.gov
3. Project applicant's name and address:
- Sunroad Otay Partners, L.P.
4445 Eastgate Mall, Suite 400
San Diego, CA 92121
4. Summary of the activities authorized by present permit/entitlement application:

The project is a Tentative Map to subdivide 253.1 gross acres into 55 lots: 52 technology business park lots ranging in size from 1.8 to 5.3 acres, 1 lot for a sewer pump station, 1 stormwater detention lot, and a 51.3 acre dedicated open space lot. The project site, located in the East Otay Mesa Specific Plan area within the Otay Subregional Plan, is designated in the General Plan as Specific Plan Area. The site is zoned S-88 (Specific Plan). All units are designated for Technology Business Park use and Unit 1 (28 acres) also has a commercial overlay subject to the regulations defined in the Specific Plan. The map is organized into five separate units for purposes of grading and map recordation.

An existing 0.41 acre on-site open space easement, established for the protection of biological resources, is located on lot 28. Approximately 38.2 acres of the proposed project would be granted as public rights-of-way. Proposed on-site public roadways and frontage improvements include Sunroad Boulevard, Vann Center Boulevard, Tech Centre Way, David Ridge Drive, Harvest Road, Otay Mesa Road, Zinser Road, and Lone Star Road.

The project would be served by domestic and reclaimed water from the Otay Water District. An existing 21 foot water transmission main operated by the Otay Water District would be relocated approximately 330 feet to the eastern boundary within Vann Center Blvd. Sewer would be provided by the San Diego County Sanitation District. As previously conditioned, a 15 inch sewer main was extended from Piper Ranch Road to Harvest Road. As such, no extension of sewer mainline facilities would be necessary for this project. Off-site storm drains were installed west of Harvest Road. Stormwater detention will be accomplished through individual on-lot basins and private regional detention basins to assure that overall project release rates do not exceed existing levels. Additionally, hydro-modification techniques and stormwater LID BMPs will be used on each lot to treat stormwater runoff prior to discharge into the public storm drain system.

On-site storm drain systems will tie into the storm drain constructed with the SR 125 extension north and west and into another existing system to the south crossing Otay Mesa Road. Approximately 1.7 million cubic yards of balanced cut and fill is proposed.

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

YES

NO

Project History

The Sunroad Otay Project, TM 5139 RPL6, was approved by the Planning Commission on December 15, 2000. The project included 96 industrial lots with a minimum lot area of 1-acre and a 51.3-acre biological open space lot north of future Lone Star Road. Water was to be provided by the Otay Water District and sewer from the EOM Sewer Maintenance District. Fire protection and emergency services to 210.5 acres of the total were to be provided by the Rural Fire Protection District. The remaining forty acres (in Unit 4) were conditioned to provide evidence of adequate fire protection and emergency medical services. Off-site improvements to Otay Mesa Road in the City of San Diego were required as traffic mitigation. The project included a Minor Amendment to the County Multiple Species Conservation Program and proposed preservation of sensitive vernal pool and coastal sage scrub/native grassland habitats north of Lone Star Road and an isolated wetland/vernal pool on one of the industrial lots south of Lone Star Road. Overriding Findings for significant traffic and air quality impacts were adopted. This map was not recorded.

A Revised Tentative Map (TM5139RPL6R2) was approved by the Planning Commission on April 11, 2003. The revised map reduced the number of industrial lots from 96 to 56 by increasing the size of each lot over the same development footprint. The primary map change involved the incorporation of a new street network, which was approved as part of the East Otay Mesa Specific Plan Amendment (SPA 00-005; GPA 02-CE1, ER 93-19-006). Grading quantities increased from 1,350,000 to 1,450,000 cubic yards. In addition, the project defined six units on the Tentative Map, as opposed to the five defined in the previous project. Minor changes in the proposed elevation of Lone Star Road improved the adequacy of the open space easement required for protection of one vernal pool north of the road and the isolated pool south of the road. The open space easement south of Lone Star Road increased in size, but there were no changes to the proposed open space easement north of Lone Star Road. All road improvement impacts stayed within the previously identified impact area. The deletion of certain road improvements resulted in an increased development potential and increased traffic. As with the original Tentative Map, the conservation of the open space areas was subject to a Resource Conservation Plan, to be approved by the County and Wildlife Agencies, prior to approval of

the Final Map or approval of grading and improvement plans. All other aspects of the project remained the same.

After the approval of the revised Tentative Map, the open space lot was recorded (Map 14733) and dedicated as open space. Map 15517 was also recorded for 16 lots on 53.7 acres in the southeastern portion of the revised Tentative Map.

The proposed TM 5538 differs from the Revised Tentative Map (TM5139RPL6R2) in the following ways:

- a. Grading quantities increased by 250,000 cubic yards from 1,450,000 to 1,700,000 cubic yards of earthwork.
 - b. The number of lots created for potential development decreased from 55 (plus one open space lot) to 52 lots. (The current proposal also includes one lot for stormwater detention, one lot for the sewer pump station, and one open space lot.)
 - c. The lot configuration has changed.
 - d. The road network for the project changed to be in conformance with the Circulation Element and the East Otay Mesa Specific Plan, as revised by Specific Plan and General Plan Amendments (SPA 00-005; GPA 02-CE1; ER 93-19-006A), approved on August 1, 2007, and by a subsequent Specific Plan Amendment (SPA 10-001) approved on September 15, 2010.
 - e. The proposed Tentative Map is divided into five units as opposed to six units on the previous TM.
 - f. The commercial overlay for future development proposals corresponds to Unit 1.
 - g. Detention basins are proposed on each lot.
 - h. The total additional traffic which would be generated by this Tentative Map would be approximately 30,566 ADT, compared to 26,780 ADT from the previous TM.
6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

NONE

Aesthetics

Biological Resources

Hazards & Haz. Materials

Mineral Resources

Public Services

Utilities/Service Systems

Agriculture Resources

Cultural Resources

Hydrology/Water Quality

Noise

Recreation

Mandatory Findings of Significance

Air Quality and
Greenhouse Gas Emissions

Geology/Soils

Land Use/Planning

Population/Housing

Transportation/Traffic

DETERMINATION:

On the basis of this analysis, the Department of Planning and Land Use has determined that:

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

Beth Ehsan
Signature

3/9/12
Date

Beth Ehsan
Printed Name

Land Use/Environmental
Planner
Title

INTRODUCTION

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

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

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

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

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

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

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

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

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

YES

NO

II. AGRICULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agricultural resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and/or conflicts with existing zoning for agricultural use or Williamson Act contract?

YES

NO

III. AIR QUALITY AND GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or

obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; creation of objectionable odors affecting a substantial number of people; environmental effects associated with greenhouse gas emissions; or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES

NO

Air Quality

Since the previous environmental documents listed above were certified, the grading quantities for the subdivision increased by 250,000 from 1,450,000 cubic yards of balanced cut and fill to 1,700,000 cubic yards of balanced cut and fill. The increase is a result of the changes that have been made to the circulation element of the Specific Plan and the changes to the lot configuration. The additional grading is required to achieve a balanced cut and fill operation. The number of vehicle trips generated by the project also increased from 26,780 ADT to 30,566 ADT.

The previously certified EIR identified significant and mitigable direct impacts for Air Quality and significant cumulative impacts to air quality. The mitigation measures, as numbered in the original EIR, are listed below:

- 9A. The County shall require applicants to use several techniques to reduce potentially significant construction emissions.
- 9B. Development projects shall provide bicycle facilities to promote use of alternative transportation methods.
- 9C. The County shall coordinate with appropriate agencies to implement reduction of vehicle emissions.

The Supplemental EIR reiterated the analysis in the original EIR. The Analysis states that the mitigation above would reduce the direct impacts to less than significant but cumulative impacts would remain significant.

An Air Quality Technical Report was prepared for the current project by Scientific Resources Associated (SRA) dated November 16, 2010. Construction emissions would include emissions associated with fugitive dust, heavy construction equipment, and construction workers commuting to and from the site. The analysis concludes that emissions of pollutants associated with these construction activities would be below DPLU's screening level thresholds and would not result in any new impacts.

Operational emissions associated with the project would be caused mostly by traffic, with additional impacts associated with area sources such as energy use and landscaping. The analysis found that emissions of all criteria air pollutants except CO would be below DPLU's screening level thresholds. Air dispersion modeling indicated that no exceedances of the CO standard would occur. The Report concludes that air quality impacts from project operation would be less than significant because pollutants associated with operations were less than the screening level thresholds and no CO "hot spots" would result from the project. The Report states that emissions associated with the project are well within the emissions evaluated in the East Otay Mesa Specific Plan EIR. The Report also concluded that health risks and odors impacts from construction and operations would be less than significant.

The analysis reported that emissions of nonattainment pollutants during construction would be consistent with emissions evaluated in the RAQS and SIP for construction projects and would not be cumulatively considerable. The Report reviewed all construction projects within 0.25 miles of the project site and concluded that PM₁₀ concentration would decrease rapidly from the project boundary. The Report concluded that the project would not result in a cumulatively considerable net increase in nonattainment pollutants during construction. The project is consistent with the East Otay Mesa Specific Plan and operational emissions are within the emission levels evaluated in the East Otay Mesa Specific Plan EIR. Therefore, the project is consistent with the RAQS and SIP and would not result in a cumulatively considerable impact from operations.

Therefore, it has been determined that there are no new significant environmental effects or previously identified effects related to air quality that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance.

Greenhouse Gas Emissions

Another change in circumstances that necessitates an analysis of greenhouse gas (GHG) emissions and climate change associated with the project is the adoption of Assembly Bill (AB) 32 (the Global Warming Solutions Act) in 2006 and the amendment of State CEQA Guidelines in March 2010. AB 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will reduce California's GHG emissions to 1990 levels by 2020. Appendix G of the State CEQA Guidelines now includes suggested checklist questions to assess a project's GHG emissions and analysis of such emissions is required under CEQA.

A Global Climate Change Evaluation was prepared for the current project by Scientific Resources Associated (SRA) dated November 16, 2010. Emissions of GHGs were estimated for project construction and operation for business as usual conditions and for conditions with implementation of GHG emission reduction measures proposed by the project applicant. To avoid significant impacts, individual projects must demonstrate that they will reduce GHG emissions by 33% below business as usual. As specific land uses and tenants are not currently known for the Otay Tech Centre, the purpose of the Evaluation was to demonstrate that reducing GHG emissions by 33% is technically

feasible. To this end, a list of measures was provided in the Evaluation that will serve as a listing of potentially feasible GHG reduction measures that may be used to reduce emissions of GHGs below business as usual levels. Individual applicants will be required to demonstrate that, for their development, the applicant will implement appropriate measures that will reduce emissions of GHGs such that the development will comply with the requirements of AB 32 and the County's requirement to reduce emissions by 33%. The Evaluation analyzed one scenario with GHG reduction measures and concluded that the project will reduce emissions of GHGs by 34.7% and thus will be consistent with the goals of AB 32. The impact would be less than significant.

Therefore, it has been determined that there are no new significant environmental effects or previously identified effects related to air quality or greenhouse gas emissions that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance.

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

YES

NO

Since the previous environmental documents listed above were certified, a number of the mitigation measures for biological impacts of the project have been satisfied. Two biological open space easements were recorded within the project boundaries. The open space easements were dedicated for the preservation of sensitive biological resources as determined by biology studies conducted for the previously approved projects. A 51.3-acre open space easement was dedicated as a condition of TM 5139RPL6R and a 0.41 acre on-site open space easement was recorded on lot 55 of TM5139RPL6R. The 51.3-acre open space is now labeled as lot 55 of the proposed TM 5538RPL3 and the 0.41-acre open space is now on lot 28. These open space easements include 3.3 acres of coastal sage scrub, 0.21 acre of vernal pools, 3.1 acres of native grassland, and 44.7 acres of non-native grassland. In addition, the applicant contributed \$243,450 toward the preservation of land in Hollenbeck Canyon, a preserve area in the MSCP subarea, which provided habitat value equal to 5.4 acres of native grassland and 48.6 acres of non-native grassland.

In order to satisfy the conditions of approval for TM5139RPL6R, a Resource Conservation Plan was prepared by REC Consultants and submitted in December 2003 under Environmental Log Number 98-19-013A. The Resource Conservation Plan includes attachments covering barrel cactus transplantation, fairy shrimp translocation and vernal pool creation, vernal pool management, and long-term maintenance and management, and addresses comments provided by the Wildlife Agencies in their Biological Opinion dated November 12, 2003 and Minor Amendment concurrence letter dated November 14, 2003. The applicant entered into a secured agreement with the County to implement the Resource Conservation Plan prior to grading on the project site. To date, grading has not commenced and the Resource Conservation Plan has not been fully implemented. The current project will be conditioned to implement the Resource Conservation Plan, which serves as both a Revegetation Plan and a Resource Management Plan. Once the revegetation is completed, the open space will be transferred to the County Department of Parks and Recreation or another habitat manager acceptable to the County and with Wildlife Agencies, along with an endowment to fund maintenance and monitoring of the habitat in perpetuity.

The project will also be conditioned to provide off-site mitigation for 80 variegated dudleya plants, with final mitigation requirements to be determined based on updated surveys prior to grading. The biological resources on-site will be further protected by conditions requiring a Limited Building Zone easement, temporary and permanent open space fencing, signage, biological monitoring, spill prevention, breeding season restrictions, and updated Quino Checkerspot butterfly surveys.

No new biological regulations apply to the site and none of the species observed on the project site have been listed as threatened or endangered. In addition, a review of the County's GIS and aerial photos indicate no change in habitat value or composition since the previous EIR was certified. The flat portion of the site has been mowed occasionally, as is typical in East Otay Mesa, where agricultural use and periodic disturbance promote the formation and retention of non-native grassland. The open space easement and mima mound portion of the site, which supports coastal sage scrub and vernal pools, appears largely unchanged and undisturbed. In addition, aside from the construction of SR-125, the adjoining parcels are largely in the same condition as before, with no changes that would promote additional wildlife usage of the project site. Therefore, it has been determined that there are no new significant environmental effects or previously identified effects to biological resources that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance. Upon completion of the biological mitigation measures described above, the project will receive a Minor Amendment into the MSCP.

V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5;

destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

NO

Since the previous environmental documents were approved, the Sacred Sites Bill (Section 65352.3 of the Government Code, Senate Bill SB-18, 2004) was passed into law. The intent of this law is to allow California Native American Tribes an opportunity to participate in local land use decisions at an early planning stage for the purpose of protecting, or mitigating impacts to, cultural places. The law requires that local governments contact tribes and give them an opportunity to consult and comment on projects that are located within their historic areas. Letters have been sent to the tribes identified by the Native American Heritage Commission (NAHC) in November 2007, and again April 7, 2009. No comments were received by the tribes.

A Cultural Resources Report was completed by Gallegos for the project. The report provides the results of a cultural resource survey to determine the presence of cultural resources. The study included a record search, literature review and field visit of the project. The literature search identified three precontact cultural resources (CA-SDI-9975, CA-SDI-12337 and CA-SDI-12730) and one historic resource. The field survey for the current project relocated these four sites and they remain as previously described in the EIR and SEIR for the previously approved project. The historic structure was identified as an outbuilding from the 1940's or early 1950's associated with the Wetmore family. Because of the recent age of the structure and its temporary nature, this building is not identified as significant. Precontact sites CA-SDI-9975 and CA-SDI-12730 are located adjacent to and outside of direct impacts. The portion that does extend into the project site will be in a biological open space easement. Site CA-SDI-12337 has been previously tested and evaluated as having little potential for yielding additional information. However, given the possibility for buried features or artifacts, a controlled pregrade excavation of this site Area A of that site is recommended for mitigation, as well as grading monitoring. The conditions placed on the project are generally the same conditions previously placed on the project.

Therefore, it has been determined that there are no new significant environmental effects or previously identified effects to cultural resources that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance.

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

from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

NO

VII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

NO

Since the previous environmental documents were approved, there have been changes in the circumstances under which the project was undertaken related to Hazards. The project site is located within the declared Urban-Wildland Interface (UWI) area or a Hazardous Fire Area, and a Fire Protection Plan was prepared by the applicant and approved by the Fire Chief and DPLU pursuant to Article 86, Section 8601 of the 2001 California Fire Code.

A Fire Protection Plan prepared by Hunt Research Corporation dated June 2010 was approved by the Rural Fire Protection District (RFPD) and the County of San Diego. The approved Fire Protection Plan details the adequacy of the water supply, proposed access, building ignition and fire resistance, fire protection systems and equipment, Fuel Modification Zones and vegetation management. The following project design measures will also be implemented as a part of the project: The RFPD will serve the development from Station 22. Access roads and internal roads comply with the fire code. An adequate water supply would be provided by the Otay Water District providing adequate

fire flow and pressure. Fuel modification shall be provided for a distance of 100 feet around all structures, 30 feet on either side of a newly constructed road or driveway and 20 feet on each side of an existing road. Site plans are required for new development on any lot that would be created by the subdivision project. When they are designed, the layout in each lot, onsite access roads, water supply, fire sprinklers, structures and operations therein shall comply with the RFPD, the County Fire Code, requirements of the DPLU Fire Marshall, the County Building Code, and the California Building Code. Therefore, although there are changes in circumstances, these changes will not result in new significant environmental effects related to hazards.

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

YES

NO

The previously certified EIR identified significant and mitigable impacts for Hydrology and Water Resources. Impacts were anticipated from increased impervious areas from build-out of the Specific Plan area. Mitigation measures included the following:

- 6A. As individual projects are proposed, they shall be required to construct onsite detention facilities, storm drain facilities, energy dissipators, and erosion control devices to reduce the flow of runoff.
- 6B. The County and the property owners shall comply with Best Management Practices of the Clean Water Act.
- 6C. Individual projects shall incorporate proper construction techniques to prevent erosion and off-site transport of sediment.

- 6D. Bridge construction across O'Neal Canyon shall be completed outside the 100-year floodplain.

There have been changes in circumstances in the regulation of hydrology and water quality since the previous EIR was certified. The County's Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO) implements the San Diego Municipal Stormwater Permit (Order R9-2007-0001) issued by the Regional Water Quality Control Board (RWQCB) on January 24, 2007, effective on March 24, 2008. The Municipal Permit regulates the stormwater and urban runoff management policies of jurisdictions in the San Diego region and details specific requirements for development projects. In compliance with the WPO, the project submitted a Stormwater Management Plan (SWMP) dated August 5, 2010 prepared by Stevens Cresto Engineering. The SWMP was reviewed and approved by the Department of Public Works to demonstrate compliance with the WPO. The project is required to comply with the approved SWMP.

Therefore, although there are changes in circumstances, the stormwater regulations now applicable to the project are more stringent than the measures identified in the EIR, and therefore the project will not result in new significant environmental effects related to hydrology and water quality.

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

YES

NO

X. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

NO

XI. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive

groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES



NO



Since the previous environmental documents were approved, circumstances have changed with regard to noise impacts because the proposed circulation and lot configuration have changed, resulting in changed traffic distribution. The previous EIR found that there would be significant and unmitigable impacts to residential areas and sensitive habitats/species from industrial/commercial uses and roadways. Mitigation measures included the following:

- 8A. Noise sensitive land use, including existing and proposed residences and all California gnatcatcher habitat, located within the estimated 60 dB CNEL noise contour shall have a site specific noise studies prepared prior to approval of discretionary permits. Siting of industrial and commercial uses shall be such that adequate setbacks are created to minimize off-site noise impacts to sensitive receptors.
- 8B. Residential development shall be avoided in the areas where the projected CNEL noise contour for Brown Field exceeds 60 dB.
- 8C. All construction operations shall comply with the San Diego County Noise Ordinance (Section 36.410). All construction operations scheduled to occur within 1500 feet of California gnatcatcher habitat shall prepare a project specific noise mitigation and monitoring program to demonstrate compliance with established noise standards.
- 8D. Project specific noise analyses shall be required in the hillside residential district prior to approval of projects in this area to assure noise compatibility with adjacent projects.

The previous EIR identified significant and unmitigable noise impacts to noise sensitive receptors adjacent to certain roadway segments, including impacts to three existing residences and California gnatcatcher habitat. Mitigation was determined infeasible, and Overriding Findings were adopted.

The Supplemental EIR for Sunroad Centrum determined that none of the noise related impacts identified in the EIR would occur as a result of the project and no mitigation was required, because the proposed project would not locate any noise sensitive uses within

areas that exceed the County's noise standards and wildlife species within the traffic-related noise areas would not be considered noise-sensitive.

For the proposed project, a Noise Analysis Report dated November 17, 2010 was prepared by Kimley-Horn and Associates. The report notes that noise sensitive land uses such as daycare facilities could be proposed in the future on the lots to be created by the Tentative Map. It states that if any of these sensitive uses were to be proposed within the 60 dBA CNEL contour of any adjacent roadway, the area must undergo a site specific analysis to determine mitigation necessary to reduce the noise level to 60 dBA CNEL or below. Because all development in East Otay Mesa requires approval of a Site Plan, any additional noise analysis required for the future uses will be conducted as part of the Site Plan process for each individual lot. Site-specific noise analysis would determine mitigation necessary, if any, to make the noise levels consistent with the County Noise Element, Policy 4b and County Noise Ordinance Section 36.404.

In addition, the noise report concludes that off-site cumulative traffic noise levels would be significant at the residences along Otay Mesa Road between Vann Centre Blvd and Enrico Fermi Drive. Within the noise report, a ten (10') foot high sound wall is recommended to reduce cumulative traffic related noise impacts to these existing homes. Subsequently, staff conducted a more thorough traffic noise evaluation to determine whether the project related traffic contributions would result in direct and cumulative noise impacts to off-site receptors. Based on the project's Traffic Impact Analysis, existing traffic along that segment of Otay Mesa Road is 9,133 ADT. This existing traffic counts plus the project traffic contributions would result in 10,872 ADT. The project traffic contribution of 1,739 ADT does not result in direct noise impacts to the existing homes. Cumulative traffic counts including the project would result in 5,480 ADT. The cumulative traffic counts including the project traffic contributions are significantly lower due to the construction and completion of SR-905. The cumulative analysis is based on the year 2020 and a high volume of traffic would be diverted to the SR-905 extension. The low cumulative results show that the project would not have cumulative noise impacts to the existing homes located on Otay Mesa Road. Based on this in-house noise evaluation, off-site direct and cumulative noise impacts to existing residences are considered less than significant and no noise mitigation is necessary.

The project subdivision would involve temporary construction operations to grade the site and is subject to the County Noise Ordinance requirement of 75 dBA at any property line where an occupied property is located. East of the project site are existing homes located north of Otay Mesa Road. This shared property line would be subject to an eight hour average 75 dBA threshold for operations of construction equipment. Based on the noise report prepared by Kimley-Horn, a 24 foot high temporary noise barrier along the eastern property line would be required when grading operations are located within 450 feet of this eastern property line. Incorporation of this 24 foot high temporary noise barrier would ensure that grading activities located 450 feet from the eastern property line comply with the 75 dBA sound level threshold pursuant to the County Noise Ordinance, Section 36.409. Additionally, the report recommends a construction noise analysis to be conducted prior to the start of construction equipment operations. The Tentative Map would be conditioned to require the installation of the 24

foot high temporary construction noise barrier or another acceptable noise reduction method as determined by a new noise analysis prepared at that time. Please refer to Figure 4 within the Noise Analysis Report dated November 17, 2010 for the location of the temporary noise barrier. Therefore, the proposed project would comply with the County Noise Element and County Noise Ordinance.

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

YES

NO

XIII. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

NO

The previously certified EIR identified significant and mitigable impacts for Public Services and Utilities. Mitigation measures included the following:

- 11A. Any residential development proposed in the Specific Plan Area shall be subject to State laws governing school impact fees.
- 11B. Domestic water demand shall be reduced through the inclusion of the most recent "Best Management Practices" water conservation measures as identified by the Metropolitan Water District and the San Diego County Water Authority. This shall include preparation of a water conservation plan to document these measures.
- 11C. No development beyond that which can be served by the initial 1.0 million gallons per day capacity shall be allowed until long-term sewer service capacity has been provided. In addition, no development shall be allowed until all the necessary infrastructure has been constructed and facilities are operable.
- 11D. The County shall continue its efforts to site landfill facilities in South Bay.

The SEIR listed Public Services and Utilities as an Effect Found Not to be Significant During the Initial Study. Since the EIR and SEIR were previously certified and the previous project approved, there have been developments in East Otay Mesa with respect to wastewater, law enforcement facilities, and solid waste facilities.

Sewer: Sewer service in the East Otay Mesa Specific Plan area is provided by the San Diego County Sanitation District (which now includes the previous East Otay Mesa Sewer Maintenance District) under the management of the County Department of Public Works Wastewater Management Division. Since the Specific Plan was adopted, the District has been collecting connection fees and maintenance fees from developers in East Otay Mesa including a separate reimbursement fee for the City of San Diego for transport through the City.

Since the previous EIR was certified, the City of San Diego's Metro Sewer System has stated that adequate sewage conveyance capacity is currently unavailable in the City facilities to serve the amount of development in unincorporated East Otay Mesa area. In other words, the fees collected by the sewer district were not adequate to cover the required upgrades to the system. In response, the County and the City agreed that the following condition of approval (or similar, depending on the type of permit) would be placed on all projects to assure that adequate sewage transport capacity is available through the City of San Diego.

In case this project precedes establishment of a Community Facilities District (CFD) to fund future offsite Otay Mesa Truck sewer improvements in the City of San Diego:

Prior to the recordation of a final map, the developer shall execute a covenant, to be provided by the City, to participate in, and not object to, the formation of a Community Facilities District or other mechanism, to fund or reimburse the construction of the improvement phases as identified in the Otay Mesa Trunk Sewer Infrastructure Upgrades Cost Estimate and Constructability Review (Brown and Caldwell) dated June 9, 2009.

The developer shall secure performance of this obligation by recording the covenant with the County Recorder with a copy to the City of San Diego (City).

OR

In the case where a CFD is already established:

Prior to the recordation of a final map, the developer shall annex into the Community Facilities District # _____, to fund or reimburse the construction of the improvement phases as identified in the Otay Mesa Trunk Sewer Infrastructure Upgrades Cost Estimate and Constructability Review (Brown and Caldwell) dated June 9, 2009.

The developer shall secure performance of this obligation by recording the annexation with the County Recorder with a copy to the City.

Law Enforcement: No mitigation measures were stated related to police protection, parks and recreation, fire and emergency services, libraries, or gas and electricity. However, page A-26 of the Final EIR states "Implementation of the Specific Plan would generate additional demand for police protection services in an area that does not currently meet minimally acceptable standards. For the first phase of development, a new police station will be constructed on the mesa. No development will be allowed within the Specific Plan Area until adequate police services are available, and since a police station site has been identified on the land use map, no significant impacts will occur; therefore, additional mitigation is not required."

Since the previous EIR was certified, the Department has received correspondence from the San Diego County Sheriff's Department for other projects in the area that states the current level of personnel is not sufficient to adequately service the project site. To remedy this situation, a Community Facilities District (CFD 09-01) has been established to which all applicants shall contribute as a condition of their individual projects. The Sheriff-Fire CFD would fund a future permanent sheriff and fire station. In the meantime, a temporary sheriff station has been set up on property south of Otay Mesa Road and east of Enrico Fermi Road. The temporary sheriff station was established on a property with an existing Major Use Permit. The preferred site for the permanent station is at the northwest corner of Lone Star Road and Enrico Fermi Drive. Potential physical impacts from the construction of the permanent station were analyzed in the previously certified EIR. The project site belongs to CFD 09-01, and will contribute to construction of the permanent station.

Solid Waste Facilities: Proposition A, the East Otay Mesa Recycling Collection Center and Landfill Ordinance, was approved by the voters in 2010. This measure approved the establishment of a new recycling center and class III solid waste landfill in the East Otay Mesa area of unincorporated San Diego County. The site is approximately 2 miles east of the Siempre Viva Road exit from Interstate 905, one quarter mile from Loop Road and east of planned State Route 11. The facility would occupy approximately 340 acres of the site (leaving approximately 110 acres undeveloped). It would include a recycling collection center, lined landfill, scale area, borrow and stockpile area, leachate collection system, chipping and grinding area, storm-water retention facilities, a new access route from Loop Road, and a facilities and operation area. The facilities and operation area would include a visitors' center, office building, maintenance office, shop and yard, and landfill gas collection and recovery system. The facility would be open for the receipt of refuse a minimum of nine hours a day, six days a week, excepting holidays. Although there is no known timeline for when the facility would come online, it would increase solid waste capacity in the area.

The Tentative Map would be conditioned to provide for wastewater treatment in accordance with new developments related to wastewater collection and treatment. The project will not create new or more severe impacts than those analyzed under the previously certified EIR.

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

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

YES

NO

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

YES

NO

Changes in circumstance with respect to traffic and circulation in the East Otay Mesa Specific Plan area have occurred since the previous environmental documents were approved. With SPA 00-005/GPA 02-CE1, the County deleted and reclassified several circulation element (CE) roads. With SPA 06-003/GPA 06-013, the County made various other changes to the road network in the Specific Plan to realign/delete certain Specific Plan and CE roads to accommodate Caltrans' realignment of State Route(SR) 125, SR-905 and SR-11. The Circulation Network was again revised in 2007 and 2010. The new Tentative Map is consistent with the new Circulation Element. In addition, changes in circumstance have occurred regarding the development of roads in the East Otay Mesa Specific Plan. The SR-125 and phase 1A of the SR-905 are now open. There is also a change in the project because the number of vehicle trips increased from 26,780 ADT to 30,566 ADT.

The previously certified EIR found significant and mitigable impacts to Transportation and Circulation. The original mitigation measures, as numbered in the original EIR, are listed below:

- 7A. The County of San Diego shall work with the Cities of San Diego and Chula Vista to resolve inconsistencies in future roadway designations and shall coordinate roadway design at jurisdictional boundaries.

- 7B. Prior to the formation of an assessment district to fund the implementation of the regional Circulation Element, projects within the East Otay Mesa Specific Plan are required to provide a traffic impact report to analyze and mitigate their off-site traffic impacts.

The SEIR determined that the project would result in significant short-term, direct, and cumulative effects associated with the increased delay time on one roadway segment and three intersections on Otay Mesa Road, until the completion of the SR-905 improvements or the opening of SR-125. The following specific mitigation measures were determined to mitigate traffic impacts to less than significant:

- On-site improvements to Old Otay Mesa Road, Harvest Road, Sanyo Road (now Sunroad Blvd), and "G" street (now Vann Centre Blvd).
- Off-site improvements to Old Otay Mesa Road between Harvest Road and Otay Mesa Road (SR-905).
- On-site traffic signals at the intersection of Old Otay Mesa Road and Harvest Road and Old Otay Mesa Road and Sanyo Ave (now Sunroad Blvd).
- An eastbound left turn lane at the intersection of Otay Mesa Road and "G" Street.

Short term impacts to Otay Mesa Road (SR-905) and its intersections with Heritage Road, Cactus Road, La Media Road were considered to be significant. The SEIR assumed these impacts would be mitigated in the future by the SR-905 and the SR-125 and no mitigation was recommended because the mitigation was determined to be temporary and infeasible.

A Traffic Impact Study dated December 2, 2011 was prepared for the proposed project by LLG Engineers. The Traffic Impact Study indicated that the proposed project will result in an additional 30,566 ADT. The project trips will be distributed to State Route 905/ Otay Mesa Road (SC-1120), Siempre Viva Road, Sanyo Ave., and Enrico Fermi Drive. The traffic study found that the project would result in significant direct impacts to Otay Mesa Road between Sanyo Avenue and Vann Centre Boulevard; Otay Mesa Road between Heritage Road and SR-125 northbound ramp; and intersections of Otay Mesa Road/ Harvest Road, Otay Mesa Road/ Sanyo Ave., and Otay Mesa Road/ Heritage Road. The project would have cumulative impacts to intersections of Otay Mesa Road/ Vann Center Blvd., Airway Road/ Sanyo Ave., and Airway/ Paseo De Las Americas. However, mitigation measures will be required to reduce impacts to less than significant. These measures include:

County Direct Impact mitigation:

- Otay Mesa Road from Heritage Road to SR-125 northbound ramp – the project to delay recordation for any unit until SR-905 phase 1B is open to traffic;
- Otay Mesa/ Harvest Road intersection: Southbound – one shared left/ through lane and two right turn lanes; Westbound – one left-turn lane, three through lanes and one right-turn lane; Northbound – one shared left/ through/ right lane; Eastbound – two left turn lanes, two through lanes, and one shared through/ right lane; and New traffic signal.
- Otay Mesa/ Sunroad Boulevard/ Sanyo Avenue intersection: Southbound – one left

turn lane, one shared through/ right lane and one right turn lane; Westbound – one left-turn lane, one through lane and one shared through/ right lane. Provide additional road width (easterly) as required for transitions, bay tapers and smooth connection to existing one lane westbound traveling; Northbound – one left-turn lane and one shared left/ through/ right lane; Eastbound – one left turn lanes, one through lane, and one shared through/ right lane; and a modified traffic signal.

- Otay Mesa Road from Sunroad Boulevard to Vann Centre Boulevard, additional road widening as required (asphalt concrete pavement over approved base) to an improved width of two (2) eastbound lanes and two (2) westbound lanes.

County Cumulative Impact mitigation:

The proposed project generates 30,566 ADT. These trips will be distributed on circulation element roadways in the County some of which currently or are projected to operate at inadequate levels of service. Since the previous EIR was certified, the County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. This program includes the adoption of a Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. This program is based on a summary of projections method contained in an adopted planning document, as referenced in the State CEQA Guidelines Section 15130 (b)(1)(B), which evaluates regional or area wide conditions contributing to cumulative transportation impacts. Based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing circulation element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, state, and federal funding to improve freeways to projected level of service objectives in the RTP.

These project trips therefore contribute to a potential significant cumulative impact and mitigation is required. The potential growth represented by this project was included in the growth projections upon which the TIF program is based. By ensuring TIF funds are spend for the specific roadway improvements identified in the TIF Program, the CEQA mitigation requirement is satisfied and the Mitigation Fee nexus is met. Therefore, payment of the TIF, which will be required at issuance of building permits, in combination with other components of the program described above, will mitigate potential cumulative traffic impacts to less than significant.

City of San Diego Cumulative Impact mitigation:

- Airway Road and Sanyo Avenue - contribute a fair share contribution of 23.73% for

the signalization to the City of San Diego's Developer Contribution CIP Fund #200636.

Therefore, with the incorporation of the above listed mitigation measures, the project would not have new significant transportation/traffic effects or a substantial increase in severity of previously identified effects either due to a change in project, change in circumstances, or new information of substantial importance.

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

YES

NO

See Public Utilities discussion above.

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

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

YES
NO
Attachments

- Previous environmental documentation

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

Jeff Fuller, Kimley-Horn and Associates. Noise Analysis Report, Otay Tech Center. November 17, 2010.

Linscott Law & Greenspan Engineers. Traffic Impact Analysis, Otay Tech Center. December 2, 2011.

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Stevens Cresto Engineering, Inc. CEQA Preliminary Hydrology/Drainage Study for Otay Tech Centre. August 27, 2009.

Stevens-Cresto Engineering, Inc. Major Stormwater Management Plan (Major SWMP) for Otay Tech Centre, TM 5538 RPL3. August 5, 2010.

Valorie L. Thompson. Air Quality Technical Report for the Otay Tech Centre. November 16, 2010.

Jim Hunt. Conceptual Fire Protection Plan for the Otay Tech Centre. June 2010.

Valorie L. Thompson. Global Climate Change Evaluation for the Otay Tech Centre. November 16, 2010.

Anthony J. Lewis, "Seiche," Discovery Channel School, original content provided by World Book Online, <http://www.discoveryschool.com/homeworkhelp/worldbook/atozgeography/s/500060.html>, June 25, 2001.

California Department of Fish and Game. Fish and Game Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines 1997

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Solid Waste Management Act, 1989

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection,
Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

City of Los Angeles, L.A. CEQA Thresholds Guide, Section C Geology, D Water Resources

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Conservation Element of the General Plan (especially Appendices G
– Unique Geological Features, Pages X-G-1thru X-G-7)

County of San Diego Public Facility Element of the General Plan (Section 6-Solid Waste,
XII-6-1)

County of San Diego Scenic Highway Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San
Diego Biological Mitigation Ordinance

County of San Diego Watershed Protection, Stormwater Management, and Discharge
Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801
et seq.), February 20, 2002

Farmland Mapping and Monitoring Program, California Department of Conservation,
Division of Land Resource Protection, 1998

<http://www.lacity.org/EAD/laceqa/ceqaindex.html>

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control
Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory
Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors
on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 -
Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

Ventura County Initial Study Assessment Guidelines, Ventura County, November 1992.

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region

Wetland Training Institute, Inc. 1993. Wetland Delineation Lecture Notes based on Corps of Engineers 1987 Manual