

MEMORANDUM

To: Jeff O'Connor, HomeFed Otay Land II, LLC
From: Patricia Schuyler, Dudek
Subject: Village 8 East Tentative Map Revisions – Biological Review
Date: January 2024
cc: Erin Lucett, Dudek; Brian Grover, Dudek
Attachment(s): Figure 1 – Biological Resources; Figure 1a-Areas not Previously Analyzed- Areas 1,2,3, and 4; Figure 1b- Areas not Previously Analyzed- Areas 5,6,7, and 8

HomeFed Otay Land II, LLC (Applicant) requested that Dudek determine whether additional biological impacts would occur as a result of proposed land use changes within the Otay Ranch Village 8 East Project (Proposed Project), beyond those impacts identified in the Otay Ranch University Villages Project Comprehensive Sectional Planning Area (SPA) Plan Amendment Final Environmental Impact Report (FEIR) (EIR; SCH No. 2013071077; City of Chula Vista, November 2014) (University Villages FEIR)

As part of the 2014 FEIR, the Otay Ranch Village Eight East project was approved by the City of Chula Vista City Council in December 2014 and incorporated into the Chula Vista General Plan and the Otay Ranch General Development Plan. Current entitlements accommodate a total of 3,276 residential units, including 943 detached homes, 1,893 attached homes and 440 multi-family units in a mixed-use setting. Village Eight East also included 20,000 square feet of retail/commercial uses, an elementary school, a neighborhood park and the 51.5-acre (gross) Otay Ranch Community Park South. Access to the village is provided via the extension of Main Street and Otay Valley Road with emergency and pedestrian access to the community park provided along a utility corridor in the southeast portion of Village 8 East.

The project applicant proposes to amend the Village Eight East land use plan to reflect current market conditions and housing needs, and to ensure the community relates more closely to the adjacent Village Eight West community and future Village Nine and University Innovation District planned east of State Route (SR) 125 and accommodates the SR-125 couplet interchange design between Main Street and Otay Valley Road. The proposed project would accommodate the approved 3,276 residential units, 20,000 square feet of commercial uses and other village-related land uses such as an elementary school, neighborhood park and Community Purpose Facility uses. The proposed project would now include all multi-family residential units instead of the previously proposed single- and multi-family residential units.

Dudek biologists identified eight additions to the development area analyzed in original biological studies conducted for the Village 8 East project. Survey dates, time, and weather for the surveys conducted in support of the FEIR for the project are documented in Appendix E of the University Villages FEIR. Additional offsite grading areas were identified when reviewing the current tentative map against the previous FEIR. In spring/summer of 2023, vegetation mapping was conducted in support of the CALTRANS State Route (SR) 125-interchange project. This

information was utilized to review areas outside of the project boundary previously analyzed in the 2014 University Villages FEIR (Helix 2023a & 2023b). This memo documents these findings.

1 Previous Environmental Documentation

There are six locations along the eastern edge of Village 8 East where grading is proposed to extend beyond what was analyzed in the 2014 FEIR (Figure 1, 1a & 1b). These additional grading impacts are primarily related to grading associated with the frontage road and southbound ramp at Main Street serving the proposed SR-125 Interchange. Additional grading associated with the emergency access road, utility corridor and vehicular access and utilities to serve the future development of AR-11 within and adjacent to the SR-125 right-of-way requires one additional area. A portion of these grading impacts were analyzed in the FEIR, while Area 7 described below is within the CALTRANS right of way and was not included in the FEIR study area. Area 8 is located east of SR-125, between what was “Future Lots A and B” (now Lot B), was not included in the University Villages FEIR. This area was a portion of the Otay Valley Road right-of-way on the 2014 Tentative Map. With the Proposed Project, Otay Valley Road would be realigned northward to accommodate the proposed SR-125 couplet interchange design between Main Street and Otay Valley Road and this area would be designated as part of Future Development Lot, Lot B.

2 Biological Review

Table 1 identifies the 8 areas that were not included in the University Villages FEIR (shown in Figures 1a & 1b). In total, the changes to the Village 8 East boundary would result in 0.99 acres of impacts not previously analyzed in the FEIR. Most of these impacts are to non-native grassland (0.62 acres) followed by 0.29 acres of coastal sage scrub and 0.08 acres of agricultural and developed areas.

Table 1. Vegetation Communities for Areas not Identified in the FEIR

Vegetation Community	Areas Not Evaluated in the FEIR								Total
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	
Non-Native Grassland	0.39	0.01	0.06	0	0.10	0	0.07	0	0.62
Coastal Sage Scrub (including disturbed)	0	0	0	0	0.01	0	0.06	0.22	0.29
Agricultural	0	0	0	0	0	0	0.07	0	0.07
Developed	0	0	0	0.01	0	<0.01	<0.01	0	0.01
Total	0.39	0.01	0.06	0.01	0.11	<0.01	0.20	0.22	0.99

CALTRANS conducted a suite of surveys for the SR-125-interchange project. Since SR-125 is located immediately adjacent to Village 8 East, the survey buffers overlapped with portions of Village 8 East. The vegetation mapping conducted for the SR-125 project was utilized to review the biological impacts associated with the additional grading (Areas 1-6) along the east side of the proposed project. Focused surveys conducted for the SR-125 project did not detect special-status plant or wildlife species within Areas 1 through 6.

As depicted on Figure 1b, Area 7 grading will extend into AR-11 and totals 0.2 acre. Of that 0.2 acre, 0.13 was included in the FEIR analysis while 0.07 acres were reviewed in conjunction with the CALTRANS updated surveys. Dudek obtained the SR-125 vegetation mapping for these areas to include in this biological review for the updated Village 8 East project (Table 1). There are no locations of either special-status plant or wildlife species within Area 7.

The added portion of Lot B (Area 8) was not previously covered under any environmental documents. However, the areas immediately to the north and south, designated Future Development Lots A and B on the 2014 Tentative Map, were analyzed in the University Villages FEIR. The Village 8 East jurisdictional aquatic resource delineation was recently updated for Future Development Lots A and B and included the 0.22-acre addition to Lot B (Dudek 2023). The vegetation in the added portion of Lot B was also documented during this field work. The 0.22-acre area is comprised of coastal sage scrub similar to the surrounding areas as documented in the University Villages FEIR (Chula Vista 2014) (Figures 1 & 1b). A non-wetland water regulated by the US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) is located along the western boundary of this area but not within the project site. A swale regulated by RWQCB and CDFW is located to the south of the area but does not extend into it. The 0.22-acre addition does not support any riparian vegetation. In addition, CALTRANS has conducted focused surveys for rare plants and special-status wildlife. Based on those surveys, there are no locations of either special-status plant or wildlife species within Area 8 (Helix 2023a & 2023b)

During the 2023 focused surveys for Quino checkerspot butterfly (QCB) for a nearby but unrelated project, a permitted biologist from Harris detected one adult QCB within the Village 8 East SPA Plan area at a location that will be on the edge of grading within the Otay Ranch Preserve for a facility that will serve as a utility corridor, trail, and emergency access. No other QCB sightings have been documented during the 2023 surveys.

3 Discussion

In total, the changes to the Village 8 East project boundary would result in 0.99 acres of impacts not previously analyzed in the University Villages FEIR. Most of these impacts are to non-native grassland (0.62 acres) followed by 0.29 acres of coastal sage scrub and 0.08 acres of agricultural and developed areas. Both non-native grassland and coastal sage scrub are considered sensitive vegetation communities. While the impacts at these particular locations were not analyzed in the University Villages FEIR, impacts to coastal sage scrub and non-native grassland as a whole were analyzed in the FEIR. Impacts to coastal sage scrub and non-native grassland were deemed less than significant with incorporation of mitigation, specifically MM BIO-1 which requires the conveyance of acreage to the preserve at a ratio of 1.188 of preserve for every acreage (1 acre) of impact, consistent with the Otay Ranch Phase 2 Resource Management Plan. Therefore, the addition of 0.91 acre of impact to the overall impact total does not represent a new or significant impact. Impacts to 0.08 acre of agricultural and developed lands, neither of which is a sensitive land cover, would not be significant. However, these impacts will be included in the overall conveyance as described in MM-BIO-1. Therefore, no new significant biological resources impacts would occur beyond those identified in the University Villages FEIR and no new mitigation is required.

Potential impacts to the QCB associated with the development of Otay Ranch have been addressed in prior environmental review. Specifically, the University Villages FEIR (2014) addressed potential QCB impacts and discussed previous sightings of QCB within the Preserve. The FEIR directly addresses impacts to the QCB within its discussion of Special Status Wildlife Species:

Although Quino checkerspot were not observed within the project boundaries, there is suitable habitat throughout all villages due to presence of host plant and suitable coastal sage scrub habitat except for the Portion of Village Four. The MSCP Subarea Plan requires that impacts to Quino checkerspot habitat in the Preserve east of SR-125 be minimized to the extent possible, whether or not it is occupied. This avoidance criteria applies only to a portion of Village Eight East (east of SR-125) and Village Ten. Development within these areas will be required to comply with avoidance and minimization measure 4.b of the MSCP Subarea Plan. The proposed project would not impact any significant Quino checkerspot habitat patches of plantain east of SF-125 that are in the Salt Creek drainage or Otay River Valley and no preserve areas would be impacted that contain such plantain patches. Impacts to Quino checkerspot would be **less than significant**.¹

QCB is a covered species within the Chula Vista Subarea Plan and any impacts to suitable habitat for the species would be mitigated through conveyance of habitat to the MSCP Preserve system as required by MM BIO-1 outlined below. Therefore, the sighting of a QCB within the Village 8 East SPA area does not constitute new information of substantial importance that warrants further environmental review for the current project.

4 University Villages FEIR Mitigation Measures

Mitigation Measures within the Otay Ranch University Villages Project Comprehensive SPA Plan Amendment FEIR (2014) were reviewed as part of this memorandum. The following mitigation measures from the University Villages FEIR remain applicable to the proposed project. Note that these measures are taken directly from the FEIR and have not been modified.

MM BIO-1 Prior to the approval of the first Final Map for the project, the Project Applicant shall coordinate with the City of Chula Vista (City) Engineer and annex the project area within the Otay Ranch Preserve Community Facilities District No. 97-2.

Prior to the recordation of each Final Map, the Applicant shall convey land within the Otay Ranch Preserve to the Otay Ranch Preserve Owner/Manager (POM) or its designee at a ratio of 1.188 acres for each acre of "Developable Area" as defined by the RMP. Access for maintenance purposes shall also be conveyed to the satisfaction of the POM. Each tentative map shall be subject to a condition that the Applicant shall execute a maintenance agreement with the POM stating that it is the responsibility of the Applicant to maintain the conveyed parcel until the Preserve CFD has generated sufficient revenues to enable the POM to assume maintenance responsibilities. The Applicant shall maintain and manage the offered conveyance property consistent with the RMP Phase 2 until the Preserve CFD has generated sufficient revenues to enable the POM to assume maintenance and management responsibilities.

Prior to the POM's formal acceptance of the conveyed land in fee title, the Project Applicant shall prepare, to the satisfaction of the POM, Area Specific Management Directives (ASMDs) for the associated conveyance areas. The ASMDs shall incorporate the guidelines and specific requirements of the Otay Ranch RMP plans and programs, management requirements of Table 3-5 of the MSCP Subregional Plan, and information and recommendations from any relevant special

¹ University Villages Project Comprehensive SPA Plan Amendment EIR, p. 5.8-57 (emphasis in original).

studies. Guidelines and requirements from these documents shall be evaluated in relationship to the Preserve configuration and specific habitats and species found within the associated conveyance areas and incorporated into the ASMDs to the satisfaction of the POM.

MM BIO-2 Prior to the issuance of any land development permits that impact maritime succulent scrub, including clearing and grubbing or grading permits, the Project Applicant shall prepare a restoration plan to restore impacts to maritime succulent scrub at a 1:1 ratio pursuant to the Otay Ranch RMP. A total of 5.5 acres will require restoration. The maritime succulent scrub restoration shall be prepared by a City-approved biologist and to the satisfaction of the Development Services Director (or their designee) pursuant to the Otay Ranch RMP restoration requirements. The restoration plan shall include, at a minimum, an implementation strategy; species salvage and relocation; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; maintenance, monitoring, and reporting program; estimated completion time; and contingency measures. The Project Applicant shall also be required to implement the revegetation plan subject to the oversight and approval of the Development Services Director (or their designee).

MM BIO-3 Prior to issuance of land development permits, including clearing, grubbing, grading and construction permits for the Future and Planned Facilities associated with Village Ten, the Project Applicant shall provide a revegetation plan for temporary impacts to 0.3 acres of coastal sage scrub habitat. The revegetation plan must be prepared by a qualified City-approved biologist familiar with the City's MSCP Subarea Plan and must include, but not be limited to, an implementation plan; appropriate seed mixtures and planting method; irrigation method; quantitative and qualitative success criteria; maintenance, monitoring, and reporting program; estimated completion time; and contingency measures. The Project Applicant shall be required to prepare and implement the revegetation plan subject to the oversight and approval of the Development Services Director (or their designee).

MM BIO-4 Prior to issuance of land development permits, including clearing, grubbing, grading, and/or construction permits for any areas adjacent to the preserve and the off-site facilities located within the preserve, the Project Applicant 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 pre-construction meetings and be present during the removal of any vegetation to ensure that the approved limits of disturbance are not exceeded and provide periodic monitoring of the impact area including, but not limited to, trenches, stockpiles, storage areas and protective fencing. The biological monitor shall be authorized to halt all associated project activities that may be in violation of 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 within the off-site facilities area, 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 Prior to issuance of grading permits in portions of the SPA Plan areas that are adjacent to the Preserve, the Project Applicant shall install fencing. Prior to issuance of land development permits, including clearing, grubbing, grading and/or construction permits, the Project Applicant shall install fencing in accordance with Chula Vista Municipal Code (CVMC) 17.35.030. Prominently colored, well-installed fencing and signage shall be in place wherever the limits of grading are adjacent to sensitive vegetation

communities or other biological resources, as identified by the qualified monitoring biologist. Fencing shall remain in place during all construction activities. All temporary fencing shall be shown on grading plans for areas adjacent to the preserve and for all off-site facilities constructed within the preserve. Prior to release of grading and/or improvement bonds, a qualified biologist shall provide evidence that work was conducted as authorized under the approved land development permit and associated plans.

MM BIO-6 Prior to issuance of land development permits, including clearing, grubbing, grading, and construction permits, the following notes shall be included on the applicable construction plans to the satisfaction of the Development Services Director (or their designee):

- A qualified biologist shall be on site to monitor all vegetation clearing and periodically thereafter to ensure implementation of appropriate resource protection measures.
- Dewatering shall be conducted in accordance with standard regulations of the RWQCB. A permit to discharge water from dewatering activities will be required. This will minimize erosion, siltation, and pollution within sensitive communities.
- During construction, material stockpiles shall be placed such that they cause minimal interference with on-site drainage patterns. This will protect sensitive vegetation from being inundated with sediment-laden runoff.
- Material stockpiles shall be covered when not in use. This will prevent fly-off that could damage nearby sensitive vegetation communities.
- Graded area shall be periodically watered to minimize dust that may affect adjacent vegetation.

MM BIO-7 Prior to issuance of any land development permits, including clearing or grubbing and grading and/or construction permits, the project will be required to obtain a HILT Permit pursuant to Section 17.35 of the Chula Vista Municipal Code for impacts to Chula Vista MSCP Tier I, II, and III vegetation communities as shown below in Tables 5.8-24 and 5.8-25 and in accordance with Table 5-3 of the City of Chula Vista MSCP Subarea Plan. These impacts are due to the proposed development and are not associated with Planned or Future Facilities. Mitigation for off-site impacts outside of Otay Ranch will be in accordance with the City of Chula Vista MSCP Subarea Plan and the City's Habitat Loss and Incident Take (HLIT) Ordinance and as provided in the HLIT Findings. Mitigation for impacts associated with the landfill (off-site Area 5) is not required.

Prior to issuance of any land development permits, the Applicant shall mitigate for direct impacts pursuant to Section 5.2.2 of the City's MSCP Subarea Plan. In compliance with the City's MSCP Subarea Plan, the Applicant shall secure mitigation credits within a City/Wildlife Agency-approved Conservation Bank or other approved location offering such credits consistent with the ratios specified in Tables 5.8-24 and 5.8-25.

The Applicant shall be required to provide verification of purchase to the City, prior to issuance of any land development permits.

In the event that a Project Applicant is unable to secure mitigation through an established mitigation bank approved by the City and Wildlife Agencies, the Project Applicant shall secure the required mitigation through the conservation of an area containing in-kind habitat within the City’s MSCP Subarea Plan or MSCP Planning Area in accordance with the mitigation ratios contained in Table 5-3 of the City’s MSCP Subarea Plan and subject to Wildlife Agency concurrence.

Table 5.8-24 Mitigation for Permanent Impacts to Upland Vegetation Outside of Otay Ranch (HLIT)

Off-Site Area	Ownership	Vegetation Community	Tier	Permanent Impacts (acres)	Location of Impact	Mitigation Ratio	Mitigation Required (acres)
1	Takashima	Coastal Sage Scrub	II	0.8	Inside Preserve	1.5:1	1.2
		Coastal Sage Scrub	II	5.3	Outside Preserve	1:1	5.3
2	Auto Dismantler ¹	Coastal Sage Scrub	II	0.3	Outside Preserve	1:1	0.3
		Valley Needlegrass grassland	I	0.1	Outside Preserve	1:1	0.1
3	City of Chula Vista	Broom Baccharis Scrub	II	0.2	Inside Preserve	1.5:1	0.3
		Cismontane Alkali Marsh	I	0.2	Inside Preserve	1.5:1	0.3
		Coastal Sage Scrub	II	0.7	Inside Preserve	1.5:1	1.1
		Disturbed Coastal Sage Scrub	II	0.1	Inside Preserve	1.5:1	0.2
		Non-Native Grassland	III	0.3	Inside Preserve	1:1	0.3

¹ Mapping was unable to be conducted on this property. Impacts and mitigation will be based on updated information determined within one year of construction as stated in Section 5.1.2.

Note: Tiers and Mitigation Ratios are in accordance with the City of Chula Vista MSCP Subarea Plan’s HLIT Upland Habitat Mitigation Ratios. No mitigation is required for Tier IV habitat types (i.e., non-sensitive vegetation communities and land covers including disturbed land, ornamental, or developed land). It is assumed that mitigation will be located inside the Preserve. Mitigation outside of the Preserve (i.e., Chula Vista MSCP Subarea Plan or Planning Area boundary) will require increased mitigation per Table 5-3.

**Table 5.8-25
 Mitigation for Impacts to Wetlands Outside of Otay Ranch (HILT)**

Outside of Otay Ranch Area	Wetlands Vegetation Community/Water Feature			Mitigation Ratio	Mitigation Required
	Ephemeral Channel	Cismontane Alkali Marsh	Tamarisk Scrub		
1	0.05			1:1 to 2:1	0.05 to 0.10
2	<0.01			1:1 to 2:1	<0.01 to 0.01
3		0.18	0.80	1:1 to 2:1	0.98 to 1.96

Prior to issuance of any land development permit, and to the satisfaction and oversight of the City’s Development Services Director (or their designee), the Applicant shall secure the parcel(s) that will be permanently preserved for in-kind habitat impact mitigation, prepare a long-term Management and Monitoring Plan (MMP) for the mitigation area, secure an appropriate management entity to ensure long-term biological resource management and monitoring of the mitigation area is implemented in perpetuity, and establish a long-term funding mechanism for the management and monitoring of the mitigation area in perpetuity.

The long-term MMP shall provide management measures to be implemented to sustain the viability of the preserved habitat and identify timing for implementing the measures prescribed in the MMP. The mitigation parcel shall be restricted from future development and permanently preserved through the recordation of a conservation easement or other mechanism approved by the Wildlife Agencies as being sufficient to insure that the lands are protected in perpetuity. The conservation easement or other mechanism approved by the Wildlife Agencies shall be recorded prior to issuance of any land development permits.

The Project Applicant shall be responsible for maintaining the biological integrity of the mitigation area and shall abide by all management and monitoring measures identified in the MMP until such time as the established long-term funding mechanism has generated sufficient revenues to enable a City-approved management entity to assume the long-term maintenance and management responsibilities.

MM BIO-8

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

- Sediment shall be retained on-site by a system of sediment basins, traps, or other appropriate measures.
- Where deemed necessary, storm drains shall be equipped with silt and oil traps to remove oils, debris, and other pollutants. Storm drain inlets shall be labeled “No Dumping–Drains to Ocean.” Storm drains shall be regularly maintained to ensure their effectiveness.

- The parking lots shall be designed to allow storm water runoff to be directed to vegetative filter strips and/or oil-water separators to control sediment, oil, and other contaminants.
- Permanent energy dissipaters shall be included for drainage outlets.
- The BMPs contained in the SWPPP shall include, but are not limited to, silt fences, fiber rolls, gravel bags, and soil stabilization measures such as erosion control mats and hydro-seeding.
- The project area drainage basins will be designed to provide effective water quality control measures, as outlined in the Water Quality Technical Report. Design and operational features of the drainage basins will include design features to provide maximum infiltration, maximum detention time for settling of fine particles; maximize the distance between basin inlets and outlets to reduce velocities; and establish maintenance schedules for periodic removal of sedimentation, excessive vegetation and debris.

MM BIO-9 The City requires that impacts to wetlands be avoided to the maximum extent possible and 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 wetlands. A total of up to 1.03 acres of wetland and 0.56 acre of waters of the U.S./State within the project may be impacted within the Development Area. Off-site areas may impact a total of up to 0.98 acre of wetlands and 0.38 acre of waters (0.24 acre of waters of the U.S. and 0.14 acre of water of the State). Prior to issuance of land development permits, including clearing, grubbing, and grading permits that impact jurisdictional waters, the Project Applicant shall prepare a Wetlands Mitigation and Monitoring Plan to the satisfaction of the City, ACOE, and CDFW. This plan shall include, at a minimum, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. Areas under the jurisdictional authority of ACOE and CDFW shall be delineated on all grading plans. Mitigation areas shall occur within the Otay River watershed in accordance with the Wetlands Mitigation and Monitoring Plan to the satisfaction of the City, ACOE, and CDFW. The Project Applicant shall also be required to implement the Wetlands Mitigation and Monitoring Plan subject to the oversight of the City, ACOE, and CDFW.

MM BIO-10 Prior to issuance of land development permits, including clearing, grubbing, and grading permits for areas that impact jurisdictional waters, the Project Applicant 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.

MM BIO-11 The Project Applicant shall implement one of the following prior to the issuance of grading permits for areas impacting vernal pools within Village Three North:

1. The Project Applicant shall restore 240 square feet of vernal pools within the Village Thirteen (resort) planning area. The restoration would involve reconfiguration and reconstruction of the mima mounds and basins, removal of weedy vegetation, revegetation of the mounds with upland sage scrub species and inoculation of the pools with vernal pool species. The property owner has prepared a Conceptual Vernal Pool Mitigation Plan (Dudek 2008). The Plan includes, but is not limited to an implementation

plan, maintenance and monitoring program, estimated completion time, and relevant contingency measures.

2. The Project Applicant shall restore 240 square feet of vernal pools somewhere other than the Village Thirteen (resort) planning area. The restoration would still involve reconfiguration and reconstruction of the mima mounds and basins, removal of weedy vegetation, revegetation of the mounds with upland sage scrub species and inoculation of the pools with vernal pool species.
3. The Project Applicant shall buy into a mitigation bank in an amount that would mitigate for impacts to 120 square feet of vernal pool.

MM BIO-12

Prior to the issuance of land development permits, including clearing or grubbing and grading permits, for areas with salvageable sensitive biological resources, including Otay tarplant, variegated dudleya, San Diego barrel cactus, San Diego bur-sage, singlewhorl burrobush, south coast saltscale, San Diego marsh-elder, and Robinson's pepper grass (including plant materials and soils/seed bank), the Project Applicant shall prepare a Resource Salvage Plan. The Resource Salvage Plan shall be prepared by a City-approved biologist to the satisfaction of the Development Services Director (or their designee).

The Resource Salvage Plan shall, at a minimum, evaluate options for plant salvage and relocation, including individual cactus salvage, native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within the Preserve. The Resource Salvage Plan shall include incorporation of relocation efforts for non-covered species, including singlewhorl burrobush, south coast saltscale, San Diego marsh-elder, and Robinson's pepper grass, species that are all considered special-status by the CEQA and that would be impacted with project implementation. Relocation efforts may include seed collection and/or transplantation to a suitable receptor site and will be based on the most reliable methods of successful relocation. The program shall also contain a recommendation for method of salvage and relocation/application based on feasibility of implementation and likelihood of success. The program shall include, at a minimum, an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. The program shall also be subject to the oversight of the Development Services Director (or their designee).

MM BIO-13

To avoid any direct impacts to raptors and/or any migratory birds protected under the MBTA, removal of habitat that supports active nests on the proposed area of disturbance should occur outside of the breeding season for these species. The breeding season is defined as February 15 to August 15 for coastal California gnatcatcher and other non-raptor birds and January 15 to August 31 for raptor species. If removal of habitat on the proposed area of disturbance must occur during the breeding season, the Project Applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, and the results must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan, as deemed appropriate by the City, shall be prepared and include proposed

measures to be implemented to ensure that disturbance of breeding activities are avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's Mitigation Monitor shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

MM BIO-14 Prior to issuance of any land development permits, including clearing, grubbing, and grading permits, the Project Applicant shall retain a City-approved biologist to conduct focused surveys for northern harrier to determine the presence or absence of this species within 900-feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction. The results of the survey must be submitted to the City for review and approval. If active nests are detected by the City-approved biologist, a bio-monitor shall be on site during construction to minimize construction impacts and ensure that no nests are removed or disturbed until all young have fledged.

MM BIO-15 Prior to issuance of any land development permits (including clearing, grubbing, and grading permits), the Project Applicant shall retain a City-approved biologist to conduct focused pre-construction surveys for burrowing owls. The surveys shall be performed no earlier than 30 days prior to the commencement of any clearing, grubbing, or grading activities. If occupied burrows are detected, the City-approved biologist shall prepare a passive relocation mitigation plan subject to the review and approval by the Wildlife agencies and City, including any subsequent burrowing owl relocation plans to avoid impacts from construction-related activities.

MM BIO-16 Prior to issuance of grading permits, the Project Applicant shall submit evidence to the satisfaction of the Development Services Director (or their designee), showing that the following features of the Preserve Edge Plans (Otay Ranch Company 2013a through 2013c) have been incorporated into grading and landscaping plans:

- Provide post and fencing and signage for sensitive habitat adjacent to trails. Prior to the issuance of land development permits, including clearing or grubbing and grading and/or construction permits, for the project, the project owner shall submit wall and fence plans depicting appropriate barriers to prevent unauthorized access to the Preserve. The wall and fence plans shall, at a minimum, illustrate the locations and cross-sections of proposed walls, fences, informational and directional signage, access controls, and/or boundary markers along the Preserve boundary and off-site pedestrian trails as conceptually described in the Edge Plans. The required wall and fence plan shall be subject to the approval of the Development Services Director (or their designee).
- Install canyon subdrains to prevent erosion of drainage and wetlands within the Preserve.
- Prevent release of toxins, chemicals, petroleum products, exotic plant materials and other elements that might degrade or harm the natural environment or ecosystem within the Preserve.

- Implement all necessary requirements for water quality as specified by the State and local agencies
- Phase out agricultural uses adjacent to the Preserve to remove pollutants from the project site.
- No invasive non-native plant species shall be introduced into areas immediately adjacent to, or within, the Preserve. All slopes immediately adjacent, or within, to the Preserve shall be planted with native species that reflect the adjacent native habitat, per the Edge Plan. Prior to the issuance of land development permits, including clearing or grubbing and grading and/or construction permits, for 1) areas within the 100-foot Preserve edge, and 2) infrastructure (e.g., roads, trails, utilities, etc.) sited within the Preserve, the Project Applicant shall prepare and submit to the satisfaction of the Development Services Director (or their designee) landscape plans to ensure that the proposed plant palette is consistent with the plant list contained in the Preserve Edge Plans for each village. The landscape plan shall also incorporate a manual weeding program for areas adjacent to the Preserve. The manual weeding program shall describe, at a minimum, the entity responsible for controlling invasive species, the maintenance activities and methods required to control invasive species, and a maintenance/monitoring schedule.
- All fuel modification shall be incorporated into development plans and shall not include any areas within the Preserve.

MM BIO-17

In accordance with the City's Adjacency Management Guidelines, the following mitigation measures shall be implemented to further reduce indirect impacts (from lighting, noise, invasive species, toxic substances, and public access) to sensitive biological resources located in the adjacent Preserve areas:

- **Lighting.** In compliance with the Chula Vista MSCP Subarea Plan, all lighting shall be shielded and directed away from the Preserve. Concurrent with design review and prior to issuance of a building permit for any development located adjacent to the Preserve, the Applicant shall prepare a lighting plan and photometric analysis to the satisfaction of the Development Services Director (or their designee), for review and approval. The lighting plan shall illustrate the location of the proposed lighting standards and type of shielding measures. Low-pressure sodium lighting shall be used, if feasible, and shall be subject to the approval of the Development Services Director (or their designee).
- **Noise.** Noise impacts adjacent to the Preserve lands shall be minimized. Berms or walls shall be constructed adjacent to commercial areas and any other use that may introduce noises that could impact or interfere with wildlife utilization of the Preserve. A 100-foot buffer around community park areas, specifically Community Parks (P-2) south of Village Eight East and in Portion of Village Four, should be installed in sections adjacent to Preserve habitat occupied by sensitive species such as the coastal cactus wren. Potential noise generating uses, such as baseball diamonds and soccer fields, should be oriented away from sensitive species habitat

in these areas. Construction activities shall include noise reduction measures or be conducted outside the breeding season of sensitive bird species.

- **Noise, California Gnatcatcher.** For any work proposed between February 15 and August 15, prior to issuance of any land development permits, including clearing, grubbing, grading, and construction permits, associated with the off-site facilities located within the Preserve, the Project Applicant shall retain a City-approved biologist to conduct a pre-construction survey for the coastal California gnatcatcher to reaffirm the presence and extent of occupied habitat. The pre-construction survey area for the coastal California gnatcatcher shall encompass all habitats within the project work zone, as well as within a 300-foot buffer. The survey shall be performed to the satisfaction of the Development Services Director (or their designee) by a qualified biologist familiar with the City's MSCP Subarea Plan. The results of the pre-construction survey must be submitted in a report to the Development Services Director (or their designee) for review and approval prior to the issuance of any land development permits and prior to initiating any construction activities. If the coastal California gnatcatcher is detected, a minimum 300-foot buffer delineated by orange biological fencing shall be established around the detected species to ensure that no work shall occur within the occupied habitat from February 15 through August 15 and on-site noise reduction techniques shall be implemented to ensure that construction noise levels do not exceed 60 dB(A) Leq-h at the location of any occupied sensitive habitat areas. The Development Services Director (or their designee) shall have the discretion to modify the buffer width depending on-site-specific conditions. If the results of the pre-construction survey determine that the survey area is unoccupied, the work may commence at the discretion of the Development Services Director (or their designee) following the review and approval of the pre-construction report.
- **Invasive Species.** Prior to issuance of land development permits, including clearing or grubbing and grading and/or construction permits for 1) areas within the 100-foot Preserve edge, and 2) infrastructure (e.g., roads, trails, utilities, etc.) sited within the Preserve, the Project Applicant shall prepare and submit to the satisfaction of the Development Services Director (or their designee), landscape plans to ensure that the proposed plant palette is consistent with the plant list contained in the Preserve Edge Plan. The landscape plan shall also incorporate a manual weeding program for areas adjacent to the preserve. The manual weeding program shall describe at a minimum, the entity responsible for controlling invasive species, the maintenance activities and methods required to control invasives, and a maintenance/monitoring schedule.
- **Toxic Substances.** See MMs BIO-4, BIO-6, BIO-8, BIO-16
- **Public Access.** Prior to issuance of grading permits, the Project Applicant shall submit wall and fence plans depicting appropriate barriers to prevent unauthorized access into the Preserve. The wall and fence plans shall illustrate the locations and cross-sections of proposed walls and fences along the Preserve boundary, subject to the approval the City's Development Services Director (or their designee).

MM BIO-18 In accordance with the City’s Adjacency Management Guidelines, the following mitigation measures shall be implemented to further reduce indirect impacts from noise to sensitive biological resources located in the adjacent Preserve areas emanating from the community parks:

Concurrent with the preparation of site-specific plan(s), and prior to the approval of a precise grading plan, the Project Applicant shall prepare, or in the case of the City being the lead on the preparation of the site specific plan, the Project Applicant shall fund the preparation of an acoustical analysis to ensure that noise impacts to surrounding Preserve areas have been minimized. The park design shall include measures to minimize noise impacts adjacent to the Preserve. Features that may be included in the park design may include, but are not limited to:

- berms or walls;
- inclusion of a minimum of 100 feet between the Preserve boundary and park uses where adjacent to habitat occupied by sensitive species such as coastal California gnatcatcher and coastal cactus wren;
- allow uses within the 100-foot buffer adjacent to the Preserve that may include access roads, parking, picnic areas, walking paths, and graded slopes;
- orient potential noise generating uses such as soccer fields and baseball diamonds away from occupied coastal California gnatcatcher and coastal cactus wren habitat.

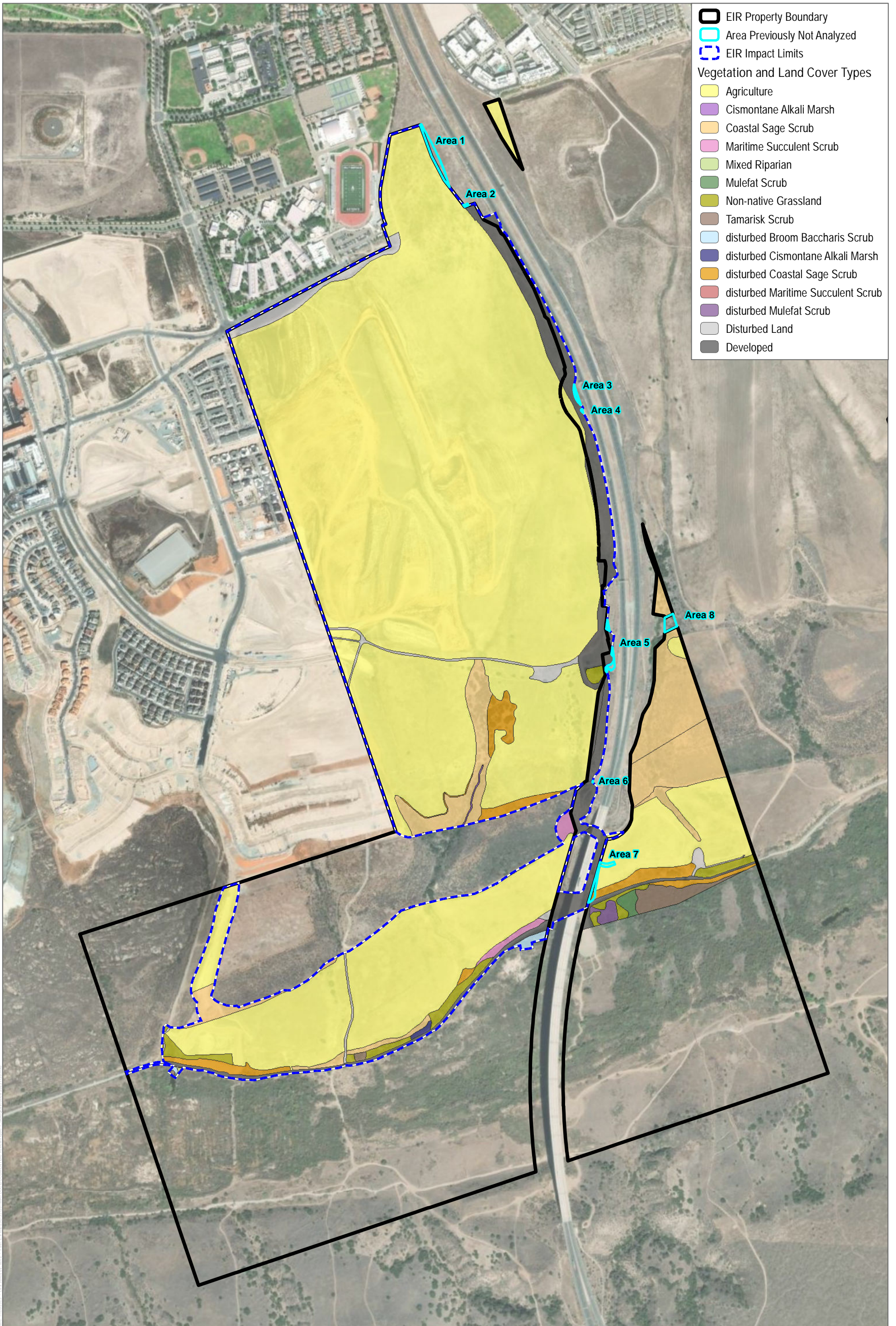
REFERENCES

City of Chula Vista. 2014. University Villages Comprehensive SPA Plan Amendment Final Environmental Impact Report. December.

Dudek. 2023. Aquatic Resources Delineation Report Village Eight East Project. Prepared for HomeFed. August 2023.

Helix 2023a. 2023 Quino Checkerspot Butterfly Survey Report for the State Route 125 Interchanges Project. Prepared by Helix June 2023.

Helix 2023b. 2023 Coastal California Gnatcatcher (*Polioptila californica californica*) Survey Report for the State Route 125 Interchanges Project. Prepared by Helix July 2023.



SOURCE: AERIAL-ESRI MAPPING SERVICE 2022

DUDEK

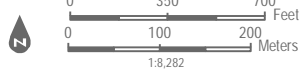
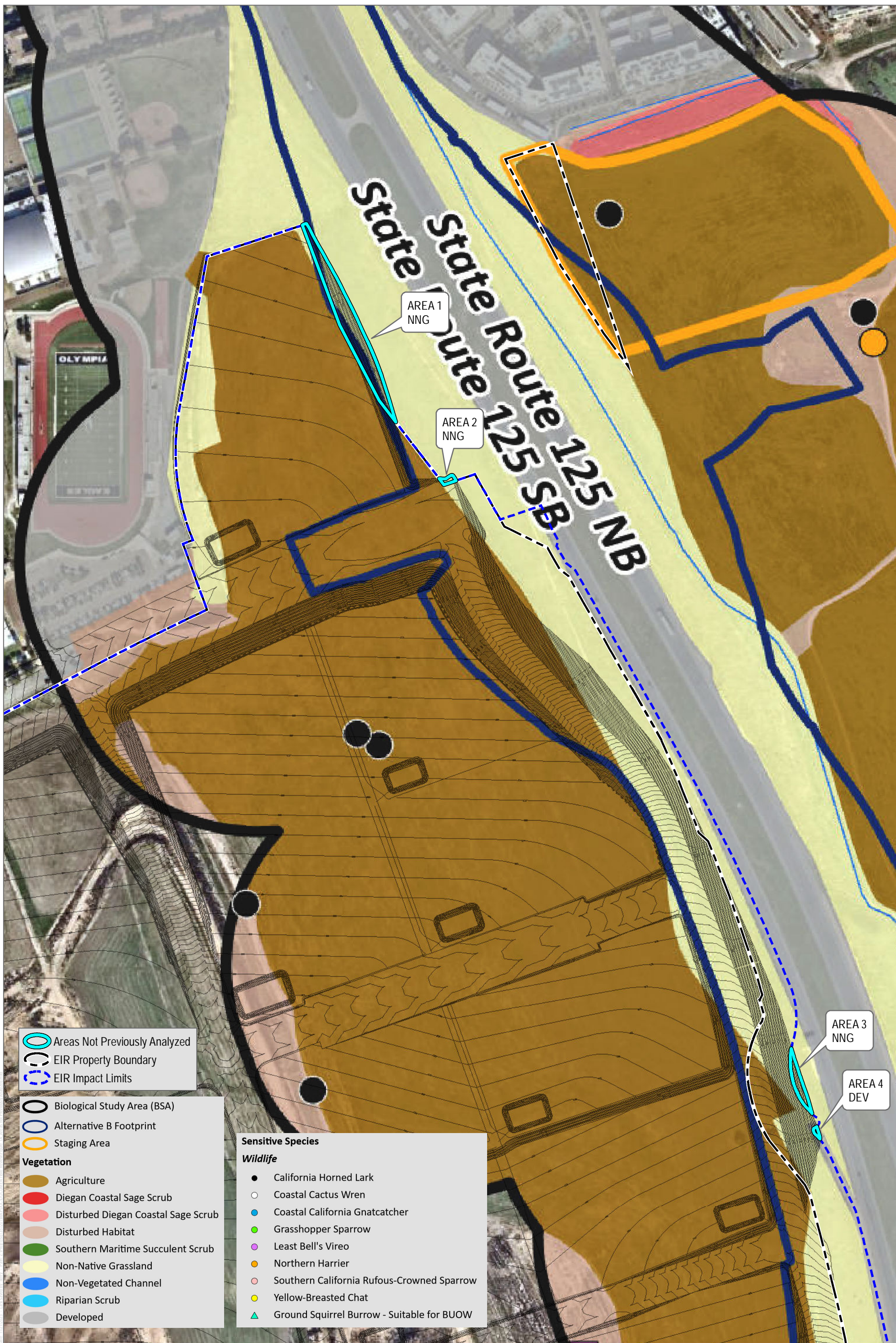
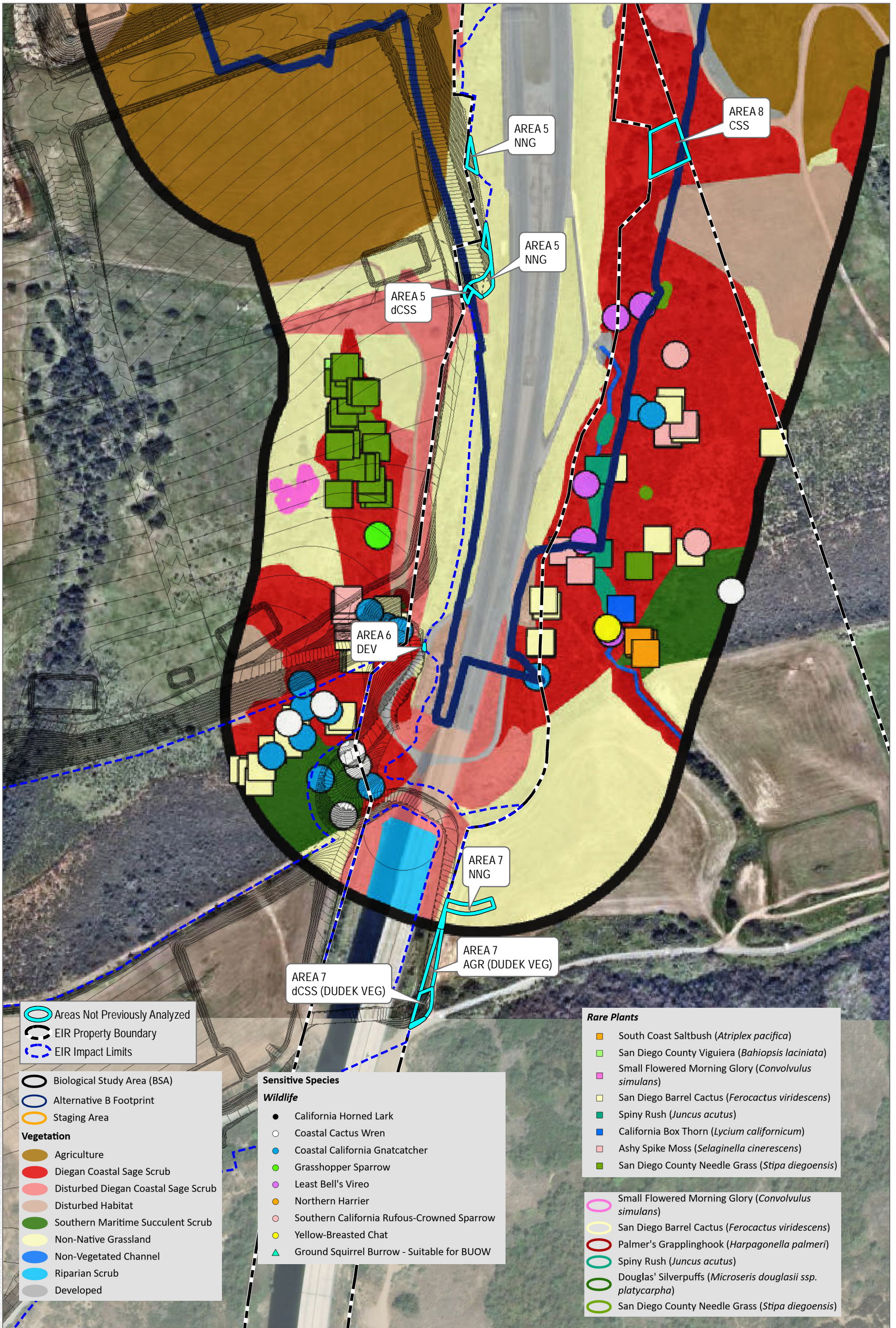


FIGURE 1
 Village 8 East Tentative Map Revisions - Biological Review

Village 8 East



SOURCE: AERIAL-SANGIS 2023; BIOLOGICAL RESOURCES-HARRIS & ASSOCIATES 2023; DESIGN-HUNSAKER November 17, 2023



SOURCE: AERIAL-SANGIS 2023; BIOLOGICAL RESOURCES-HARRIS & ASSOCIATES 2023; DESIGN-HUNSAKER November 17, 2023