

**SAN DIEGO UNIFIED PORT DISTRICT
DEVELOPMENT SERVICES DEPARTMENT**

P.O. BOX 120488
SAN DIEGO, CA 92112-0488
(619) 686-6291

COASTAL DEVELOPMENT PERMIT

Applicant: Sun Communities, Inc.
27777 Franklin Road, Suite 200
Southfield, MI 48034

Project: Costa Vista RV Resort

Location: North of E Street and West of Bay Boulevard, Chula Vista, CA 91910
(Sweetwater District of the Chula Vista Bayfront)

You are hereby granted a Coastal Development Permit. This Permit is issued in conformance with the California Coastal Act of 1976 and the Coastal Permit Regulations of the San Diego Unified Port District, as adopted by the Board of Port Commissioners on July 1, 1980, Resolution No. 80-193, and as amended on December 2, 1980, Resolution No. 80-343, and on February 14, 1984, Resolution No. 84-62, in accordance with the provisions for the issuance of an ☐ Emergency ☐ Non-Appealable ☒ Appealable Coastal Development Permit.

Date of Board Action: September 12, 2018

Board of Port Commissioners Resolution Number: 2018-xx

Date of Permit: xxxxx xx, 2018

Application Number: 2018-053

Permit Number: CDP-2018-XX

The Project, as defined below, is located within the jurisdiction of the San Diego Unified Port District (District) and in California Coastal Zone. The project constitutes development pursuant to Coastal Act Section 30106 as it would result in the erection of structures, grading, and change in the intensity of use of land. The project is an appealable development pursuant to Section 30715 of the Coastal Act as it constitutes a category of development for the development of a recreational vehicle park, which is akin and the same as a hotel or motel. The Project is located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein. The Project will enhance public access and public recreation in the Chula Vista Bayfront

by providing 246 lower-cost overnight accommodations (comprised of 237 replacement lower cost overnight accommodation mobile vehicle stalls and 9 new additional stalls) and providing walking trails around the Project site of sufficient distance from the adjacent wildlife habitat refuge. The Project is fully consistent with Chapter 3 and 8 of the Coastal Act and the District's certified Port Master Plan (PMP), which includes, by reference, the Chula Vista Bayfront Development Policies (Clerk Document No. 59407), the Chula Vista Bayfront Public Access Program (Clerk Document No. 59408, and the Chula Vista Bayfront Natural Resources Management Plan (Clerk Document No. 65065) (collectively, PMP provisions).

This Permit is limited to the development described below and set forth in material on file with the District and subject to the terms, conditions, and provisions hereinafter stated:

DEVELOPMENT

The Project Applicant, Sun Communities, Inc. (Permittee), proposes to construct and operate a low-scale, low-profile, lower-cost recreational vehicle (RV) resort with associated improvements, public infrastructure, and a landscape buffer (collectively, Project or project) on six parcels located in the Sweetwater District of the Chula Vista Bayfront (CVB) referred to as parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3. The parcels are delineated on Precise Plan Map Figure 19 in Planning District 7 of the certified PMP. The Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the access road for the LCDC will be constructed at this time); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1 & SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the PMP Project List (Table 19). The PMP land use designations within the limits of the Project are "Commercial Recreation" (S-1 & S-3), "Open Space/Habitat Replacement" (SP-1), "Wetlands" (SP-2), and "Park/Plaza" (S-2 & SP-3).

The entire Project includes the following components/features:

Roadways and Circulation

- New 26-foot wide roadway with 13-foot travel lane in each direction with sidewalk (E Street, from Bay Boulevard to F Street).
- Grading for a future 34-foot wide roadway with 11-foot travel lane and a 6-foot Class 2 bicycle lane in each direction (F Street, south of E Street).
- New 28-foot wide roadway with 14-foot travel lane in each direction (F Street, north of E Street).
- Relocated 22-foot wide roadway with 11-foot travel lane in each direction with a 1' flat area for each shoulder (Gunpowder Point Drive).
- Temporary access road to the Living Coast Discovery Center during construction.
- Roundabout at the intersection of E Street and F Street.

- Removal of existing railroad tracks and ties at non-operational crossing.
- Appropriate roadway transitions at each terminus point to existing roadway improvements, including striping.
- Traffic signal modifications and striping at Bay Boulevard, the I-5 southbound on and off-ramps, and E Street to provide pedestrian crossings on the north, west and south sides of the intersection.
- 8-foot wide sidewalk on the north side of E Street west of Bay Boulevard, with a 6-foot wide landscape parkway between the curb and sidewalk except adjacent to the existing mulefat area.
- 5-foot wide sidewalk on the north side of E Street east of the I-5 southbound ramp to the I-5 bridge.
- 12-foot wide pedestrian trail consisting of an 8-foot wide decomposed granite pathway and 2-foot wide vegetated shoulders on each side looping around the outside of the RV Park, in Parcels SP-3 and SP-1.
- 14-foot wide Class 1 bicycle path and 8-foot wide decomposed granite pedestrian path along the south side of E Street around the north side of the roundabout and into S-2.
- The existing parking lot used by Living Coast Discovery Center (LCDC) on the San Diego Gas & Electric (SDG&E) utility corridor north of E Street will be left in place, slurry coated and restriped. The new parking lot for the LCDC in parcel SP-3 is not included in the scope of this permit.

Utilities

- The potable water system will provide service to adjacent properties and accommodate the build-out of the Bayfront. A 12-inch waterline will be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch line will be installed in F Street north of E Street.
- The existing fire line and service line that serve the United States Fish and Wildlife Service (USFWS) and LCDC will be relocated into the new Gunpowder Point Drive. These new underground lines will replace existing on-ground pipelines up to the USFWS boundary.
- The sewer system will provide service to adjacent properties and accommodate the build-out of the Bayfront analyzed in the Final EIR. An 8-inch sewer line will be installed in F Street, connecting to an existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street.
- A new sewer flow meter may be installed in an existing meter vault by the City of San Diego.
- Dry utilities, including gas, electric, and communications lines in E and F Streets.
- Relocation and undergrounding of all existing electric and communications lines on S-1, SP-3 and SP-1.
- Light-emitting diode (LED) street lighting along E Street and F Street north of E Street.

Drainage/Grading

- Storm drain systems to accommodate the ultimate build-out of the Bayfront analyzed in the Final EIR.
- Post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies will be implemented. Permanent BMPs include three bio-retention basins and two sediment traps.
- A portion of the storm drain system captures runoff from off-site upstream areas which is discharged to a bio-retention basin. This will provide treatment of runoff from upstream commercial areas that currently discharge directly into the Seasonal Wetlands.
- Grading on parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3 that includes 40,000 cubic yards of cut and 205,000 cubic yards of fill for a total import of 165,000 cubic yards.

Landscape

- Landscape planting and irrigation throughout the RV resort (Parcel S-1) with a special plant palette native to California.
- Landscape planting and irrigation with a species plant palette native to Coastal Southern San Diego County in the 400-foot buffer on Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-2.
- Landscape planting and irrigation along E Street and F Street.
- An additional landscape buffer will be provided along E street to enhance the entrance into the Chula Vista Bayfront.
- Mitigation for impacts to existing coastal sage scrub at a 3:1 ratio. Mitigation includes restoration with maritime succulent scrub in Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-3. The habitat restoration will be monitored consistent with the provisions of the PMP, including the Development Policies and NRMP, and the Final EIR Mitigation Monitoring and Reporting Program (MMRP).
- A 6-foot tall, black vinyl-coated chain link fence located along the outer boundary of the no-touch buffer to limit access to the National Wildlife Refuge.
- Keypad controlled electric-operated gates will be provided at two locations on Gunpowder Point Drive to control access to USFWS and LCDC. One will be at the turnoff from F Street and the other will be along the no-touch buffer fence.

RV Park

- 246 spaces with concrete pads and utility hook-ups for sewer, water and electricity. The RV resort will consist of 172 traditional RV stalls and 74 stalls with RV Park Models (PMs). PMs are considered a unique, trailer-type of RV that are built on a single chassis, mounted on wheels, and can be moved at any time. PMs are manufacture-certified as complying with the American National Standards Institute (ANSI) A119.5 standard for Recreational Park Trailers. Once parked on a stall, PMs are typically treated with architectural enhancements and skirting around the wheels to make the units aesthetically pleasing.

- Welcome center (4,519 square feet) containing Costa Vista Resort offices, marketplace, restrooms, showers and guest laundry facilities. A protected dog area is proposed adjacent to the welcome center.
- A paseo which links the resorts welcome center to the pool area amenities.
- The aquatic features of the resort include a children's play pool, family pool and Jacuzzi.
- The aquatic amenities building (3,928 square feet) will house the men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment rooms, sauna, guest laundry facilities, and an outdoor viewing deck.
- The resort activity building (6,252 square feet) is located on the north side of the aquatic facilities and will house the grill/restaurant, entertainment arcade, game room, business center and restrooms.
- The activity center will also contain a multi-purpose room for educational and large guest gatherings.
- The center of the RV resort will house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits. The resort restroom (1,071 square feet) will also be located in this area.
- Interior drive aisles and utilities.
- The facilities within the RV Resort will provide LED lighting to ensure safety of the guest. Low-level pathway lights will be utilized within the resort to assist in wayfinding for the guest.
- A 6-foot tall, black tubular metal fence with picket spacing of approximately four inches and two inches between the bottom of the picket and the ground, will be installed along the perimeter to control wildlife movement and to protect the adjacent sensitive habitat from human interaction and domesticated, feral, and nuisance predators. Security gates and controlled entry points will also be provided.
- The entire RV resort will be graded to accommodate adequate sewer fall across the site eliminating the need for a sewer pump station along the southwest corner of the resort at the round-about on E street.

STANDARD PROVISIONS

1. Permittee shall adhere to the current plans for the Project as approved by the District and the Project features, described above, for the Project.
2. Permittee shall notify the District of any changes in the Project and herein described. Notification shall be in writing and be delivered promptly to the District. District approval of the Project change may be required prior to implementation of any changes.
3. Permittee and the Project shall meet all applicable codes, statutes, ordinances and regulations, and Permittee shall obtain all necessary permits from local, regional, state, and federal agencies.

4. Permittee shall conform to, and this Permit is subject to, the permit rules and regulations of the District, including, but not limited to, the District's Coastal Development Permit Regulations.
5. Permittee shall be responsible for compliance with ADA and Title 24 specifications.
6. Permittee shall commence development within two (2) years following the date of permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
7. The Permit is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
8. This Permit shall not be valid unless two copies have been returned to the Development Services Department of the District, upon which copies the Permittee has signed a statement agreeing that the Permittee will abide by the terms, conditions, limitations, and provisions of the permit.
9. The Permittee and contractor shall perform all best management practices (BMPs) during construction and maintenance operations. This includes no pollutants in the discharges to storm drains or to Pacific Ocean, to the maximum extent practicable.
10. All District tidelands are regulated under Regional Water Quality Control Board Order No. R9-2013-0001, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0109226, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region (Municipal Permit). The Municipal Permit prohibits any activities that could degrade stormwater quality.

The Permittee shall ensure that post-construction / operational use of this Project site complies with the Municipal Permit and District direction related to permitted activities including the requirements found in the District's Jurisdictional Runoff Management Program (JRMP). The JRMP is available on the District website: <https://www.portofsandiego.org/environment/clean-water> or by contacting the Stormwater Department, (619) 686-6254.

11. This Project may be subject to the District post-construction BMP requirements. If so, approval of the Project by the District is necessarily conditioned upon submission by the Permittee of a specific Stormwater Quality Management Plan (SWQMP) for the Project that meets District requirements and is compliant with the District BMP Design Manual (JRMP Appendix D). The Permittee shall implement all post-construction structural and non-structural BMPs throughout the life of the Project.

The implementation and maintenance of the post-construction BMPs constitute regulatory obligations for the Permittee, and failure to comply with the Municipal Permit, the JRMP, or the District approved SWQMP, including the specific BMPs contained therein, may be considered a violation of the permit and a violation of District Code.

12. In the discretion of the District, prior to commencement of construction, Permittee may be required to require that their contractor(s) furnish security, naming the District as a dual obligee, in the form of a performance bond and a payment bond, each in an amount deemed appropriate by the District to guarantee payment of the subcontractors, completion of the approved work under this permit, and compliance with the conditions and limitations upon which such permit is granted. Prior to commencement of construction, Permittee may also be required by the District to furnish security in the form of a payment bond in an amount deemed appropriate by the District to guarantee payment to the contractor(s) for work performed under this permit.
13. By accepting this Permit, Permittee acknowledges and agrees (a) that the Project site may be subject to environmental conditions and hazards; (b) to assume the risks to the Permittee of injury and damage from such conditions in connection with the implementation or operations of the Project; (c) to unconditionally waive any claim of damage or liability against the District, its Board of Port Commissioners, officers, agents and employees ("District" for purposes of this condition) for injury or damage from such conditions to persons performing the development for which this permit is issued or operating on the Project site under this permit; (d) to defend, indemnify and hold harmless, and require that Permittee's contractor(s) engaged to perform the development on the Project defend, indemnify and hold harmless, the District from any claim, demand, liability, loss, action, administrative agency appeal, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment (collectively, Claims) arising out of, resulting from, or in any way related to the performance of the development by Permittee's contractor(s) for which this permit is issued, with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (e) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to Permittees operation of the Project site with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (f) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to the District's approval of the Project and the granting of this permit; and (g) that Permittee will require Permittee's contractors to name the District as an additional insured on all policies of insurance, now in existence or to be obtained by them, for the work conducted pursuant to this permit.
14. Permittee acknowledges and agrees that: (a) it is the sole and exclusive responsibility of Permittee, and not the District, to ensure that all persons and/or

entities who provide any labor, services and/or equipment in connection with the project, shall comply with the requirements of California's prevailing wage laws (the "PWL"), to the extent such laws are applicable; and (b) it is the sole and exclusive responsibility of Permittee, and not the District, to determine whether the Project is subject to the PWL by obtaining a determination by means that do not involve the District. If the Project is determined to be subject to the PWL, Permittee shall comply with all applicable provisions of the PWL, and shall take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project shall likewise comply with all applicable provisions of the PWL.

Permittee further acknowledges and agrees that Permittee's failure to comply with all applicable provisions of the PWL, and/or their failure to take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project comply with all applicable provisions of the PWL, shall render Permittee, and not the District, liable for all remedies (inclusive of all applicable fines and penalties), afforded by law as a consequence of such non-compliance. Permittee expressly agrees to defend, indemnify and hold harmless the District, from any claim, demand, liability, loss, action, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment arising out of, resulting from, or in any way related to the PWL (collectively "PWL Claim") made against or incurred by the District in any capacity (including, without limitation, as a real party in interest), except for any PWL Claim arising out of the sole negligence or willful misconduct of the District.

15. The conditions of this Permit are independent of, and in addition to, the obligations of the Permittee under any existing lease(s), Tidelands Use and Occupancy Permit(s), or other contractual agreement(s) with the District, and are binding upon Permittee and its agents, representatives, successors and permitted assigns.

SHORT TERM CONSTRUCTION MEASURES

1. To minimize noise during construction, the Permittee will require the construction contractor to (a) restrict normal construction activities from 7:00 am to 7:00 pm; (b) keep construction equipment as far as possible from sensitive receptors; and (c) provide acoustical shielding around equipment operating at night, from 10:00 pm to 7:00 am.
2. To minimize nuisance effects from lights or glare during construction, the Permittee will require the construction contractor to shield and direct night lighting away from adjacent areas.
3. All construction equipment shall be maintained in peak condition to reduce operational emissions.
4. Diesel equipment shall use low-sulfur diesel fuel.

5. Electric equipment shall be used to the maximum extent feasible during construction.
6. The Permittee shall require the construction contractor to provide construction employees with transit and ride share information.
7. The Permittee shall ensure that any site contamination is identified and a site restoration plan, acceptable to the appropriate regulatory agencies, is prepared and implemented to reduce any existing contamination to a level that has no potential to threaten employee or human health as defined under existing regulations. If any potential exists for impacts to employee health from exposure to hazardous materials, workers shall be provided with adequate protective gear.
8. The Permittee shall require all employees that are exposed to noise levels in excess of Occupational Safety and Health Administration hearing protection thresholds, during construction or operation, to wear noise protection devices (ear plugs and covers) that are protective of individual hearing.
9. Permittee and/or contractor shall comply with State Water Resources Control Board Order No. 2009-0009-DWQ (NPDES General Permit No. CAS000002), and Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (commonly known as the "Construction General Permit"), as adopted, amended, and/or modified. Construction activity subject to the Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permittee and/or contractor are responsible for submitting to the District a SWPPP that is compliant with the Construction General Permit and District required minimum BMPs. The District requires the use of District SWPPP templates. Once approved, the SWPPP document shall be maintained on the construction site at all times and made available for review by the District or other regulatory agencies.

The Permittee and/or contractor is responsible for ensuring that the SWPPP document is maintained on the site, implemented, and amended as required throughout construction. No discharges of any material or waste, including potable water, wash water, dust, soil, trash, and debris, may contaminate stormwater or enter the stormwater conveyance system. Any such material that inadvertently contaminates stormwater or enters the stormwater conveyance system as part of site operations shall be removed immediately. All unauthorized discharges to the stormwater conveyance system or the Bay or the ocean shall be reported immediately to the District Stormwater Department, in order to address any regulatory permit requirements regarding spill notifications.

A project's total disturbed soil area (DSA) shall not exceed 5 acres during the rainy season (October 1 - April 30) and 17 acres during the non-rainy season (May 1 - September 30). The District may temporarily increase these limits if the individual

site is in compliance with applicable stormwater regulations and the site has adequate control practices implemented to prevent stormwater pollution, including an erosion control mobilization plan. The erosion control mobilization plan is subject to post-construction BMP requirements.

SPECIAL PROVISIONS

1. All structures onsite shall not exceed a maximum height of 25 feet and limited to one story (DP 23.15).
2. Permittee shall comply with all applicable Mitigation Monitoring and Reporting Program requirements (Attachment A), as described in the "Chula Vista Bayfront Master Plan" Final Environmental Impact Report (UPD #83356-EIR-658; SCH #2005081077; Clerk Document No. 56562, dated November 2015, and certified by Resolution No. 2010-78 on May 18, 2010), all applicable policies and implementation measures in Chula Vista Bayfront Development Policies (DP) (Clerk Document No. 59407), the Chula Vista Bayfront Natural Resources Management Plan (NRMP) (Clerk Document No. 65065), and the Chula Vista Bayfront Settlement Agreement (SA) (Clerk Document No. 56523). The applicable Mitigation Measures (MM), policies, and implementation measures are included, but not limited to, the following Special Provisions of this Permit.
3. Trash containers shall be animal proof to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons and other similar animals, and self-closing with frequent servicing to prevent litter from being wind-blown off-site. (MM 4.8-7; NRMP 4.6-1; SA 4.3.3l CCDP 12.1(c))
4. Prior to the issuance of a grading permit, the applicant shall notify the Regional Water Quality Control Board (RWQCB) of dewatering of contaminated groundwater during construction. If contaminated groundwater is encountered, the project developer shall treat and/or dispose of the contaminated groundwater (at the developer's expense) in accordance with Nation Pollutant Discharge Elimination System (NPDES) permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. (MM 4.5-2(A), MM 4.8-6(G), & MM 4.14.2-5(A), NRMP 3.2-1(III))
5. Prior to the discharge of contaminated groundwater for all construction activities, should flammables, corrosives, hazardous wastes, poisonous substances, greases and oils, and other pollutants exist on site, a pretreatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system. (MM 4.5-2(B), MM 4.8-6(G), & MM 4.14.2-5(B), NRMP 3.2-1(III))
6. Prior to the issuance of a grading or building permit, a Spill Prevention/Contingency Plan shall be submitted. The plan shall:

- Ensure that hazardous or potentially hazardous materials (e.g., cement, lubricants, solvents, fuels, other refined petroleum hydrocarbon products, wash water, raw sewage) that are used or generated during the construction and operation of any project as part of the proposed project shall be handled, stored, used, and disposed of in accordance with NPDES permitting requirements and applicable federal, state, and local policies.
- Include safety data sheets.
- Require 40 hours of worker training and education as required by the Occupational Safety and Health Administration.
- Minimize the volume of hazardous or potentially hazardous materials stored at the site at any one time.
- Provide secured storage areas for compatible materials, with adequate spill contaminant.
- Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port.
- Demonstrate that all local, state, and federal regulation regarding hazardous materials and emergency response have been or will be complied with.
(MM 4.5-3, MM 4.8-6(G) & NRMP 3.2-1(III))

7. Consider implementing the following measures to reduce Greenhouse Gas emissions (GHG):

Energy Efficiency

- Site buildings to take advantage of shade, prevailing winds, landscaping, and sun screens to reduce energy use.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored "cool" roofs, cool pavements, and strategically placed shade trees.
- Provide information on energy management services for large energy users.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting.
- Limit the hours of operation for outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

Renewable Energy

- Install solar systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property where appropriate. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water efficient. Install water-efficient fixtures and appliances.
- Use gray water. (Gray water is untreated household wastewater from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing gray water to be used for landscape irrigation.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment. (Retaining stormwater runoff on site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover byproduct methane to generate electricity.
- Provide education and publicity about reducing waste and available recycling services.

Transportation and Motor Vehicles

- Limit idling time for commercial, non-refrigerated vehicles, including delivery and construction vehicles. Refrigerated delivery trucks may remain idling while at loading docks.
- Use low or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs; e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger

loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
- Provide public transit incentives, such as free or low-cost monthly transit passes.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking.
- Institute a telecommuter work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high quality teleconferences.

Provide information on all options for individuals and businesses to reduce transportation related emissions. Provide education and information about public transportation.

(MM 4.6-6)

8. To avoid significant construction-related noise impacts, the following measures shall be followed:

- Construction activity shall be prohibited Monday through Friday from 10:00 P.M. to 7:00 A.M., and Saturday and Sunday from 10:00 P.M. to 8:00 A.M., pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J).
- All stationary noise generating equipment, such as pumps and generators, shall be located as far as possible from noise sensitive receptors, as practicable. Where practicable, noise-generating equipment shall be shielded from noise sensitive receptors by attenuating barriers or structures. Stationary noise sources located less than 200 feet from sensitive receptors shall be equipped with noise reducing engine housings. Water tanks, equipment storage, staging, and warm-up areas shall be located as far from noise sensitive receptors as possible.
- All construction equipment powered by gasoline or diesel engines shall have sound control devices at least as effective as those originally provided by the manufacturer; no equipment shall be permitted to have an un-muffled exhaust.
- Any impact tools used during demolition of existing infrastructure shall be shrouded or shielded, and mobile noise generating equipment and machinery shall be shut off when not in use.
- Construction vehicles accessing the site shall be required to use the shortest possible route to and from 1-5, provided the route does not expose additional receptors to noise.

(MM 4.7-8, 4.14.1-1, & 4.14.2-2; & NRMP 4.5-3(VII))

9. Construction-related noise shall be limited during the typical breeding season of January 15 to August 31 adjacent to the Sweetwater Marsh National Wildlife Refuge and F & G Street Marsh. The current accepted noise threshold is 60 dB(A) Leq.; thus construction activity shall not exceed this level, or ambient noise levels if

higher than 60 dB(A) during the breeding season. If construction does occur within the breeding season or adjacent to the marshes, the project developer shall prepare and submit an acoustical analysis to the Port that shall determine whether noise barriers would be required to reduce the expected levels below the threshold. If noise barriers, construction activities, or other methods are unable to result in a level of noise below the threshold, construction in these areas shall be delayed until the end of the breeding season. (MM 4.7-9)

10. If grading or construction occurs during the breeding season for nesting raptors (January 15 through July 31), a Port approved biologist, as appropriate, shall be retained who shall conduct a pre-construction survey for active raptor nests. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port for review and approval. If an active nest is found, an appropriate setback distance will be determined in consultation with the applicant, Port, United State Fish and Wildlife Service (USFWS), and California Department of Fish and Game (CDFG). The construction setback shall be implemented until the young are completely independent of the nest or the nest is relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the Port detailing observations made during field inspections. The bio-monitor shall also notify the Port immediately if clearing is done outside of the permitted project footprint. (Mitigation Measure 4.8-1, NRMP 4.4-2(IV.A & B), & NRMP 4.4-2(VI))
11. Prior to construction in any areas with suitable nesting habitat for burrowing owl and, if grading or construction occurs during the breeding season for the burrowing owl (January 15 through July 31), the project developer(s) within the Port's or City's jurisdiction, as appropriate, shall retain a qualified biologist, who shall be approved by the Port or City, respectively, to conduct a pre-construction survey within all suitable habitat prior to any grading activities. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port or City, as appropriate, for review and approval. If an active burrow is detected during the breeding season of January 15 to July 31, construction setbacks of 300 feet from occupied burrows shall be implemented until the young are completely independent of the nest. If an active burrow is found outside of the breeding season, or after an active nest is determined to no longer be active by a qualified biologist, the burrowing owl would be passively relocated according to the guidelines provided by CDFG (1995) and in coordination with CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the

- construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the City and/or Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the City and/or Port detailing observations made during field inspections. The bio-monitor shall also notify the City and/or Port immediately if clearing is done outside of the permitted project footprint. (MM 4.8-2, NRMP 4.4-2(IV.A & C), & NRMP 4.4-2(VI))
12. If grading or construction occurs during the breeding season for migratory birds (January 15 through August 31), the project developer shall retain a qualified biologist, approved by the Port, to conduct a pre-construction survey for nesting migratory birds. The pre-construction survey must be conducted no more than 10 calendar days prior to the start of construction, the results of which must be submitted to the Port for review and approval. If active nests are found, the Port will consult with USFWS and CDFG to determine the appropriate construction setback distance. Construction setbacks shall be implemented until the young are completely independent of the nest or relocated with the approval of the USFWS and CDFG. A bio-monitor shall be present on site during initial grubbing and clearing of vegetation to ensure that perimeter construction fencing is being maintained. A bio-monitor shall also perform periodic inspections of the construction site during all major grading to ensure that impacts to sensitive plants and wildlife are minimized. Depending on the sensitivity of the resources, the Port shall define the frequency of field inspections. The bio-monitor shall send a monthly monitoring letter report to the Port detailing observations made during field inspections. The bio-monitor shall also notify the Port immediately if clearing is done outside of the permitted project footprint. (Mitigation Measure 4.8-3, NRMP 4.4-2(IV.A, B, & C), & NRMP 4.4-2(VI))
 13. During the avian breeding season from January 15 to August 31, noise levels from construction activities must not exceed 60 dB(A) Leq., or ambient noise levels if higher than 60 dB(A). The project developer shall prepare and submit to the Port for review and approval an acoustical analysis and nesting bird survey to demonstrate that the 60 dB(A) Leq. Noise level is maintained at the location of any active nest within the marsh. If noise attenuation measures or modifications to construction activities are unable to reduce the noise level below 60 dB(A), either the developer must immediately consult with the USFWS to develop a noise attenuation plan or construction in the affected areas must cease until the end of the breeding season. (Mitigation Measure 4.8-6 (A))
 14. Light posts shall have anti-perching spike strips along any portions that would be accessible to raptors. (MM 4.8-6 (B))
 15. Prior to issuance of a building permit, applicant shall prepare a lighting design plan, including a photometric analysis, to be reviewed by the Port. The plan shall include the following features:

- All exterior lighting shall be directed away from the habitat buffers, Preserve Areas, habitats, wherever feasible and consistent with public safety. Where necessary, lighting of all developed areas adjacent to the habitat buffers, Preserve Areas, or habitats, shall provide adequate shielding with non-invasive plant materials (preferably native), berming and/or other methods to protect the aforementioned areas from night lighting. The light structures shall have shielding (and incorporate anti-raptor perching criteria; but the placement of the light structures shall also provide shielding from wildlife habitats and shall be placed in such a way as to minimize the amount of light reaching adjacent habitat buffers, Preserve Areas, and habitats.
 - All exterior lighting immediately adjacent to habitat buffers, Preserve Areas, and habitats shall be low-pressure sodium lighting or other approved equivalent.
 - To the maximum extent feasible, all external lighting will be designed to minimize any impact to Wildlife Habitat Areas, and operations and maintenance conditions and procedures will be devised to ensure appropriate long-term education and control. To the maximum extent feasible, ambient light impacts to the Sweetwater Marsh will be minimized.
(MM 4.8-6 (D))
16. Equipment staging areas shall be centered away from the edges of the project, and construction equipment shall be maintained regularly and muffled appropriately. In addition, construction noise must be controlled to minimize impacts to Wildlife Habitat Areas. (MM 4.8-6(E) & NRMP 4.5-3(II))
17. Any invasive plant species listed on the California Invasive Plan Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of the Chula Vista Bayfront Master Plan Final EIR), the California Invasive Plan Inventory Database, or any related updates shall not be used in the proposed project area. Any such invasive plant species that establishes itself within the proposed project area will be removed immediately to the maximum extent feasible and in a manner adequate to prevent further distribution in Wildlife Habitat Areas. (Mitigation Measure 4.8-6 (F))
18. Prior to issuance of any clearing and grubbing or grading permits, temporary orange fencing shall be installed around sensitive biological resources on the project site that will not be impacted by the Proposed Project. Silt fencing shall also be installed along the edge of the San Diego Bay National Wildlife Refuge (SDBNWR) during grading within the western portion of the ecological buffer. In addition, the applicant must retain a qualified biologist to monitor the installation and ongoing maintenance of this temporary fencing adjacent to all sensitive habitat. This fencing shall be shown on both grading and landscape plans, and installation and maintenance of the fencing shall be verified by the Port's or City's Mitigation Monitor, as appropriate. (Mitigation Measure 4.8-6 (H))
19. In all areas of the Chula Vista Bayfront, especially on the foot path adjacent to the marsh on the Sweetwater District property, mandatory leash laws shall be enforced.

Appropriate signage shall be posted indicating human and domestic animal access is prohibited with the designated Preserve areas. (Mitigation Measure 4.8-6(H))

20. Pursuant to permitting requirements of the Resource Agencies, pre-construction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area. (Mitigation Measure 4.8-6(H))
21. Prior to the Issuance of any permit for excavation, demolition, grading, or construction activities in the area described in the relevant permit based on the planned future use, the following shall occur:
 - A. The applicant shall contact the lead regulatory agency (RWQCB/Department of Environmental Health (DEH)/Department of Toxic Substance Control (DTSC)) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).
 - B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.
 - C. A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction

activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options.

If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.

In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.

Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.

- D. In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste shall be characterized and disposed of in accordance with California Code of Regulation (CCR) Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material.
22. The Port shall implement a grading, monitoring, and data recovery program to reduce potential impacts to undiscovered buried archaeological resources on the Proposed Project to the satisfaction of the Director of Land Use Planning. Elements of the program will include that only certified archaeologists and Native American monitors are accepted. The project archaeologist shall monitor all areas Identified for excavation, including offsite improvements. The monitors shall be present during the original cutting of previously undisturbed deposits. In the event that a previously unidentified potentially significant cultural resource is discovered, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant resource. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared and approved by the County, then carried out using professional archaeological methods.

In the event that human bones are discovered, the County coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American

Heritage Commission shall be contacted by the project archaeologist to determine proper treatment and disposition of the remains. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the context shall be completed and submitted to the satisfaction of the Director of Land Use Planning. (MM 4.10)

23. Prior to the issuance of any grading permit in the Sweetwater District, the applicant shall retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques) who shall carry out the following mitigation program. Fieldwork may be conducted by a qualified paleontological monitor (defined as an individual who has experience in the collection and salvage of fossil materials) who at all times shall work under the direction of the qualified paleontologist.

- The paleontologist shall attend all pre-grading meetings to inform the grading and excavation contractors of this paleontological resource mitigation program and shall consult with them with respect to its implementation.
- The paleontological monitor shall be on site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations to inspect cuts for contained fossils in the low coastal mesa adjacent to Bay Boulevard in the northeastern portion of the Sweetwater District. The paleontological monitor shall be on site during the original cuts in deposits with a moderate resource sensitivity.
- If fossils are discovered, the paleontologist or monitor shall recover them. In instances where recovery requires an extended salvage time, the paleontologist or monitor shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist or monitor, a screen-washing operation for small fossil remains shall be set up.
- Recovered fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections. A final summary report that outlines the results of the mitigation program shall be completed. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils. All work shall be completed to the satisfaction of the Port or the City of Chula Vista, as appropriate.
(MM 4.11-1)

24. Prior to the issuance of any permit for excavation, demolition, grading, or construction activities in the area described in this Coastal Development Permit, the following shall occur:

- A. The applicant shall contact the lead regulatory agency (RWQCB/DEH/DTSC) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future site use. Remediation of contaminated soil

and/or groundwater in these areas shall meet cleanup requirements established by the local regulatory agency based on the planned future use of the area and shall be protective of human health with regard to future occupants of these areas. The applicant shall submit documentation showing that contaminated soil and/or groundwater in the area covered by the permit shall have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (RWQCB/DEH/DTSC).

- B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSC) confirming the completion of any remediation required for development of the site, exclusive of any on-going monitoring obligations. A copy of the authorization shall be submitted to the Port and City to confirm meeting all requirements acceptable to the governing agency and that the proposed development parcel has been cleaned up or is in process to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEH shall be notified of the proposed land use.
- C. A Soil and Water Management Plan (SWMP) for Phase I activities shall be developed to provide procedures for addressing unknown contamination and subsurface equipment (i.e., pipes, tanks) or debris encountered during construction and excavation. A SWMP for subsequent phases shall be prepared prior to construction and excavation or such development. The plan shall be developed by a qualified environmental consultant and shall identify notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater) measures to avoid or reduce impacts associated with hazardous materials contamination to a less than significant impact. The SWMP shall be approved by the Port and/or City prior to commencement of excavation, grading, demolition or construction. A qualified environmental consultant shall monitor excavations, grading, and construction activities in accordance with the plan. Any excess soil generated by construction shall be characterized to determine disposal options.

If indications of contamination are encountered during construction, a qualified environmental consultant shall be retained to observe the contamination, consult with the regulatory oversight agency, perform environmental media (soil, soil gas, and groundwater) sampling and analysis as necessary, report the result, and provide recommendations or further action.

In areas that have been identified as being contaminated, appropriate observation by a qualified environmental professional and sampling is required to characterize soil prior to off-site disposal. Contaminated soil shall be properly disposed of at an off-site facility. Fill soils shall be sampled to ensure that imported soil is free of contamination.

Within one month of completion of cleanup activities, a report summarizing the results of monitoring shall be submitted by the applicant to the satisfaction of the Port and City.

- D. In the event that grading or construction activities result in the discovery of hazardous waste, the Port and/or City shall ensure compliance with State of California CCR Title 23 Health and Safety Regulation. Excavated soils impacted by hazardous materials or waste shall be characterized and disposed of in accordance with CCR Title 14 and 22. The San Diego RWQCB shall be contacted regarding provisions for possible reuse as backfill of soils impacted by hydrocarbons. Excavated soils shall be lined and covered with an impermeable material to prevent spread of contaminated material.

The applicant must have an Industrial Hygienist registered in the State of California on site while working in areas where contamination is encountered. The responsibility of this professional would be to monitor the work site for contamination and to implement mitigation measures as needed to prevent exposure to the workers or public. These measures may include signage and dust control. Dewatering activities during construction shall be limited to the extent practicable and water generated by dewatering shall be tested to determine treatment and disposal options in accordance with all applicable laws and regulations.

(MM 4.12-1)

25. A. Prior to construction, all contractor and subcontractor project personnel shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including, without limitation, hazardous materials spill prevention and response measures.

B. Hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials.

C. The District shall require that a Business Emergency Plan (BEPP) is prepared for the construction of the Proposed Project, if not covered under their approved SWPPP. The plan shall identify all hazardous materials (e.g., fuels, solvents) that would be present on any portion of the construction area and project site. Contingency analysis and planning shall be presented to identify potential spill or accident situations, how to minimize their occurrence, and how to respond should they occur. The plan shall also identify spill response materials (e.g., absorbent pads, shovels) to be kept at the construction site and their locations.

D. Hazardous materials spill kits shall be maintained on site for small spills.

(MM 4.12-2)

26. In event of removal of underground storage tanks (USTs), the soil and groundwater within the vicinity of the USTs shall be adequately characterized and remediated, if necessary, to a standard that would be protective of water quality and human health, based on future site use. In areas to be redeveloped, a geophysical survey shall be conducted by the applicant to evaluate if there are any previously unidentified USTs or piping still existing in areas to be redeveloped.

In the event that USTs are not identified in the Hazardous Materials Technical Study (HMTS) or undocumented areas of contamination are encountered during grading activities (as indicated by odors, discolored soil, etc.), all work shall cease until appropriate health and safety procedures are implemented pursuant to the applicant's contingency plan. The applicant shall prepare a contingency plan to address contractor procedures for such an event, to minimize the potential for construction delays. In addition, the lead regulatory agency (DEH or RWQCB, depending on the nature of the contamination) shall be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The Permittee shall conduct contamination remediation and removal activities in accordance with pertinent local, state, and federal regulatory guidelines, under the oversight of the appropriate regulatory agency. Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment. (MM 4.12-4)

27. Prior to construction, remediation activities for known contamination shall be performed to be protective of construction workers on the project site, as required by Mitigation Measure 4.12-1. (MM 4.12-6)
28. City's Integrated Pest Management Policies (1PM). 1PM shall be used on all landscaped areas. In addition, fertilizers must be minimized and only non-toxic products used. Runoff from irrigation sprinklers into surface waters must be minimized and use of mulching and drip irrigation, where needed, maximized. Measures shall be employed to ensure that landscape chemicals and wastes do not get into surface waters or habitat areas. (MM 4.12-7)
29. For development in the Sweetwater District that would result in exposure of any soil containing pesticides/herbicides, excavation and disposal of the contaminated soils at an appropriately licensed facility shall be conducted as required by applicable law, to reduce potential for future site occupants' exposure. Otherwise, soil capping shall be implemented. Capping could be performed by placement of a clean soil fill layer over the impacted soil, which in turn could be overlain by other surface covers (i.e., turf and other vegetative cover and pavement).
30. Prior to the issuance of any grading permit, the following measures shall be placed as notes on all grading plans, and shall be implemented during grading of each

phase of the project to minimize construction emissions. These measures shall be completed to the satisfaction of the Port and the Director of Planning and Building for the City of Chula Vista (these measures were derived, in part, from Table 11-4 of Appendix 11 of the South Coast Air Quality Management District (SCAQMD) California Environmental Quality Act (CEQA) Air Quality Handbook (SCAQMD 1999)):

- a) Where practicable, use low pollutant-emitting equipment.
 - b) Where practicable, use catalytic reduction for gasoline-powered equipment.
 - c) Use injection timing retard for diesel-powered equipment.
 - d) Water the grading areas a minimum of twice daily to minimize fugitive dust.
 - e) Stabilize graded areas as quickly as possible to minimize fugitive dust.
 - f) Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry.
 - g) Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.
 - h) Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
 - i) Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
 - j) Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
 - k) Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
 - l) Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 mph.
 - m) Cover/water on-site stockpiles of excavated material.
 - n) Enforce a 15 mile-per-hour speed limit on unpaved surfaces.
 - o) On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce re-suspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
 - p) Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation.
 - q) Electrical construction equipment shall be used to the extent feasible.
(MM 4.6-1 & MM 6.8-1)
31. Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project shall comply with Title 24 of the California Energy Efficient Standards for Residential and Nonresidential buildings. These requirements, along with the following measures, shall be incorporated into the final project design to the satisfaction of the Port and the Director of Planning and Building for the City:
- Use of low-nitrogen oxide (NOx) emission water heaters.
 - Installation of energy efficient and automated air conditioners when air conditioners are provided.

- Energy efficient parking area lights.
- Exterior windows shall be double-paned.
(MM 6.8-2)

32. Development of program-level components of the Chula Vista Bayfront Master Plan (Phases 1 through IV) shall implement measures to reduce GHG emissions. Specific measures may include but are not limited to the following:

Energy Efficiency

- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored "cool" roofs, cool pavements, and strategically placed shade trees.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install LEDs for traffic, street, and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- Provide education on energy efficiency.

Renewable Energy

- Install solar systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including but not limited to soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.
- Provide education and publicity about reducing waste and available recycling services.

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
 - Use low- or zero-emission vehicles, including construction vehicles,
 - Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).
 - Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.
(MM 6.8-3)
33. Prior to the approval of a building permit for any development in all phases of the Proposed Project, the City shall verify that it has adequate sewer capacity to serve the proposed development. In the event the City does not have adequate sewer capacity to serve the proposed development, no building permit shall be approved for the proposed development until the City has acquired adequate sewer capacity to serve the proposed development. In accordance with Section 15130(a)(3) of the State CEQA Guidelines, a significant cumulative impact would be rendered less than cumulatively considerable, and thus is not significant when the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. (MM 6.15.2-1)
34. Prior to the issuance of a building permit, the applicant shall pay all required school mitigation fees. Payment of statutory school fees would ensure that project impacts to school services remain below a level of significance. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects (Government Code Section 65996(a)). Once the statutory school mitigation fee (sometimes referred to as a "developer fee") is paid, the impact would be deemed mitigated as a matter of law. (MM 6.15.6-1)
35. Stormwater and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of an erosion or type conversion will be

developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment accumulation, shoreline erosion and stream bed widening, loss of aquatic species, and decreased base flow. (DP 13.4; NMRP 3.3-2(IV.A)); SA 4.6.2)

36. Adhere to all applicable Clean Water Act and Porter-Cologne requirements. (NRMP 3.2-1(IV))
37. Implement the Port's Water Quality Improvement Plan (2015). (NRMP 3.2-1(V))
38. The use of insecticides, herbicides, rodenticides, or any toxic chemical substance that drains into Wildlife Habitat Areas or which has the potential to significantly degrade Environmentally Sensitive Habitat Area (ESHA), shall be prohibited within and adjacent to ESHAs, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application. (DP 13.6; NMRP 3.2-2(II.D))
39. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas. (DP 13.6; NMRP 3.2-2(II.E))
40. Permittee shall not place any restrictions on admitting RVs/trailers into the resort based on their condition or age so long as the RVs/trailers are operational and road-worthy.
41. No more than 74 Park Models and no less than 172 traditional RV stalls shall be operated on parcel S-1. An amendment to this Permit shall be required to increase the number of permitted Park Models above 74 or decrease the number of permitted traditional RV stalls below 172 on parcel S-1.
42. All landscaping on parcel S-1 shall be native to California, and all landscaping in the buffer parcel SP-1 and seasonal wetlands parcel SP-2 shall be native to Coastal Southern San Diego County.
43. Upon implementation of the Chula Vista Bayfront Shuttle service, Permittee shall provide information regarding the Shuttle service to visitors and employees, and shall promote its use in order to reduce vehicle trips and associated greenhouse gas emissions.
44. The grill/restaurant and spa will be solely for the use of onsite guests.

Condition Precedent to Issuance

45. Prior to issuance of this Permit, the Permittee shall execute a ground lease with the District for the development and operation of the Costa Vista RV Resort project as described in this Permit.

Exhibits:

1. Project Location Map
2. Concept Plans

Attachments:

- A. Mitigation Monitoring and Reporting Program
- B. Precise Plan Figure 19, Planning District 7

If you have any questions on this permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6291.

RANDA CONIGLIO
President/Chief Executive Officer

By: _____
Wileen C. Manaois
Director, Development Services

I have read and understand the terms, conditions, limitations, and provisions of this Permit and agree to abide by them.

Signature of Permittee
Jon Colman
Executive Vice President, Sun Communities, Inc.

Date